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## 

**House Floor Actions**

**(March 28 - 30, 2023)**

**H. 4060** passed the House and was sent to the Senate. The bill is a product of the House’s State Economic Development and Utility Modernization Ad Hoc Committee. The bill addresses improvements in the delivery of workforce education in K-12 and higher education. The following provisions are included in the bill:

The bill codifies the state’s **workforce readiness** goal of at least 60 percent of all working-age South Carolinians having a postsecondary degree or recognized industry credential before 2030.

The State Department of Education (SDE) must ensure that all public high schools provide remedial courses in language and math for students in their senior year of high school who desire to pursue postsecondary education but are not ready for college-level coursework. The courses will be counted as elective credits. The State Board for Technical and Comprehensive Education (SBTCE) must approve the courses adopted by SDE.

Each high school senior must complete and submit a Free Application for Federal Student Aid (FASFA) before graduation. Students are exempt from this requirement if their parent or guardian declines to complete the form, the school counselor exempts them for good cause, or a student who is 18 years of age exempts themselves.

Development and housing of the Educator Preparation Report Card is transferred from the Commission on Higher Education (CHE) to the State Department of Education.

CHE’s Advisory Committee on Academic Programs must develop a statewide postsecondary articulation agreement for dual enrollment courses between all school districts and higher education institutions. The agreement must ensure that dual enrollment courses are equivalent to collegiate courses and supersede all previous local dual enrollment agreements. Dual enrollment may be offered to students in the tenth through twelfth grades. The section also provides that CHE and SBTCE must implement policies guaranteeing students who have earned an associate of arts (AA) degree or an associate of science (AS) degree from a public two-year college will receive a minimum of 60 transfer credit hours at a public college or university and be considered part of the junior class. Additionally, public four-year colleges and universities must create a reverse transfer option for public two-year college students who enroll without completing an AA or AS degree. Once coursework is completed at the four-year college, credits earned may be transferred back to the originating public two-year college.

The Department of Employment and Workforce (DEW) must provide online access to information regarding the economic value of college majors. In addition to showing the economic value of each major offered in South Carolina, DEW must also compare the bachelor’s degrees earned to job availability. DEW may expand its report to include master’s and doctoral degrees.

SBCTE and the State Board of Education must provide a report to the General Assembly before July 1, 2024, determining how to best transfer adult basic education and adult secondary education from the State Board of Education to the SBCTE.

**H. 3295** was amended, passed by the House, and sent to the Senate. The bill allows the State Board of Education to waive applicable laws and regulations if a district is successful in its application to start a competency-based school. When applying, districts must ensure **Competency-Based Education (CBE)** for all students in a selected school and show parental consultation regarding implementation. The bill states the following Competency-Based Education core principles: learning outcomes must emphasize competencies identified in the Profile of the Graduate; competencies must be explicit, measurable, and transferrable; students must master competencies along a personalized and flexible pathway before advancing; assessments must be meaningful and used to personalize learning experiences; and, students must receive timely and personalized support based on their learning needs.

Competency-Based schools cannot be exempted from anti-discrimination laws, or health, safety, civil rights, and disability rights requirements, and state and federal assessment requirements may not be waived. All eligible students must be allowed to attend, and schools may not limit, deny, or show preference in admission. The State Department of Education (SDE) shall create evaluation criteria, and schools must submit data for a biennial review. The State Department of Education shall establish a definition for competency-based education that must be published on the website of each school district that implements this system of education. If a school does not perform as expected, SDE may request revocation of the waiver if concerns are not alleviated. State and federal assessments are still required. CHE and the State Tech Board must establish policies providing fair and equitable access to admission, scholarships, and financial aid for students with Competency-Based credit or diplomas.

Students may earn credits for the successful completion of courses through traditional means or a competency assessment that shows mastery of standards. This may include methods and documentation such as tests, interviews, peer evaluations, writing samples, reports, or portfolios. When awarding credit "a greater emphasis shall be placed on a student's mastery of course material rather than completion of predetermined time allotments for courses." Unless waived, schools must still ensure that at least 1,080 instructional hours are completed during the year.

**H. 3843** was amended, passed by the House, and sent to the Senate. The bill amends statutes regarding **students attending public schools outside their attendance zone and school district**. The bill also directs school boards to adopt an **open enrollment** policy by the 2023-24 school year that is based on the requirements set forth in the legislation, and the State Department of Education (SDE) must develop a template to assist districts. SDE is also required to include all district open enrollment policies on its School Choice website portal, and annually report to the State Board and chairs of the House Education and Public Works Committee and Senate Education Committee.

