

## Session 125 - (2023-2024)

### H 4470 General Bill, By J. Moore and King

#### Summary: Omnibus More Justice Act

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 32 TO TITLE 14 SO AS TO ESTABLISH THE "JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE"; BY ADDING ARTICLE 9 TO CHAPTER 23, TITLE 16 ENTITLED "BACKGROUND CHECKS FOR FIREARM SALES AND TRANSFERS" SO AS TO ESTABLISH REQUIREMENTS FOR BACKGROUND CHECKS FOR FIREARM SALES AND TRANSFERS; BY ADDING CHAPTER 32 TO TITLE 17 ENTITLED "ASSET FORFEITURE AND PRIVATE PROPERTY PROTECTION ACT" SO AS TO PROVIDE FOR PROCEDURES AND REQUIREMENTS REGARDING ASSET FORFEITURE AND PROTECTION OF PRIVATE PROPERTY IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 17-15-270 SO AS TO REQUIRE THAT A PERSON WHO IS ARRESTED AT A MENTAL HEALTH INSTITUTION OR FACILITY FROM WHICH THE PERSON RECEIVES TREATMENT MUST UNDERGO A MENTAL HEALTH EVALUATION BEFORE A BOND HEARING; BY AMENDING SECTION 17-15-55, RELATING TO THE RECONSIDERATION BY THE CIRCUIT COURT OF BOND SET BY THE SUMMARY COURT, SO AS TO PROVIDE THAT IF A PERSON RECEIVES A SUBSEQUENT BOND AFTER BEING RELEASED ON BOND FOR A PREVIOUS VIOLENT OFFENSE OR FELONY OFFENSE INVOLVING A FIREARM, THE BONDSMAN MUST CERTIFY THAT ALL FEES ASSOCIATED WITH THE BOND WERE PAID IN FULL AT THE TIME OF THE BONDING, AND TO PROVIDE THAT IF A PERSON RECEIVES A BOND AFTER TWO PRIOR BONDS SET FOR SEPARATE VIOLENT OR FELONY OFFENSES INVOLVING A FIREARM, THAT BOND MAY NOT BE POSTED BY A BOND SURETY; BY AMENDING SECTION 17-15-30, RELATING TO MATTERS TO BE CONSIDERED IN DETERMINING CONDITIONS OF RELEASE, SO AS TO PROVIDE THAT THE COURT MUST CONSIDER WHETHER A PERSON IS CURRENTLY OUT ON BOND FOR A PRIOR OFFENSE WHEN SETTING BOND; BY AMENDING SECTION 22-5-510, RELATING TO BAIL AND BOND HEARINGS AND INFORMATION TO BE PROVIDED TO THE MAGISTRATE, SO AS TO PROVIDE THAT A MAGISTRATE MUST CONSIDER WHETHER A PERSON IS OUT ON BOND FOR ANOTHER PRIOR OFFENSE WHEN SETTING A BOND; BY ADDING SECTION 23-1-255 SO AS TO PROVIDE IT IS UNLAWFUL FOR LAW ENFORCEMENT OFFICERS TO USE EXCESSIVE FORCE WHEN DETAINING OR ARRESTING PERSONS, TO PROVIDE A PENALTY, TO PROVIDE THE PROCEDURE FOR INVESTIGATING THE DEATH OF PERSONS BY THE USE OF EXCESSIVE FORCE, AND TO DEFINE CERTAIN TERMS; BY ADDING SECTION 23-1-260 SO AS TO PROVIDE LAW ENFORCEMENT AGENCIES MAY NOT ACQUIRE OR PURCHASE CERTAIN MILITARY ITEMS; BY ADDING SECTION 23-1-270 SO AS TO REQUIRE STATE AND LOCAL LAW ENFORCEMENT AGENCIES TO ADOPT AND MAINTAIN A WRITTEN POLICY REGARDING THE USE OF TASER DEVICES OR STUN GUNS THAT MEETS OR EXCEEDS THE MODEL POLICY TO BE DEVELOPED BY THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, TO REQUIRE LAW ENFORCEMENT OFFICERS TO DOCUMENT EACH USE OF A TASER DEVICE OR STUN GUN, TO REQUIRE EACH STATE AND LOCAL LAW ENFORCEMENT AGENCY TO SUBMIT AN ANNUAL REPORT TO THE DIRECTOR OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO POST THE ANNUAL REPORTS REGARDING TASER DEVICE OR STUN GUN USAGE ON ITS INTERNET WEBSITE, AND TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY PROVIDING GUIDELINES ON THE USE OF TASER DEVICES OR STUN GUNS BY LAW ENFORCEMENT OFFICERS; AND BY AMENDING SECTION 23-23-20, RELATING TO THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, SO AS TO AUTHORIZE ITS DIRECTOR TO DETERMINE THE LOCATION OF A TRAINING FACILITY.

05/10/23 House Introduced and read first time (House Journal-page 44)

05/10/23 House Referred to Committee on Judiciary (House Journal-page 44)