~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 6, 2019

**S. 397**

Introduced by Senators Harpootlian and Senn

S. Printed 2/6/19--S.

Read the first time January 22, 2019.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 397) to amend Section 61-6-4510 of the 1976 Code, relating to municipal police officers, to provide that a county sheriff has the same power as a municipal police, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-280. (A) Municipal police officers have the power of constables to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) A county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State.”

SECTION 2. Section 61-6-4510 of the 1976 Code is amended to read:

“Section 61-6-4510. (A) Municipal police officers have the power of constables to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) A county sheriff has the power of a constable to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State.”

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

Renumber sections to conform.

Amend title to conform.

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 22, 2019State Expenditure**

The bill provides that a county sheriff has the same power as a constable to enforce provisions related to the consumption of alcohol, except those related to the consumption of alcohol in a public conveyance, in cases arising within county and municipal limits. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within county limits, police officers may follow and arrest the suspect anywhere in the state.

The expenditure impact of this bill is pending, contingent upon a response from the Department of Revenue.

**Local Expenditure**

The local expenditure impact of this bill is pending, contingent upon a response from local governments.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

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

SECTION 1. Section 61-6-4510 of the 1976 Code is amended to read:

“Section 61-6-4510. (A) Municipal police officers have the power of constables to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) A county sheriff has the power of a constable to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State.”

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

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