**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3216**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Long, Douglas and Hixon

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Introduced in the House on January 13, 2015

Introduced in the Senate on March 26, 2015

Last Amended on March 25, 2015

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

Summary: Litter control officers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2014 House Prefiled

12/18/2014 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

1/13/2015 House Introduced and read first time ([House Journal‑page 152](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 152](file:///h:\HJ%20Archive\2015\01-13-15.docx))

3/19/2015 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 28](file:///h:\HJ%20Archive\2015\03-19-15.docx))

3/25/2015 House Amended ([House Journal‑page 19](file:///h:\HJ%20Archive\2015\03-25-15.docx))

3/25/2015 House Read second time ([House Journal‑page 19](file:///h:\HJ%20Archive\2015\03-25-15.docx))

3/25/2015 House Roll call Yeas‑94 Nays‑1 ([House Journal‑page 20](file:///h:\HJ%20Archive\2015\03-25-15.docx))

3/26/2015 House Read third time and sent to Senate ([House Journal‑page 13](file:///h:\HJ%20Archive\2015\03-26-15.docx))

3/26/2015 House Roll call Yeas‑84 Nays‑1 ([House Journal‑page 13](file:///h:\HJ%20Archive\2015\03-26-15.docx))

3/26/2015 Senate Introduced and read first time ([Senate Journal‑page 12](file:///h:\SJ%20Archive\2015\03-26-15.docx))

3/26/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 12](file:///h:\SJ%20Archive\2015\03-26-15.docx))

5/9/2016 Senate Referred to Subcommittee: Gregory (ch), Coleman, Thurmond

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**VERSIONS OF THIS BILL**

[12/18/2014](file:///p:\pprever\2015-16\3216_20141218.docx)

[3/19/2015](file:///p:\pprever\2015-16\3216_20150319.docx)

[3/25/2015](file:///p:\pprever\2015-16\3216_20150325.docx)

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Indicates New Matter

AMENDED

March 25, 2015

**H. 3216**

Introduced by Reps. Long, Douglas and Hixon

S. Printed 3/25/15--H.

Read the first time January 13, 2015.

**A** **BILL**

TO AMEND SECTION 4‑9‑145, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LITTER CONTROL OFFICERS, SO AS TO PROVIDE THAT AN ANIMAL CONTROL OFFICER HAS THE SAME POWERS AND DUTIES AS A LITTER CONTROL OFFICER.

Amend Title To Conform

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

SECTION 1. Section 4‑9‑145(B) of the 1976 Code, added by Act 109 of 2001, is amended to read:

“(B)(1) The number of litter or animal control officers vested with custodial arrest authority, who are appointed and commissioned pursuant to subsection (A), must not exceed the greater of:

(a) the number of officers appointed and commissioned by the county on July 1, 2001; or

(b) one officer for every twenty‑five thousand persons in the county, based upon the 2000 census. Each county may appoint and commission at least one officer, without regard to the population of the county.

(2)(a) A litter or animal control officer appointed and commissioned pursuant to subsection (A) may exercise the power of arrest with respect to his primary duties of enforcement of litter or animal control laws and ordinances, and other state and local laws and ordinances ~~as may~~ that arise incidental to the enforcement of his primary duties, only if the officer has been certified as a law enforcement officer pursuant to ~~Article 9,~~ Chapter ~~6~~ 23, Title 23. Such litter or animal control officers are vested with all the powers and duties according to the officers’ corresponding law enforcement officer classification conferred by law and are under the jurisdiction of the appropriate local law enforcement agency.

(b) In the absence of an arrest for a violation of the litter or animal control laws and ordinances, a litter or animal control officer authorized to exercise the power of arrest pursuant to subitem (a) may not stop a person or make an incidental arrest of a person for a violation of other state and local laws and ordinances.

(3) For purposes of this section, the phrase ‘litter or animal control officer’ means a code enforcement officer authorized to enforce litter or animal control laws and ordinances.”

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

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