

Session 124 - (2021-2022)

H 3791 General Bill, By Wooten, Erickson, Thigpen, Dillard, Alexander, Allison, Atkinson, Bailey, Ballentine, Bannister, Bennett, Blackwell, Bradley, Brittain, Bryant, Burns, Bustos, Calhoon, Caskey, Chumley, Collins, B. Cox, W. Cox, Crawford, Dabney, Davis, Elliott, Felder, Finlay, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hayes, Herbkersman, Hewitt, Hiott, Hixon, Huggins, Hyde, K.O. Johnson, Jordan, Kimmons, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, McCabe, McCravy, McGarry, McGinnis, T. Moore, Morgan, V.S. Moss, Murphy, B. Newton, W. Newton, Nutt, Oremus, Ott, Pendarvis, Pope, Rivers, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Taylor, Thayer, Trantham, West, Wetmore, Wheeler, S. Williams, Yow and Carter

Summary: Police and Communities Together "PACT" Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "POLICE AND COMMUNITIES TOGETHER 'PACT' ACT"; TO AMEND SECTION 23-23-40 RELATING TO THE CERTIFICATION REQUIREMENT FOR LAW ENFORCEMENT OFFICERS, SO AS TO REQUIRE LAW ENFORCEMENT OFFICERS COMPLETE AN APPROVED FIELD TRAINING PROGRAM, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS NOT CERTIFIED SHALL PERFORM ONLY HIS DUTIES AS A LAW ENFORCEMENT OFFICER UNDER CERTAIN CIRCUMSTANCES AND WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS GRANTED AN EXCEPTION FOR FAILING TO SECURE CERTIFICATION WITHIN ONE YEAR OF HIS DATE OF EMPLOYMENT SHALL BE GRANTED THE EXCEPTION FOR A PERIOD NO LONGER THAN NINETY DAYS AND ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER; TO AMEND SECTION 23-23-150, AS AMENDED, RELATING TO ADJUDICATIONS OF ALLEGATIONS OF MISCONDUCT, SO AS TO PROVIDE MISCONDUCT ALSO MEANS WILFULLY PROVIDING FALSE INFORMATION TO THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE A LAW ENFORCEMENT AGENCY THAT HAS MADE A REPORT SHALL COOPERATE WITH ANY ACTION BY THE COUNCIL TO INCLUDE MANDATORY ATTENDANCE BY A REPRESENTATIVE OF THE AGENCY KNOWLEDGEABLE OF THE CIRCUMSTANCES SURROUNDING THE ALLEGATION AT ANY SCHEDULED HEARING, AND TO PROVIDE PENALTIES; BY ADDING SECTION 23-1-250 SO AS TO DEFINE THE TERMS "CHOKEHOLD" AND "CAROTID HOLD", TO PROVIDE IT IS UNLAWFUL FOR A LAW ENFORCEMENT OFFICER TO USE A CHOKEHOLD OR CAROTID HOLD UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND PROVIDE THE LAW ENFORCEMENT TRAINING COUNCIL SHALL DEVELOP AND IMPLEMENT CURRICULUM THAT ADDRESSES THIS ISSUE; TO AMEND SECTION 42-1-160, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT OFFICERS IN THE LINE OF DUTY FROM CERTAIN LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS; TO AMEND SECTION 6-1-320, RELATING TO THE MILLAGE RATE INCREASE LIMITATION, SO AS TO PROVIDE THE MILLAGE RATE LIMITATION MAY BE SUSPENDED AND THE MILLAGE RATE MAY BE INCREASED TO PURCHASE EQUIPMENT AND MAKE EXPENDITURES TO IMPROVE LAW ENFORCEMENT, FIRE RESCUE, AND EMERGENCY MEDICAL RESPONSE, AND FOR OTHER PURPOSES; BY ADDING SECTION 23-1-260 SO AS TO PROVIDE THE MINIMUM SALARY FOR CERTAIN STATE OR LOCAL LAW ENFORCEMENT OFFICERS; BY ADDING SECTION 23-3-90 SO AS TO PROVIDE THE GENERAL ASSEMBLY MUST APPROPRIATE FUNDS TO THE STATE LAW ENFORCEMENT DIVISION FOR POST-TRAUMATIC STRESS DISORDER RESULTING FROM LAW ENFORCEMENT ACTIVITIES; TO AMEND SECTION 23-1-240, RELATING TO BODY-WORN CAMERAS, SO AS TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE BODY-WORN CAMERA FUND PROGRAM; BY ADDING SECTION 23-23-160 SO AS TO PROVIDE ALL OTHER FUNDS COLLECTED BY THE LAW ENFORCEMENT TRAINING COUNCIL AND THE CRIMINAL JUSTICE ACADEMY MUST BE REMITTED TO THE GENERAL FUND IF THE LAW ENFORCEMENT TRAINING COUNCIL IS APPROPRIATED A CERTAIN AMOUNT OF GENERAL FUNDS; BY ADDING SECTION 23-23-85 SO AS TO PROVIDE THE LAW ENFORCEMENT TRAINING COUNCIL SHALL ESTABLISH REQUIRED MINIMUM STANDARDS FOR ALL LAW ENFORCEMENT AGENCIES, TO PROVIDE THE COUNCIL SHALL HAVE THE AUTHORITY TO TAKE PUNITIVE ACTION AGAINST ANY LAW ENFORCEMENT AGENCY THAT REFUSES TO IMPLEMENT AND ENFORCE COMPLIANCE WITH THESE STANDARDS, AND TO PROVIDE A PENALTY FOR SUCH A FAILURE; BY ADDING SECTION 23-23-160 SO AS TO ESTABLISH A COMPLIANCE DIVISION WITHIN THE LAW ENFORCEMENT TRAINING COUNCIL AND PROVIDE ITS RESPONSIBILITIES; AND TO AMEND SECTION 23-23-100, RELATING TO COMPLIANCE ORDERS ISSUED BY THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO REVISE THE NONCOMPLIANCE PENALTIES THAT MAY BE IMPOSED.

02/02/21 House Introduced and read first time (House Journal-page 46)

02/02/21 House Referred to Committee on Judiciary (House Journal-page 46)

02/09/21 House Member(s) request name added as sponsor: Carter