**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4, TO CHAPTER 1, TITLE 44 SO AS TO CREATE THE COMMUNITY VIOLENCE INTERVENTION AND PREVENTION DIVISION OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AN ADVISORY BOARD FOR THE DIVISION; TO PROVIDE FOR THE DIVISION’S RESPONSIBILITIES, INCLUDING OPERATION OF A COMMUNITY VIOLENCE INTERVENTION AND PREVENTION GRANT PROGRAM TO FUND COMMUNITY‑BASED INITIATIVES; TO REQUIRE THE DIVISION TO HOLD PUBLIC HEARINGS AND FILE AN ANNUAL REPORT; TO CREATE THE COMMUNITY VIOLENCE INTERVENTION AND PREVENTION FUND; AND FOR OTHER PURPOSES.

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

SECTION 1. A. Chapter 1, Title 44 of the 1976 Code is amended by adding:

“Article 4

Community Violence Intervention and Prevention Act

Section 44‑1‑400. This article may be cited as the ‘Community Violence Intervention and Prevention Act’.

Section 44‑1‑410. As used in this article:

(1) ‘Board’ means the Community Violence Intervention and Prevention Grant Selection Advisory Board.

(2) ‘Community‑based partnership’ means a collaborative body of community‑based organizations, other nonprofits, municipal or county governments, public agencies, and individuals that share resources and decision‑making power to implement initiatives or programs within communities.

(3) ‘Director’ means the Director of the Community Violence Intervention and Prevention Division appointed by the Director of the Department of Health and Environmental Control.

(4) ‘Division’ means the Community Violence Intervention and Prevention Division.

Section 44‑1‑420. (A) There is established the Community Violence Intervention and Prevention Division within the Department of Health and Environmental Control. The Director of the Department of Health and Environmental Control shall appoint a director of the division.

(B) The division shall:

(1) establish, solicit, advertise, and administer the Community Violence Intervention and Prevention Grant Program to support, expand, and replicate evidence‑informed violence intervention and prevention initiatives;

(2) conduct program evaluations, in partnership with internal program staff, external stakeholders, and contractors with evaluation expertise, to determine the effectiveness of funded programs;

(3) develop data collection policies for funded programs and procedures for distributing that data to relevant state and academic researchers to aid research and analysis of community violence, health, economic development, and other metrics over time;

(4) provide technical assistance to funded violence intervention programs to implement national best practices and state data collection requirements; and

(5) collaborate and coordinate with other state agencies, including the South Carolina Attorney General’s Crime Victim Services Division, to identify and apply for federal grants and other funding.

Section 44‑1‑430. (A) There is created an odd‑numbered board to be known as the Community Violence Intervention and Prevention Grant Selection Advisory Board to be appointed by the director. Members of the board shall serve four‑year terms. The board shall include, without limitation, individuals who have been impacted by violence, formerly incarcerated individuals, public health experts, and individuals with direct experience in implementing evidence‑informed violence reduction initiatives, including initiatives that incorporate public health and community‑based approaches.

(B) The board shall provide advice and assistance to the division in carrying out this article including, but not limited to, the following areas:

(1) developing grant solicitations;

(2) raising awareness of grant solicitations and conducting outreach to potentially eligible nonprofit organizations and community partnerships;

(3) ensuring that equity is reflected in the grant application review process by developing a scoring metric weighted toward community‑based organizations with a demonstrated ability to work in and with communities impacted by violence;

(4) selecting grant recipients and setting grant amounts; and

(5) developing state data collection requirements.

(C) The members of the board shall receive the same subsistence, mileage, and per diem as is provided by law for members of state boards, committees, and commissions, to be paid from the Community Violence Intervention and Prevention Fund as created by this article.

