**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3992**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Neal and Howard

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Companion/Similar bill(s): 47

Introduced in the House on April 16, 2015

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

Summary: Electronic tickets and citations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/16/2015 House Introduced and read first time ([House Journal‑page 15](file:///h:\HJ%20Archive\2015\04-16-15.docx))

4/16/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 15](file:///h:\HJ%20Archive\2015\04-16-15.docx))

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**VERSIONS OF THIS BILL**

[4/16/2015](file:///p:\pprever\2015-16\3992_20150416.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑1‑240 SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY‑WORN CAMERAS; AND BY ADDING SECTION 14‑1‑219 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE IS IMPOSED UPON ALL MONETARY PENALTIES IMPOSED BY CERTAIN COURTS FOR OFFENSES IN WHICH A TICKET OR CITATION WAS ISSUED, AND TO PROVIDE THAT THE SURCHARGE MUST BE USED BY THE LAW ENFORCEMENT AGENCY THAT ISSUED THE TICKET OR CITATION TO PURCHASE AND EQUIP ITS OFFICERS WITH BODY‑WORN CAMERAS.

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

SECTION 1. Chapter 1, Title 23 of the 1976 Code is amended by adding:

“Section 23‑1‑240. (A) For purposes of this section, ‘body‑worn camera’ means an electronic device worn on a person’s body that records both audio and video data.

(B) All State and local law enforcement officers must be equipped with body‑worn cameras.

(C) A law enforcement officer shall activate a body‑worn camera to record all contacts, from beginning to end, with persons in the performance of the law enforcement officer’s official duties.

(D) The law enforcement officer shall inform the person that the law enforcement officer is using a body‑worn camera to record the contact between the law enforcement officer and the person.

(E) The retention and release of audio and video data recorded by a body‑worn camera is subject to South Carolina’s laws governing the retention and release of evidence by law enforcement agencies.”

SECTION 2. Chapter 1, Title 14 of the 1976 Code is amended by adding:

“Section 14‑1‑219. (A) In addition to all other assessments and surcharges, a five dollar surcharge is imposed upon all fines, forfeitures, escheatments, or other monetary penalties imposed in general sessions, magistrates, and municipal courts for misdemeanor traffic offenses and for nontraffic violations which a ticket or citation was issued. No portion of the surcharge may be waived, reduced, or suspended.

(B) The revenue collected pursuant to subsection (A) must be retained by the jurisdiction which heard or processed the case and paid to the State Treasurer within thirty days after receipt. The State Treasurer shall allocate and transfer quarterly the revenue to the law enforcement agency that issued the citation or ticket.

(C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting revenues that are required to be paid to the State Treasurer pursuant to subsection (A). The State Treasurer also is authorized to conduct those examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.

(D) All funds derived from this surcharge must be used to purchase and equip the law enforcement agency’s officers with body‑worn cameras.”

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

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