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COMMITTEE REPORT

March 20, 2013

**H. 3580**

Introduced by Reps. D.C. Moss, Pitts, Pope, Patrick, McEachern, Bannister, Delleney and Tallon

S. Printed 3/20/13--H.

Read the first time February 20, 2013.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3580) to amend the Code of Laws of South Carolina, 1976, by adding Section 23‑23‑140 so as to provide for the certification of canine, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23‑23‑140. (A) For purposes of this section, ‘patrol canine teams’ refers to a certified officer and a specific patrol canine controlled by the handler working together in the performance of law enforcement or correctional duties. ‘Patrol canine teams’ does not refer to canines used exclusively for tracking or specific detection.

(B) The South Carolina Criminal Justice Academy shall verify that a patrol canine team has been certified by a nationally recognized police dog association or similar organization that has obtained its approval.

(C) No law enforcement or corrections agency may utilize a patrol canine team after July 1, 2014, unless the team has met all certification requirements.”

SECTION 2. Section 23‑23‑80 of the 1976 Code, as last amended by Act 355 of 2008, is further amended to read:

“Section 23‑23‑80. The South Carolina Law Enforcement Training Council is authorized to:

(1) receive and disburse funds, including those hereinafter provided in this chapter;

(2) accept any donations, contributions, funds, grants, or gifts from private individuals, foundations, agencies, corporations, or the state or federal governments, for the purpose of carrying out the programs and objectives of this chapter;

(3) consult and cooperate with counties, municipalities, agencies, or official bodies of this State or of other states, other governmental agencies, and with universities, colleges, junior colleges, and other institutions, concerning the development of police training schools, programs, or courses of instruction, selection, and training standards, or other pertinent matters relating to law enforcement;

(4) publish or cause to be published manuals, information bulletins, newsletters, and other materials to achieve the objectives of this chapter;

(5) make such regulations as may be necessary for the administration of this chapter, including the issuance of orders directing public law enforcement agencies to comply with this chapter and all regulations so promulgated;

(6) certify and train qualified candidates and applicants for law enforcement officers and provide for suspension, revocation, or restriction of the certification, in accordance with regulations promulgated by the council;

(7) require all public entities or agencies that employ or appoint law enforcement officers to provide records in the format prescribed by regulation of employment information of law enforcement officers; ~~and~~

(8) provide by regulation for mandatory continued training of certified law enforcement officers, this training to be completed within each of the various counties requesting this training on a regional basis; and

(9) establish or endorse training, certification, and written policy standards for law enforcement agencies in the use and deployment of canines in corrections or police work, and designate appropriate organizations to grant such certification on an annual basis.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑23‑140 SO AS TO PROVIDE FOR THE CERTIFICATION OF CANINE TEAMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23‑23‑140. (A) As contained in this section, ‘patrol canine team’ means a certified officer and a specific canine controlled by his handler working together in the performance of law enforcement or correctional duties.

(B) The South Carolina Criminal Justice Academy shall verify that a patrol canine team has been certified by a nationally recognized police dog association or similar organization that has obtained its approval.

(C) To be certified:

(1) as a tactical patrol canine team, the team must pass the following tests:

(a) obedience‑heel with motion, down and stay while off lead;

(b) aggression‑recall and verbal out in a reasonable amount of time;

(c) ability to search for the concentration of human odor; and

(d) for bark and hold dog only, no movement of suspect‑dog must come off of the bite and resume a bark and hold position;

(2) in narcotics detection, the team must pass a test in the detection of marijuana and cocaine;

(3) in explosives detection, the team must pass a test in the four major odors in each major category of explosives, excluding peroxides;

(4) in area/buildings, the team must pass a test relating to the search for a concealed person; and

(5) in locating an article, the team must pass a test relating to the locating of two items with different compositions.

(D) Bloodhound specific certifications require a sixteen hour minimum curriculum adapted from the current South Carolina Criminal Justice Academy lesson plans. A new handler must complete the course and provide and show a skill‑set knowledge base for tracking. In addition a new handler must complete an advance tracking class within one year upon obtaining certification.

(E) No law enforcement or corrections agency may utilize a patrol canine team after January 1, 2014, unless the team has met all certification requirements.”

SECTION 2. This act takes effect upon approval by the Governor.

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