**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4234**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. J.E. Smith

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Companion/Similar bill(s): 921

Introduced in the House on January 12, 2010

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

Summary: Law enforcement, EMS workers and first responders

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2009 House Prefiled

12/15/2009 House Referred to Committee on **Judiciary**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑39

1/12/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑39

**VERSIONS OF THIS BILL**

[12/15/2009](file:///p:\pprever\2009-10\4234_20091215.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑6‑447 SO AS TO PROVIDE THAT THE DIVISION OF TRAINING AND CONTINUING EDUCATION SHALL OFFER A MANDATORY TRAINING COURSE ON RESPONDING TO AND TREATING INDIVIDUALS WHO ARE EPILEPTIC; AND BY ADDING SECTION 16‑3‑1070 SO AS TO PROVIDE THAT LAW ENFORCEMENT OFFICERS, EMERGENCY MEDICAL SERVICES WORKERS, AND FIRST RESPONDERS MUST PROVIDE A CERTAIN LEVEL OF RESPECT FOR A PERSON AND HIS PROPERTY WHEN THEY COME INTO CONTACT WITH A PERSON, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS SECTION.

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

SECTION 1. Article 9, Chapter 6, Title 23 of the 1976 is amended by adding:

“Section 23‑6‑447. The Division of Training and Continuing Education shall offer an accredited eight-hour mandatory training course for all law enforcement officers, emergency medical service personnel, and first responders on responding to or treating an individual who is having a seizure, or in a postictal epileptic state of being, or both. The course must cover the following topics:

(1) what is epilepsy and postictal epilepsy; and

(2) managing a person who has epilepsy or is in a postictal state of being.”

SECTION 2. Article 11, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑1070. (A) Law enforcement officers, emergency medical services workers, and first responders must respect the person and property of all persons with whom they come into contact and:

(1) may not subdue a person experiencing a seizure or is in a postictal state with a tazer stun gun;

(2) may only use a tazer stun gun to subdue a person when he poses an imminent danger to another person; and

(3) must determine whether a person they are attempting to assist is wearing a medical bracelet or carrying a wallet card that contains his medical condition if the person is postictal or is having difficulty understanding or communicating.

(B) A law enforcement officer, emergency medical services workers, or first responders who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days.”

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

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