**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑1‑235 SO AS TO PROVIDE THAT A LAW ENFORCEMENT AGENCY SHALL NOT PURCHASE CELL‑SITE SIMULATOR TECHNOLOGY OR DEVICES, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT CURRENTLY POSSESSES OR USES CELL‑SITE SIMULATOR TECHNOLOGY SHALL DISCONTINUE ITS USE AND DISCARD THE TECHNOLOGY OR DEVICES, AND TO PROVIDE DEFINITIONS.

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 23‑1‑235. (A) A law enforcement agency shall not purchase cell‑site simulator technology or devices. A law enforcement agency that currently possesses or uses cell‑site simulator technology or devices shall discontinue its use and discard the technology or devices.

(B) As contained in this section, ‘cell‑site simulator technology’ means technology or devices that transmit or receive radio waves for the purpose of conducting one or more of the following operations:

(1) identifying, locating, or tracking the movements of a communications device;

(2) intercepting, obtaining, accessing, or forwarding the communications, stored data, or metadata of a communications device;

(3) affecting the hardware or software operations or functions of a communications device;

(4) forcing transmissions from or connections to a communications device;

(5) denying a communications device access to other communications devices, communications protocols, or services; or

(6) spoofing or simulating a communications device, cell tower, cell site, or service, including, but not limited to, an international mobile subscriber identity catcher or other invasive cell phone or telephone surveillance or eavesdropping device that mimics a cell phone tower and sends out signals to cause cell phones in the area to transmit their locations, identifying information, and communication content, or a passive interception device or digital analyzer that does not send signals to a communications device under surveillance.”

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

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