Session 125 - (2023-2024)

S 0210 General Bill, By McLeod

A BILL TO ENACT THE "TRANSPARENCY IN JUSTICE ACT"; TO AMEND SECTION 63-19-2040 OF THE S.C. CODE, RELATING TO THE RELEASE OF THE NAME, IDENTITY, OR PICTURE OF A CHILD UNDER THE JURISDICTION OF THE FAMILY COURT, SO AS TO PERMIT THE RELEASE OF THE IDENTITY OF A CHILD UNDER THE JURISDICTION OF THE COURT TO A NEWSPAPER, RADIO, OR TELEVISION STATION IF THE CHILD IS ALLEGED TO HAVE COMMUNICATED A THREAT OF MASS VIOLENCE BY MEANS OF A VIDEO, AUDIO, OR INTERNET-BASED SOCIAL MEDIA COMMUNICATION TO TWO OR MORE PERSONS AND THE CHILD HAS PERSONALLY IDENTIFIED HIMSELF IN THE COMMUNICATION; TO AMEND SECTION 59-24-60 OF THE S.C. CODE, RELATING TO SCHOOL ADMINISTRATORS, SO AS TO REQUIRE THAT SCHOOL ADMINISTRATORS MAKE A REASONABLE EFFORT TO CONTACT ALL PARENTS OF STUDENTS WITHIN A REASONABLE TIME PERIOD BUT NOT LATER THAN TWENTY-FOUR HOURS UPON RECEIVING CREDIBLE INFORMATION THAT A PERSON HAS MADE A THREAT OF SERIOUS INJURY TO A PERSON OR PERSONS ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED ACTIVITY, OR A THREAT TO SERIOUSLY DAMAGE OR DESTROY SCHOOL PROPERTY; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 16 OF THE S.C. CODE, RELATING TO ASSAULTS, BY ADDING SECTION 16-3-605, TO PROVIDE THAT IT IS UNLAWFUL TO WILLFULLY CAUSE BODILY INJURY OR DEATH TO A PERSON OR ATTEMPT OR THREATEN TO CAUSE BODILY INJURY OR DEATH THROUGH THE USE OF A FIRE, A FIREARM, A DANGEROUS WEAPON, OR A DESTRUCTIVE DEVICE, BECAUSE OF THE ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, OR NATIONAL ORIGIN OF ANY PERSON AND TO PROVIDE PENALTIES AND DEFINITIONS; TO AMEND SECTION 17-13-20 OF THE S.C. CODE, RELATING TO CIRCUMSTANCES IN WHICH A CITIZEN MAY CONDUCT A CITIZEN'S ARREST, SO AS TO PROVIDE THAT A CITIZEN MAY ONLY ARREST A PERSON IN THE NIGHTTIME AS NECESSARY IF THE PERSON HAS ENTERED A DWELLING HOUSE WITHOUT EXPRESS OR IMPLIED PERMISSION; TO REPEAL SECTION 17-13-10, RELATING TO CIRCUMSTANCES IN WHICH A CITIZEN MAY CONDUCT A CITIZEN'S ARREST; SO AS TO AMEND CHAPTER 13, TITLE 17 OF THE S.C. CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 13-17-42, TO PROVIDE THAT IT IS UNLAWFUL FOR A LAW ENFORCEMENT OFFICER TO USE A CHOKEHOLD OR CAROTID HOLD; TO AMEND CHAPTER 13, TITLE 17 OF THE S.C. CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 13-17-155, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER SHALL NOT SEEK OR EXECUTE A NO-KNOCK WARRANT; TO AMEND CHAPTER 23, TITLE 23 OF THE S.C. CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-45, TO PROVIDE THAT THE CRIMINAL JUSTICE ACADEMY MUST REQUIRE DE-ESCALATION TRAINING AND CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN DE-ESCALATION TRAINING; TO AMEND CHAPTER 1, TITLE 23 OF THE S.C. CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE CERTAIN PROPERTY FROM A MILITARY EQUIPMENT SURPLUS PROGRAM AND MAY ONLY PURCHASE PROPERTY FROM A MILITARY EQUIPMENT SURPLUS PROGRAM USING STATE OR LOCAL FUNDS AND TO ESTABLISH REPORTING REQUIREMENTS; TO AMEND SECTION 23-23-60 OF THE S.C. CODE, RELATING TO CERTIFICATES OF COMPLIANCE FOR LAW ENFORCEMENT OFFICER CANDIDATES, SO AS TO PROVIDE THAT LAW ENFORCEMENT AGENCIES SHALL REPORT INFORMATION RELATING TO CANDIDATE INVOLVEMENT WITH WHITE SUPREMACIST GROUPS; TO AMEND CHAPTER 1, TITLE 23 OF THE S.C. CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, SO AS TO PROVIDE FOR CIVIL LIABILITY FOR A DEPRIVATION OF RIGHTS BY A LAW ENFORCEMENT OFFICER, AND TO ELIMINATE QUALIFIED IMMUNITY FOR LAW ENFORCEMENT OFFICERS FOR ACTIONS BROUGHT RESULTING FROM A DEPRIVATION OF RIGHTS; AND TO DEFINE NECESSARY TERMS.

11/30/22	Senate	Prefiled
11/30/22	Senate	Referred to Committee on Judiciary
01/10/23	Senate	Introduced and read first time (Senate Journal-page 108)
01/10/23	Senate	Referred to Committee on Judiciary (Senate Journal-page 108)
02/08/23		Scrivener's error corrected
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