**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3495**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. J. Moore

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Introduced in the House on January 10, 2023

Currently residing in the House Committee on **Judiciary**

Summary: Prohibit law enforcement from acquiring military style equipment from federal government

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/8/2022 House Prefiled

12/8/2022 House Referred to Committee on **Judiciary**

1/10/2023 House Introduced and read first time ([House Journal‑page 189](h:\hj\20230110.docx))

1/10/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 189](h:\hj\20230110.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3495&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3495_20221208.docx)

A bill

TO AMEND THE SOUTH CAROLINA code of laws BY ADDING SECTION 23-1-250 SO AS TO PROVIDE LAW ENFORCEMENT AGENCies MAY NOT ACQUIRE OR PURCHASE CERTAIN MILITARY ITEMS.

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

SECTION 1. Chapter 1, Title 23 of the S.C. Code in amended by adding:

Section 23‑1‑250. (A) A state or local law enforcement agency may not acquire or purchase the following items:

(1) weaponized unmanned aerial vehicles;

(2) aircraft that are configured for combat or are combat‑coded and do not have an established flight application;

(3) grenades or similar explosives or grenade launchers from a surplus program operated by the federal government;

(4) armored‑multiwheeled vehicles that are mine‑resistant, ambush‑protected, and configured for combat, also known as MRAPs, from a surplus program operated y the federal government;

(5) bayonets;

(6) firearms of .50 caliber or higher;

(7) ammunition of .50 caliber or higher; or

(8) weaponized tracked armored vehicles.

(B) Nothing in this section restricts a law enforcement agency from acquiring or purchasing an armored high‑mobility multipurpose‑wheeled vehicle, also known as an HMMWV, or preclude the seizure of any prohibited item in connection with a criminal investigation or proceeding or subject to a civil forfeiture. Any property obtained by seizure must be disposed of at the conclusion of any investigation or otherwise provided by law.

(C) A law enforcement agency that previously has acquired any item contained in subsection (A) is prohibited from using the item unless the agency has received a waiver to use the item from SLED. Any waiver request made to SLED must be limited to special weapons and tactics unit or other equivalent unit use only. SLED may grant a waiver upon a showing of good cause by the requesting agency, that the continued use of the item that is the subject of the waiver request has a bona fide public safety purpose.

Any agency, that has filed a waiver request with SLED may continue to use a prohibited item while the waiver request is pending. If the waiver request is denied, the agency that filed the waiver request shall no longer use the prohibited item.

(D) Nothing in this section prohibits the acquisition, purchase, or otherwise acceptance of any personal protective equipment, naloxone or other lifesaving medication, or any personal property that is not specifically prohibited pursuant to subsection (A) from the federal government.

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

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