**South Carolina General Assembly**

121st Session, 2015-2016

**S. 275**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Davis

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Introduced in the Senate on January 13, 2015

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

Summary: South Carolina Fourth Amendment Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2015 Senate Introduced and read first time ([Senate Journal‑page 163](file:///h:\SJ%20Archive\2015\01-13-15.docx))

1/13/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 163](file:///h:\SJ%20Archive\2015\01-13-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=275&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/13/2015](file:///p:\pprever\2015-16\275_20150113.docx)

**A** **BILL**

TO AMEND CHAPTER 11, TITLE 1 OF THE 1976 CODE, RELATING TO THE BUDGET AND CONTROL BOARD, BY ADDING SECTION 1‑11‑437 TO PROVIDE THAT THE STATE AND ITS POLITICAL SUBDIVISIONS MAY NOT ASSIST FEDERAL AGENCIES IN THE COLLECTION OF ELECTRONIC DATA OR METADATA WITHOUT INFORMED CONSENT, A WARRANT, OR AN EXCEPTION TO THE WARRANT REQUIREMENT.

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

SECTION 1. This act may be cited and referred to as the “South Carolina Fourth Amendment Protection Act.”

SECTION 2. Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Section 1‑11‑437. The State and its political subdivisions shall not assist, participate with, or provide material support or resources to enable or facilitate a federal agency in the collection or use of a person’s electronic data or metadata without the person’s informed consent, or without a warrant, based upon probable cause, that particularly describes the person, place, or thing to be searched or seized, or without acting in accordance with a legally recognized exception to warrant requirements.”

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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