**A** **BILL**

TO AMEND SECTION 23‑1‑240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE AND RELEASE OF INFORMATION RECORDED BY BODY‑WORN CAMERAS, SO AS TO DELETE THE PROVISION THAT REQUIRES CERTAIN PERSONS TO REQUEST AND RECEIVE DATA UNDER THIS SECTION PURSUANT TO THE RULES OF CRIMINAL PROCEDURE, THE RULES OF CIVIL PROCEDURE, OR A COURT ORDER AND PROVIDE THAT THESE PERSONS MAY RECEIVE THIS DATA WHETHER OR NOT A CIVIL OR CRIMINAL ACTION IS PENDING WITH NO LEGAL RESTRICTIONS.

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

SECTION 1. Section 23‑1‑240(G)(5) of the 1976 Code, as added by Act 71 of 2015, is amended to read:

“(5) In addition to the persons who may request and must receive data recorded by a body‑worn camera provided in item (2), the following are also entitled to request and receive such data ~~pursuant to the South Carolina Rules of Criminal Procedure, the South Carolina Rules of Civil Procedure, or a court order~~ and release it to a third party with no legal restrictions:

(a) a person who is the subject of the recording;

(b) a criminal defendant if the recording is relevant to a pending criminal action;

(c) a civil litigant if the recording is relevant to a pending civil action;

(d) a person whose property has been seized or damaged in relation to, or is otherwise involved with, a crime to which the recording is related;

(e) a parent or legal guardian of a minor or incapacitated person described in subitem (a) or (b); and

(f) an attorney for a person described in subitems (a) through (e) regardless of whether or not a civil or criminal action is pending.”

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

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