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***NOTE: THESE SUMMARIES ARE PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ARE NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. THEY ARE STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND ARE NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.***

**HOUSE WEEK IN REVIEW**

The House of Representatives convened on Tuesday, January 13, as lawmakers began work on the 118th South Carolina General Assembly.

Members approved changes to the Rules of the House of Representatives that establish **MORE EXPANSIVE REQUIREMENTS FOR ROLL CALL VOTES** that record in the Journal the names of the House Members voting and how they vote on a matter. The revised rules require that a roll call vote be taken on second reading of specified legislation, and on third reading if that legislation has been amended on third reading, as well as in other specified situations, as follows:

 Adoption of a Joint Resolution proposing an amendment to the Constitution of South Carolina.

 Adoption of legislation ratifying a proposed amendment to the Constitution of South Carolina.

 Adoption of a Bill or Joint Resolution establishing a fee or tax, raising an existing fee or tax, or reducing an existing fee or tax.

 Adoption of the Annual General Appropriations Act.

 Adoption of each section of the Annual General Appropriations Act on second reading, except when the House agrees to a section by unanimous consent.

 Adoption of an amendment to the Annual General Appropriations Bill where the amendment directly effects the raising or spending of revenue in the amount of ten thousand dollars or more.

 Adoption of a state or congressional reapportionment plan

 Adoption of a Bill or Joint Resolution directly increasing or decreasing the salary, benefits, or retirement benefits of members of the General Assembly, elected officials of the Executive Branch, or members of the Judicial Branch.

 Adoption of a Bill or Joint Resolution amending the Ethics and Accountability Act or the Campaign Finance Act.

 A question for which ten members of the House request a roll call vote.

 A bill or resolution on the Second Reading Contested Calendar.

 Concurrence, non-concurrence, or adoption of amendments to a bill or joint resolution returned from the Senate with amendments.

 Adoption of a Conference or Free Conference Committee Report.

 A question of overriding or sustaining a Gubernatorial veto.

 An election by the General Assembly or the House of Representatives except where the election is declared by unanimous consent to be by declaration

 A question for which the Constitution of South Carolina requires the yeas and nays to be recorded.

The House gave second reading approval to **H.3281**, a joint resolution to provide that the Department of Health and Human Services, when adjusting its budget in response to revenue reductions, is required to maintain **FUNDING FOR HOSPICE SERVICES** at the level in place on December 31, 2008.

**HOUSE COMMITTEE ACTION**

There were no full committee meetings that addressed legislation, which is covered by the *Legislative Update,* this week.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES, AND

ENVIRONMENTAL AFFAIRS

 **H.3265 *ANIMAL CRUELTY* Rep. Sottile**

Under this bill, the ill-treatment of animals provisions do not apply to the practice of veterinary medicine in accordance with accepted veterinary standards.

 **H.3270 *UNDERGROUND STORAGE TANKS* Rep. Duncan**

Beginning January 1, 2010, the annual renewal fee for each underground storage tank will increase to $200; and will continue to increase by $100 each year until 2013. The additional revenue generated from the increases must be deposited into the Superb account, which is the account that assists with the payment of usual, customary and reasonable costs for underground storage tank site rehabilitation. When the Superb account reaches an additional thirty-six million dollars from the increase of tank fees, general appropriations, settlements, or other sources of funds, the annual fee shall revert to one hundred dollars for each tank beginning January 1st of the next year.

 **H.3271 *ANTLERED DEER* Rep. Duncan**

The legislation states that baiting deer or hunting deer over a baited area is lawful in the upstate, except during open season for wild turkey. As a result, it also provides a definition for “bait” and “baited area”.

**EDUCATION AND PUBLIC WORKS**

**H.3230** ***CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT/ DUTIES OF***

***THE DEPARTMENT OF SOCIAL SERVICES (DSS) CONCERNING REPORTS AND INVESTIGATIONS OF CHILD ABUSE AND NEGLECT* Rep. E.H. Pitts**

