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**HOUSE WEEK IN REVIEW**

The House of Representatives amended, approved, and sent the Senate **H.4375**, legislation **ELIMINATING ALL CHARGES ON THE ELECTRIC BILLS OF SCE&G CUSTOMERS THAT SUPPORT THE FAILED V.C. SUMMER NUCLEAR POWER PROJECT** and **REPEALING THE BASE LOAD REVIEW ACT GOING FORWARD**. The bill orders new electricity rates for customers of SCANA Corporation’s South Carolina Electric and Gas to be reduced by eliminating all of the increases that have been imposed in recent years under the Base Load Review Act to finance the failed V.C. Summer nuclear power project in Fairfield County. These lower experimental rates would no longer include the increases, amounting to around 18% to 19.5%, that have been included on the power bills of SCE&G customers to fund construction of the nuclear reactors in Jenkinsville which have now been abandoned. The legislation repeals provisions of the Base Load Review Act prospectively so that utilities would no longer be able to make use of the provisions of this legislation to finance the construction of power generation projects with fees imposed on the electric bills of ratepayers. The repeal does not apply to pending legal matters. Existing disputes about the application of the Base Load Review Act will continue to be settled through administrative decisions of the Public Service Commission and judicial rulings from the courts. The legislation includes new definitions that provide detail on what constitutes imprudent actions of utilities under the Base Load Review Act.

The House amended, approved, and sent the Senate **H.4458**, a bill **REVISING PENALTIES FOR LITTERING** in an effort to make them more effective. The legislation restructures penalties for violations so that their severity increases with the amount of litter waste involved. Under these graduated penalties, violations involving no more than fifteen pounds of litter are subject to comparatively lower fines and hours of community service. Fines and other penalties increase for violations involving the illegal dumping of more than fifteen pounds of litter, and become more severe for the illegal dumping of over five hundred pounds of waste.

The House amended, approved, and sent the Senate **H.4673**, a bill that revises the **REVOCATION OF CERTAIN BENEFICIARY DESIGNATIONS BY DIVORCE, ANNULMENT, OR AN ORDER TERMINATING MARITAL PROPERTY RIGHTS UNDER EMPLOYEE BENEFIT PLANS ADMINISTERED BY THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY**.

**HOUSE COMMITTEE ACTION**

**LABOR, COMMERCE AND INDUSTRY**

The House Labor, Commerce and Industry Committee met on Thursday, February 1, and reported out several bills.

The committee gave a report of favorable with amendments on **H.4612**, legislation authorizing **SURETY BONDS FOR APPLICANTS FOR GENERAL AND MECHANICAL LICENSURE**. Rather than providing financial statements showing a minimum net worth, this legislation affords applicants for general and mechanical licensure the option of satisfying financial requirements by providing a surety bond in an amount of two times the required net worth for the applicant’s license group.

The committee gave a favorable on **S.297**, a bill relating to **PERFORMING SECURITY OFFICER DUTIES PENDING THE ISSUANCE OF A REGISTRATION CERTIFICATE**. The legislation revises provisions relating to private security officer registration certificates issued by the State Law Enforcement Division, to provide that, pending issuance of a registration certificate, a security officer may perform professional duties for up to thirty days, rather than twenty days, after receipt by SLED of his application for registration.

The committee gave a report of favorable with amendment on **S.185**, a bill providing **FUNERAL SERVICE CONSUMER PROTECTIONS** that address solicitations from remote, out-of-state companies. The legislation establishes provisions that target the practice of allowing or permitting an internet service provider, unlicensed person, establishment, or entity to engage in the practice of funeral service, embalming, cremation, or conducting business as a funeral home, funeral establishment, crematory, or mortuary. Under the legislation, an advertisement must include the physical address of the funeral home, funeral establishment, mortuary, or crematory where the advertised services will be provided. The board shall promulgate regulations establishing additional requirements for advertisements relating to providing funeral services, including internet advertisements.