A district open enrollment policy shall adhere to federal desegregation and other education requirements and be posted prominently on its website. Among the items to be posted are the following: a description of the application requirements and timeline; a method for allowing parents to declare school preferences; lottery and waitlist policies; whether a nonresident fee will be charged to cover costs of enrollment; and, whether there is a fee waiver or mitigation process.

Districts are not required to transfer local funds for students enrolling elsewhere. Districts may, but are not mandated to, alter the structure of the school to create more space. Programs may be established, changed, or expanded and eligibility criteria may be waived. Also, transportation may be provided to students outside of their attendance zones. Existing students may not be displaced due to transfers. Enrollment policies for students transferring from outside the attendance zone or district must be established using the following hierarchy:

1. Students who meet the program or school's requirements and seek to attend the designated school in the district's feeder pattern.

2. Siblings of students who reside in the same household and are already enrolled in the school.

3. Students whose parents or guardians are assigned to the school as their primary place of employment.

4. Students selected by lottery.

District policies may not have the purpose or effect of causing racial discrimination.

Districts that deny enrollment must do so in writing and include specific reasons for the decision. Denial may occur only in the following situations: a documented lack of capacity in the school, level, or program; the school does not offer the program; the student does not meet established eligibility requirements for the program; or there is a desegregation plan in effect for the district and denial is necessary for compliance.

Finally, a state law that defines eligibility for public school attendance is amended to conform with the changes made in the bill. Included in the changes is the termination of the provision that allows students to gain residence by owning real property in a school district. The property will have to have been owned on or before June 30, 2024.

The House passed and sent to the Senate **H. 4023,** whichseeks to change the **First Steps to School Readiness Act,** making it permanent and stating that future reauthorizations are not required. Future Executive Directors of the Office of First Steps to School Readiness must be appointed by the Governor with the advice and consent of the Senate. Directors serve at the pleasure of the First Steps Board of Trustees.

The bill revises the composition, appointment process, and terms of membership for local First Steps Partnership Boards (as well as provides for the termination of certain current board members and the transition of certain tasks by local partnerships). The bill also includes provisions related to the administration of local partnerships, including establishing multicounty partnerships and developing and adopting a standard fiscal accountability system for local partnerships. It also requires all publicly funded early childhood serving agencies and entities to participate in certain data-sharing initiatives supported by the advisory council.

Other changes proposed by the bill include adding the Director of the Department of Mental Health as a trustee to the First Steps Board of Trustees, revising data governance policies, providing for certain activities to build parent knowledge, and requiring the development, implementation, and review of an overall strategic plan by the First Steps advisory council.

The Senate will be receiving **H. 3682,** proposed legislation to better facilitate **Levying on Seized Animals for Care Costs** in the ill-treatment of animal cases, after it passed the House this week. Before defendants could be held responsible for paying costs incurred while their charges were pending, required hearing procedures with prior notice would have to be met under this proposed bill. A surety or bond for animal care could be required. The entity housing these seized animals would receive reimbursement for the care they provided while these charges were pending. As amended, animal owners found innocent of any ill-treatment of animal charges made against them would receive full reimbursement of all related care costs they fronted during the pendency of these charges.

**H. 4066, State Executive Committee Election Protests**, is also headed to the Senate after passing the House**.** This proposed legislation would limit state conventions to a maximum of 943 delegates. The state executive committee would hear all election protests and could require protest bonds to be posted by anyone contesting an election. Before doing so, however, they would have to pass an appropriate resolution prior to that election being held. Bonds are proposed to be capped at $750. Successful protests would mean any bond posted would be returned to its poster.

The House passed **H. 3359** and sent it to the Senate. Those House amendments made minimal changes regarding highway crossing and helmet requirements. **H.** [**3359**](http://scstatehouse.gov/billsearch.php?billnumbers=3600&session=124&summary=B) extensively addresses the subject of **utility terrain vehicles (UTV)**. This bill defines the term utility terrain vehicle and provides for the registration and operation on highways and streets (to include side-by-side, four-wheel drive, off-road vehicle, transporting individuals and cargo or both, tires, width, steering, and seating). The bill also addresses speed and engine power parameters to ensure they are over the size of UTVs designed for young people.

