**A** **BILL**

TO AMEND SECTION 23-3-65 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT ASSISTANCE PROGRAM’S PROVISION OF COUNSELING SERVICES AND OTHER SUPPORT SERVICES, TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO DISCLOSE TO AN OFFICER’S EMPLOYING AGENCY INFORMATION THAT IDENTIFIES WHETHER COUNSELING SERVICES HAVE BEEN PROVIDED, WHETHER FUTURE COUNSELING IS RECOMMENDED, AND ANY ADDITIONAL RELEVANT INFORMATION THAT WOULD BE NECESSARY FOR THE OFFICER’S EMPLOYING AGENCY TO MAKE A REASONABLE DETERMINATION ABOUT THE OFFICER’S ABILITY TO HANDLE FUTURE POTENTIALLY TRAUMATIC EXPERIENCES, AND TO PROVIDE THAT A LAW ENFORCEMENT OFFICER UTILIZING THE SC LEAP PROGRAM MUST DISCLOSE THIS FACT TO HIS EMPLOYING AGENCY, WHICH MUST REMOVE HIM FROM POTENTIALLY TRAUMATIZING SITUATIONS FOR THE PENDENCY OF HIS PARTICIPATION IN THE PROGRAM.

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

SECTION 1. Section 23-3-65 of the 1976 Code is amended to read:

“Section 23-3-65. (A) The South Carolina Law Enforcement Division shall administer the South Carolina Law Enforcement Assistance Program (SC LEAP). The purpose of this program includes, but is not limited to, responding to and providing counseling services to all requesting law enforcement agencies and departments in the State which have experienced deaths or other tragedies involving law enforcement officers or other employees as well as providing counseling services to law enforcement officers experiencing post‑traumatic stress disorder and other trauma and stress‑related disorders, and providing any other critical incident support services for all South Carolina law enforcement agencies and departments upon their request. The SC LEAP also may utilize local critical incident support service providers including, but not limited to, chaplains, mental health professionals, and law enforcement peers. In consultation with the professional staff of the SC LEAP and the South Carolina Law Enforcement Chaplains' Association, the South Carolina Criminal Justice Academy shall develop a course of training for the critical incident stress debriefing and peer support team.

(B) For any law enforcement officer who utilizes the services of the SC LEAP program, the South Carolina Law Enforcement Division shall provide to the officer’s employing agency a report that identifies whether counseling services have been provided, whether future counseling is recommended, and any additional relevant information that would be necessary for the officer’s employing agency to make a reasonable determination about the officer’s ability to handle future potentially traumatic experiences.

(C) Any law enforcement officer who utilizes the services of the SC LEAP program for post‑traumatic stress disorder or for other trauma or stress‑related disorders must disclose this fact to his employing agency. The employing agency shall remove the officer from potentially traumatic situations during the pendency of his treatment under the SC LEAP program.”

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

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