The committee gave a favorable report on **H.4654**, a bill **REVISING FINGERPRINTING REQUIREMENTS FOR INSURANCE PRODUCER LICENSURE** including provisions that allow these criminal background screening requirements to be satisfied without submitting a new set of fingerprints when a set of fingerprints is already on file, such as when a license is being renewed or obtained following a lapse.

The committee gave a favorable report on **H.4656**, a bill **UPDATING AND ENHANCING FINANCIAL SOLVENCY REQUIREMENTS FOR REINSURERS** to bring South Carolina into compliance with the most recent standards of the National Association of Insurance Commissioners so that the state can retain NAIC accreditation and continue to enjoy legal reciprocity with other states.

The committee gave a favorable with amendment report on **H.4655**, the **“SOUTH CAROLINA INSURANCE DATA SECURITY ACT”**. The legislationestablishes standards for data security and standards for the investigation of and notification to the Director of the Department of Insurance of a cybersecurity event that impacts insurance licensees.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

 **H.4730 *SOLAR FARM* Rep. Ott**

An electrical utility, electric cooperative, governmental entity, corporation, or individual producing electricity for sale or distribution by operating a solar farm must build and maintain a vegetative buffer around the perimeter of the solar farm. Solar farm means an energy facility or area of land used to convert solar energy into electricity.

 **H.4807 *WILD TURKEY SEASONS AND BAG LIMITS* Rep. Hixon**

The bill extends the period in which wild turkey seasons and bag limits for certain counties are suspended.

 **H. 4828 *YOUTH HUNTING DAY* Rep. Hixon**

The bill outlines that a youth 15 years old or younger must be accompanied by a licensed adult, who is at least 21 years old, on Youth Hunting Days. The bill also provides that the license and tag requirement is waived for a youth on Youth Hunting Day.

**EDUCATION AND PUBLIC WORKS**

 **H.4803 *HOME SCHOOL INTERSCHOLASTIC REQUIREMENTS***

 **Rep. Magnuson**

This bill eliminates the requirement that homeschool students must be homeschooled for one academic year before participating in public school interscholastic activities.

 **H.4805 *SCHOOL NURSES* Rep. S. Rivers**

This bill provides that beginning with the 2018‑2019 school year, school nurses must hold current licensure to practice as professional registered nurses in this state.

 **H.4808 *SOUTH CAROLINA ADULT HIGH SCHOOL DIPLOMA AND***

 ***INDUSTRY CERTIFICATION CHARTER SCHOOL PILOT PROGRAM***

 **Rep. S. Rivers**

This bill creates the “South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program” and relates to the age of attendance in public schools, so as to allow adults to attend public schools in the pilot program and to eliminate waivers of the starting ages for kindergarten and first grade.

 **H.4810 *SCHOOL METAL DETECTOR STUDY COMMITTEE* Rep. Gilliard**

This bills creates the “School Metal Detector Study Committee” to study whether it is in the public interest to require the installation and use of metal detectors at public schools in this state.

 **H.4814 *MOLD AND MILDEW HAZARDS* Rep. Henegan**

This bill provides that the state Department of Education shall adopt rules providing standards and procedures for reporting, inspecting, and abating mold and mildew hazards in public school facilities.

**JUDICIARY**

 **H.4729 *RETAIL LIQUOR SALES LIMITATIONS* Rep. Delleney**

This legislation would prohibit the South Carolina Department of Revenue from issuing more than three liquor retailer licenses to one licensee. No partial business or personal interest in any other licenses could be obtained either. Licensed liquor wholesalers could deliver new alcoholic liquor to a person licensed to sell alcoholic liquors for on-premises consumption on a limited basis.

 **H.4796 *ENERGY FREEDOM ACT* Rep. McCoy**

Allows buying lowest-cost energy from independent power producers. Also amends the definitions of "alternating current" and "avoided costs."

