

**Session 122 - (2017-2018)**

**H\*3352 (Rat #0102, Act #0067 of 2017) General Bill, By W. Newton, Taylor, Norrell and Erickson**  
**Similar (S 0099, S 0481, H 3482, H 4396)**

**Summary:** Office of Freedom of Information Act Review

AN ACT TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RIGHTS TO INSPECT PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE ELECTRONIC TRANSMISSIONS AMONG THE RECORD FORMATS AVAILABLE FOR INSPECTION, TO PROVIDE CERTAIN LIMITATIONS APPLICABLE TO PRISONERS, TO PROVIDE PUBLIC BODIES ARE NOT REQUIRED TO CREATE ELECTRONIC VERSIONS OF PUBLIC RECORDS TO FULFILL RECORDS REQUESTS, TO REVISE REQUIREMENTS CONCERNING RECORDS REQUEST FULFILMENT FEES, TO PERMIT PUBLIC BODIES TO CHARGE CERTAIN DEPOSITS BEFORE SEARCHING AND COPYING PUBLIC RECORDS IN RESPONSE TO RECORDS REQUESTS, AND TO REVISE THE TIME LIMITS AND MANNER FOR RESPONDING TO RECORDS REQUESTS AND COMPLYING WITH THE PROVISIONS OF THE ACT; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE IN THE FREEDOM OF INFORMATION ACT, SO AS TO REVISE PROVISIONS CONCERNING LAW ENFORCEMENT RECORDS; TO AMEND SECTION 30-4-50, RELATING TO CATEGORIES OF MATTERS DECLARED TO BE PUBLIC INFORMATION IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE LAW ENFORCEMENT VEHICLE-MOUNTED VIDEOS AND AUDIO RECORDINGS OF CERTAIN INCIDENTS INVOLVING LAW ENFORCEMENT OFFICERS, TO PROVIDE PROCEDURES THROUGH WHICH ENFORCEMENT MAY SEEK EXEMPTION OF DISCLOSURE OF THE RECORDINGS FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDINGS, AND TO PROVIDE REQUIREMENTS FOR RELATED COURT ORDERS; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE TIME CONSTRAINTS WITHIN WHICH DETERMINATIVE HEARINGS ON THE REQUESTS FOR RELIEF MUST BE MADE; TO AMEND SECTION 30-4-110, RELATING TO PENALTIES FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE CRIMINAL PENALTIES, AND TO PROVIDE RIGHTS AND REMEDIES OF PUBLIC BODIES FROM WHOM REQUESTS ARE MADE AND PERSONS WITH SPECIFIC INTERESTS IN EXEMPT INFORMATION FOR WHICH DISCLOSURE IS SOUGHT, AMONG OTHER THINGS; AND TO AMEND SECTION 30-2-50, RELATING TO THE PROHIBITION ON OBTAINING PERSONAL INFORMATION FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO EXTEND THE PROHIBITION TO INFORMATION OBTAINED FROM LOCAL GOVERNMENTS AND POLITICAL SUBDIVISIONS OF THE STATE. - ratified title

<b>12/15/16</b>	<b>House</b>	<b>Prefiled</b>
<b>12/15/16</b>	<b>House</b>	<b>Referred to Committee on Judiciary</b>
<b>01/10/17</b>	<b>House</b>	<b>Introduced and read first time (House Journal-page 171)</b>
<b>01/10/17</b>	<b>House</b>	<b>Referred to Committee on Judiciary (House Journal-page 171)</b>
<b>02/08/17</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary (House Journal-page 16)</b>
<b>02/09/17</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Norrell</b>
<b>02/09/17</b>		<b>Scrivener's error corrected</b>
<b>02/14/17</b>	<b>House</b>	<b>Debate adjourned until Wed., 3-8-17 (House Journal-page 7)</b>
<b>02/16/17</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Erickson</b>
<b>03/08/17</b>	<b>House</b>	<b>Debate adjourned until Wed., 3-22-17 (House Journal-page 8)</b>
<b>03/22/17</b>	<b>House</b>	<b>Amended (House Journal-page 18)</b>
<b>03/22/17</b>	<b>House</b>	<b>Read second time (House Journal-page 18)</b>
<b>03/22/17</b>	<b>House</b>	<b>Roll call Yeas-93 Nays-0 (House Journal-page 21)</b>
<b>03/23/17</b>	<b>House</b>	<b>Read third time and sent to Senate (House Journal-page 10)</b>
<b>03/23/17</b>	<b>Senate</b>	<b>Introduced and read first time (Senate Journal-page 8)</b>
<b>03/23/17</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary (Senate Journal-page 8)</b>
<b>04/20/17</b>	<b>Senate</b>	<b>Referred to Subcommittee: Campsen (ch), Young, Fanning</b>
<b>05/03/17</b>	<b>Senate</b>	<b>Committee report: Favorable Judiciary (Senate Journal-page 14)</b>
<b>05/09/17</b>	<b>Senate</b>	<b>Amended (Senate Journal-page 64)</b>
<b>05/10/17</b>	<b>Senate</b>	<b>Amended (Senate Journal-page 53)</b>
<b>05/10/17</b>	<b>Senate</b>	<b>Read second time (Senate Journal-page 53)</b>
<b>05/10/17</b>	<b>Senate</b>	<b>Roll call Ayes-40 Nays-0 (Senate Journal-page 53)</b>
<b>05/11/17</b>		<b>Scrivener's error corrected</b>
<b>05/11/17</b>	<b>Senate</b>	<b>Amended</b>

<b>05/11/17</b>	<b>Senate</b>	<b>Read third time and returned to House with amendments (Senate Journal-page 43)</b>
<b>05/11/17</b>	<b>House</b>	<b>Concurred in Senate amendment and enrolled (House Journal-page 63)</b>
<b>05/11/17</b>	<b>House</b>	<b>Roll call Yeas-89 Nays-0 (House Journal-page 64)</b>
<b>05/15/17</b>		<b>Ratified R 102</b>
<b>05/19/17</b>		<b>Signed By Governor</b>
<b>05/26/17</b>		<b>Effective date 5/19/17</b>
<b>05/31/17</b>		<b>Act No. 67</b>