**A** **BILL**

TO AMEND CHAPTER 5, TITLE 59 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE STATE BOARD OF EDUCATION, TO ADD SECTION 59-5-200 TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH REGULATIONS TO ALLOW INSTRUCTORS OF MILITARY SCIENCE AUTHORIZATION TO A CARRY FIREARM ON A SCHOOL CAMPUS IN WHICH HE IS EMPLOYED, TO INCLUDE THE ESTABLISHMENT OF MINIMUM TRAINING REQUIREMENTS, CERTIFICATION, AND EVALUATIONS; TO AMEND ARTICLE 1, CHAPTER 19, TITLE 59, BY ADDING SECTION 59-19-370 RELATING TO LOCAL SCHOOL BOARDS OF TRUSTEES TO PROVIDE THAT A LOCAL SCHOOL BOARD MAY AUTHORIZE AN INSTRUCTOR OF MILITARY SCIENCE TO CARRY A FIREARM ON A SCHOOL CAMPUS, AND TO PROVIDE FOR POLICY REQUIREMENTS AND NECESSARY TRAINING; AND TO AMEND CHAPTER 23, TITLE 23 BY ADDING SECTION 23-23-150 TO REQUIRE THE LAW ENFORCEMENT TRAINING COUNCIL TO DEVELOP A TRAINING PROGRAM RELATING TO POSSESSION OF FIREARMS ON SCHOOL CAMPUSES.

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

SECTION 1. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59-5-200. (A) The State Board of Education shall promulgate regulations to provide instructors of military science employed by a public school within this State a procedure for training and certification in order to be granted authorization to carry a firearm on school grounds in the course of his employment.

(B) The Board shall establish minimum training requirements, in consultation and cooperation with the Law Enforcement Training Council and the State Law Enforcement Division, to cover:

(1) advanced firearm handling, safety, and storage;

(2) minimum target shooting standards;

(3) active assailant response training including discretionary shooting instruction;

(4) interaction with first responders during a crisis situation, and

(5) any other training deemed appropriate by the Board or the Law Enforcement Training Council.

(C) Training under this section shall be provided for by the Criminal Justice Academy, for a minimum of twenty hours but not more than forty hours, the cost of which shall be charged to the individual receiving the training or the school for which he is employed if the request for training originated from the school.

(D) In making a determination upon the certification of a candidate under this section, the Board shall consider:

(1) the performance of the individual during training,

(2) the favorable or unfavorable recommendation from the Criminal Justice Academy; and

(3) the character of the individual, to include consideration of criminal history, temperament, history of substance abuse, and a psychological evaluation of mental fitness.

(E) Certification under this section shall expire after three years after which the instructor must attend continuing education training and re-certification under the regulations provided for by the Board. Certification may be revoked by the Board at any time for cause. Notice of the revocation must be in writing and sent, either through the mail, electronically or both, to the instructor, the principal of the school for which he is employed, and the school district.

(F) An instructor of military science certified under this section may carry a firearm into a school in which he is employed, during the course of his employment, if he also obtains permission from the local school board of trustees for which he is employed under the requirements of Section 59-19-370 and he possesses the firearm subject to the requirements and limitations established by the local school board.

(G) A person who is carrying a firearm under the authorization of this Section has no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident on school premises.”

SECTION 2. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Section 59-19-370. (A) A local school district board of trustees of this State may authorize an instructor of military science who is certified by the State Board of Education under the requirements of Section 59-5-200 to carry a firearm on the grounds of a school in which he is employed in the course of his employment. The local school board must establish policies that include, but are not limited to, requirements regarding the type of firearm allowed, where and how the firearm may be carried, and how the firearm must be secured while on school grounds when not in the possession of the instructor.

(B) Prior to the final granting of authorization to an employee under this Section, the principal of the school or a designated school administrator along with the certified instructor shall meet with and cooperate with local law enforcement to establish an active assailant response plan and to establish the identity of the person allowed to carry a firearm on campus and the location of where any firearms may be stored.

(C)(1) The instructor of military science must wear his military uniform anytime while in possession of a firearm.

(2) Any school with an employee authorized to carry a firearm under this Section must post a clearly conspicuous sign at every entrance with the words ‘Armed Security is Present’.

(D) The request to carry a firearm on campus and to be certified under Section 59-5-200 must be initiated by and voluntarily made by the employee and may not be a condition of employment.

(E) Authorization under this Section may be revoked by the principal of the school or the school board at any time without cause. Notice of the revocation of authorization shall be forwarded to local law enforcement.

(F) Authorization under this section may be transferred to another school upon the permission of the local school board.”

SECTION 3. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23-23-150. (A) The Law Enforcement Training Council shall develop a certification program for the training of instructors of military science employed by a public school of this State authorization to carry a firearm while on school grounds pursuant to Section 59-5-200. The program shall be developed in cooperation with the State Board of Education and shall consist of no less than twenty hours but no more than forty hours of training related to:

(1) advanced firearm handling, safety, and storage;

(2) minimum target shooting standards;

(3) active assailant response training including discretionary shooting instruction;

(4) interaction with first responders during a crisis situation, and

(5) any other training deemed appropriate by the State Board of Education or the Law Enforcement Training Council.

(B) The cost of the training shall be charged to the individual receiving the training or the school for which he is employed if the request originated from the school.”

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

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