**Vol. 36 May 7, 2019 No. 17**

**CONTENTS**

**HOUSE WEEK IN REVIEW 02**

**HOUSE COMMITTEE ACTION 04**

**BILLS INTRODUCED IN THE HOUSE THIS WEEK 13**

***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 amended and gave second reading approval to **H.3757**, a bill establishing the **WORKFORCE AND EDUCATION DATA OVERSIGHT COMMITTEE** to support the mission of the Coordinating Council for Workforce Development by collecting data from various state government agencies and institutions and analyzing the compiled data to improve the effectiveness of the state’s educational delivery system in providing economic opportunities. The legislation provides for WEDOC’s composition of key public officials in the areas of employment and K-12 and higher education. The Office of First Steps to School Readiness, the Department of Education, the Commission on Higher Education, the Department of Social Services, the Technical College System, the Department of Commerce, the Department of Employment and Workforce, the Education Oversight Committee, and other agencies of the state, as considered necessary by the General Assembly, that collect relevant data related to educational and workforce outcomes are required to submit that data to the Revenue and Fiscal Affairs Office so that it may be used by WEDOC to compose reports and provide analysis for policy makers. All information disseminated by these partner agencies to the office, committee, or external stakeholders must conform to state and federal privacy, security, and data breach laws and regulations. These include requirements for using data in aggregate form and preventing the reporting of data that may potentially be used to identify information relating to a specific individual. The legislation specifies that the data submitted remains under the ownership and direction of the agency submitting the data and prohibits the unauthorized release of collected data. A protocol is established for the immediate notification of the Governor’s Office in the event of any actual, probable, or reasonably suspected breach of security or any unauthorized access to or acquisition, use, loss, destruction, compromise, alteration, or disclosure of any information under the oversight of WEDOC.

The House returned **S.455**, the **“ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT”**, to the Senate with amendments. The legislation establishes a protocol that allows the Department of Labor, Licensing and Regulation to expedite the issuance of professional and occupational licenses to spouses of military personnel transferred to South Carolina when the spouse holds a professional or occupational license issued by another state that has similar requirements.

The House amended, approved, and sent the Senate **H.3915**, legislation clarifying the **ROLE OF DEPARTMENT OF SOCIAL SERVICES LEGAL REPRESENTATIVES**. The legislation revises provisions relating to DSS legal representation to provide that Department of Social Services legal representatives must ensure that the child’s welfare and safety are the predominant basis of all department recommendations and decisions pertaining to abuse and neglect proceedings.

The House approved **S.401**, a bill addressing **TRANSPORTATION IMPROVEMENT PROJECT COSTS**, and enrolled the legislation for ratification. This bill relates to construction in the state highway system and provides that an entity undertaking a transportation improvement project shall bear the costs related to relocating water and sewer lines within the Department of Transportation’s right‑of‑way. The bill provides the requirements for utilities to be eligible for relocation payments. Public utilities are grouped into: (1) small utilities which have 10,000 or less water taps or sewer connections and serves a population of 30,000 or less; and (2) large utilities which have more than 10,000 water taps or sewer connections and greater than 30,000 in population. The transportation project will pay 100 percent of the relocation costs for the smaller utilities. For larger utilities, the project will pay the relocation costs but cap the amount paid by the project at no more than 4.0 percent of the original contract bid. If a small and large utility are in the same project, the cap goes to 4.5%, but the small utility has all costs covered, which is subtracted from the 4.5%; any remainder goes to cover the large utility. To be eligible for payment of the relocation costs, the public utility must meet the Transportation Improvement Project’s bid and construction schedule. This involves public utilities early in the project planning and design and provides an opportunity to minimize and avoid relocation costs through project design. In addition, DOT must include metrics on utility relocation in its annual accountability report.

The House gave second reading approval to **S.109**, a bill making **REVISIONS TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT** that include provisions for electric fences. These electric fence provisions include height specifications, requirements for protective barriers and signage posted to provide warning, and requirements for these fences to be equipped with an energizer driven by a commercial storage battery that does not exceed an electric charge of twelve volts DC. Electric fences shall be permitted on any property that is not zoned exclusively for residential use.

The House amended and gave second reading approval to **H.4327**, a bill addressing the **APPLICATION OF CERTAIN BUILDING CODES ON FARM STRUCTURES**. The legislation provides that structures without a commercial kitchen used in an agritourism activity shall fall under the group A‑3 classification as defined in the 2015 International Building Code. Such structures may accommodate up to three hundred guests without installing a sprinkler system.

The House approved and sent the Senate **H.4152**, a bill to accommodate the **PLASTIC RECLAMATION OPERATIONS** of businesses that can accept discarded plastics unsuitable for various recycling initiatives and use a gasification or pyrolysis process to heat these post‑use polymers and recoverable feedstocks to break them down and convert them into such useful materials as oil, fuel, waxes, and lubricants. Solid waste policy and management provisions are revised to provide that post‑use polymers and recoverable feedstocks used in pyrolysis and gasification processes are classified as recovered materials, rather than solid waste, for the purposes of regulation by the Department of Health and Environmental Control. The legislation facilitates operations that use a gasification or pyrolysis process to heat plastics derived from industrial, commercial, agricultural, or domestic activities that may contain incidental contaminants or impurities, such as paper labels or metal rings, in order to convert them to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels. The legislation includes requirements for seventy‑five percent, by weight or volume, of the recovered material stored at a facility to be recycled, sold, used, or reused during a calendar year. Any material that is accumulated speculatively and not in accordance with these requirements must be handled as solid waste.

House Resolution **H.4169** was adopted to memorialize the United States Congress to approve the **UNITED STATES‑MEXICO‑CANADA AGREEMENT (USMCA)** in order to ensure continuity in trade among the three North American economic partners.

**HOUSE COMMITTEE ACTION**

AGRICULTURE, NATURAL RESOURCES AND

**ENVIRONMENTAL AFFAIRS**

The Agriculture, Natural Resources and Environmental Affairs Committee met on Tuesday, April 30, 2019, and discussed and reported out five bills.

**H.3471**, a bill dealing with the **EXPLORATION, DISCOVERY, COLLECTION, AND STORAGE OF OIL AND NATURAL GAS**, was given a favorable recommendation by the full committee. The legislation prohibits South Carolina, a state agency, and a political subdivision from deterring, impeding, or preventing the construction or use of property and infrastructure for Atlantic Ocean seismic testing as well as oil and gas drilling, exploration, transporting, refining, and storage.

The committee gave a favorable with amendment report to **H.3087,** legislation concerning **OFFSHORE DRILLING FOR OIL AND GAS**. The legislation prohibits South Carolina and any state agencies or political subdivisions from allowing/permitting/approving the use of property in South Carolina and infrastructure from involvement with oil and gas exploration and drilling as well as transportation and storage of Atlantic Ocean offshore oil and gas. The legislation does protect construction permits already in place.

**S.474**, a bill that provides **CATCH LIMITS FOR SPADEFISH** was given a favorable recommendation by the committee. Currently there are no regulations for spadefish. The legislation allows for a person to catch ten spadefish per day, with a limit of 30 for a whole boat per day. It also makes it unlawful to take spadefish less than 14 inches in length.

The committee gave a favorable recommendation to **S.475**, a bill that provides **CATCH LIMITS FOR TRIPLETAIL FISH**. The legislation allows for a person to catch three tripletail per day, with a limit of 9 for a whole boat per day. It is also unlawful to take tripletail less than 18 inches in length.

The committee gave a favorable with amendment recommendation to **S.575**, the **TURKEY HUNTING** legislation. Among many things, this bill revises that the season bag limit for male wild turkeys to be three statewide for residents and two statewide for nonresidents. The daily bag limit is one with specific timeframes for specific game zones. The bill states that it is unlawful for a person to take a female wild turkey unless authorized by the DNR.

The bill also revises the Youth Turkey Hunting Weekend to be the Saturday and Sunday preceding the start of a game zone turkey season. This weekend is for youth turkey hunters under the age of eighteen.

A license or tag requirement is waived for a youth turkey hunter during Youth Turkey Hunting Weekend.

The bag limit during Youth Turkey Hunting Weekend is one male wild turkey for the weekend that shall count towards the season bag limit. The bill also revises turkey tags fee.

**EDUCATION AND PUBLIC WORKS**

The Education and Public Works Committee met on May 1 and passed out nine bills.

The Committee amended and passed **H.4403** on **BULLYING**. This bill relates to bullying prohibition policies adopted by school districts, so as to provide procedures for responding to and remediating allegations of bullying, to require an appeals procedure, and to provide certain additional requirements of school districts and the Superintendent of Education. The bill added definitional language regarding interfering with a student's educational performance, opportunities, or benefits; substantially disrupting or interfering with the orderly operation of the school; and creating a hostile or intimidating environment in the school, on school property, on a school bus, or other activity vehicle, or at a school-sponsored event; and being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment. Also, language was added that requires schools to address the situation, such as procedures for responding to reports of harassment, intimidation, or bullying, which must: identify school and district personnel charged with addressing complaints and include written procedures for proper documentation of allegations at the school and district level; timelines for response to allegations; procedures for informing parents or guardians of the student alleged to have bullied; and procedures for informing parents or guardians of the student alleged to have been bullied. Also a school district shall adopt a policy for additional procedures that may include referrals for out of school mediation or counseling and a process for making such referrals to ensure that the parent or guardian has received the information. Also, the school districts are to include adopted policy disciplinary actions which may include, but are not limited to, imposing a series of graduated consequences that include alternative discipline. In determining the appropriate response to students who engage in bullying behavior, school administrators should consider the type of behaviors, the frequency and any pattern of behaviors, and other relevant circumstances.

The Committee amended and passed **H.3199** on ***FINANCIAL LITERACY PROGRAMS*.** This bill relates to instructional topics required in high school financial literacy programs, so as to require instruction on the topics of college and education loans, key loan terms, monthly payment obligations, repayment options, credit, and education loan debt.

The Committee amended and passed **H.3257** regarding ***COMPREHENSIVE HEALTH EDUCATION.*** This bill relates to instructional units required under the comprehensive health education act, so as to require the State Board of Education to develop certain age appropriate units concerning mental health and wellness.

The Committee amended and passed **H.3197**, ***STUDENT LOAN BILL OF RIGHTS ACT*.** This bill enacts the "Student Loan Bill of Rights Act" so as to provide for the regulation of student education loan servicers by the Commission on Higher Education. The bill also establishes a student loan ombudsman at the Department of Consumer Affairs and creates a licensure process for student loan servicers. Those duties are to receive, review, and attempt to resolve complaints from student loan borrowers including, but not limited to, in collaboration with institutions of higher education, student loan servicers, and any other participants in student loan lending including, but not limited to, originators servicing their own student education loans; compile and analyze data on student loan borrower complaints; assist student loan borrowers to understand their rights and responsibilities under the terms of student education loans; provide information to the public, agencies, members of the General Assembly, and others regarding the problems and concerns of student loan borrowers and make recommendations for resolving those problems and concerns; analyze and monitor the development and implementation of federal, state, and local laws, ordinances, regulations, rules, and policies relating to student loan borrowers and recommend any necessary changes. Also, to review the complete student education loan history for a student loan borrower who provides written consent for such a review; disseminate information concerning the availability of the student loan ombudsman to assist student loan borrowers and potential student loan borrowers, public institutions of higher education, student loan servicers, and any other participants in student education loan lending with any student education loan servicing concerns; and establish and maintain a student loan borrower education course within existing resources that includes educational presentations and materials regarding student education loans; provided the course must include, but is not limited to, key loan terms, documentation requirements, monthly payment obligations, income-based repayment options, and loan forgiveness and disclosure requirements.

The Committee amended and passed **H.4076**, **INSTITUTIONS' DUTIES AND POWERS*****.*** This bill provides that an agency or instrumentality in the executive branch of state government or a public institution of higher learning with a governing board or commission shall provide incumbent members of the board and new members of the board with a written document outlining the agency's, instrumentality's, or institution's statutory duties and powers. Also, in particular, regarding that document, the governing board or commission's statutory duties and powers, incumbent board members must sign within ninety days after the effective date of this section and which new board members must review and sign within ninety days after taking office. These signed documents must then be posted on the entity's website. Nothing in this section prohibits an entity internally from providing members of its governing board with further information in writing which the entity determines will assist its board members in executing the duties of their office.

The Committee amended and passed **H.4404**, **VETERANS NURSING DEGR****EE OPPORTUNITY.** This bill enacts the "Veterans Nursing Degree Opportunity Act"; and authorizes the development and implementation of Veteran Associate of Science in nursing degree programs and Veteran Bachelor of Science in nursing degree programs to enable military veterans with relevant military training and experience to expedite the transition from military life to a professional career in nursing.

The Committee amended and passed **H.4454**, **TOW TRUCK SAFETY**.This bill relates to the protection of tow truck operators so as to treat them the same as DOT employees and emergency scene personnel in traffic incident management scenes.  It relates to the offense of endangerment of a highway worker and penalties for a violation of this offense, so as to revise the definition of the terms "highway work zone" and "highway worker" and provides that the DOT must provide traffic incident management training to a driver of a wrecker or towing service vehicle free of charge.  The bill amends Work Zone statute so it also incorporates tow truck operators.  Clarifies that the Move Over law and Emergency Scene Management are not the same. Creates a stand-alone Move Over Law section and incorporates tow truck operators.

The Committee passed **H.3695**, **HIGH MILEAGE**. This bill relates to vehicles classified as private passenger motor vehicles, so as to provide that for the sole purpose of determining high mileage tax deductions, motorcycles and motorcycle three-wheel vehicles shall be classified as private passenger motor vehicles and if information is not available then it is deemed to be two-thirds of the average of private passenger motor vehicles.

The Committee passed **H.4336**, **COMMERCIAL MOTOR VEHICLES,** to the qualifications a person must possess to drive a commercial motor vehicle, so as to provide a person who has a commercial driver license is presumed to possess the qualifications to drive a commercial motor vehicle.

**JUDICIARY**

The Judiciary Committee met Tuesday, April 30, 2019 and reported out the following legislation:

Receiving a favorable report with amendments was **S.21**, **ADDING** **PUTATIVE** **FATHERS TO AMENDED** **BIRTH** **CERTIFICATES****.** Under this legislation, after appropriate courts determine that putative fathers are *bona fide* fathers, then children's birth certificates will have to be amended accordingly.

Also receiving a favorable report, as amended, was **S.105** **SPAY AND NEUTER** **PROGRAMS/ CRUELTY TO ANIMALS** **REFORM****.** This comprehensive legislation covers several areas of state law related to the proper care of domesticated pets. First, every four years, magistrates and municipal court judges will receive two hours of instruction on issues concerning animal cruelty. Second, penalties for cruelly tethering dogs are established. Citations for cruelly tethering dogs can be issued on a Uniform Traffic Ticket. Third, litters of unidentifiable dogs or cats, four months of age or younger, can be placed with specified organizations. Fourth, requires sterilization of stray cats. Fifth, people awarded custody of animals that have been ill-treated by, or otherwise removed from, owners, may file petitions with the court requesting that guilty defendants pay all reasonable expenses incurred by custodians. To recover, these custodians cannot have received any other compensation for their services. Sixth, establishes a special fund to support local animal spaying and neutering programs. Agencies may apply for up to $2,000 per grant application. They also can apply for multiple grants during any fiscal year. Any grants awarded must be fulfilled within six months. The South Carolina Department of Agriculture would encourage Tier 3 and Tier 4 counties to participate in this grant program. Seventh, this legislation allows out-of-state, licensed veterinary professionals to apply for an emergency limited license to practice veterinary medicine related to any disaster response efforts. Regarding dog and cat sterilizations, it replaces the term "animal refuge" with "rescue organization." As a final reform, this bill sets up animal shelter standards. Animal control officers would enforce these shelter standards. As part of these duties, they will investigate complaints against, and conduct inspections of, animal shelters.

Another bill given a favorable report was **S.181** **BIOLOGICAL PARENT INFORMATION FOR ADOPTIVE PARENT**S. Under it, biological parents could provide their personal medical history information--but no personally identifiable information--when they consent to an adoption, or when they or relinquish their parental rights to facilitate an adoption. It will then be made available to the prospective adoptive parents as well as the family court. An adoptee may see it once turning 18, or if good cause is shown, at an earlier age.

The Committee gave a favorable report to **S.196** **LIMITING** **MINOR** **MARRIAGES.** It repeals existing state law that permits an unmarried female and male under the age of 18 to get a marriage license when the female is pregnant, or has already borne a child.

They gave a favorable report to **S.281** **SERVICE** **ANIMAL FRAUDULENT PRACTICES.** This bill declares the intentional misrepresentation of a service animal in order to obtain a right, or privilege of any kind, to be a misdemeanor crime. Establishes penalties for violations.

A favorable report was given to **S.595** **NO** **SEX** **OFFENDERS** **AT** **CHILDCARE** **FACILITIES****.** Childcare facilities would be prohibited from hiring anyone registered, or required to be registered, on the national sex offender registry, state sex offender registry, or central registry of child abuse and neglect. Other convictions preventing this employment are also itemized. Other employees at these facilities must have had criminal records checks conducted on them. SLED and the FBI can retain, store, and share records. Establishes a fee for these criminal records checks.

The Committee voted a favorable report on **S.601** **FOSTER** **PARENT** **CRIMINAL** **RECORDS** **CHECKS****.** Under the provisions of this pending legislation**,** residential facility locations, where children in foster care may be placed, will be required to conduct criminal records checks on all of their employees.

The final legislation receiving a favorable report was **H.3309 SEXUAL ASSAULT KITS TRACKING SYSTEM.** It requires SLED to create and operate a statewide sexual assault kit tracking system.

**LABOR, COMMERCE AND INDUSTRY**

The House Labor, Commerce and Industry Committee met on Tuesday, April 30, and reported out several bills.

The committee gave a report of favorable with amendments on **S.455**, the **“ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT”**. The legislation establishes a protocol that allows the Department of Labor, Licensing and Regulation to expedite the issuance of professional and occupational licenses to spouses of military personnel transferred to South Carolina when the spouse holds a professional or occupational license issued by another state that has similar requirements.

The committee gave a favorable report on **S.109**, a bill making **REVISIONS TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT** that include provisions for electric fences. These electric fence provisions include height specifications, requirements for protective barriers and signage posted to provide warning, and requirements for these fences to be equipped with an energizer driven by a commercial storage battery that does not exceed an electric charge of twelve volts DC. Electric fences shall be permitted on any property that is not zoned exclusively for residential use.

The committee gave a report of favorable with amendments on **H.4327**, a bill addressing the **APPLICATION OF CERTAIN BUILDING CODES ON FARM STRUCTURES**. The legislation provides that structures without a commercial kitchen used in an agritourism activity shall fall under the group A‑3 classification as defined in the 2015 International Building Code. Such structures may accommodate up to three hundred guests without installing a sprinkler system.

The committee gave a report of favorable with amendments on **H.3455**, a bill that classifies **SWIMMING POOL INSTALLERS** as residential specialty contractors who are independent contractors who contract with licensed residential builders, general contractors, or individual property owners to do construction work, repairs, improvement, or reimprovement which requires special skills and involves the use of specialized construction trades or craft.

The committee gave a report of favorable with amendments on **S.359**, a bill establishing provisions for the licensure and regulation of **PHARMACY BENEFITS MANAGERS** by the Department of Insurance. The legislation revises provisions for prohibited acts for a pharmacy benefit manager that relate to such matters as charging unreasonable fees, engaging in misleading advertising, preventing pharmacists from making certain disclosures to insureds, and penalizing pharmacists for making such disclosures.

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

The Medical, Military and Public and Municipal Affairs Committee met on Tuesday, April 30, 2019, and reported out eight bills.

**S.463**, a bill allowing **PHARMACISTS TO EXERCISE JUDGEMENT IN DISPENSING MAINTENANCE MEDICATION UPON REFILLS**, was given favorable recommendation by the full committee. Also the bill does not apply to any medications for which a report is required under the prescription monitoring program.

**S.12,** legislation designating the third Wednesday in February of each year as **“BARBERS DAY”** in South Carolina, was given a favorable recommendation by the committee.

The committee gave a favorable with amendment recommendation to **S.16**, legislation that relates to **EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS**. Currently, under certain conditions, a pharmacist is authorized to dispense an emergency prescription refill of up to a 10-day supply of a medication once within a 12-month period. The bill increases the maximum amount of a medication that may be dispensed for an emergency prescription refill to a 14-day supply. If the qualifying medication is packaged in a way that it is not possible to dispense a 14-day supply, the pharmacist may dispense a 30-day supply. The bill also requires the pharmacist to label the medication as an emergency refill.

**S.132**, legislation that makes essential changes the **“PHYSICIANS ASSISTANT (PA) ACT OF 2019”**, was given a favorable recommendation by the full committee. A minority report was also provided. The legislation replaces the term, “physician assistant” with the term “PA” throughout the Act. It increases the total number of PA’s a physician may supervise from three to six. The legislation authorizes a PA, not limited to, provide non-controlled prescription drugs at free medical clinics for indigent patients; certify that a student is unable to attend school and may benefit from homebound instruction; order hospice services for a patient; and execute a do not resuscitate order. It also authorizes a PA to prescribe up to 5-day supply of a Schedule II controlled substance. The legislation also streamlines the Board of Medical Examiners’ approval process for a PA’s scope of practice guidelines. It deletes the prohibition for a PA to practice more than 60 miles from the supervising physician. And it further deletes other requirements allowing more flexibility for the practicing PA.

The committee gave a favorable recommendation to **S.277**, a bill allowing **SPEECH-LANGUAGE PATHOLOGY ASSISTANTS TO ADHERE TO THE RESPONSIBILITIES SET FORTH BY THE AMERICAN SPEECH LANGUAGE HEARING ASSOCIATION**. The bill also provides an exemption from licensure for an educator who is certified by the State Board of Education, including an educator certified as a speech-language therapist who is not licensed as a speech-language pathologist and does not hold a certificate of clinical competence in speech-language pathology credential from the American Speech Language Hearing Association. The bill also repeals a temporary provision that exempts applicants for licensure as a speech-language pathologist assistant from having to have a bachelor degree from a regionally accredited college or university if the applicant has a bachelor degree from a nationally accredited college or university. This provision expires July 1, 2019.

The committee gave a favorable report to **H.4202**, legislation requiring the Department of Health and Environmental control to issue upon receipt of certain documentation a **CERTIFICATE OF FOREIGN BIRTH FOR A CHILD WITH UNITED STATES CITIZENSHIP WHO IS BOARD IN A FOREIGN COUNTRY TO A PARENT WHO IS RESIDENT OF SOUTH CAROLINA**. Among a few things, the certificate must be labeled “Certificate of Foreign Birth”, showing the actual country of birth and the child’s name on the certificate must match the name on the evidence of US citizenship. The bill also requires DHEC to notify the adoptive parents of a person born in a foreign country who was a United States citizen at the time of birth the procedure for obtaining a revised Consular Report of Birth Abroad, rather than a revised birth certificate.

**H.4286**, a bill that requires the **PRESCRIPTION DRUG LABEL TO INCLUDE THE LOT NUMBER**, was given a favorable with amendment recommendation by the committee. The lot number can be labeled on the prescription drug label, the patient receipt, or the bar code.

The committee gave a favorable report to **H.4205**, legislation that provides for the **LICENSURE OF HAIR DESIGNERS**. This bill creates a limited license for a hair designer to specifically work with hair alone, which includes: arranging, styling, thermal curling, chemical waxing, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work on the hair, wig, or hairpiece of a person by any means with hands and mechanical or electrical apparatus or appliances. The legislation outlines that a hair designer license must be issued to a person who is at least 16 years old, has completed at least 10th grade or the equivalent and has completed 1200 hours in classes in hair design or is a registered master hair care specialist (barber).

**WAYS AND MEANS**

The Ways and Means Committee met on Tuesday, April 30, and reported out several bills.

The committee gave a favorable report on **S.530**, a bill providing for **CONSOLIDATED PROCUREMENT CODE REVISIONS**. The legislation provides for updates and revisions to the South Carolina Consolidated Procurement Code provisions for state government purchasing of goods and services. The revisions include the adoption of simplified procedures for the acquisition of commercially available off‑the‑shelf products, including higher dollar thresholds for agency purchases of those products, as a means of promoting efficiency and economy in contracting and avoiding unnecessary burdens for agencies and contractors by implementing acquisition policies that more closely resemble those of the commercial marketplace, encourage the acquisition of commercial items, and, where possible, allow use of terms and conditions accepted in the marketplace.

The committee gave a favorable report on **S.439**, a bill addressing **PORT CARGO VOLUME INCREASE TAX CREDITS AND PORT TRANSPORTATION CREDITS**. The legislationincreases the maximum annual amount of tax credits for port cargo volume increases available to all qualifying taxpayers from eight million to fifteen million dollars. The legislation establishes a schedule for phasing in a port transportation credit for the costs of transporting freight, goods, and materials to and from port facilities in South Carolina as a means of establishing a customer base for a new Jasper Port facility. The port transportation credit expires effective at the end of the calendar year in which a port in Jasper County is opened and is accepting shipments. Codifying a provision included in the last two general appropriation acts, the legislation provides that a port facility is a distribution facility for purposes of certain sales tax exemptions.

The committee gave a report of favorable with amendments on **S.309**, a bill addressing **PROFESSIONAL SPORTS TEAM INVESTMENTS**. The legislation revises job tax credit provisions to allow a professional sports team to be eligible for the tax credits for jobs created. The legislation prohibits a county from levying county license fees and taxes on a professional sports team, and prohibits a municipality from levying a business license tax on a professional sports team. The legislation provides that real property owned by a professional sports team may not be annexed by a municipality without prior written consent of the professional sports team.

The committee gave a report of favorable with amendments to **S.362**, a bill making provisions for an **INCOME TAX CREDIT FOR DEVELOPING SOLAR ENERGY COLLECTION FACILITIES ON POLLUTED PROPERTIES** that are found on the Environmental Protection Agency’s National Priority List, subject to a Voluntary Cleanup Contract with the South Carolina Department of Health and Environmental Control, or designated as compromised under certain other federal and state initiatives. The credit is equal to twenty‑five percent of construction and installation costs. A credit for each installation of solar energy property placed in service may not exceed two million five hundred thousand dollars. The tax credit applies to land that is owned by the Pinewood Site Custodial Trust.

The committee gave a favorable report on **S.227**, relating to a **NEW MUNICIPAL OPERATING MILLAGE**. The legislation establishes a protocolthat allows a municipality without an operating millage on January 1, 2019, or a municipality that incorporates after January 1, 2019, to impose an operating millage.

The committee gave a favorable report on **S.310**. This bill clarifies language pertaining to **UNSTAMPED OR UNTAXED CIGARETTES**, to provide that they are contraband goods which may be seized by the Department of Revenue or any law enforcement agency of the state without a warrant. The bill further clarifies that seized cigarettes must be delivered to the Department of Revenue.

The committee gave a favorable report on **S.318**, the **“SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT”**. The legislation establishes the Trust Fund for Performance Accountability to fund pay-for-success contracts, whereby the state contracts with a private‑sector organization to achieve specifically defined measureable outcomes in which the state pays only to the extent that the desired outcomes are achieved.

The committee gave a favorable report on **H.3984**. This bill revises provisions for employer and **EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM** to provide that an employer, up to certain limits, may elect to pay all or a portion of required employee contributions during a fiscal year.

The committee gave a favorable report on **S.76**. This bill makes provisions for **EXTENDING THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM** for five additional years.

The committee gave a report of favorable with amendments on **S.314**, a bill making provisions for **MEDICAL CARE TRAINING INCOME TAX CREDITS**. The legislation affords an income tax credit for clinical rotations served by a physician, advanced practice nurse, or physician assistant as a preceptor for public teaching institutions and independent institutions of higher learning.

The committee gave a favorable report on **S.329**, a bill providing an **EXTENSION FOR TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT** so that these provisions are set to expire on January 1, 2022.

The committee gave a favorable report on **S.408**. In light of recent court rulings, this legislation revises provisions for the **TAXATION OF CABLE SYSTEM OPERATORS** so that they are afforded parity with satellite service providers.

The committee gave a favorable report on **S.323**. This bill allows the Department of Revenue to submit certain information to a financial institution regarding a **DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT** and requires the financial institution to provide certain information to the department.

The committee gave a favorable report on **S.440**. This bill revises provisions of **THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT** to provide that a certain cap on rehabilitation expenses only applies to certain rehabilitated buildings on contiguous parcels.

The committee gave a favorable report on **S.621**. In accordance with recent changes in federal law, this bill revises provisions relating to the **ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS**, so as to provide for certain public notice requirements.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

 **H.4501 *DISTRIBUTION OF LOW THC HEMP EXTRACT* Rep. Hewitt**

This bill adds that Low THC Hemp Extract can be distributed if it has been approved by FDA or DEA as a prescription or over the counter drug or if it satisfies the independent testing and packaging requirements of this provision. The bill outlines that “Low THC Hemp Extract” means a substance or compound that is derived from industrial help, contains an acceptable federally defined THC level of hemp and does not contain any other controlled substances.

 **H.4504 *WASTE TIRE MANAGEMENT* Rep. Davis**

This bill outlines that the Department of Health and Environmental Control shall regulate the management of waste tires. Among many things, the department shall suspend a waste tire processing facility from accepting waste tires when the department determines that the permitted capacity at the facility is exceeded.

**EDUCATION AND PUBLIC WORKS**

 **H.4505 *CONDITIONAL DRIVER’S LICENSE* Rep. Cox**

This bill relates to conditions for the issuance of a conditional driver’s license and a special restricted driver’s license, so as to provide that the completion of four hours of volunteer litter clean‑up work with a DOT and Palmetto Pride approved Adopt‑a‑Highway program is a condition for the issuance of both licenses.

**LABOR, COMMERCE AND INDUSTRY**

 **H.4516 *DISALLOWING LOCAL GOVERNMENT PROHIBITIONS ON RENTING RESIDENTIAL***

 ***DWELLINGS TO SHORT‑TERM GUESTS* Rep. Hewitt**

This bill provides that a governing body of a municipality, county, or other political subdivision of the state may not enact or enforce an ordinance, resolution, or regulation that prohibits the rental of a residential dwelling to a short‑term guest. The legislation provides penalties for violations.

 **H.4531 *COMPOSITION OF THE PUBLIC SERVICE COMMISSION* Rep. Magnuson**

This bill revises provisions relating to the composition of the Public Service Commission, so as to provide that beginning with the 2022 General Election, seven members of the Public Service Commission must be publicly elected by the qualified electors of South Carolina.

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

**H.4522 *VOLUNTEER SCHOOL PERSONNEL WHO HAVE BEEN TRAINED BY A REGISTERED***

 ***NURSE TO ADMINISTER INSULIN TO CERTAIN STUDENTS***

 **Rep. G. M. Smith**

The bill outlines that licensed registered nurse employed by a school district or other health care professional annually shall train volunteer school personnel designated as care providers in a health plan of a student to administer glucagon or insulin, or both, to a student with diabetes.

**WAYS AND MEANS**

 **H.4490 *REPEALING FORT WATSON MEMORIAL AND FAMILY WEEK PROVISIONS***

 **Rep. Clary**

This bill repeals provisions relating to the Fort Watson Memorial and “Family Week in South Carolina”

 **H.4532 *SALES TAX REFORM* Rep. Pope**

This bill makes comprehensive revisions to sales tax provisions to: reduce the state sales tax rate to three percent; include the sales of services; revise sales tax exemptions, so as to remove the exemption on certain items; create the “Tax Reform Reserve Fund” which only may be used to cover any loss of sales tax revenue resulting from a decreased sales tax collections; create a circuit breaker so if the projected fiscal year’s sales tax collection estimate is less than the last completed fiscal year, the rate reduction is halted; and, proportionally reduce local sales and use taxes in the same manner as the state sales and use tax. Overall, this lowers the rate to 3% by FY 23-24 (3% for all goods, services and former exemptions). The rate is reduced by a percent to 5% in FY 21-22 and then one percent each year over the last two years (FY 22-23, 23-24).

**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 Updates*." 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 "TRACK LEGISLATION" (ON THE VERTICAL MENU BAR).***