**South Carolina General Assembly**

126th Session, 2025-2026

**S. 74**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham, Zell, Kennedy and Climer

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Introduced in the Senate on January 14, 2025

Introduced in the House on February 13, 2025

Last Amended on April 23, 2025

Currently residing in the House

Summary: Electronic Records

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/11/2024 Senate Prefiled

 12/11/2024 Senate Referred to Committee on **Judiciary**

 1/14/2025 Senate Introduced and read first time (Senate Journal‑page 60)

 1/14/2025 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 60)

 2/5/2025 Senate Committee report: Favorable **Judiciary** (Senate Journal‑page 48)

 2/11/2025 Senate Read second time (Senate Journal‑page 18)

 2/11/2025 Senate Roll call Ayes-40 Nays-0 (Senate Journal‑page 18)

 2/12/2025 Senate Read third time and sent to House (Senate Journal‑page 7)

 2/13/2025 House Introduced and read first time (House Journal‑page 48)

 2/13/2025 House Referred to Committee on **Judiciary** (House Journal‑page 48)

 3/20/2025 House Committee report: Favorable with amendment **Judiciary** (House Journal‑page 9)

 3/26/2025 House Requests for debate-Rep(s). B Newton, Jordan, Ligon, BL Cox, Martin, Gibson, Lawson, Guffey, Holman, Guest, Mitchell (House Journal‑page 27)

 3/27/2025 House Debate adjourned (House Journal‑page 35)

 4/9/2025 House Debate adjourned until Thur., 4-10-25 (House Journal‑page 63)

 4/10/2025 House Debate adjourned (House Journal‑page 45)

 4/23/2025 House Amended (House Journal‑page 28)

 4/23/2025 House Read second time (House Journal‑page 28)

 4/23/2025 House Roll call Yeas-105 Nays-0 (House Journal‑page 33)

 4/24/2025 House Read third time and returned to Senate with amendments (House Journal‑page 74)

 4/24/2025 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=74&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20241211.docx)

[01/27/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20250127.docx)

[01/27/2025-A](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20250127a.docx)

[02/05/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20250205.docx)

[03/20/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20250320.docx)

[04/23/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20250423.docx)

[04/24/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/74_20250424.docx)

Amended

April 23, 2025

S. 74

Introduced by Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham and Zell

S. Printed 4/23/25--H. [SEC 4/24/2025 3:25 PM]

Read the first time February 13, 2025

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

 Amend Title To Conform

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

SECTION 1. Chapter 13, Title 17 of the S.C. Code is amended by adding:

 Section 17-13-142. (A) This section specifically authorizes a court of competent jurisdiction in this State, as defined by 18 U.S.C. Section 2711, to issue appropriate orders pursuant to the requirements and procedures of 18 U.S.C. Section 2703(d) for production of stored wire, digital, or electronic transactional records or subscriber information. These orders have statewide application and application to the extent provided by federal law.

 (B) This section specifically authorizes a court of competent jurisdiction in this State, as defined by 18 U.S.C. Section 2711, to issue search warrants pursuant to the procedures established by Section 17-13-140, notwithstanding any jurisdictional limitations contained in that section, for production of stored wire, digital, or electronic communications and transactional records pertaining to them. Search warrants have statewide application to the extent provided by federal law.

 (C) The Attorney General may issue a subpoena upon a probable cause determination by a circuit court judge to an electronic communication service or remote computing service to compel disclosure or production of any stored subscriber or customer information pursuant to 18 U.S.C. Section 2703(c)(2). A subpoena may only be issued under the authority provided for in this section upon a showing that the information sought is material and relevant to an investigation conducted by the Internet Crimes Against Children Task Force of the Attorney General's Office. Subpoenas may not be issued under this section to the extent the subpoena is authorized under other federal or state statutes.

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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