Among many other things, this bill increases from five years to ten years the timeframe that DSS must keep information concerning reports classified as unfounded. When DSS receives a report of suspected child abuse or neglect, whether or not the information related by the reporter appears to indicate a violation of criminal law, this bill provides that DSS must notify the appropriate law enforcement agency of that information within 24 hours of DSS receiving the report. When the report is of alleged sexual abuse, DSS must notify the appropriate law enforcement agency within 24 hours of receipt of the report and a collaborative investigation must begin. The legislation also deletes the current requirement pertaining to when DSS must seek an order placing a person in the Central Registry of Child Abuse and Neglect. Persons, agencies, or entities who are engaged in the care, supervision, or treatment of children shall obtain the results of a review of the Central Registry of Child Abuse and Neglectbefore hiring a potential employee. This bill specifically provides that persons charged with hiring school district employees shall review the Central Registry of Child Abuse and Neglect. DSS is authorized to charge a fee for reviewing the Central Registry of Child Abuse and Neglect. Relating to child protective services appeals, this bill provides that the family court shall conduct a trial de novo. This bill also repeals a statute relating to unlawful conduct towards a child.

 **H.3250** ***“TWENTY-FIRST CENTURY SCHOLARS PROGRAM”* Rep. Sellers**

This legislation allows an eighth grade student who is eligible for free or reduced lunch and who meets certain conditions to receive, upon graduation, an annual tuition scholarship to a public or private institution of higher learning. The legislation establishes the Twenty-First Century Scholars Fund for the purpose of awarding these tuition scholarships to the extent monies are available in the fund. The legislation requires the fund to be administered by the Commission on Higher Education. Among other things, the commission must recommend to the General Assembly a funding source and promulgate rules and regulations for the program.

 **H.3254** ***SPEECH-LANGUAGE PATHOLOGISTS* Rep. Edge**

This bill allows speech-language pathologists who have received national certification from the American Speech-Language-Hearing Association and are employed in a public school district to receive a yearly incentive for the life of the certification. These incentives must be paid from funds appropriated by the General Assembly for this purpose, if funds are available.

 **H.3282** ***PHYSICAL EDUCATION IN SECONDARY SCHOOLS* Rep. Gunn**

This bill requires the physical education course in secondary schools to be taught over six semesters.

 **H.3285** ***MODIFICATION OR WAIVER OF A RESTRICTED DRIVER'S LICENSE***

**Rep. Sellers**
Under this bill, the restrictions contained in a restricted driver's license issued to a minor may be modified or waived by the Department of Motor Vehicles, if the restricted licensee proves that the restriction interferes with travel between the licensee's home and religious sponsored events.

 **H.3295** ***SCHOOL MAKE-UP DAY EXEMPTION* Rep. Hamilton**

This joint resolution provides that the school day missed on January 8, 2009, by the students of Paris Elementary School, Taylors Elementary School, and Sevier Middle School when the schools were closed due to a power outage is exempt from the make-up requirement.

 **H.3297** ***SCHOOL SNACKS, FOOD AND BEVERAGES* Rep. Sellers**

Among other things, this bill outlines fat, calorie, and sugar content standards that snacks, food and beverages must meet in order to be sold in schools. The bill further provides that elementary schools may offer only full meals for student consumption.

 **H.3302** ***SCHOOL IMPACT FEE* Rep. Gullick**

This bill authorizes a school impact fee imposed by law or local ordinance to be used for classroom operational expenses.

**JUDICIARY**

 **H.3213** ***TERM LIMITS FOR SERVICE IN THE GENERAL ASSEMBLY***

**Rep. Ballentine**

Under this bill, a person is not eligible for election to the House of Representatives if that person has served six terms in the same body, regardless of the district represented. A person is not eligible for election to the Senate if that person has served four terms in the same body, regardless of the district represented. The bill includes grandfather provisions.

 **H.3226** ***THREATENING THE LIFE, PERSON, OR FAMILY OF A PUBLIC***

 ***OFFICIAL, TEACHER, OR PRINCIPAL* Rep. J.E. Smith**

Relating to threatening the life, person, or family of a public official, teacher, or principal, this bill amends the law to include direct or indirect threats.

 **H.3227** ***COCKFIGHTING* Rep. G.M. Smith**

This bill increases penalties for this offense.

