**South Carolina General Assembly**

123rd Session, 2019-2020

**S. 397**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Harpootlian and Senn

Document Path: l:\s-res\rah\004sher.sp.rah.docx

Companion/Similar bill(s): 3696

Introduced in the Senate on January 22, 2019

Introduced in the House on March 7, 2019

Last Amended on February 28, 2019

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

Summary: Allows county sheriffs the authority to enforce alcohol violations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/22/2019 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj\20190122.docx))

1/22/2019 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](file:///h:\sj\20190122.docx))

1/23/2019 Senate Referred to Subcommittee: Turner (ch), Hutto, Talley, Cash, Harpootlian

2/6/2019 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 39](file:///h:\sj\20190206.docx))

2/13/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 18](file:///h:\sj\20190213.docx))

2/28/2019 Senate Amended ([Senate Journal‑page 20](file:///h:\sj\20190228.docx))

2/28/2019 Senate Read second time ([Senate Journal‑page 20](file:///h:\sj\20190228.docx))

2/28/2019 Senate Roll call Ayes‑39 Nays‑1 ([Senate Journal‑page 20](file:///h:\sj\20190228.docx))

3/5/2019 Senate Read third time and sent to House ([Senate Journal‑page 16](file:///h:\sj\20190305.docx))

3/7/2019 House Introduced and read first time ([House Journal‑page 82](file:///h:\hj\20190307.docx))

3/7/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 82](file:///h:\hj\20190307.docx))

5/8/2019 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 4](file:///h:\hj\20190508.docx))

1/15/2020 House Requests for debate‑Rep(s).  Murphy, Stavrinakis, Simrill, Hiott, McCoy, Taylor, Bryant, Fry, Willis, VS Moss, Daning, Hart, Forrester, R. Williams, Jefferson, and Bamberg ([House Journal‑page 86](file:///h:\hj\20200115.docx))

2/19/2020 House Recommitted to Committee on **Judiciary** ([House Journal‑page 45](file:///h:\hj\20200219.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=397&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/22/2019](file:///p:\pprever\2019-20\397_20190122.docx)

[2/6/2019](file:///p:\pprever\2019-20\397_20190206.docx)

[2/13/2019](file:///p:\pprever\2019-20\397_20190213.docx)

[2/28/2019](file:///p:\pprever\2019-20\397_20190228.docx)

[5/8/2019](file:///p:\pprever\2019-20\397_20190508.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 8, 2019

**S. 397**

Introduced by Senators Harpootlian and Senn

S. Printed 5/8/19--H.

Read the first time March 7, 2019.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 397) to amend Section 61-6-4510 of the 1976 Code, relating to municipal police officers, to provide that a county sheriff has the same power as a municipal police, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑280. (A) Municipal police officers have the power of constables to enforce the provisions of Sections 61‑4‑50 through 61‑4‑160 and Section 61‑4‑230 in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) A county sheriff has the power of a constable to enforce the provisions of Sections 61‑4‑50 through 61‑4‑160 and Section 61‑4‑230 in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State.”

SECTION 2. Section 61‑6‑4510 of the 1976 Code is amended to read:

“Section 61‑6‑4510. (A) Municipal police officers have the power of constables to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) A county sheriff has the power of a constable to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State.”

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

Renumber sections to conform.

Amend title to conform.

PETER M. MCCOY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

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

SECTION 1. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-280. (A) Municipal police officers have the power of constables to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) In counties with a population in excess of one hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State.”

SECTION 2. Section 61-6-4510 of the 1976 Code is amended to read:

“Section 61-6-4510. (A) Municipal police officers have the power of constables to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) In counties with a population in excess of one hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of this article, except Section 61‑6‑4720, in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State.”

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

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