

Senate Resolution 123

By: Senators Burns of the 23rd, Jones II of the 22nd, Anderson of the 24th and Harbison of the 15th

A RESOLUTION

1 Urging the Attorney General to negotiate with the State of South Carolina terms of a
2 reciprocal immunity agreement for officials of either state carrying out certain official duties
3 in the territorial limits of the other state that can be adopted by the legislatures of each state;
4 and for other purposes.

5 WHEREAS, the proximity of the Augusta-Richmond County consolidated government with
6 the State of South Carolina has created situations where officials of the Augusta-Richmond
7 County consolidated government, including law enforcement officers, have to carry out some
8 of their official duties in the State of South Carolina, including without limitation rendering
9 aid or assistance and operating motor vehicles in the State of South Carolina; and

10 WHEREAS, such officials of the Augusta-Richmond County consolidated government as
11 well as other state, county, municipality, or consolidated government officials who carry out
12 some of their official duties in the State of South Carolina may not have the same immunity
13 protections as when those officials carry out their official duties in this state; and

14 WHEREAS, ensuring that such officials have the same immunity protections in the State of
15 South Carolina as they do in this state when carrying out their official duties would promote

16 cooperation between such officials and officials of the State of South Carolina and would
17 enable such officials to carry out their official duties without fear of lawsuits.

18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
19 urge the Attorney General to negotiate with the State of South Carolina to reach satisfactory
20 terms of a reciprocal immunity agreement for officials of either state carrying out certain
21 official duties in the territorial limits of the other state that can be adopted by the legislatures
22 of each state.

23 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
24 to make appropriate copies of this resolution available for distribution to the Attorney
25 General and other employees of the Department of Law.