**H.3228 *INCREASED PENALTIES FOR USE OF PROPERTY IN VIOLATION OF***

 ***CERTAIN CONTROLLED SUBSTANCE LAWS* Rep. G.M. Smith**

This bill increases penalties for use of property in violation of certain controlled substance laws. Under this bill, a person who knowingly uses property or a conveyance in a manner which would make the property or conveyance subject to forfeiture is guilty of a felony and, upon conviction, must be imprisoned for not more than 20 years or fined not more than $500,000 dollars, or both, or a fine of $2,000,000 dollars for an entity other than an individual. In addition to the criminal penalties, the bill provides that a person who violates these provisions is subject to a civil penalty of not more than $250,000 dollars or two times the gross receipts, known or estimated, derived from each violation that is attributable to the person. If the latter option is ordered by the court, and there is more than one defendant, the court may apportion the civil penalty between multiple violators; however, each violator is jointly and severally liable for the civil penalty.

 **H.3229 *DISTURBING SCHOOLS* Rep. G.M. Smith**

This bill provides that first and second offense violations for disturbing schools must be tried in magistrates court and third and subsequent offenses must be tried in general sessions court.

 **H.3231** ***PROPOSED CONSTITUTIONAL AMENDMENT PROVIDING FOR THE***

 ***JOINT ELECTION OF GOVERNOR AND LIUTENTANT GOVERNOR***

**Rep. E.H. Pitts**

This joint resolution proposes to amend the State Constitution so as to provide for the joint election of the Governor and Lieutenant Governor beginning with the general election of 2014.

 **H.3237** ***MAGISTRATES* Rep. Anthony**

This bill provides that magistrates are appointed by the Governor with the advice and consent of the General Assembly rather than only the Senate. Where necessary to conform to this change, the legislation substitutes the term county legislative delegation for the term Senate delegation.

 **H.3244 *PROHIBITION OF APPOINTMENT OF AN ATTORNEY IN CERTAIN***

 ***CIVIL ACTIONS* Rep. Delleney**
Relating to appointment of an attorney in a civil action, this bill clarifies that the prohibition on appointment applies to certain post-conviction relief matters and actions pursuant to the Sexually Violent Predator Act.

 **H.3245*****PREREQUISITES TO PERFORMING AN ABORTION* Rep. Delleney**

This bill provides if an ultrasound is performed, an abortion must not be performed sooner than 24 hours, rather than 60 minutes, following the completion of the ultrasound. The bill requires the woman to be informed of the procedure to be involved and the probable gestational age of the embryo or fetus. The bill further provides that an abortion may not be performed sooner than 24 hours, rather than one hour, after the woman receives certain written materials.

 **H.3247** ***LANDLORD TENANT UTILITY ISSUES* Rep. Huggins**

This bill allows a landlord of a multi-family dwelling to employ certain equipment or methodology to determine the quantity of water provided to each single-family residence within the dwelling, and it allows the landlord to charge a tenant for water and wastewater used by his single-family residence. Relating to general definitions in the Residential Landlord and Tenant Act, the legislation defines a multi-family dwelling. Relating to a landlord's obligations, the bill outlines specific requirements pertaining to the provision of central heat and hot water to a multi-family dwelling.

 **H.3249** ***LIABILITY PURSUANT TO THE TORT CLAIMS ACT* Rep. G.M. Smith**

Relating to liability pursuant to the Tort Claims Act, this bill further defines the definitions of the terms "scope of official duty" and "scope of state employment". The bill expressly provides immunity for certain governmental employees when investigating potential wrongdoing or disciplining another employee under certain circumstances.

 **H.3252** ***SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR CERTAIN***

 ***CONTROLLED SUBSTANCE CONVICTIONS* Rep. Sellers**

Current law provides for a mandatory suspension of a person’s driver’s license for controlled substance violations involving hashish or marijuana. This bill provides that a driver's license suspension under these circumstances is in the discretion of the judge.

 **H.3253** ***ANNEXATION* Rep. Herbkersman**

This bill relates to municipal annexation issues. Among other things, it requires a "plan of services" before approval of all annexation proposals. It also requires a new annexation be consistent with local comprehensive land use plans. Relating to alternate methods where a petition is signed by all or 75 percent of landowners, this bill gives standing to other persons or entities to bring suit to challenge a proposed or completed annexation. The bill requires public notice of a public hearing before acting on an annexation petition. Relating to definitions used in annexation procedure, the bill defines "urban area" and changes the definition of "contiguous".

 **H.3264** ***"KELLI'S LAW” – FIELD BREATHALYZER DEVICES* Rep. Gullick**

This bill provides that each highway patrol vehicle must be equipped with a field breathalyzer device that must be administered on a person who a highway patrolman has stopped for being suspected of driving under the influence of alcohol, drugs, or another substance.

