**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3977**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Martin

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Introduced in the House on February 24, 2021

Currently residing in the House Committee on **Ways and Means**

Summary: Local Government - Defunding Law Enforcement Agencies Prohibited, Exceptions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/24/2021 House Introduced and read first time ([House Journal‑page 43](file:///h:\hj\20210224.docx))

2/24/2021 House Referred to Committee on **Ways and Means** ([House Journal‑page 43](file:///h:\hj\20210224.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3977&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/24/2021](file:///p:\pprever\2021-22\3977_20210224.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑190 SO AS TO, AMONG OTHER THINGS, PROVIDE THAT IF A LOCAL LAW ENFORCEMENT AGENCY RECEIVED A PORTION OF ITS FUNDING FROM A COUNTY OR MUNICIPALITY DURING THE PREVIOUS FISCAL YEAR, THEN THE GOVERNING BODY OF THE RESPECTIVE COUNTY OR MUNICIPALITY MAY NOT DECREASE THE ANNUAL BUDGETARY APPROPRIATION BY MORE THAN FIVE PERCENT OF THE PREVIOUS FISCAL YEAR’S APPROPRIATION FOR SUCH LAW ENFORCEMENT AGENCY, AND TO PROVIDE EXCEPTIONS.

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

SECTION 1. Article 1, Chapter 1, Title 6 of the 1976 Code is amended by adding:

“Section 6‑1‑190. (A)(1) Notwithstanding another provision of law, except as provided in item (2), if a local law enforcement agency received a portion of its funding from a county or municipality during the previous fiscal year, then the governing body of the respective county or municipality may not decrease the annual budgetary appropriation by more than five percent of the previous fiscal year’s appropriation for such law enforcement agency.

(2) Item (1) does not apply if actual or anticipated revenues of the county or municipality for the applicable fiscal year decrease by more than five percent. In such event, the governing body may decrease the budgetary appropriation for such local law enforcement agency, but in no event may the budget of the local law enforcement agency be decreased by a greater percentage than the overall percentage decrease in actual or anticipated revenues of the county or municipality.

(B)(1) Notwithstanding another provision of law, except as provided in item (2), if a local law enforcement agency received a portion of its funding from a county or municipality during the previous fiscal year, then the governing body of the respective county or municipality shall ensure that the annual budgetary appropriations for such local law enforcement agency, during a rolling ten‑year period, may not decrease by more than five percent during such time period.

(2) Item (1) does not apply if actual or anticipated revenues of the county or municipality for the applicable time period decrease by more than five percent. In such event, the governing body may decrease the budgetary appropriation for such local law enforcement agency, but in no event may the budget of the local law enforcement agency be decreased by a greater percentage than the overall percentage decrease in actual or anticipated revenues of the county or municipality.

(C) Subsections (A) and (B) do not apply if:

(1) The governing body of the county or municipality ensures that an equal or greater level of law enforcement services will be provided to the county or municipality by another local governmental entity or political subdivision pursuant to an intergovernmental agreement;

(2) During the applicable time period, the county or municipality transitions from a volunteer to a paid fire department necessitating countywide or citywide budgetary adjustments; or

(3) During the applicable time period, the county or municipality is ordered by a court of competent jurisdiction to begin providing a public service at a level such county or municipality was not providing prior to the issuance of such court order necessitating countywide or citywide budgetary adjustments.

(D) Subsections (A) and (B) also shall apply to any consolidated government that operates a police force, and such police force must be considered a municipal police force for the purposes of this section.”

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

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