**South Carolina General Assembly**

120th Session, 2013-2014

**S. 74**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Cromer

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Introduced in the Senate on January 8, 2013

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

Summary: Department or agency or other state entity, prohibited from assisting the Armed Forces of the United States

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2012 Senate Prefiled

12/13/2012 Senate Referred to Committee on **Judiciary**

1/8/2013 Senate Introduced and read first time ([Senate Journal‑page 61](file:///h:\SJ%20Archive\2013\01-08-13.docx))

1/8/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 61](file:///h:\SJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/13/2012](file:///p:\pprever\2013-14\74_20121213.docx)

**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 participation by state or local law enforcement or South Carolina National Guard or South Carolina Military Department personnel in joint task forces, partnerships, or other similar cooperative agreements with federal law enforcement as long as they are not for the purpose of participating in such detentions under Section 1021 of the National Defense Authorization Act for Fiscal Year 2012.”

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

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