**A** **BILL**

TO AMEND SECTION 40‑80‑20 OF THE 1976 CODE, RELATING TO THE REQUIREMENT OF A CRIMINAL RECORDS CHECK FOR EMPLOYMENT AS A FIREFIGHTER, TO PROVIDE FOR THE OFFENSES THAT PREVENT A PERSON FROM PERFORMING FIREFIGHTING DUTIES IN THIS STATE, AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. Section 40‑80‑20(B) of the 1976 Code is amended to read:

“(B)(1) ~~After June 30, 2001, a~~ A person may not perform firefighting duties in ~~South Carolina~~ this State if the person has been convicted of, or pled guilty to, or pled nolo contendere to:

~~(a)~~ ~~a felony;~~

~~(b)~~(a) arson, attempted arson, burglary, or a violent crime as defined in Section 16‑1‑60 ~~or another offense provided in Article 3, Chapter 11 of Title 16~~; or

~~(c)~~(b) an offense involving a controlled substance as provided for in Chapter 53 of Title 44.

(2) The prohibition in item (1) of this subsection applies for a period of ten years after the conviction or plea of guilty or nolo contendere.

(C) After the expiration of the ten‑year period, a fire chief or other employer may determine whether to allow a person with a criminal record to perform firefighting duties; except no person may volunteer as a firefighter, be employed as a firefighter, or perform firefighting duties if he has been convicted of, pled guilty to, or pled nolo contendere to arson.”

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

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