**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑305 SO AS TO REQUIRE NURSING HOMES, COMMUNITY RESIDENTIAL CARE FACILITIES, AND INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY TO INSTALL, OPERATE, AND MAINTAIN AN ELECTRONIC VIDEO MONITORING SYSTEM AT EVERY FACILITY EXIT, WHICH CONTINUALLY MONITORS AND MAKES VIDEO RECORDINGS, TO REQUIRE THE FACILITY TO MAINTAIN COPIES OF RECORDINGS FOR AT LEAST THIRTY DAYS, TO PROHIBIT TAMPERING WITH SUCH SYSTEMS AND RECORDINGS, AND TO ESTABLISH ASSOCIATED PENALTIES.

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

SECTION 1. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑305. (A) Every nursing home, community residential care facility, and intermediate care facility for persons with intellectual disability subject to licensing and regulation by the department shall, as a condition of licensing or relicensing, install, operate, and maintain at every facility exit an electronic video monitoring system, which continually monitors and makes video recordings, and shall maintain copies of the video recordings for at least thirty days. The failure of a facility to comply with the requirements of this subsection may be grounds for denial, suspension, or revocation of the facility’s license or for a civil penalty in accordance with departmental regulations.

(B) Any person who intentionally hampers, obstructs, tampers with, or destroys an electronic video monitoring system or any recording thereof is guilty of a misdemeanor and, upon conviction, must be fined five thousand dollars or imprisoned for not more than one year, or both.”

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

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