**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3222**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bailey and Chapman

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Introduced in the House on January 14, 2025

Introduced in the Senate on February 19, 2025

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

Summary: Litter control officers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2024 House Prefiled

12/5/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

1/14/2025 House Introduced and read first time ([House Journal‑page 134](h:\hj\20250114.docx))

1/14/2025 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 134](h:\hj\20250114.docx))

2/12/2025 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 8](h:\hj\20250212.docx))

2/13/2025 House Read second time ([House Journal‑page 55](h:\hj\20250213.docx))

2/13/2025 House Roll call Yeas-103 Nays-0 ([House Journal‑page 56](h:\hj\20250213.docx))

2/18/2025 House Read third time and sent to Senate ([House Journal‑page 20](h:\hj\20250218.docx))

2/19/2025 Senate Introduced and read first time ([Senate Journal‑page 6](h:\sj\20250219.docx))

2/19/2025 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](h:\sj\20250219.docx))

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3222_20241205.docx)

[02/12/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3222_20250212.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

February 12, 2025

H. 3222

Introduced by Reps. Bailey and Chapman

S. Printed 2/12/25--H.

Read the first time January 14, 2025

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The committee on House Medical, Military, Public and Municipal Affairs

To whom was referred a Bill (H. 3222) to amend the South Carolina Code of Laws by amending Section 4-9-145, relating to litter control officers, so as to revise the means for determining the limit on, etc., respectfully

Report:

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

S.H. DAVIS for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

Local Expenditure

This bill updates the method for determining the limit on the number of litter control officers with custodial arrest authority that a county may appoint and commission. Currently, each county may appoint and commission one litter control officer with custodial arrest authority for every 25,000 persons in the county, based upon the 2000 U.S. Census. This bill revises the reference to the 2000 census to the most recent census. The bill also corrects an incorrect code section reference, which relates to a litter control officer being certified as a law enforcement officer.

RFA contacted all county governments regarding the fiscal impact of this bill and received responses from four counties. The responding counties indicate that the bill will have no fiscal impact since they have no plans to hire additional litter control officers. One of the responding counties also indicated that the current Litter Control Supervisor may become a commissioned Litter Control Officer with no arrest authority. Further, for reference, based upon RFA’s calculations, updating the current statute to refer to the most recent U.S. Census when determining the limit on the number of litter control officers that a county may appoint and commission increases the overall number of litter control officers that the counties are authorized to hire by forty-nine officers. However, since the bill does not require counties to increase the number of litter control officers, the overall expenditure impact on local governments will vary by locality, depending upon whether the counties choose to hire additional litter control officers with custodial arrest authority.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-9-145, RELATING TO LITTER CONTROL OFFICERS, SO AS TO REVISE THE MEANS FOR DETERMINING THE LIMIT ON THE NUMBER OF LITTER CONTROL OFFICERS THAT A COUNTY MAY APPOINT AND COMMISSION, AND TO CORRECT AN INCORRECT REFERENCE.

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

SECTION 1. Section 4-9-145(B) of the S.C. Code is amended to read:

(B)(1) The number of litter control officers vested with custodial arrest authority who are appointed and commissioned pursuant to subsection (A) must not exceed the greater of:

(a) the number of officers appointed and commissioned by the county on July 1, 2001; or

(b) one officer for every twenty-five thousand persons in the county, based upon the 2000most recent census. Each county may appoint and commission at least one officer, without regard to the population of the county.

(2)(a) A litter control officer appointed and commissioned pursuant to subsection (A) may exercise the power of arrest with respect to his primary duties of enforcement of litter control laws and ordinances and other state and local laws and ordinances as may arise incidental to the enforcement of his primary duties only if the officer has been certified as a law enforcement officer pursuant to Article 9, Chapter 6Chapter 23, Title 23.

(b) In the absence of an arrest for a violation of the litter control laws and ordinances, a litter control officer authorized to exercise the power of arrest pursuant to subitem (a) may not stop a person or make an incidental arrest of a person for a violation of other state and local laws and ordinances.

(3) For purposes of this section, the phrase “litter control officer” means a code enforcement officer authorized to enforce litter control laws and ordinances.

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

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