**A** **BILL**

TO AMEND SECTION 23‑23‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES AND OTHER APPROPRIATE INDICIA OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND OTHER PERSONS BY THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE LAW ENFORCEMENT AGENCIES HAVING AN OFFICER AS A CANDIDATE FOR CERTIFICATION SHALL SUBMIT TO THE DIRECTOR A CERTIFICATE OF A LICENSED PSYCHIATRIST THAT THE CANDIDATE RECENTLY HAS UNDERGONE A COMPLETE PSYCHIATRIC EXAMINATION AND ITS RESULTS, AND EVIDENCE SATISFACTORY TO THE DIRECTOR THAT A SEARCH OF PRIOR COMPLAINTS AND DISCIPLINARY ACTIONS AGAINST THE CANDIDATE REVEALS NO MAJOR INFRACTIONS.

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

SECTION 1. Section 23‑23‑60(B) of the 1876 Code is amended to read:

“(B) All city and county police departments, sheriffs’ offices, state agencies, or other employers of law enforcement officers having such officers as candidates for certification shall submit to the director, for his confidential information and subsequent safekeeping, the following:

(1) an application under oath on a format prescribed by the director;

(2) evidence satisfactory to the director that the candidate has completed high school and received a high school diploma, equivalency certificate (military or other) recognized and accepted by the South Carolina Department of Education or South Carolina special certificate;

(3) evidence satisfactory to the director of the candidate’s physical fitness to fulfill the duties of a law enforcement officer including:

(a) a copy of his medical history compiled by a licensed physician or medical examiner approved by the employer;

(b) a certificate of a licensed physician that the candidate has recently undergone a complete medical examination and the results thereof;

(4) evidence satisfactory to the director that the applicant has not been convicted of any criminal offense that carries a sentence of one year or more or of any criminal offense that involves moral turpitude. Forfeiture of bond, a guilty plea, or a plea of nolo contendere is considered the equivalent of a conviction;

(5) evidence satisfactory to the director that the candidate is a person of good character. This evidence must include, but is not limited to:

(a) certification by the candidate’s employer that a background investigation has been conducted and the employer is of the opinion that the candidate is of good character;

(b) evidence satisfactory to the director that the candidate holds a valid current state driver’s license with no record during the previous five years for suspension of driver’s license as a result of driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. Candidates for certification as state or local correctional officers may hold a valid current driver’s license issued by any jurisdiction of the United States;

(c) evidence satisfactory to the director that a local credit check has been made with favorable results;

(d) evidence satisfactory to the director that the candidate’s fingerprint record as received from the Federal Bureau of Investigation and South Carolina Law Enforcement Division indicates no record of felony convictions.

In the director’s determination of good character, the director shall give consideration to all law violations, including traffic and conservation law convictions, as indicating a lack of good character. The director shall also give consideration to the candidate’s prior history, if any, of alcohol and drug abuse in arriving at a determination of good character;

(6) a copy of the candidate’s photograph;

(7) a copy of the candidate’s fingerprints;

(8) evidence satisfactory to the director that the candidate’s present age is not less than twenty‑one years. This evidence must include a birth certificate or another acceptable document;

(9) evidence satisfactory to the director of successful completion of a course of law enforcement training as established and approved by the director, and conducted at an academy or institution approved by the director, this evidence to consist of a certificate granted by the approved institution;

(10) a certificate of a licensed psychiatrist that the candidate recently has undergone a complete psychiatric evaluation and its results;

(11) evidence satisfactory to the director that a search of prior complaints and disciplinary actions against the candidate reveals no major infractions.”

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

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