**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3452**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Tallon, Brannon, McCoy, Patrick, Allison, Bannister, Cole, Forrester and D.C. Moss

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Companion/Similar bill(s): 275

Introduced in the House on January 30, 2013

Currently residing in the House Committee on **Judiciary**

Summary: Law enforcement officer

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/30/2013 House Introduced and read first time ([House Journal‑page 3](file:///h:\HJ%20Archive\2013\01-30-13.docx))

1/30/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 3](file:///h:\HJ%20Archive\2013\01-30-13.docx))

**VERSIONS OF THIS BILL**

[1/30/2013](file:///p:\pprever\2013-14\3452_20130130.docx)

**A** **BILL**

TO AMEND SECTIONS 23‑1‑210 AND 23‑1‑215, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OR ASSIGNMENT OF A LAW ENFORCEMENT OFFICER TO WORK WITHIN MULTIJURISDICTIONAL TASK FORCES OR IN ANY MUNICIPALITY OR COUNTY IN THIS STATE, SO AS TO DELETE THE TERM “CONCERNED MUNICIPALITIES OR COUNTIES” AND REPLACE IT WITH THE TERM “AGENCIES”, TO PROVIDE THAT THE WRITTEN AGREEMENTS THAT CONTAIN THE CONDITIONS AND TERMS OF THE EMPLOYMENT OF OFFICERS TO BE TRANSFERRED OR ASSIGNED MUST BE REVIEWED ANNUALLY AND WHEN ONE OF THE AGENCY HEADS LEAVES OFFICE, TO DELETE THE PROVISION THAT REQUIRES THAT A COUNTY OR MUNICIPALITY THAT SENDS AN OFFICER TO ANOTHER JURISDICTION BE REIMBURSED FOR HIS SERVICES BY THE COUNTY OR MUNICIPALITY TO WHICH THE OFFICER IS TRANSFERRED, TO PROVIDE THAT THE GOVERNING BODIES OR THE POLITICAL SUBDIVISIONS WHEREIN EACH OF THE LAW ENFORCEMENT AGENCIES ENTERING INTO AN AGREEMENT IS LOCATED MUST BE NOTIFIED BY ITS AGENCIES OF THE AGREEMENT’S EXECUTION AND TERMINATION, TO PROVIDE THAT THE NOTIFICATION MUST BE IN WRITING AND PROVIDE THE PERIOD IN WHICH IT MUST BE ACCOMPLISHED, AND TO PROVIDE THE LIMITS OF AUTHORITY A LAW ENFORCEMENT OFFICER MAY EXERCISE WHERE EXIGENT CIRCUMSTANCES REQUIRE IMMEDIATE DEPLOYMENT OF A LAW ENFORCEMENT OFFICER.

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

SECTION 1. Section 23‑1‑210 of the 1976 Code, as last amended by Act 3 of 2007, is further amended to read:

“Section 23‑1‑210. (A) Any municipal or county law enforcement officer may be transferred or assigned on a temporary basis to work in law enforcement within multijurisdictional task forces established for the mutual aid and benefit of the participating jurisdictions, or in any other municipality or county in this State under the conditions set forth in this section, and when so transferred or assigned shall have all powers and authority of a law enforcement officer employed by the jurisdiction to which he is transferred or assigned.

(B) Prior to any transfer or assignment as authorized in subsection (A), the ~~concerned municipalities or counties~~ agencies shall enter into written agreements stating the conditions and terms of the temporary employment of officers to be transferred or assigned. These written agreements must be reviewed annually and when one of the agency heads leaves office. The bond for any officer transferred or assigned shall include coverage for his activity in the municipality or county to which he is transferred or assigned in the same manner and to the same extent provided by bonds of regularly employed officers of that municipality or county.

(C) Agreements made pursuant to subsection (B) shall provide that temporary transfers or assignments shall in no manner affect or reduce the compensation, pension, or retirement rights of transferred or assigned officers and such officers shall continue to be paid by the county or municipality where they are permanently employed~~, with the sending county or municipality being reimbursed for their services by the county or municipality to which they are transferred or assigned~~.

(D) The respective governing bodies of the political subdivisions, where each of the law enforcement agencies entering into the agreement authorized in subsection (A) is located, must be notified by its agencies of the agreement’s execution and termination. The notification must be in writing and accomplished within seventy‑two hours of the agreement’s execution and within seventy‑two hours of the agreement’s termination.”

SECTION 2. Section 23‑1‑215(A) of the 1976 Code, as last amended by Act 3 of 2007, is further amended to read:

“(A) In the event of a crime or crimes that have occurred where multiple jurisdictions, either county or municipal, are involved and exigent circumstances require immediate deployment, law enforcement officers are authorized to exercise jurisdiction within other counties or municipalities for the purpose of criminal investigations only if a written agreement between or among the law enforcement agencies involved has been executed. This limitation on law enforcement activity shall not apply to any activity authorized by Section 17‑13‑40.”

SECTION 3. This act takes effect upon approval by the Governor.

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