 **H.3269** ***CONTRIBUTIONS TO MEMBERS OF THE GENERAL ASSEMBLY***

**Rep. Cooper**

Under this bill, a candidate for an office elected or appointed by the General Assembly, or a House of it, may not make a contribution to a member of the General Assembly. This prohibition also applies to a member of the candidate's immediate family, a business, or an individual with whom he is associated.

 **H.3275** ***PROPOSED CONSTITUTIONAL AMENDMENT PERTAINING TO THE***

 ***ADJUNANT GENERAL* Rep. T.R. Young**

This joint resolution proposes to amend the constitution so as to delete the Adjutant General from the list of State officers that the constitution requires to be elected. The joint resolution further provides that the Adjutant General must be appointed by the Governor upon the advice and consent of the Senate for a term coterminous with the Governor. The joint resolution further provides that the General Assembly shall provide by law for the duties, compensation, and qualifications for the office and the procedures for removal from office. The joint resolution also updates references to the Adjutant General and his staff officers in other parts of the constitution.

 **H.3276 *PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO THE***

 ***COMMISSIONER OF AGRICULTURE* Rep. T.R. Young**
This joint resolution proposes to amend the constitution so as to delete the Commissioner of Agriculture from the list of State officers that the constitution requires to be elected. The joint resolution further provides that the Commissioner of Agriculture must be appointed by the Governor upon the advice and consent of the Senate for a term coterminous with the Governor. The joint resolution further provides that the General Assembly shall provide by law for the duties, compensation, and qualifications for the office and the procedures for removal from office.

 **H.3277** ***PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO THE***

 ***TREASURER* Rep. T.R. Young**
This joint resolution proposes to amend the constitution so as to delete the Treasurer from the list of State officers that the constitution requires to be elected. The joint resolution further provides that the Treasurer must be appointed by the Governor upon the advice and consent of the Senate for a term coterminous with the Governor. The joint resolution further provides that the General Assembly shall provide by law for the duties, compensation, and qualifications for the office and the procedures for removal from office.

 **H.3278** ***PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO THE***

 ***COMPTROLLER GENERAL* Rep. T.R. Young**
This joint resolution proposes to amend the constitution so as to delete the Comptroller General from the list of State officers that the constitution requires to be elected. The joint resolution further provides that the Comptroller General must be appointed by the Governor upon the advice and consent of the Senate for a term coterminous with the Governor. The joint resolution further provides that the General Assembly shall provide by law for the duties, compensation, and qualifications for the office and the procedures for removal from office.

 **H.3279 *PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO***

 ***THE SECRETARY OF STATE* Rep. T.R. Young**
This joint resolution proposes to amend the constitution so as to delete the Secretary of State from the list of State officers that the constitution requires to be elected. The joint resolution further provides that the Secretary of State must be appointed by the Governor upon the advice and consent of the Senate for a term coterminous with the Governor. The joint resolution further provides that the General Assembly shall provide by law for the duties, compensation, and qualifications for the office and the procedures for removal from office.

 **H.3280 *PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO***

 ***THE SUPERINTENDENT OF EDUCATION* Rep. T.R. Young**
This joint resolution proposes to amend the constitution so as to delete the Superintendent of Education from the list of State officers that the constitution requires to be elected. The joint resolution further provides that the Superintendent of Education must be appointed by the Governor upon the advice and consent of the Senate for a term coterminous with the Governor. The joint resolution further provides that the General Assembly shall provide by law for the duties, compensation, and qualifications for the office and the procedures for removal from office.

 **H.3288 *"UNIFORM PREMARITAL AGREEMENT ACT"* Rep. Gullick**

Among other things, this legislation outlines requirements for the execution, content, amendment or revocation of premarital agreements. The legislation includes provisions relating to the effect of marriage or a void marriage on the agreements, the enforcement of these agreements, and the limitation of actions with regard to these agreements.

 **H.3296** ***MORATORIUM ON RESIDENTIAL MORTGAGE FORECLOSURES***

**Rep. Sellers**

This joint resolution imposes a moratorium on residential mortgage foreclosures in this State for a period of one year except where the party bringing the foreclosure action states by affidavit that the mortgage lender did not steer the borrower into a subprime mortgage loan in certain circumstances.

