~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 3, 2016

**H. 4124**

Introduced by Rep. Pitts

S. Printed 3/3/16--H.

Read the first time May 5, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4124) to amend Section 44‑11‑70, Code of Laws of South Carolina, 1976, relating to appointment and powers of marshals at state mental health facilities, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 44‑11‑70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT AND POWERS OF MARSHALS AT STATE MENTAL HEALTH FACILITIES, SO AS TO SUBSTITUTE DEPARTMENT OF MENTAL HEALTH FOR MENTAL HEALTH COMMISSION AND LAW ENFORCEMENT OFFICERS FOR MARSHALS, AND FOR OTHER PURPOSES.

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

SECTION 1. Section 44‑11‑70 of the 1976 Code is amended to read:

“Section 44‑11‑70. The Department of Mental Health ~~Commission~~ may ~~authorize the superintendents to~~ employ ~~suitable persons to act as marshals to keep intruders off and prevent trespass upon State~~ law enforcement officers as may be necessary to maintain the security of state mental health facilities. The ~~marshals employed, in so far as State mental health facilities are concerned, shall~~ law enforcement officers must be vested with all the powers and charged with all the duties of police officers generally. ~~They may eject trespassers.~~ They may, without warrant, arrest persons guilty of disorderly conduct or of trespass on ~~State~~ state mental health facilities and have them tried in any court of competent jurisdiction.”

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

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