**A** **BILL**

TO AMEND TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 8, TO PROVIDE FOR ADVANCED STATE CONSTABLES, THEIR DUTIES, AND RELATED PROVISIONS.

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

SECTION 1. Title 23 of the 1976 Code is amended by adding:

“CHAPTER 8

Advanced State Constables

Section 23-8-10. For the purposes of this chapter:

(1) ‘Advanced state constable’ means a person who is appointed a state constable pursuant to Section 23-1-60 for at least one year and who accepts a designation pursuant to Section 23-8-20.

(2) ‘Chief law enforcement officer’ means the chief law enforcement officer of any state; municipality; county, including a Sheriff’s office; college; or other entity of the State having police powers.

(3) ‘Director’ means the chief or director of the South Carolina Law Enforcement Division.

Section 23-8-20. (A) A chief law enforcement officer may request as many advanced state constables within his jurisdiction as may be needed. The number of full‑time officers within his jurisdiction may not be decreased because of the use of advanced state constables. Advanced state constable use may be approved by the South Carolina Law Enforcement Division on the basis of the South Carolina Law Enforcement Division’s fiscal year. The powers and duties of advanced state constables must be prescribed by the director in accordance with state law and by any authorities delegated by the Governor.

(B) Before assuming their duties, advanced state constables must meet all of the requirements prescribed by law and successfully complete a course of training established by the South Carolina Law Enforcement Training Council.

Section 23-8-30. (A) The training mandated by the South Carolina Law Enforcement Training Council may be provided locally or regionally but must be subject to the approval of the South Carolina Law Enforcement Training Council. Both regular and adjunct staff of the South Carolina Criminal Justice Academy may assist in the training, subject to staffing availability.

(B) Annual in-service training must be completed in accordance with the requirements of the South Carolina Law Enforcement Training Council.

(C) An annual service requirement of two hundred forty hours must be met to maintain advanced state constable status and must be reported quarterly to the South Carolina Law Enforcement Division. Annual hours are not subject to any particular monthly service time requirement.

Section 23-8-40. (A) Advanced state constables are to be certified at the same level as reserve police officers or reserve deputy sheriffs, with the same scope and duties of a reserve police officer or reserve deputy sheriff with local field training.

(B) Advanced state constables shall serve and function as statewide law enforcement officers subject to any provision of state law and by the order of the Governor or his designee.

(C) Each advanced state constable must be in proximate contact, by voice, radio, or other device, with a designated Level 1 Certified Officer.

(D) An advanced state constable may not assume the duties of a full-time officer without meeting the requirements thereof.

(E) Each agency utilizing advanced state constables shall have one full‑time officer as coordinator‑supervisor who must be directly responsible to the chief law enforcement officer.

(F) Volunteer state constables may operate with any law enforcement agency within the State of South Carolina subject to a ride list as approved by the South Carolina Law Enforcement Division. The jurisdiction of volunteer state constables shall be coterminous with that of the requesting host law enforcement agency and approved by the South Carolina Law Enforcement Division. Volunteer state constables may act in exigent circumstances if off duty or if out of the host law enforcement agency’s jurisdiction in accordance with policies and procedures as established by the South Carolina Law Enforcement Division.

Section 23-8-50. (A) Advanced state constables shall wear uniforms that identify them as law enforcement officers. These uniforms must be in compliance with South Carolina Law Enforcement Division policy. The chief law enforcement officer may submit a request to the South Carolina Law Enforcement Division that individual advanced state constables be permitted to wear plain clothes.

(B) Firearms must be of a type and caliber consistent with law enforcement in the State. Annual firearms qualifications must be on file with the South Carolina Law Enforcement Division, along with all annual in-service training certificates.

Section 23-8-60. (A) Workers’ compensation benefits shall be provided for advanced state constables through the South Carolina Law Enforcement Division.

(B) For the purposes of compensation or benefits arising from duty‑related injury or death, advanced state constables shall be considered employees of the State and must be included with regular, salaried duty officers in their assigned responsibility for the prevention, suppression, and control of crime.

(C) Tort liability insurance coverage must be on file with each agency that advanced state constables are detailed to.

(D) For all purposes, volunteer state constables are to be considered non-paid employees of the State and are subject to the call of the Governor or his designee.”

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

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