 **H.3298** ***HANDGUNS* Rep. Sellers**

This bill provides that a person may lawfully stow a handgun under the seat of a vehicle.

 **H.3305** ***PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO***

 ***ELECTIONS BY SECRET BALLOT AND PROTECTION OF THE RIGHT***

 ***OF SUFFRAGE*** **Rep. Bedingfield**

This joint resolution proposes to amend the State Constitution so as to provide that the guarantee of the right to vote by secret ballot applies in required designations or authorizations for employee representation.

**LABOR, COMMERCE AND INDUSTRY**

 **H.3236 *USE OF CREDIT SCORES PROHIBITED IN ISSUING/RENEWING***

 ***AUTOMOBILE INSURANCE POLICIES OR DETERMINING PREMIUM***

 ***RATES* Rep. Funderburk**

This bill prohibits the use of credit score as a factor in refusing to issue or renew a policy of automobile insurance and prohibits the use of credit in determining automobile insurance policy premium rates.

 **H.3289 *CITY AND COUNTY ORDINANCES REQUIRED TO REASONABLY***

 ***ACCOMMODATE AMATEUR RADIO COMMUNICATIONS***

 **Rep. Kennedy**

This bill recognizes the value of amateur radio communications by requiring city and county ordinances regulating antennas to reasonably accommodate amateur radio communications.

 **H.3299 *“CUSTOMER CHOICE AND TECHNOLOGY INVESTMENT ACT OF***

 ***2009”* Rep. Sandifer**

This bill enacts the “Customer Choice and Technology Investment Act of 2009” in order to make the full range of competitive options and offerings available to customers of communications services while maintaining inflation‑based price controls for those existing customers who currently receive and wish to continue receiving only stand‑alone basic residential lines from traditional telephone companies.

 **H.3301 *RESTRICTIONS ON DEFERRED PRESENTMENT SERVICES***

 **Rep. Harrell**

This bill requires the Consumer Finance Division of the Board of Financial Institutions to implement a real‑time internet accessible database for deferred presentment providers to verify if deferred presentment transactions are outstanding for a particular person. The legislation prohibits a deferred presentment provider from entering into a deferred presentment transaction with a person who has an outstanding deferred presentment transaction or who has entered into an extended payment plan agreement. The legislation requires a deferred presentment provider to verify whether an individual is eligible to enter into a deferred presentment transaction. The legislation requires those applying for licenses to engage in the business of deferred presentment to provide certain information regarding extended payment plans. The legislation revises licensure requirements for deferred presentment providers, so as to prohibit a person from engaging in the business of deferred presentment services with a resident of South Carolina except in accordance with South Carolina statutory provisions. The legislation revises deferred presentment restrictions and requirements, so as to provide that the total amount advanced to a customer for deferred presentment or deposit, exclusive of permissible fees, may not exceed six hundred dollars.

 **H.3306 *DESIGNATED AVERAGE WEEKLY WAGE INCREASED FOR ALL***

 ***RURAL AND MUNICIPAL VOLUNTEER FIREMEN* Rep. Alexander**

This bill increases the designated average weekly wage for all voluntary firemen of organized voluntary rural fire units and voluntary municipal firemen from thirty-seven and one-half percent to sixty-six percent of the average weekly wage in the state for the preceding fiscal year.

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

 **H.3303 *OPTOMETRISTS* Rep. J. R. Smith**

The legislation outlines activities that constitute the practice of optometry as well as outlines surgical procedures that are not included in the practice of optometry. Among other things, it deletes provisions pertaining to the referrals to ophthalmologists and other optometrists and as well as optometrists performing surgery.

**WAYS AND MEANS**

 **H.3211 *CIGARETTE TAX INCREASE FOR CREATION OF THE MEDICAID***

 ***TRUST FUND AND THE HEALTH CARE ACCESS TRUST FUND***

 **Rep. Gunn**

This bill imposes a surtax on each cigarette in an amount of four and sixty‑five hundredths cents and provides for the crediting of the revenue from the surtax to a Medicaid Trust Fund and a Health Care Access Trust Fund created under the legislation. The legislation provides for the use of the Medicaid Trust Fund for additional coverage for the State Children’s Health Insurance Program to two hundred fifty percent of the federal poverty level and, with any excess funds, for Medicaid services to low income families with incomes up to one hundred percent of the prevailing poverty level. The legislation provides for annual reports on the Medicaid Trust Fund. The legislation establishes the Health Care Premium Assistance Program for the purpose of providing premium assistance in the average amount of two thousand dollars to an eligible individual toward the purchase of a qualifying health insurance plan. The legislation establishes eligibility requirements, provides for the certification process, defines the qualifying individually or employer‑sponsored insurance plans, and provides for administration and reporting by the Department of Insurance. The legislation creates the Health Care Access Program as a self‑sustaining and financially independent portion of the premium assistance pool, and provides for eligibility requirements, administration, operating guidelines, and reporting by the Department of Insurance.