UTVs must be registered like passenger vehicles. They would be exempt from county property tax and subject to registration renewal biennially. They are subject to user fees for electric, hydrogen, and fuels other than motor fuel. Other requirements are an unobscured license plate, registration, proof of ownership, liability insurance, and a ten-dollar biennial fee. UTVs may only travel on roads with a fifty-five-mph speed limit or less, but UTVs may cross at an intersection where the road has a posted speed limit of more than fifty-five miles an hour. It may be operated on an island road not accessible by a bridge designed for use by an automobile. An operator must be at least sixteen years old and hold a valid driver's license. The operator must have in his possession while operating on a street or highway: a license plate and registration certificate, proof of liability insurance, and driver's license. The vehicle may only be driven during daylight hours if the operator is sixteen and holds a conditional driver's license. Registered UTVs may not be operated by anyone who holds a beginner's permit holder, even if accompanied by a licensed driver, a moped operator's permit, a temporary alcohol license, a route restricted license, a provisional driver's license, or solely a motorcycle license. No child under eight years old may be a passenger in a registered UTV while operating on a road. Drivers and passengers are required to have helmets and goggles. Registered UTVs must be equipped with Type 2 seat belt assembly (pelvic and upper torso restraints), operable headlights, brake lights, taillights, and turn signals. Drivers and passengers of a registered UTV, while being operated on a roadway, must wear a fastened safety belt.

SC DMV must not register or renew the registration of a UTV unless a certificate of title has been issued to the owner or an application delivered by the owner to SC DMV. The SC DMV may require a bill of sale, invoice, or other sales document to properly title. Certificates of titles issued under this subsection must be branded "off-road use only. This act takes effect one year after approval by the Governor.

The House amended, approved, and sent the Senate **H. 3952**, a bill revising the **administrative authority of the Department of Consumer Affairs relating to motor vehicle dealers** under the state’s Consumer Protection Code. The legislation revises Consumer Protection Code provisions addressing motor vehicle sales contracts and the closing fees charged by dealers to recover their actual costs for all administrative and financial work needed to transfer and deliver the motor vehicle to the consumer. The legislation revises the criteria that the Department of Consumer Affairs utilizes to determine if a dealer’s closing fee is considered reasonable. In administering and enforcing these provisions, the department is charged with promoting education for consumers and best practices for dealers and mediating complaints between a consumer and a dealer, whenever possible

In conducting its administrative and enforcement responsibilities, and in any review or investigation of dealers, the Department of Consumer Affairs must: (a) have probable cause to believe, based on a consumer complaint or other credible evidence, that the dealer has violated a Consumer Protection Code provision; (b) prior to contacting the dealer’s employees or visiting the dealer’s business premises, present the dealer with written notice of any cause or complaint which necessitates any department review or investigation and any request for records necessary to conduct the review or investigation; (c) allow the dealer to cure any unintentional Consumer Protection Code violation within sixty days of notice from the department; and, (d) close its investigation into the complaint and pursue no further administrative action on it once the complaint has been cured. A dealer is considered to be in substantial compliance if the consumer receives a clear and prominent disclosure of the closing fee in the sale or lease transaction and was not misled by any other failure to comply with other requirements. A dealer may not be held liable in any action for a Consumer Protection Code violation if the dealer shows by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid the error.

The House amended, approved, and sent the Senate **H. 3782**, a bill revising statutes governing telephone, cable television services, and other telecommunications public utilities to specify that **video streaming services** are not subject to the franchise fees that local governments charge for the use of public rights of way.

The House approved and sent the Senate **H. 3977**, a bill facilitating **property and casualty insurance policies** that are posted on a website. The legislation establishes conditions under which an insurer may post a standard property and casualty policy or endorsement, that does not contain personally identifiable information, on its website instead of mailing the document to the insured. Should an insurance company exercise its option to post e-policies online, the insured must still be able to obtain, upon request, a paper copy of the policy without charge.

The House concurred with Senate amendments and enrolled for ratification **H. 3312**, legislation that creates the **Child Food and Nutrition Services Study Committee**. This 17-member study committee is to examine the advisability of transferring the administration of certain national food and nutrition programs and initiatives currently administered by the State Department of Education to the State Department of Agriculture. These programs include but are not limited to, the school lunch program, school breakfast program, afterschool snack program, special milk program, and summer food service programs.

In addition, the legislation provides for the membership that includes appointees from governmental and legislative agencies along with two members who have a child that is a recipient of free and reduced lunch and two members from a local school district's food services department. The legislation outlines that the committee shall make a report of its findings and recommendations to the General Assembly by January 1, 2024, at which time the study committee terminates.

To protect farmland in South Carolina, the House amended, approved, and sent to the Senate **H. 3951**, legislation that gives landowners another option for protection by creating the **Working Agricultural Lands Preservation Program**. The purpose of the program is to give landowners another option for protection by identifying and providing permanent protection to strategically significant working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector. The bill creates an eight-member committee, each serving two years, to administer the program. The bill provides for the criteria for the selection of committee members.