 **H.4798 *CONCEALED WEAPON CARRY BY REAL ESTATE AGENTS AND POTENTIAL PROPERTY PURCHASERS* Rep. Long**

Both licensed real estate agents, and prospective property purchasers, who are valid concealed weapon permit holders, could carry concealable weapons while viewing certain properties under this proposal.

 **H.4801 *STATE JUDICIAL SALARIES* Rep. Rutherford**

Sets a revised salary schedule for Supreme Court justices, and judges serving on the Court of Appeals, Circuit Court, and Family Court benches that is tied to federal judicial salaries. Also would require that circuit solicitors receive salaries not less than the salary paid to the United States attorney for South Carolina. In addition, masters-in-equity would be paid based on a formula as compared to circuit court judge salaries. Public defenders would have to receive salaries not less than those of the South Carolina federal court public defender. Workers Compensation Commissioner salaries would equal eighty-five percent of the salaries paid to circuit court judges. Statewide constitutional officers, beginning in 2018, and every four years thereafter, as part of the annual general appropriations act, would have a salary for the governor, lieutenant governor, secretary of state, state treasurer, attorney general, comptroller general, superintendent of education, adjutant general, and commissioner of agriculture se by the General Assembly to begin with the new terms of those officers and continue for the four years of those terms.

 **H.4804 *EDUCATIONAL STANDARDS CONSTITUTIONAL AMENDMENT* Rep. Govan**

This proposed joint resolution would set a statewide referendum on whether to amend Section 3, Article XI of the South Carolina constitution to require the General Assembly to fund a high-quality free education for all children in our state.

 **H.4806 *AFRICAN-AMERICAN HERITAGE COMMISSION SURPLUS FUNDS AND MATERIALS* Rep. Felder**

Allows the SC Department of Archives and History to spend certain proceeds generated by its African-American Heritage Commission. Also would allow duplicate materials owned by Commission to be sold by methods other than a public auction.

 **H.4809 *LIMITED RETAIL ALCOHOL SALES LICENSES* Rep. Long**

If enacted, the SC Department of Revenue could issue only one retail alcohol sales dealer license to one licensee. In addition, a licensee could not have any interest in a retail liquor store other than the one store covered by his retail dealer license. Licensed wholesalers could deliver alcoholic liquor to a person so licensed to sell alcoholic liquors for on-premises consumption under specified circumstances.

 **H.4811 *LAWYER MAGISTRATES* Rep. S. Rivers**

Under this legislation, all magistrates in counties that have populations of over 75,000 people would have to be licensed attorneys.

 **H.4812 *SOUTH CAROLINA EQUAL WORK FOR EQUAL PAY ACT***

 **Rep. J. E. Smith**

Proposes a "South Carolina Equal Pay for Equal Work Act" to prohibit paying employees of one sex at a lesser rate than the rate paid to employees of the opposite sex. This prohibition would apply to comparable work in jobs which require the same, or essentially the same, knowledge, skill, effort, and responsibility. Sets administrative and judicial remedies for processing violations of this Act’s terms.

 **H.4813 *ARBITRATION AWARDS SPECIFICITY* Rep. J. E. Smith**

Arbitration awards would have to be thoroughly reasoned under this legislation. As part of this requirement, arbitrators would have to make specific findings of fact and set out their conclusions supporting their awards.

 **H.4829 *MANDATORY CRIMINAL BOND CONDITIONS* Rep. Delleney**

Allows courts to choose from an extensive list of conditions to place on defendants released from custody under a bond. These conditions could include that defendants comply with the terms for an electronic pretrial release and monitoring program. In addition, a nonexclusive list of conditions that a defendant must abide by when released from custody can be applied. Defendants who violate any conditions of pretrial release, electronic monitoring programs, give false or misleading information about being eligible for the program would be subject to bond revocation or other punishment. Also includes standards and procedures for private providers who are selected to provide electronic monitoring services.