Section 44‑1‑440. (A) Subject to an appropriation as provided by the General Assembly in the annual general appropriations act and other funding sources, the Community Violence Intervention and Prevention Division shall award funds on a competitive basis to nonprofit organizations and community‑based partnerships that serve communities that are disproportionately impacted by violence to support, expand, and replicate effective, evidence‑informed violence reduction initiatives. The grants must be used to:

(1) implement, expand, or enhance coordination between evidence‑informed violence reduction initiatives including, but not limited to, hospital‑based violence intervention, street outreach, and group violence intervention strategies that have demonstrated effectiveness at reducing homicides, gun violence, and group violence without contributing to mass incarceration;

(2) support the development and delivery of intervention‑based strategies by entities that provide targeted services to individuals at risk of being victimized or engaging in violence to interrupt cycles of violence, reinjury, and retaliation; and

(3) support initiatives that primarily target a reduction of violence among individuals who have been identified as having the highest risk of perpetrating or being victimized by violence in the near future based on the best available medical and public health research.

(B) The division shall provide information regarding the availability and award of program grant funds as well as the grant solicitation on the division’s publicly accessible Internet website.

(C) Applicants may apply either independently or jointly. Community‑based partnerships that apply for grants must include at least one nonprofit organization in the partnership.

(D) An applicant for a grant shall submit a proposal, in a form prescribed by the division, which must include, but not be limited to, all of the following:

(1) a statement describing how the applicant proposes to use the grant to implement an evidence‑informed violence reduction initiative in accordance with this section;

(2) a statement describing how the applicant proposes to use the grant to enhance coordination of existing violence prevention and intervention programs and minimize duplication of services;

(3) evidence indicating that the proposed violence reduction initiative would likely reduce homicides, gun violence, and group violence; and

(4) clearly defined and measurable objectives for the violence reduction initiative.

(E) In awarding grants, the division shall prioritize applicants operating in areas disproportionately affected by firearm violence and whose proposals demonstrate the greatest likelihood of reducing homicides, gun violence, and group violence without contributing to mass incarceration. The division shall not require grant recipients to participate in the policing, enforcement, or prosecution of any crime as a condition of receiving a grant.

(F) The amount of funds awarded to an applicant must be commensurate with the scope of the applicant’s proposal and the applicant’s demonstrated need for additional resources to reduce homicides, gun violence, and group violence in the community served by the applicant.

(G) Grants must be used only for the purposes specified in the grant application. In no case may grant funds revert to the general budget of a law enforcement agency, municipality, or other public entity participating in a community‑based partnership.

(H) Subject to the availability of funding, a grant must be awarded for a duration of at least three years.

(I) Each grant recipient shall report to the division, in a form and at intervals prescribed by the division, the recipient’s progress toward achieving the grant objectives.

Section 44‑1‑450. The division annually shall hold at least one public hearing. The public hearings must provide a forum to receive information on how the public funds are spent, testimony from grant award recipients on the effectiveness of their programs and best practices, and input from the public on whether the initiatives and the grant-funded programs are accomplishing their respective missions. Public input must be used to assess and revise grant‑making metrics and processes for issuing grants.

Section 44‑1‑460. On or before January first of each year, and beginning January 1, 2023, the division shall prepare and transmit to the Governor and the General Assembly a report of division program activities for the preceding fiscal year. The division also shall make the report publicly available. The report must include a listing of the grants awarded under the program, descriptions of the initiatives and impact on the communities served through the grants, and such other information as the division deems appropriate.

Section 44‑1‑470. (A) There is hereby created a special fund to be known as the Community Violence Intervention and Prevention Fund for the purposes of this article. The State Treasurer is the custodian of the fund and all monies in the fund are held by the State Treasurer.

(B) The funds placed in the Community Violence Intervention and Prevention Fund shall consist of all money appropriated by the General Assembly for the purpose of funding the activities of the division pursuant to this article or received from any other public or private source. Funds must be applied to cover all costs incurred in establishing and conducting the duties authorized under this article including, but not limited to, awarding grants, paying salaries for staff, providing technical assistance to grantees, contracting with independent entities to evaluate grant‑funded programs, and purchasing materials for use by the division.

(C) The division may seek, accept, and expend gifts, grants, or donations from private or public sources to fund division activities and grants.

(D) Interest earned on all monies held in the fund shall be remitted to the general fund of the State.

Section 44‑1‑480. The division may promulgate regulations to implement the provisions of this article.”

B. Sections 44‑1‑20 through 44‑1‑315 of the 1976 Code are designated as Article 1, entitled “General Provisions”.

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

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