**South Carolina General Assembly**

124th Session, 2021-2022

**A42, R55, S131**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Massey and Malloy

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Introduced in the Senate on January 12, 2021

Introduced in the House on February 11, 2021

Passed by the General Assembly on May 5, 2021

Governor's Action: May 17, 2021, Signed

Summary: Capitol Grounds

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/9/2020 Senate Prefiled

 12/9/2020 Senate Referred to Committee on **Finance**

 1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 185](file:///h%3A%5Csj%5C20210112.docx))

 1/12/2021 Senate Referred to Committee on **Finance** ([Senate Journal‑page 185](file:///h%3A%5Csj%5C20210112.docx))

 2/3/2021 Senate Committee report: Favorable **Finance**

 2/4/2021 Scrivener's error corrected

 2/9/2021 Senate Read second time ([Senate Journal‑page 31](file:///h%3A%5Csj%5C20210209.docx))

 2/9/2021 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 31](file:///h%3A%5Csj%5C20210209.docx))

 2/10/2021 Senate Read third time and sent to House ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20210210.docx))

 2/11/2021 House Introduced and read first time ([House Journal‑page 4](file:///h%3A%5Chj%5C20210211.docx))

 2/11/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 4](file:///h%3A%5Chj%5C20210211.docx))

 4/28/2021 House Committee report: Favorable **Judiciary** ([House Journal‑page 64](file:///h%3A%5Chj%5C20210428.docx))

 5/4/2021 House Read second time ([House Journal‑page 12](file:///h%3A%5Chj%5C20210504.docx))

 5/4/2021 House Roll call Yeas‑118 Nays‑0 ([House Journal‑page 12](file:///h%3A%5Chj%5C20210504.docx))

 5/5/2021 House Read third time and enrolled ([House Journal‑page 6](file:///h%3A%5Chj%5C20210505.docx))

 5/13/2021 Ratified R 55

 5/17/2021 Signed By Governor

 6/1/2021 Effective date 05/17/21

 6/1/2021 Act No.  42

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p%3A%5Cpprever%5C2021-22%5C131_20201209.docx)

[2/3/2021](file:///p%3A%5Cpprever%5C2021-22%5C131_20210203.docx)

[2/4/2021](file:///p%3A%5Cpprever%5C2021-22%5C131_20210204.docx)

[4/28/2021](file:///p%3A%5Cpprever%5C2021-22%5C131_20210428.docx)

(A42, R55, S131)

**AN ACT** **TO AMEND SECTION 10‑11‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “CAPITOL GROUNDS”, SO AS TO DEFINE “CAPITOL GROUNDS” AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10‑11‑330, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, SO AS TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10‑1‑30, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, SO AS TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2‑3‑100, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, SO AS TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.**

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

**Definition**

SECTION 1. Section 10‑11‑310 of the 1976 Code is amended to read:

 “Section 10‑11‑310. As used in this article, ‘capitol grounds’ or ‘grounds’ shall be that area inward from the vehicular traveled surfaces of Gervais, Sumter, Pendleton, and Assembly streets in the City of Columbia.”

**Capital Grounds**

SECTION 2. Section 10‑11‑330 of the 1976 Code is amended to read:

 “Section 10‑11‑330. It shall be unlawful for any person or group of persons wilfully and knowingly:

 (1) to enter or to remain within a building on the capitol grounds unless such person is authorized by law or by rules of the House or Senate, or the Department of Administration regulations, respectively, when such entry is done for the purpose of uttering loud, threatening, and abusive language or to engage in any disorderly or disruptive conduct with the intent to impede, disrupt, or disturb the orderly conduct of any session of the legislature or the orderly conduct within a building or of any hearing before or any deliberation of any committee or subcommittee of the legislature;

 (2) to obstruct or to impede passage within the capitol grounds or a building on the capitol grounds;

 (3) to engage in any act of physical violence upon the capitol grounds or within a building on the capitol grounds; or

 (4) to parade, demonstrate, or picket within the capitol building.”

**State House access**

SECTION 3. Section 10‑1‑30 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

 “( ) On the days that the General Assembly meets in statewide session, access to the State House by the general public or the press may not be restricted or prohibited without prior approval of the Senate Sergeant At Arms and the House of Representatives Sergeant At Arms. On the days that the General Assembly does not meet in statewide session, access to the State House by the general public or the press may not be restricted or prohibited without prior consultation with the Senate Sergeant At Arms and the House of Representatives Sergeant At Arms. The provisions contained in this section do not apply in exigent circumstances; however, if access to the State House is restricted or prohibited due to exigent circumstances, then access must be restored as soon as practicable.”

**Sergeant At Arms**

SECTION 4. Section 2‑3‑100 of the 1976 Code is amended to read:

 “Section 2‑3‑100. (A) The Sergeant At Arms of the Senate and the Sergeant At Arms of the House of Representatives shall take exclusive care and charge of the Senate chamber and the hall of the House of Representatives and the committee rooms, respectively, and be held responsible for their keeping and the keeping and protection of the furniture and furnishings belonging to them, packing such as may need packing and inspecting and caring for them during the recess of the General Assembly. The Sergeant At Arms of both houses shall employ such laborers and help as may be necessary to carry out the provisions of this section.

 (B) The Sergeant At Arms of the Senate and the Sergeant At Arms of the House of Representatives are each the head of a law enforcement agency and are the primary law enforcement agency for the scope of duties of their respective offices. The Sergeant At Arms of the Senate and the Sergeant At Arms of the House of Representatives may request temporary assistance from state, local, or federal law enforcement agencies on matters within the scope of duties of their respective offices.

 (C) The Sergeant At Arms of the Senate and the Sergeant At Arms of the House of Representatives shall employ deputies who shall be commissioned as constables. The Sergeant At Arms of the Senate, the Sergeant At Arms of the House of Representatives, and their respective deputies shall be entitled to enforce the laws of this State and exercise the duties of their offices throughout the State.”

**Time effective**

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 13th day of May, 2021.

Approved the 17th day of May, 2021.

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