**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3138**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on January 12, 2021

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

Summary: Law enforcement

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 85](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 85](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3138&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3138_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑1‑235 SO AS TO PROVIDE THAT A LAW ENFORCEMENT AGENCY SHALL NOT PURCHASE CELL‑SITE SIMULATOR TECHNOLOGY OR DEVICES, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT CURRENTLY POSSESSES OR USES CELL‑SITE SIMULATOR TECHNOLOGY SHALL DISCONTINUE ITS USE AND DISCARD THE TECHNOLOGY OR DEVICES, AND TO DEFINE THE TERM “CELL‑SITE SIMULATOR TECHNOLOGY”.

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

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

“Section 23‑1‑235. (A) A law enforcement agency shall not purchase cell‑site simulator technology or devices. A law enforcement agency that currently possesses or uses cell‑site simulator technology or devices shall discontinue its use and discard the technology or devices.

(B) As contained in this section, ‘cell‑site simulator technology’ means technology or devices that transmit or receive radio waves for the purpose of conducting one or more of the following operations:

(1) identifying, locating, or tracking the movements of a communications device;

(2) intercepting, obtaining, accessing, or forwarding the communications, stored data, or metadata of a communications device;

(3) affecting the hardware or software operations or functions of a communications device;

(4) forcing transmissions from or connections to a communications device;

(5) denying a communications device access to other communications devices, communications protocols, or services; or

(6) spoofing or simulating a communications device, cell tower, cell site, or service, including, but not limited to, an international mobile subscriber identity catcher or other invasive cell phone or telephone surveillance or eavesdropping device that mimics a cell phone tower and sends out signals to cause cell phones in the area to transmit their locations, identifying information, and communication content, or a passive interception device or digital analyzer that does not send signals to a communications device under surveillance.”

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

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