 **H.4830 *INDIGENCY AFFIDAVITS* Rep. Delleney**

If enacted, this legislation would require all affidavits of indigency, and application for counsel forms, to contain certifications regarding any wilful provision of false information on them. All forms would have to be notarized. In the event a court, the SC Department of Probation, Parole, and Pardon Services [SCDPPPS], or an appointed attorney discovers that a defendant is financially able to employ counsel or contribute to the costs of employing counsel, a procedure for informing the court and terminating the appointed counsel is set out. Creates the criminal offense of wilfully providing false, misleading, or incomplete information on an affidavit for indigency and application for counsel form. Also directs the South Carolina Court Administration to revise the affidavits of indigency and application for counsel forms. SCDPPPS would report annually to the General Assembly, by January 15th, on the number of affidavits both accepted and rejected. As part of this annual report, an explanation of those affidavits rejected, including the grounds for rejecting them would be made. In addition, respective legislative oversight committees would review of these reports as part of their regularly scheduled review of SCDPPPS.

 **H.4831 *CRIME VICTIM BURIAL EXPENSES* Rep. Pitts**

Raises the amount of burial expenses that crime victims can be reimbursed from $4,000 to $6,500.

 **H.4832 *FIFTH CIRCUIT FOSTER CARE REVIEW* BOARDS Rep. Funderburk**

Mandates that at least one local foster care review board in the 5th Judicial Circuit contain a member appointed by the Kershaw County Legislative Delegation.

 **H.4833 *FETAL ANOMALY ABORTIONS* Rep. Long**

Abortion would become a criminal act during any trimester if the sole reason for it is that the unborn child has a fetal anomaly. Also would amend the South Carolina Pain-Capable Unborn Child Protection Act to eliminate any fetal anomaly exceptions to the prohibition against abortions when an unborn child is twenty weeks, or more, in gestation.

**LABOR, COMMERCE AND INDUSTRY**

 **H.4816 *ABANDONED BUILDINGS REVITALIZATION ACT EXTENSION***

 **Rep. J. E. Smith**

This bill extends the provisions of the South Carolina Abandoned Buildings Revitalization Act until December 31, 2025.

**MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

 **H.4799 *PHYSICAL THERAPY LICENSURE COMPACT* Rep Howard**

This legislation provides for the entry of South Carolina into a multi-state compact. The purpose of the compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The legislation also provides for the structure, functions, powers and duties of the governing body of the compact; as well as provide the obligations, benefit and rights of the members.

 **H.4800 *COMMUNITY CHARGE ON NONPROFIT HOSPITALS AND INSTITUTIONS OF HIGHER LEARNING* Rep. Rutherford**

The local governing body of a county or municipality, by ordinance, may impose a community charge on nonprofit hospitals and institutions of higher learning within the jurisdiction, except that a county only may impose the charge in the unincorporated areas of the county.

 **H.4802 *PHYSICIAN ORDERS FOR SCOPE OF TREATMENT* Rep. Ridgeway**

The bill enables certain persons to execute a Physician Orders for Scope of Treatment (POST) form signed by a physician that sets for the patient’s wishes as to life sustaining care. The bill also establishes a Physician Orders for Scope of Treatment (POST) Advisory Council.

 **H.4815 *SPEECH LANGUAGE PATHOLOGISTS AND ASSISTANTS***

 **Rep. Arrington**

Among many things, the bill outlines that a speech‑language pathology, as well as a speech-language pathology assistant shall adhere to the responsibilities within the scope for speech‑language pathology assistants set forth by the American Speech-Language‑Hearing Association.

**WAYS AND MEANS**

 **H.4795 *MOTOR VEHICLE DEALER EXEMPTION* Rep. Herbkersman**

This bill provides an exemption from provisions governing motor vehicle dealers for persons conducting the auction of investment grade or collector motor vehicles in conjunction with the annual Hilton Head Island Concours D’Elegance.

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