**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑130 SO AS TO PROHIBIT A DEPARTMENT, DIVISION, AGENCY, BOARD, OR OTHER INSTRUMENTALITY OR POLITICAL SUBDIVISION OF THE STATE, ITS OFFICERS OR EMPLOYEES, INCLUDING MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD OR STATE MILITIA, FROM ASSISTING THE ARMED FORCES OF THE UNITED STATES, OR AN AGENCY OF IT, IN THE INVESTIGATION, PROSECUTION, OR DETAINMENT OF A UNITED STATES CITIZEN IN VIOLATION OF THE CONSTITUTION OF THIS STATE.

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

SECTION 1. Article 3, Chapter 1, Title 1 of the 1976 Code, is amended by adding:

“Section 1‑1‑130. (A) Notwithstanding another provision of law, a department, division, agency, board, or other instrumentality or political subdivision of the State, its officers or employees while acting in an official capacity, including members of the South Carolina National Guard or State Militia while serving on official state duty, may not engage in an activity that aids the Armed Forces of the United States, or an agency of it, in the execution of 50 U.S.C. 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012 in the investigation, prosecution, or detainment of a citizen of the United States in violation of the Constitution of South Carolina, 1895.

(B) The provisions of this section do not apply to state or local law enforcement, or to the South Carolina National Guard or State Militia while participating as members of a joint task force, partnership, or other cooperative agreement that is not engaged in apprehensions or detentions of United States citizens pursuant to 50 U.S.C. 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012.”

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

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