**A** **BILL**

TO AMEND SECTION 23‑23‑60(B)(5) OF THE 1976 CODE, RELATING TO EVIDENCE OF GOOD CHARACTER CONCERNING CERTIFICATION AS A LAW ENFORCEMENT OFFICER, TO PROVIDE THAT FAVORABLE RESULTS OF A REVIEW OF THE CENTRAL REGISTRY OF POLICE MISCONDUCT IS REQUIRED TO MAKE A DETERMINATION OF GOOD CHARACTER; TO AMEND CHAPTER 23, TITLE 23, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23‑23‑160, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL SHALL OPERATE AND MAINTAIN THE CENTRAL REGISTRY OF POLICE MISCONDUCT, TO PROVIDE FOR THE INFORMATION THAT MUST BE MAINTAINED ON THE REGISTRY, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH INFORMATION MUST BE INCLUDED ON THE REGISTRY, TO PROVIDE THAT THE STATE’S LAW ENFORCEMENT AGENCIES SHALL HAVE ACCESS TO THE INFORMATION ON THE REGISTRY, AND TO PROVIDE WHICH INFORMATION IS CONFIDENTIAL AND WHICH INFORMATION IS SUBJECT TO PUBLIC DISCLOSURE; AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Section 23-23-10(E) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“( ) ‘Registry’ means the Central Registry of Police Misconduct created by this chapter.”

SECTION 2. Section 23‑23‑60(B)(5) of the 1976 Code is amended by adding a new subitem at the end to read:

“(e) evidence satisfactory to the director that a check of the Central Registry of Police Misconduct has been made with favorable results;”

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

“Section 23‑23‑160. (A) The Law Enforcement Training Council shall operate and maintain the Central Registry of Police Misconduct. The registry must contain information from investigations into alleged cases of police misconduct. Each entry in the registry must contain information identifying the law enforcement officer involved in the misconduct, his date of birth, his address, any other identifying characteristics of the officer, the nature of the alleged misconduct, and the final disposition of the allegation.

(B) In each instance of an allegation of misconduct by a law enforcement officer, the law enforcement agency that employs or employed the officer at the time of the act, or series of actions, that led to the allegation must report the allegation to the council to be included on the registry. Information obtained during an investigation of the allegation must also be reported to the council for inclusion on the registry. Information must be submitted to the council within fifteen days of the allegation or the end of the investigation, as appropriate.

(C) Upon the completion of final agency action with regard to an allegation of misconduct, the council shall enter the action on the registry.

(D) Each law enforcement agency in this State shall have access to all of the information on the registry. Prior to hiring a law enforcement officer, a hiring agency must screen the potential new hire against the registry.

(E) Information related to allegations leading to sanctions by the council shall be public records subject to the provisions contained in Chapter 4, Title 30, the Freedom of Information Act. Information related to unfounded allegations shall be retained in the registry but shall not be public records and shall remain confidential.”

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

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