 **H.3212 *SPECIAL PROPERTY TAX ASSESSMENT RATIO FOR ACTIVE DUTY***

 ***ARMED FORCES PERSONNEL RETAINED FOR RENTED RESIDENCE***

 **Rep. Gunn**

This bill provides that if a member of the Armed Forces of the United State, while on active duty in a combat zone, rents his owner‑occupied residence, that residence retains the special four percent property tax assessment ratio allowed the residence of an owner‑occupant.

 **H.3243 *COUNTIES AND MUNICIPALITIES REQUIRED TO BASE BUSINESS***

 ***LICENSE TAXES ON THE SIZE OF THE BUSINESS* Rep. Merrill**

This bill requires that a business license tax imposed on a business by a county or municipal government must be based on the size of the business and not on its gross income.

 **H.3246 *DIRECT EMPLOYEES OF THE SOUTH CAROLINA ATHLETIC***

 ***COACHES ASSOCIATION ELIGIBLE TO PARTICIPATE IN THE STATE***

 ***HEALTH AND DENTAL INSURANCE PLANS* Rep. Pinson**

This bill provides that direct employees of the South Carolina Athletic Coaches Association are eligible to participate in the state health and dental insurance plans.

 **H.3248 *CHARITABLE SOLICITATION USING A DONATION CLOTHING BIN***

 ***OR OTHER RECEPTACLE FOR THE COLLECTION OF THINGS OF***

 ***VALUE* Rep. Wylie**

This bill establishes additional permitting requirements for professional charitable solicitors using donation clothing bins and provides for enforcement and administrative penalties. The legislation revises definitions for purposes of the solicitation of charitable funds, so as to include solicitation by way of a donation clothing bin or other receptacle for the collection of things of value.

 **H.3266 *K-12 LOTTERY GAME* Rep. R. L. Brown**

This bill provides for additional funding for public K‑12 schools from the proceeds of a new designated lottery game to be named “The K-12 Game”.

 **H.3268 *TOLL ROADS* Rep. Cooper**

This bill revises provisions relating to the construction of toll roads. The legislation revises the method of disbursal of funds derived from tolls, defines the term “qualified toll project,” provides for the disbursal of funds derived from qualified toll projects, and provides when tolls collected from qualified toll projects shall cease. The legislation revises provisions relating to the Department of Transportation’s authority to enter into agreements to finance, construct, and maintain highways, roads, streets, and bridges, so as to provide guidelines for the department’s expenditure of funds on qualified toll projects and the setting of tolls along transportation facilities.

 **H.3272 *REAL PROPERTY TAX REVISIONS* Rep. Cooper**

This bill revises provisions relating to determining the fair market value of real property for purposes of the South Carolina Real Property Valuation Reform Act, so as to postpone the implementation of the transfer value of a parcel of real property unimproved since the last countywide reassessment program until the time of implementation of the next countywide reassessment program. The legislation requires the fifteen percent limit on increases in value to be calculated separately on land and improvements. The legislation revises provisions relating to the time an assessable transfer of interest occurs, so as to revise the penalty for failure to provide notice or failure to provide accurate notice to the assessing authority of business entity transfers. The legislation revises provisions relating to the classification and valuation of property for purposes of the property tax, so as to provide residential real property held in trust does not qualify as a legal residence unless a named individual beneficiary under the trust occupies the residence as that named beneficiary’s legal residence and that individual beneficiary’s name appears on the deed to the residence. The legislation requires social security numbers of applicants for the legal residence assessment ratio. The legislation revises continuing education requirements for assessors.

