

## Session 117 - (2007-2008)

**H 3139 General Bill, By E.H. Pitts, Haskins, G.R. Smith, Mahaffey, Huggins, Brady, Cotty, Funderburk, Bingham, Toole and Ballentine**

**Summary:** School Safety Act of 2007

A BILL TO AMEND CHAPTER 8, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES THAT PROMOTE CIVIL DISORDER BY DESIGNATING THE EXISTING SECTIONS AS ARTICLE 1 AND BY ADDING ARTICLE 3 SO AS TO PROVIDE FOR THE PREVENTION OF CRIMINAL GANG ACTIVITY ON SCHOOL PROPERTY AND AT SCHOOL-SPONSORED AND SCHOOL-RELATED FUNCTIONS, TO DEFINE THE TERMS "CONTRABAND", "CRIMINAL GANG", "CRIMINAL GANG MEMBER", "PATTERN OF CRIMINAL GANG ACTIVITY", AND "GANG-RELATED INCIDENT", TO PROVIDE IT IS UNLAWFUL FOR A CRIMINAL GANG MEMBER TO USE OR THREATEN TO USE PHYSICAL VIOLENCE AGAINST ANOTHER PERSON WITH THE INTENT TO COERCE, INDUCE, OR SOLICIT ANOTHER PERSON TO ACTIVELY PARTICIPATE IN CRIMINAL GANG ACTIVITY OR TO PREVENT A PERSON FROM LEAVING A CRIMINAL GANG WHILE ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED OR SCHOOL-RELATED FUNCTION AND TO PROVIDE PENALTIES, TO PROVIDE AN ADDITIONAL PENALTY FOR COMMITTING THIS OFFENSE WITH A FIREARM OR DEADLY WEAPON, TO PROVIDE AN ADDITIONAL PENALTY IF THE PERSON THREATENED IS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THE PERSON THREATENED HAS A CIVIL CAUSE OF ACTION AGAINST A CRIMINAL GANG OR CRIMINAL GANG MEMBER, TO PROVIDE FOR A CIVIL CAUSE OF ACTION IN FAVOR OF THE SCHOOL OR SCHOOL DISTRICT THAT SUSTAINS ANY DAMAGE, IMPAIRMENT, OR INJURY PROXIMATELY CAUSED BY A PATTERN OF CRIMINAL GANG ACTIVITY, TO PROVIDE A PROCEDURE FOR BRINGING THIS CIVIL CAUSE OF ACTION, TO PROVIDE FOR PROTECTION OF THE IDENTITY OF AN INFORMANT, TO PROVIDE FOR THE SEIZURE OF ANY FIREARM, AMMUNITION, OR DANGEROUS WEAPON IF THE LAW ENFORCEMENT OFFICER REASONABLY BELIEVES IT IS OR WILL BE USED IN A PATTERN OF CRIMINAL GANG ACTIVITY ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED OR SCHOOL-RELATED FUNCTION, TO PROVIDE A PROCEDURE FOR SEIZURE OF A FIREARM, AMMUNITION, OR DANGEROUS WEAPON, TO PROVIDE THAT THIS ARTICLE DOES NOT APPLY TO EMPLOYEES LAWFULLY ENGAGED IN COLLECTIVE BARGAINING ACTIVITIES OR THE LAWFUL ACTIVITIES OF LABOR ORGANIZATIONS, TO PROVIDE THE GOVERNING BODY OF A SCHOOL DISTRICT MAY ADOPT AND ENFORCE ORDINANCES CONSISTENT WITH THIS ARTICLE; BY ADDING SECTION 59-63-75 SO AS TO PROVIDE THAT EACH SCHOOL IN THIS STATE THAT REQUIRES STUDENTS IN KINDERGARTEN THROUGH EIGHTH GRADES TO WEAR UNIFORMS SHALL RECEIVE STATE LOTTERY FUNDS TO PROVIDE A SCHOOL RESOURCE OFFICER AND PROVIDE THAT A STUDENT'S PARENT OR GUARDIAN MAY EXEMPT THE STUDENT FROM THE SCHOOL UNIFORM POLICY; AND BY ADDING SECTION 59-63-245 SO AS TO PROVIDE THAT A STUDENT WHO HAS BEEN SUSPENDED OR EXPELLED SHALL ATTEND A CONFERENCE WITH HIS PARENT OR GUARDIAN AND THE DESIGNATED SCHOOL ADMINISTRATOR BEFORE THE STUDENT MAY BE PERMITTED TO RETURN TO THE SCHOOL.

12/13/06	House	Prefiled
12/13/06	House	Referred to Committee on Judiciary
01/09/07	House	Introduced and read first time HJ-76
01/09/07	House	Referred to Committee on Judiciary HJ-78
01/11/07	House	Member(s) request name added as sponsor: Cotty
01/23/07	House	Member(s) request name added as sponsor: Funderburk
01/24/07	House	Member(s) request name added as sponsor: Bingham, Toole
01/25/07	House	Member(s) request name added as sponsor: Ballentine