**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3764**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts and Murphy

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Introduced in the House on March 3, 2015

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

Summary: Criminal Justice Academy

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/3/2015 House Introduced and read first time ([House Journal‑page 20](file:///h:\HJ%20Archive\2015\03-03-15.docx))

3/3/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 20](file:///h:\HJ%20Archive\2015\03-03-15.docx))

4/22/2015 House Member(s) request name added as sponsor: Murphy

5/6/2015 House Recalled from Committee on **Judiciary** ([House Journal‑page 18](file:///h:\HJ%20Archive\2015\05-06-15.docx))

5/6/2015 House Recommitted to Committee on **Ways and Means** ([House Journal‑page 18](file:///h:\HJ%20Archive\2015\05-06-15.docx))

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**VERSIONS OF THIS BILL**

[3/3/2015](file:///p:\pprever\2015-16\3764_20150303.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑23‑150 SO AS TO PROVIDE THAT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL HAVE STATEWIDE LAW ENFORCEMENT AUTHORITY UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 9‑11‑10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO REVISE THE DEFINITION OF THE TERM “POLICE OFFICER” TO INCLUDE COMMISSIONED LAW ENFORCEMENT PERSONNEL OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY FOR THE PURPOSE OF GRANTING THESE PERSONS THE RIGHT TO PARTICIPATE IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM.

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 23‑23‑150. (A) In addition to those authorities and responsibilities set forth in this chapter, the South Carolina Criminal Justice Academy shall have law enforcement authority statewide, on behalf of the State, in matters including:

(1) law enforcement training, basic and advanced, for all officers from state, county, and local law enforcement agencies, and for other designated persons in the criminal justice system;

(2) investigating allegations of misconduct, as misconduct is defined in regulations promulgated by council;

(3) assisting the South Carolina Law Enforcement Division (SLED) at any time the Chief of SLED requests assistance in carrying out the statutory duties of SLED with commissioned law enforcement personnel of the South Carolina Criminal Justice Academy; and

(4) assisting any South Carolina law enforcement agency in carrying out the statutory duties of that agency with commissioned law enforcement personnel of the South Carolina Criminal Justice Academy.

(B) The South Carolina Law Enforcement Division shall commission, as Group 1 State Constables, those employees assigned law enforcement duties by the South Carolina Criminal Justice Academy.”

SECTION 2. Section 9‑11‑10(23) of the 1976 Code is amended to read:

“(23) ‘Police officer’ means a person who receives his salary from an employer and who is:

(a) required by the terms of his employment, either by election or appointment, to give his time to the preservation of public order, the protection of life and property, and the detection of crimes in this State; ~~or~~

(b) an employee after January 1, 2000, of the South Carolina Department of Corrections, the South Carolina Department of Juvenile Justice, or the South Carolina Department of Mental Health who, by the terms of his employment, is a peace officer as defined by Section 24‑1‑280; or

(c) after July 1, 2015, commissioned law enforcement personnel of the South Carolina Criminal Justice Academy.

Notwithstanding prior duties performed by a person who is a police officer as defined in this item, the provisions of Section 9‑11‑40(9) apply to a person who is or who becomes a member of the Police Officers Retirement System.”

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

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