 **H.3284 *INCOME TAX DEDUCTIONS RELATING TO IMPROVEMENTS TO***

 ***REAL PROPERTY* Rep. Umphlett**

This bill revises provisions relating to taxable income for purposes of the South Carolina Income Tax, so as to allow the deduction of assessments other than property taxes imposed on real property in connection with providing services or potential services for the benefit of the property owner. The legislation allows the deduction of the charge for a permit, license, surcharge, or other fee required to be paid to a unit of government in connection with improvements to real property.

 **H.3290 *SALES TAX EXEMPTION FOR MACHINERY, TOOLS, AND PARTS***

 ***USED IN THE PRODUCTION OF ELECTRICITY FROM A RENEWABLE***

 ***ENERGY SOURCE* Rep. Stavrinakis**

This bill provides an exemption from the state’s sales tax for the proceeds of sales or the sales price of machinery, machine tools, and parts of them, used in the production of electricity from a renewable energy source such as solar, wind, tides, geothermal, and biomass.

 **H.3291 *PROPERTY TAX EXEMPTION FOR PROPERTY OWNED BY A***

 ***CHURCH BUT USED FOR RELIGIOUS PURPOSES BY ANOTHER***

 ***CHURCH* Rep. Skelton**

This bill extends the property tax exemption allowed churches to include property owned by a church but used for religious purposes by another church.

 **H.3293 *PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO REAL PROPERTY TAXES* Rep. King**

This joint resolution proposes an amendment to the South Carolina Constitution relating to property tax and the method of valuation of real property and the limits on increases in the value of real property for purposes of the property tax, so as to: require the General Assembly to provide by law a definition of “fair market value” for real property for purposes of the property tax; eliminate the fifteen percent limit on increases in the value of real property up to five years; and, eliminate an assessable transfer of interest as an event changing the value of the real property.

 **H.3294 *SURCHARGE TO FUND INFRASTRUCTURE IMPROVEMENTS AT***

 ***THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY IMPOSED ON***

 ***FINES AND OTHER MONETARY PENALTIES* Rep. A. D. Young**

This bill provides that, for the current fiscal year, an additional five dollar surcharge to fund infrastructure improvements at the South Carolina Criminal Justice Academy on all fines, forfeitures, escheatments, and other monetary penalties must be imposed for certain offenses. The legislation establishes a procedure for the collection and distribution of the surcharge revenues, and provides that the State Treasurer may request the State Auditor to examine the financial records of jurisdictions that collect the surcharges.

 **H.3300 *SICK LEAVE FOR PUBLIC SCHOOL EMPLOYEES WHO ARE***

 ***REEMPLOYED RETIREES OF THE SOUTH CAROLINA RETIREMENT***

 ***SYSTEM* Rep. Gullick**

This bill revises provisions relating to sick leave for full‑time public school employees, so as to provide that such employees who are reemployed retirees of the South Carolina Retirement System accrue and carry forward sick leave at the same rate and in the same manner as any other person employed by the district in a position requiring certification. The legislation provides that a district may not make a lump sum payment for unused sick leave accrued by these employees.

 **H.3304 *EXEMPTION FROM PROPERTY TAX INCREASES IN VALUE***

 ***ATTRIBUTABLE TO PERIODIC REASSESSMENT OF***

 ***OWNER‑OCCUPIED RESIDENTIAL PROPERTY ALLOWED FOR***

 ***HOMESTEAD EXEMPTION PROPERTY* Rep. Umphlett**

This bill exempts from property tax increases in value attributable to periodic reassessment of owner‑occupied residential property allowed the homestead exemption for persons over age sixty‑five years of age or who are totally and permanently disabled. The legislation provides for the duration of this exemption.

**The *Legislative Update* is on the Worldwide Web. Visit the South Carolina General Assembly Home Page (http://www.scstatehouse.gov) and click on “*Publications*," then click on “*Legislative Update*.” This will list all of the *Legislative Updates* by date. Click on the date you need*.* Also available on the website is a bill summary index, where bills referenced in one or more issues of the Legislative Update are listed in numeric order. Links to the specific text of the *Legislative* Update issue are provided in the bill summary index.**

***NOTE: THE LEGISLATIVE UPDATE IS AVAILABLE TO LEGISLATIVE TRACKING SUBSCRIBERS. YOU MAY REGISTER FOR THIS FREE SERVICE ON THE SOUTH CAROLINA GENERAL ASSEMBLY HOME PAGE BY CLICKING ON “BILL TRACKING & REPORTS” (UNDER “LEGISLATIVE RESOURCES”).***