In addition, the program is to create a fund for qualifying projects under this program. The fund's purpose is to complement agricultural projects funded by the South Carolina Conservation Bank and cooperating entities by creating a matching grant payment for qualified projects. The committee will evaluate and verify whether proposed project applications qualify for the program, as well as designate the amount of program funds to be applied to a qualified project. Funds shall be awarded only for qualified projects which result in the permanent protection of agricultural lands. The bill provides criteria for funding projects. The bill also states that elected or appointed officials and their immediate family members are not eligible to participate in the program. This provision takes effect upon approval by the Governor and is contingent upon funding in the General Appropriations Act.

**H. 4120** passed the House and was sent to the Senate. This bill would create an "**Illegal Immigration Enforcement Unit**" within the South Carolina Law Enforcement Division (SLED). The proposed bill also includes provisions for the administration and duties of the unit, including the requirement for it to enter into a memorandum of agreement with the United States Immigration and Customs Enforcement (ICE) agency.

## 

## Committees

**Education and Public Works**

**H. 3414,** prohibiting motor **vehicle modifications** that result in the motor vehicle’s front fenders being raised four or more inches above or below the height of the rear fenders, passed full Education Committee and was sent to the House. This provision sets forth regulations for passenger motor vehicles, including pickup trucks. It prohibits the **alteration of the suspension, frame, or chassis of a vehicle** in a manner that causes the height of the front fender to be raised or lowered more than four inches above or below the height of the rear fender. The measurement of the fender height is taken vertically from the ground, through the centerline of the wheel, and to the bottom of the fender. Violation of this provision is considered a misdemeanor offense, and a person convicted of a first offense may be fined $100. A second offense may result in a fine of $200, and a third offense may result in a fine of $300 *and* a twelve-month suspension of the offender's driver's license by the Department of Motor Vehicles. The provision also specifies that only offenses occurring within five years of each other, including and immediately preceding the date of the last offense, shall constitute prior offenses under this section.

The Education Committee sent **H. 4023** to the House. The bill seeks to change the **First Steps to School Readiness Act,** making it permanent and stating that future reauthorizations are not required. The bill revises the composition, appointment process, and terms of membership for local First Steps Partnership Boards (as well as provides for the termination of certain current board members and the transition of certain tasks by local partnerships). The bill also includes provisions related to the administration of local partnerships, including establishing multicounty partnerships and developing and adopting a standard fiscal accountability system for local partnerships. It also requires all publicly funded early childhood serving agencies and entities to participate in certain data-sharing initiatives supported by the advisory council.Other changes proposed by the bill include adding the Director of the Department of Mental Health as a trustee to the First Steps Board of Trustees, revising data governance policies, providing for certain activities to build parent knowledge, and requiring the development, implementation, and review of an overall strategic plan by the First Steps advisory council.

The House passed **H. 3359** and sent it to the Senate. **H.** [**3359**](http://scstatehouse.gov/billsearch.php?billnumbers=3600&session=124&summary=B) addresses the subject of **utility terrain vehicles (UTV)**. This bill defines the term utility terrain vehicle and provides for the registration and operation on highways and streets (to include side-by-side, four-wheel drive, off-road vehicle, transporting individuals and cargo or both, tires, width, steering, and seating). The bill also addresses speed and engine power parameters to ensure they are over the size of UTVs designed for young people.

UTVs must be registered like passenger vehicles. They would be exempt from county property tax and subject to registration renewal biennially. They are subject to user fees for electric, hydrogen, and fuels other than motor fuel. Other requirements are an unobscured license plate, registration, proof of ownership, liability insurance, and a ten-dollar biennial fee. UTVs may only travel on roads with a fifty-five-mph speed limit or less, but UTVs may cross at an intersection where the road has a posted speed limit of more than fifty-five miles an hour. It may be operated on an island road not accessible by a bridge designed for use by an automobile. An operator must be at least sixteen years old and hold a valid driver's license. The operator must have in his possession while operating on a street or highway: a license plate and registration certificate, proof of liability insurance, and driver's license. The vehicle may only be driven during daylight hours if the operator is sixteen and holds a conditional driver's license. Registered UTVs may not be operated by anyone who holds a beginner's permit holder, even if accompanied by a licensed driver, a moped operator's permit, a temporary alcohol license, a route restricted license, a provisional driver's license, or solely a motorcycle license. No child under eight years old may be a passenger in a registered UTV while operating on a road. