

# **REPORT OF THE SALES AND INCOME TAX SUBCOMMITTEE**

(Huggins, Limehouse, Simrill, G.M. Smith, & Hosey - Staff Contact: Katie Owen)

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## **HOUSE BILL 3002**

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H. 3002 -- Rep. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 2 SO AS TO ESTABLISH THE CAPITOL POLICE FORCE, WHICH CONSISTS OF THE CAPITOL POLICE FORCE, THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT THE FUNCTIONS, POWERS, DUTIES, AND RESPONSIBILITIES EXERCISED BY THE DEPARTMENT OF PUBLIC SAFETY AND THE BUREAU OF PROTECTIVE SERVICES AT THE STATE HOUSE AND CAPITOL GROUNDS AND THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT, INCLUDING ALL CLASSIFIED AND UNCLASSIFIED EMPLOYEES WHOSE DUTIES INVOLVE THE PROVISION OF SECURITY SERVICES AT THESE AREAS, BUT EXCLUDING THOSE AREAS OF THE STATE HOUSE THAT ARE RESERVED FOR THE EXECUTIVE CHAMBER AND THE GOVERNOR'S STAFF, ARE DEVOLVED UPON AND TRANSFERRED TO THE CAPITOL POLICE FORCE, TO PROVIDE THAT THE SERGEANT AT ARMS OF THE SENATE AND THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES HAVE EXCLUSIVE CARE AND CHARGE OVER SPECIFIC AREAS, AND TO PROVIDE THAT THE MARSHAL OF THE SUPREME COURT HAS PRIMARY RESPONSIBILITY OVER THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT, AND OTHER SPECIFIED AREAS, TO PROVIDE FOR THE CREATION OF THE CAPITOL POLICE FORCE COMMITTEE, CONSISTING OF THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT THE DIRECTOR OF GENERAL SERVICES SHALL SERVE AS A NONVOTING MEMBER OF THE COMMITTEE, TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE COMMITTEE, TO PERMIT THE CHIEF OF THE CAPITOL POLICE FORCE TO EMPLOY DEPUTY OFFICERS AND OTHER EMPLOYEES AS NECESSARY, TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, THE SERGEANTS AT ARMS OF THE SENATE AND HOUSE OF REPRESENTATIVES, THE MARSHAL OF THE SUPREME COURT, AND ALL THEIR DEPUTIES HAVE THE SAME POLICE POWERS AS OFFICERS OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED), TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE MAY ENTER INTO RECIPROCAL LAW ENFORCEMENT AGREEMENTS, TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, AND HIS DEPUTIES SHALL DEMONSTRATE KNOWLEDGE OF THE DUTIES OF LAW ENFORCEMENT OFFICERS OR UNDERGO TRAINING REQUIRED OF OFFICERS OF SLED, AND TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE OFFICERS; BY ADDING SECTION 14-3-135 SO AS TO PROVIDE FOR THE APPOINTMENT OF A MARSHAL OF THE SUPREME COURT AND TO DEFINE HIS DUTIES; TO AMEND SECTION 10-1-30, RELATING TO THE USE OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS, AND OTHER PUBLIC BUILDINGS AND GROUNDS, SO AS TO FURTHER PROVIDE FOR THE USE OF THESE FACILITIES AND HOW THIS USE IS REGULATED, AND TO PROVIDE THAT THE CAPITOL POLICE FORCE SHALL PROVIDE SECURITY SERVICES FOR ALL USES OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS AND GROUNDS, AND ALL PUBLIC BUILDINGS AND GROUNDS IN THE CAPITOL COMPLEX; TO AMEND CHAPTER 11, TITLE 10, RELATING TO TRESPASSES AND OFFENSES ON THE CAPITOL GROUNDS AND IN CAPITOL BUILDINGS, AND RELATED MATTERS, SO AS TO FURTHER PROVIDE FOR THESE TRESPASSES AND OFFENSES, FOR LAW ENFORCEMENT

"THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT".

AUTHORITY OVER THEM, AND THE RELATED JURISDICTION OF SPECIFIED COURTS, INCLUDING PROVISIONS TO PROVIDE THAT THE PARKING LOTS ON THE CAPITOL GROUNDS AND AT THE SUPREME COURT BUILDING MUST BE POLICED BY THE CAPITOL POLICE FORCE, TO DELETE PROVISIONS RELATING TO NIGHT WATCHMEN AND POLICEMEN EMPLOYED BY THE STATE BUDGET AND CONTROL BOARD, TO PROVIDE THAT THE CAPITOL POLICE FORCE HAS THE RIGHT TO ISSUE PARKING TICKETS, TO DELETE REFERENCES TO THE CITY OF COLUMBIA RECORDER, AND TO FURTHER PROVIDE FOR THE JURISDICTION OF CERTAIN COURTS IN CRIMINAL MATTERS ARISING IN THESE LOCATIONS, TO DELETE REFERENCES TO THE STATE HOUSE RENOVATION PROJECT, AND TO REVISE THE DEFINITION OF "CAPITOL GROUNDS" SO AS TO INCLUDE THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT.

***Summary of Bill:***

This bill establishes the Capitol Police Force and provides for its structure, composition, duties and jurisdiction. It would provide capitol complex security for the State House and grounds as well as provide security for elected officials, employees and visitors on those grounds.

***Estimated Revenue Impact:***

Pending

***Subcommittee Recommendation:***

Favorable

***Full Committee Recommendation:***

Pending

**South Carolina General Assembly**  
121st Session, 2015-2016

**H. 3002**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, G.R. Smith and Hixon

Document Path: I:\council\bill\agm\18276ahb15.docx

Introduced in the House on January 13, 2015

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

Summary: Capitol Police Force

**HISTORY OF LEGISLATIVE ACTIONS**

| <u>Date</u> | <u>Body</u> | <u>Action Description with journal page number</u>                              |
|-------------|-------------|---|
| 12/11/2014  | House       | Prefiled  |
| 12/11/2014  | House       | Referred to Committee on <b>Ways and Means</b>                                  |
| 1/13/2015   | House       | Introduced and read first time ( <u>House Journal-page 58</u> )                 |
| 1/13/2015   | House       | Referred to Committee on <b>Ways and Means</b> ( <u>House Journal-page 58</u> ) |

View the latest legislative information at the website

**VERSIONS OF THIS BILL**

12/11/2014

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**A BILL**

11 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,  
12 1976, BY ADDING CHAPTER 4 TO TITLE 2 SO AS TO  
13 ESTABLISH THE CAPITOL POLICE FORCE, WHICH  
14 CONSISTS OF THE CAPITOL POLICE FORCE, THE  
15 SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT  
16 ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE  
17 MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT  
18 THE FUNCTIONS, POWERS, DUTIES, AND  
19 RESPONSIBILITIES EXERCISED BY THE DEPARTMENT OF  
20 PUBLIC SAFETY AND THE BUREAU OF PROTECTIVE  
21 SERVICES AT THE STATE HOUSE AND CAPITOL  
22 GROUNDS AND THE SUPREME COURT BUILDING, ITS  
23 GROUNDS AND PARKING LOT, INCLUDING ALL  
24 CLASSIFIED AND UNCLASSIFIED EMPLOYEES WHOSE  
25 DUTIES INVOLVE THE PROVISION OF SECURITY  
26 SERVICES AT THESE AREAS, BUT EXCLUDING THOSE  
27 AREAS OF THE STATE HOUSE THAT ARE RESERVED FOR  
28 THE EXECUTIVE CHAMBER AND THE GOVERNOR'S  
29 STAFF, ARE DEVOLVED UPON AND TRANSFERRED TO  
30 THE CAPITOL POLICE FORCE, TO PROVIDE THAT THE  
31 SERGEANT AT ARMS OF THE SENATE AND THE  
32 SERGEANT AT ARMS OF THE HOUSE OF  
33 REPRESENTATIVES HAVE EXCLUSIVE CARE AND  
34 CHARGE OVER SPECIFIC AREAS, AND TO PROVIDE THAT  
35 THE MARSHAL OF THE SUPREME COURT HAS PRIMARY  
36 RESPONSIBILITY OVER THE SUPREME COURT BUILDING,  
37 ITS GROUNDS AND PARKING LOT, AND OTHER SPECIFIED  
38 AREAS, TO PROVIDE FOR THE CREATION OF THE  
39 CAPITOL POLICE FORCE COMMITTEE, CONSISTING OF  
40 THE SERGEANT AT ARMS OF THE SENATE, THE  
41 SERGEANT AT ARMS OF THE HOUSE OF  
42 REPRESENTATIVES, AND THE MARSHAL OF THE

1 SUPREME COURT, TO PROVIDE THAT THE DIRECTOR OF  
2 GENERAL SERVICES SHALL SERVE AS A NONVOTING  
3 MEMBER OF THE COMMITTEE, TO PROVIDE FOR THE  
4 DUTIES OF THE CAPITOL POLICE FORCE COMMITTEE, TO  
5 PERMIT THE CHIEF OF THE CAPITOL POLICE FORCE TO  
6 EMPLOY DEPUTY OFFICERS AND OTHER EMPLOYEES AS  
7 NECESSARY, TO PROVIDE THAT THE CHIEF OF THE  
8 CAPITOL POLICE FORCE, THE SERGEANTS AT ARMS OF  
9 THE SENATE AND HOUSE OF REPRESENTATIVES, THE  
10 MARSHAL OF THE SUPREME COURT, AND ALL THEIR  
11 DEPUTIES HAVE THE SAME POLICE POWERS AS  
12 OFFICERS OF THE SOUTH CAROLINA LAW  
13 ENFORCEMENT DIVISION (SLED), TO PROVIDE THAT THE  
14 CHIEF OF THE CAPITOL POLICE FORCE MAY ENTER INTO  
15 RECIPROCAL LAW ENFORCEMENT AGREEMENTS, TO  
16 PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE  
17 FORCE, AND HIS DEPUTIES SHALL DEMONSTRATE  
18 KNOWLEDGE OF THE DUTIES OF LAW ENFORCEMENT  
19 OFFICERS OR UNDERGO TRAINING REQUIRED OF  
20 OFFICERS OF SLED, AND TO PROVIDE FOR THE DUTIES OF  
21 THE CAPITOL POLICE FORCE OFFICERS; BY ADDING  
22 SECTION 14-3-135 SO AS TO PROVIDE FOR THE  
23 APPOINTMENT OF A MARSHAL OF THE SUPREME COURT  
24 AND TO DEFINE HIS DUTIES; TO AMEND SECTION 10-1-30,  
25 RELATING TO THE USE OF THE STATE HOUSE LOBBIES,  
26 STATE HOUSE STEPS, AND OTHER PUBLIC BUILDINGS  
27 AND GROUNDS, SO AS TO FURTHER PROVIDE FOR THE  
28 USE OF THESE FACILITIES AND HOW THIS USE IS  
29 REGULATED, AND TO PROVIDE THAT THE CAPITOL  
30 POLICE FORCE SHALL PROVIDE SECURITY SERVICES FOR  
31 ALL USES OF THE STATE HOUSE LOBBIES, STATE HOUSE  
32 STEPS AND GROUNDS, AND ALL PUBLIC BUILDINGS AND  
33 GROUNDS IN THE CAPITOL COMPLEX; TO AMEND  
34 CHAPTER 11, TITLE 10, RELATING TO TRESPASSES AND  
35 OFFENSES ON THE CAPITOL GROUNDS AND IN CAPITOL  
36 BUILDINGS, AND RELATED MATTERS, SO AS TO  
37 FURTHER PROVIDE FOR THESE TRESPASSES AND  
38 OFFENSES, FOR LAW ENFORCEMENT AUTHORITY OVER  
39 THEM, AND THE RELATED JURISDICTION OF SPECIFIED  
40 COURTS, INCLUDING PROVISIONS TO PROVIDE THAT  
41 THE PARKING LOTS ON THE CAPITOL GROUNDS AND AT  
42 THE SUPREME COURT BUILDING MUST BE POLICED BY  
43 THE CAPITOL POLICE FORCE, TO DELETE PROVISIONS

1 RELATING TO NIGHT WATCHMEN AND POLICEMEN  
2 EMPLOYED BY THE STATE BUDGET AND CONTROL  
3 BOARD, TO PROVIDE THAT THE CAPITOL POLICE FORCE  
4 HAS THE RIGHT TO ISSUE PARKING TICKETS, TO DELETE  
5 REFERENCES TO THE CITY OF COLUMBIA RECORDER,  
6 AND TO FURTHER PROVIDE FOR THE JURISDICTION OF  
7 CERTAIN COURTS IN CRIMINAL MATTERS ARISING IN  
8 THESE LOCATIONS, TO DELETE REFERENCES TO THE  
9 STATE HOUSE RENOVATION PROJECT, AND TO REVISE  
10 THE DEFINITION OF "CAPITOL GROUNDS" SO AS TO  
11 INCLUDE THE SUPREME COURT BUILDING, ITS GROUNDS  
12 AND PARKING LOT.

13  
14 Be it enacted by the General Assembly of the State of South  
15 Carolina:

16  
17 SECTION 1. Title 2 of the 1976 Code is amended by adding:

18  
19 "CHAPTER 4

20  
21 Capitol Police Force

22  
23 Section 2-4-10. (A) In order to provide adequate police  
24 protection for the State House, the capitol grounds, the Supreme  
25 Court Building, and all employees and visitors, there is established  
26 the 'Capitol Police Force'.

27 (B) The Capitol Police Force consists of the:

- 28 (1) Capitol Police Force, as described in this chapter;  
29 (2) Sergeant at Arms of the Senate, as described in Chapter 3,  
30 Title 2;  
31 (3) Sergeant at Arms of the House of Representatives, as  
32 described in Chapter 3, Title 2; and  
33 (4) Marshal of the Supreme Court, as described in Section  
34 14-3-135.

35  
36 Section 2-4-20. The functions, powers, duties, responsibilities,  
37 and authority exercised by the Department of Public Safety and the  
38 Bureau of Protective Services at the State House and capitol  
39 grounds, in all state buildings and parking lots and garages on or  
40 around the capitol grounds, as defined in Section 10-11-310, and the  
41 Supreme Court Building, its grounds and parking lot, including all  
42 classified and unclassified positions currently held by Department  
43 of Public Safety and the Bureau of Protective Services employees

1 whose duties involve providing security services at these locations,  
2 and all real and personal property and equipment used in the  
3 provision of these security services, are transferred to and devolved  
4 upon the Capitol Police Force. This transfer excludes those powers,  
5 duties, responsibilities, and authority related to the provision of  
6 security for the Governor, the Governor's staff, and that part of the  
7 State House reserved for the executive chamber and the offices of  
8 the Governor's staff.

9

10 Section 2-4-30. (A) The Capitol Police Force consists of the:

11 (1) Chief of the Capitol Police Force and those deputy officers  
12 and other employees as he may employ pursuant to this chapter;

13 (2) Sergeant at Arms of the Senate and those deputy officers  
14 and other employees as provided in Chapter 3, Title 2;

15 (3) Sergeant at Arms of the House of Representatives and  
16 those deputy officers and other employees as provided in Chapter 3,  
17 Title 2; and

18 (4) Marshal of the Supreme Court and those deputy officers  
19 and other employees as provided in Section 14-3-135.

20 (B) The Sergeant at Arms of the Senate and the Sergeant at Arms  
21 of the House of Representatives, and their deputy officers have  
22 exclusive care and charge over those areas of the State House  
23 described in Section 2-3-100, and have primary care and charge over  
24 those buildings on the capitol grounds where their respective  
25 members' offices and committee meeting rooms are located, and  
26 have primary responsibility for providing security services for their  
27 respective members attending public meetings located outside the  
28 State House and the capitol grounds. At public meetings attended  
29 by their respective members, the Sergeant at Arms of the Senate and  
30 the Sergeant at Arms of the House of Representatives, and their  
31 deputy officers may be assisted by local law enforcement.

32 (C) The Marshal of the Supreme Court and his deputy officers  
33 have primary responsibility over those areas specified in Section  
34 14-3-135(A).

35

36 Section 2-4-40. (A) There is established a committee to be  
37 known as the 'Capitol Police Force Committee', consisting of the  
38 Sergeant at Arms of the Senate and the Sergeant at Arms of the  
39 House of Representatives and the Marshal of the Supreme Court.  
40 The Director of General Services shall serve as a nonvoting member  
41 of the committee.

42 (B) The Capitol Police Force Committee shall:

1 (1) appoint a Chief of the Capitol Police Force who serves at  
2 the pleasure of the committee and may be removed from office by  
3 the committee at its discretion;

4 (2) promulgate regulations pertaining to its areas of  
5 responsibility;

6 (3) establish the salaries of the chief, deputy officers or other  
7 police officers, and all employees of the Capitol Police Force,  
8 subject to appropriations being provided in the general  
9 appropriations act; and

10 (4) adopt reasonable employment policies and practices for  
11 employees of the Capitol Police Force who are considered covered  
12 by the provisions of Article 3, Chapter 17, Title 8.

13  
14 Section 2-4-50. The Chief of the Capitol Police Force shall:

15 (1) adopt rules and policies necessary to organize and provide  
16 for the operation of the Capitol Police Force, subject to review and  
17 approval by the Capitol Police Force Committee;

18 (2) employ those deputy officers and other employees as  
19 necessary to carry out the provisions of this chapter; and

20 (3) apply for and accept, with the approval of the Capitol  
21 Police Force Committee, any grants or other available forms of  
22 revenue, both public and private, that will assist in funding the  
23 provision of security services on the capitol grounds and the  
24 Supreme Court Building, its grounds and parking lot.

25  
26 Section 2-4-60. (A) The Chief of the Capitol Police Force, the  
27 Sergeant at Arms of the Senate, the Sergeant at Arms of the House  
28 of Representatives, the Marshal of the Supreme Court, and their  
29 deputy officers have the same arrest power and power to serve  
30 criminal processes against offenders as officers of the South  
31 Carolina Law Enforcement Division and the same power as officers  
32 to arrest without warrants and to detain persons found violating or  
33 attempting to violate any laws of the State. The Chief of the Capitol  
34 Police Force, the Sergeant at Arms of the Senate, the Sergeant at  
35 Arms of the House of Representatives, the Marshal of the Supreme  
36 Court, and their deputy officers also have the same power and  
37 authority held by officers of the South Carolina Law Enforcement  
38 Division for the enforcement of the criminal laws of the State.

39 (B) The Chief of the Capitol Police Force is authorized to enter  
40 into written agreements between other law enforcement  
41 jurisdictions for the purpose of criminal investigations pursuant to  
42 Section 23-1-215.



1 (C) The Chief of the Capitol Police Force is required to furnish  
2 evidence to the Capitol Police Force Committee that he is  
3 knowledgeable as to the duties and responsibilities of a law  
4 enforcement officer or is required to undergo training in this field as  
5 is required of officers of the South Carolina Law Enforcement  
6 Division. All deputy officers are required to furnish evidence to the  
7 Chief of the Capitol Police Force that they are knowledgeable as to  
8 the duties and responsibilities of a law enforcement officer or are  
9 required to undergo training in this field as is required of officers of  
10 the South Carolina Law Enforcement Division.

11 (D) The Chief of the South Carolina Law Enforcement Division,  
12 or his designee, shall provide annual training to the Chief of the  
13 Capitol Police Force, the Sergeant at Arms of the Senate, the  
14 Sergeant at Arms of the House of Representatives, the Marshal of  
15 the Supreme Court, and their deputy officers.

16 (E) The Chief of the Capitol Police Force shall request assistance  
17 in providing security services at the State House and capitol grounds  
18 for special events and at any time when, in the discretion of the Chief  
19 of the Capitol Police Force, it is required. The Director of the  
20 Department of Public Safety, the Chief of the South Carolina Law  
21 Enforcement Division, the Chief of the City of Columbia Police, and  
22 any other law enforcement agency, shall provide assistance when  
23 requested by the Chief of the Capitol Police.

24 (F) The Chief of the Capitol Police force shall coordinate  
25 criminal investigations conducted on the capitol grounds with the  
26 South Carolina Law Enforcement Division, and shall request its  
27 assistance with criminal investigations, when, in the discretion of  
28 the Chief of the Capitol Police Force, it is appropriate. The Chief  
29 of the South Carolina Law Enforcement Division shall provide  
30 assistance in criminal investigations when requested by the Chief of  
31 the Capitol Police Force.

32

33 Section 2-4-70. (A) The Chief of the Capitol Police Force, the  
34 Sergeant at Arms of the Senate, the Sergeant at Arms of the House  
35 of Representatives, the Marshal of the Supreme Court, and their  
36 deputy officers shall:

37 (1) protect persons and property at the State House and capitol  
38 grounds, in all state buildings, parking lots and garages on or around  
39 the capitol grounds, as defined in Section 10-11-310, and in the  
40 Supreme Court Building, its grounds and parking lot;

41 (2) preserve and maintain proper order and decorum;

42 (3) prevent unlawful assemblies and disorderly conduct;

1 (4) enforce the laws pertaining to trespass and other offenses  
2 provided for in Chapter 11, Title 10;

3 (5) provide security services for all persons and property  
4 involved in the operation and parking of motor vehicles in state  
5 parking lots and garages on or around the capitol grounds and at the  
6 Supreme Court Building parking lot; and

7 (6) enforce the laws of the State of South Carolina and arrest,  
8 with or without warrant, a person upon or in the areas described in  
9 this section who is or is reasonably believed to be committing an  
10 offense against any laws of the State of South Carolina, and to  
11 deliver the person to a court of competent jurisdiction to be dealt  
12 with according to the law.

13 (B) The Chief of the Capitol Police Force and his deputy officers  
14 have primary care and charge over those areas of the State House,  
15 the capitol grounds, and the Supreme Court parking lot not reserved  
16 to the Sergeant at Arms of the Senate, and the Sergeant at Arms of  
17 the House of Representatives, or to the Marshal of the Supreme  
18 Court pursuant to Section 2-4-30. Additionally, the Chief of the  
19 Capitol Police Force and his deputy officers have authority to patrol  
20 and respond to security or law enforcement-related matters in any  
21 area located within a one block radius beyond the capitol grounds,  
22 as defined in Section 2-4-80.

23  
24 Section 2-4-80. For purposes of this chapter, ‘capitol grounds’  
25 means that area inward from the vehicular traveled surfaces of  
26 Gervais, Sumter, Pendleton, and Assembly streets in the City of  
27 Columbia. It also includes the Supreme Court Building, its grounds  
28 and parking lot, and the sidewalks bordering this area.”

29  
30 SECTION 2. Article 1, Chapter 3, Title 14 of the 1976 Code is  
31 amended by adding:

32  
33 “Section 14-3-135. (A) The Supreme Court shall appoint a  
34 Marshal of the Supreme Court who, under the supervision and  
35 direction of the Clerk of the Supreme Court, has primary  
36 responsibility over the Supreme Court Building, its grounds and  
37 parking lot, and at any judicial department areas within the Calhoun  
38 Building on the capitol grounds. The Marshal is responsible for  
39 providing security services at the Supreme Court Building, its  
40 grounds and parking lot, and at any judicial department areas within  
41 the Calhoun Building, and is responsible for their keeping and the  
42 keeping and protection of the furniture and furnishings belonging to  
43 them. Additionally, the Marshal shall provide security services at

1 other locations where the Supreme Court or Court of Appeals may  
2 have offices, hold court, or attend meetings, and be assisted by local  
3 law enforcement if needed.

4 (B) The Marshal shall employ deputies and other employees as  
5 necessary to carry out the provisions of this section.

6 (C) The duties of the Marshal and his deputies are:

7 (1) the security of personnel and property of the Supreme  
8 Court Building, its grounds and parking lot, any judicial department  
9 areas within the Calhoun Building, and at other locations where the  
10 Supreme Court or Court of Appeals may hold court;

11 (2) as provided by law; and

12 (3) as designated by the Supreme Court.

13 (D) The Marshal and his deputies shall meet and escort visitors  
14 as necessary about the Supreme Court Building or the judicial  
15 department areas within the Calhoun Building.”

16

17 SECTION 3. Section 10-1-30 of the 1976 Code, as last amended  
18 by Act 121 of 2014, is further amended to read:

19

20 “Section 10-1-30. (A) The Director of the Division of General  
21 Services may authorize the use of areas of the State House except  
22 for those provided in subsection (B), the State House steps and  
23 grounds, and other public buildings and grounds except for those  
24 provided in subsection (B) in accordance with regulations  
25 promulgated by the department and the laws of this State and in  
26 accordance with applicable laws and policies adopted by the Capitol  
27 Police Force Committee.

28 (B) The Clerk of the Senate and the Clerk of the House of  
29 Representatives shall provide joint approval for access to or the use  
30 of the second and third floors of the State House; provided, that use  
31 of the respective chambers of each house ~~shall be~~ is the prerogative  
32 of that house. The Clerk of the Senate shall provide prior  
33 authorization for any access to or use of the Senate Office Building  
34 and the Clerk of the House of Representatives shall provide prior  
35 authorization for any access to or use of the House Office Building.  
36 Management and supervision of the office buildings of each house  
37 of the General Assembly ~~shall be~~ is exercised by each house acting  
38 through the respective clerks.

39 (C) The regulations promulgated pursuant to subsection (A)  
40 must contain provisions to ensure that the public health, safety, and  
41 welfare are protected in the use of the areas including reasonable  
42 time, place, and manner restrictions and application periods before  
43 use. If sufficient measures are not taken to protect the public health,

1 safety, and welfare, the director shall deny the requested use. Other  
2 restrictions may be imposed on the use of the areas as are necessary  
3 for the conduct of business in those areas and the maintenance of  
4 the dignity, decorum, and aesthetics of the areas.

5 (D) The Capitol Police Force shall provide security services for  
6 all uses of the State House lobbies, State House steps and grounds,  
7 and all public buildings and grounds on the capitol grounds, except  
8 as limited by Section 2-4-20. The director shall consult with the  
9 Chief of the Capitol Police Force regarding security issues before  
10 authorizing the use of or the placement of restrictions on the use of  
11 the State House lobbies, steps, grounds, or public buildings and  
12 grounds on the capitol grounds.”

13  
14 SECTION 4. Chapter 11, Title 10 of the 1976 Code is amended to  
15 read:

16  
17 “CHAPTER 11

18  
19 Trespasses and Offenses

20  
21 Article 1

22  
23 General Provisions

24  
25 Section 10-11-10. It ~~shall be~~ is unlawful for ~~any a~~ a person,  
26 without the permission of the State Budget and Control Board or a  
27 member of that board, to enter upon or walk upon the roof of the  
28 State House. ~~Any A~~ A person violating the provisions of this section,  
29 upon conviction, shall must be punished by a fine of fined not more  
30 than one hundred dollars or imprisoned for not more than thirty days  
31 ~~on the public works of Richland County~~ for each offense.

32  
33 Section 10-11-20. It ~~shall be~~ is unlawful to use the State House  
34 or capitol grounds for any purpose not authorized by law. ~~Any A~~ A  
35 violation of the provisions of this section ~~shall be~~ is punishable by  
36 imprisonment for a period not exceeding thirty days or by a fine of  
37 not over one hundred dollars.

38  
39 Section 10-11-30. It ~~shall be~~ is unlawful for ~~any a~~ a person to  
40 trespass upon the grass plots or flower beds of the capitol grounds  
41 of the State House or of the Governor’s mansion, or of the grounds  
42 surrounding any of the state office buildings located in the area  
43 bounded by Assembly, Gervais, Bull, and Pendleton Streets in the

1 City of Columbia, to damage or deface any of the buildings, or to  
2 cut down, deface, mutilate, or otherwise injure any of the statues,  
3 trees, shrubs, grasses, or flowers on the grounds or commit any other  
4 trespass upon any property of the State, real or personal, located  
5 ~~thereon~~ on them.

6  
7 Section 10-11-40. It ~~shall be~~ is unlawful for ~~any a~~ a person, except  
8 state officers and employees and persons having lawful business ~~in~~  
9 ~~the buildings on the capitol grounds~~, to use any of the driveways,  
10 alleys, or parking spaces upon any of the property of the State,  
11 ~~bounded by Assembly, Gervais, Bull and Pendleton Streets in the~~  
12 ~~city of Columbia~~ within the capitol grounds, upon any regular  
13 weekday, Saturdays and holidays excepted, between the hours of  
14 eight-thirty a.m. and five-thirty p.m., whenever the buildings are  
15 open for business.

16  
17 Section 10-11-50. It ~~shall be~~ is unlawful for ~~anyone a~~ a person to  
18 park ~~any a~~ a vehicle on any of the property described in Section  
19 10-11-40 and ~~subsection (2) of~~ Section 10-11-80(B) except in the  
20 spaces and manner now marked and designated or that may be  
21 hereafter ~~be~~ marked and designated by the Department of  
22 Administration, in cooperation with the Department of  
23 Transportation and the Capitol Police Force, or to block or impede  
24 traffic through the alleys and driveways.

25  
26 Section 10-11-60. It ~~shall be~~ is unlawful to operate a motor  
27 vehicle on any of the property described in Section 10-11-40 and  
28 ~~subsection (2) of~~ Section 10-11-80(B) at a speed in excess of ten  
29 miles per hour. All of the state laws regulating traffic upon the  
30 highways and streets shall apply to the operation of motor vehicles  
31 within the area, except as modified ~~hereby~~ in this article.

32  
33 Section 10-11-70. All of the general criminal laws of the State  
34 are ~~hereby~~ declared to be in full force and effect within the area  
35 described in Sections 10-11-30 and 10-11-40 and ~~subsection (2) of~~  
36 Section 10-11-80(B).

37  
38 Section 10-11-80. ~~(1)(A)~~ Except as provided in subsection (B),  
39 parking lots which are situated on the property of the State ~~shall be~~  
40 are reserved for the employees of the State. The parking lots  
41 referred to by this section ~~shall~~ must be policed by the Department  
42 of Public Safety and no person not authorized by this section ~~shall~~  
43 ~~be~~ is allowed to occupy ~~such~~ these parking lots. Parking lots

1 referred to in this section are confined to those located in the City of  
2 Columbia.

3 ~~(2)(B)~~ The parking lot ~~located on the corner of Main and~~  
4 ~~Senate Streets shall be reserved exclusively for members of the~~  
5 ~~General Assembly, the clerks, chaplains, sergeants at arms, reading~~  
6 ~~clerks of both houses and the Code Commissioner during such time~~  
7 ~~as the legislature is in session, after which it shall be reserved as~~  
8 ~~other state parking lots. lots located upon, around, or under any of~~  
9 ~~the property of the State bounded by Assembly, Gervais, Sumter,~~  
10 ~~and Pendleton streets in the City of Columbia, and the Supreme~~  
11 ~~Court Building and parking lot must be policed by the Capitol Police~~  
12 ~~Force and no unauthorized person is allowed to occupy these~~  
13 ~~parking lots. The use of this lot these lots by an unauthorized persons~~  
14 ~~shall constitute person constitutes a misdemeanor, punishable as~~  
15 provided for in Section 10-11-120.

16  
17 Section 10-11-90. ~~The watchmen and policemen employed for~~  
18 ~~the protection of the property described in Sections 10-11-30 and~~  
19 ~~10-11-40 and subsection (2) of Section 10-11-80 are hereby vested~~  
20 ~~with all of the powers, privileges, and immunities of constables~~  
21 ~~while on this area or in fresh pursuit of those violating the law in~~  
22 ~~this area, provided that such watchmen and policemen take and file~~  
23 ~~the oath required of peace officers, execute and file bond in the form~~  
24 ~~required of state constables, and be duly commissioned by the~~  
25 ~~Governor. Reserved.~~

26  
27 Section 10-11-100. ~~In addition to the enforcement of Sections~~  
28 ~~10-11-30 to 10-11-70 and subsection (2) of Section 10-11-80 by the~~  
29 ~~watchmen mentioned in Section 10-11-90, All lawful highway~~  
30 ~~patrolmen and police officers of the City of Columbia may enforce~~  
31 ~~the criminal laws of this State and the provisions of such these~~  
32 ~~sections and subsection within the area described in Sections~~  
33 ~~10-11-30 and 10-11-40 and subsection (2) of Section 10-11-80(B).~~

34  
35 Section 10-11-110. In connection with traffic and parking  
36 violations only, ~~the watchmen and policemen referred to in Section~~  
37 ~~10-11-90 the Capitol Police Force, state highway patrolmen and~~  
38 ~~policemen of the City of Columbia shall have the right to issue and~~  
39 ~~use parking tickets of the type used by the City of Columbia, with~~  
40 ~~such changes as are necessitated hereby by this article, to be~~  
41 ~~prepared and furnished by the Department of Administration, upon~~  
42 ~~the issuance of which the procedures shall must be followed as~~  
43 prevail in connection with the use of parking tickets by the City of

1 Columbia. Nothing ~~herein shall restrict~~ in this article restricts the  
2 application and use of regular arrest warrants.

3  
4 Section 10-11-120. The violation of any of the provisions of  
5 Sections 10-11-40 to 10-11-60 and ~~subsection (2) of Section~~  
6 ~~10-11-80(B) shall constitute~~ constitutes a misdemeanor and, upon  
7 conviction ~~thereof~~, the offender shall must be ~~punished by a fine of~~  
8 fined not more than one hundred dollars or ~~imprisonment for~~  
9 imprisoned not more than thirty days. The penalties for violation of  
10 any of the other criminal laws of the State ~~shall be~~ are as provided  
11 for by law.

12  
13 Section 10-11-130. The ~~recorder of the City of Columbia and the~~  
14 ~~magistrate of the Columbia district are hereby separately~~ municipal  
15 judges and the Richland County magistrates are vested with all  
16 jurisdiction necessary to hear, try, and determine criminal cases  
17 involving any violations of Sections 10-11-30 to 10-11-120 where  
18 the punishment does not exceed ~~a fine of one hundred dollars or~~  
19 ~~imprisonment of thirty days~~ the jurisdictional limits of municipal  
20 court or magistrates court.

21  
22 Section 10-11-140. Nothing contained in this article shall may be  
23 construed to abridge the authority of the Department of  
24 Administration to grant permission to use the State House grounds  
25 for educational, electrical decorations, and similar purposes.

26  
27 ~~Section 10-11-150. In order to preserve public safety and provide~~  
28 ~~appropriate staging space in the areas adjacent to the Capitol~~  
29 ~~complex during the period of the State House Renovation Project,~~  
30 ~~notwithstanding any provision of law or ordinance to the contrary,~~  
31 ~~the Department of Transportation is empowered and directed to take~~  
32 ~~appropriate steps regarding traffic routing and flow and pedestrian~~  
33 ~~access in the area around the Capitol Complex as directed by the~~  
34 ~~committee established by Section 2 of an act of 1995 bearing~~  
35 ~~ratification no. 62.~~

36  
37 Article 3

38  
39 Offenses on Capitol Grounds  
40 and in Capitol Building

41  
42 Section 10-11-310. As used in this article, 'capitol grounds' shall  
43 ~~be~~ is that area inward from the vehicular traveled surfaces of

1 Gervais, Sumter, ~~Senate Pendleton~~, and Assembly streets in the City  
2 of Columbia. It also includes the Supreme Court Building, its  
3 grounds and parking lot, and the sidewalks bordering that area.  
4

5 Section 10-11-315. It is unlawful for a person to wilfully and  
6 maliciously deface, vandalize, damage, or destroy or attempt to  
7 deface, vandalize, damage, or destroy any monument, flag, flag  
8 support, memorial, fence, or structure located on the capitol  
9 grounds, and a person convicted of a violation of this section shall  
10 must be punished pursuant to the provisions of Section 10-11-360.  
11

12 Section 10-11-320. (A) It is unlawful for ~~any~~ a person or group  
13 of persons to:

14 (1) carry or have readily accessible to the person upon the  
15 capitol grounds or within the capitol building any firearm or  
16 dangerous weapon; or

17 (2) discharge any firearm or to use any dangerous weapon  
18 upon the capitol grounds or within the ~~capitol building~~ State House.

19 (B) This section does not apply to a person who possesses a  
20 concealable weapons' permit pursuant to Article 4, Chapter 31, Title  
21 23 and is authorized to park on the capitol grounds or in the parking  
22 garage below the capitol grounds. The firearm must remain locked  
23 in the person's vehicle while on or below the capitol grounds and  
24 must be stored in a place in the vehicle that is not readily accessible  
25 to any person upon entry to or below the capitol grounds, except for  
26 those persons named in Section 23-31-240 who may carry  
27 concealable weapons anywhere within the State when carrying out  
28 the duties of their office, if they possess a valid permit.  
29

30 Section 10-11-325. (A) It is unlawful for a person knowingly to  
31 possess, have readily accessible to the person, or transport by any  
32 means upon the capitol grounds or within the ~~capitol building~~ State  
33 House any explosive, destructive device, or incendiary device. A  
34 person who violates this subsection is guilty of a felony and, upon  
35 conviction, must be imprisoned for not less than two years nor more  
36 than fifteen years.

37 (B) It is unlawful for a person intentionally to detonate an  
38 explosive or destructive device or ignite any incendiary device upon  
39 the capitol grounds or within the ~~capitol building~~ State House. A  
40 person who violates this subsection is guilty of a felony and, upon  
41 conviction:

42 (1) in cases resulting in the death of another person where  
43 there was malice aforethought, must be punished by death, by



1 imprisonment for life, or by a mandatory minimum term of  
2 imprisonment for thirty years;

3 (2) in cases resulting in the death of another person where  
4 there was ~~not~~ no malice aforethought, must be imprisoned not less  
5 than two years nor more than thirty years;

6 (3) in cases resulting in injury to a person, must be imprisoned  
7 for not less than ten years nor more than twenty-five years; or

8 (4) in cases resulting in damage to a building or other real or  
9 personal property, must be imprisoned for not less than two years  
10 nor more than twenty-five years.

11

12 Section 10-11-330. It ~~shall be~~ is unlawful for ~~any~~ a person or  
13 group of persons wilfully and knowingly to:

14 (a) ~~to~~ enter or to remain within the ~~capitol building~~ State House  
15 unless ~~such~~ the person is authorized by law or by rules of the House  
16 or Senate, ~~or~~ the Department of Administration regulations,  
17 ~~respectively, or the Capitol Police Force~~ when ~~such~~ entry is done for  
18 the purpose of uttering loud, threatening, and abusive language or to  
19 engage in any disorderly or disruptive conduct with the intent to  
20 impede, disrupt, or disturb the orderly conduct of any session of the  
21 legislature or the orderly conduct within the building or of any  
22 hearing before or any deliberation of any committee or  
23 subcommittee of the legislature;

24 (b) ~~to~~ obstruct or to impede passage within the capitol grounds  
25 or ~~building~~ State House;

26 (c) ~~to~~ engage in any act of physical violence upon the capitol  
27 grounds or within the ~~capitol building~~ State House; or

28 (d) ~~to~~ parade, demonstrate, or picket within the ~~capitol building~~  
29 State House.

30

31 Section 10-11-340. Nothing contained in this article prohibits any  
32 officer or employee or persons otherwise authorized and required to  
33 perform duties within the ~~capitol building~~ State House from  
34 performing their normal duties, including the carrying of firearms,  
35 except as may be limited by the rules of either House within their  
36 respective chambers.

37

38 Section 10-11-350. Nothing contained in this article ~~shall prohibit~~  
39 prohibits the normal, peaceful entry of the general public upon the  
40 capitol grounds or within the ~~capitol building~~ State House, subject  
41 only to laws or rules governing that portion of the capitol grounds  
42 which may be entered and the hours during which the ~~capitol~~  
43 building State House ~~shall be~~ is open.

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Section 10-11-360. A person who violates the provisions of this article is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than three years, or both. The penalties provided for in this section do not apply to Section 10-11-325.”

SECTION 5.(A) Where the provisions of this act transfer particular entities, sections, divisions, or portions thereof of one state agency (transferring agency) to another state agency or entity (receiving agency), the employees, authorized appropriations, and real and personal property of the transferring agency are also transferred to and become part of the receiving agency unless otherwise specifically provided. All classified or unclassified personnel of the transferring agency shall become employees of the receiving department or division, with the same compensation, classification, and grade level, as applicable. The State Budget and Control Board shall cause all necessary actions to be taken to accomplish this transfer and, in consultation with the agency head of the transferring and receiving agencies, shall prescribe the manner in which the transfer provided for in this section must be accomplished. The board’s action in facilitating the provisions of this section are ministerial in nature and must not be construed as an approval process over any of the transfers.

(B) Employees or personnel of the transferring agency transferred to or made a part of the receiving agency shall continue to occupy the same office locations and facilities which they now occupy unless or until otherwise changed by appropriate action and authorization, and shall maintain their seniority within the transferring agency should they decide to remain in their positions or subsequently apply for a position back with the transferring agency. The rent and physical plant operating costs of these offices and facilities, if any, must continue to be paid by the transferring agency until otherwise provided by the General Assembly. The records and files of the transferring agency must remain the property of the transferring agency, except that the transferred personnel shall have complete access to these records and files in the performance of their duties as new employees of the receiving agency.

(C) All remaining costs necessary for the implementation and operation of the Capitol Police Force must be provided for by the General Assembly in the annual appropriations act; however, for Fiscal Year 2014-2015, the State Budget and Control Board, or its

1 successor agency, as appropriate, shall provide all funds necessary  
2 to implement the provisions of this act.

3  
4 SECTION 6. If any section, subsection, item, subitem, paragraph,  
5 subparagraph, sentence, clause, phrase, or word of this act is for any  
6 reason held to be unconstitutional or invalid, such holding shall not  
7 affect the constitutionality or validity of the remaining portions of  
8 this act, the General Assembly hereby declaring that it would have  
9 passed this act, and each and every section, subsection, item,  
10 subitem, paragraph, subparagraph, sentence, clause, phrase, and  
11 word thereof, irrespective of the fact that any one or more other  
12 sections, subsections, items, subitems, paragraphs, subparagraphs,  
13 sentences, clauses, phrases, or words hereof may be declared to be  
14 unconstitutional, invalid, or otherwise ineffective.

15  
16 SECTION 7. This act takes effect July 1, 2015.

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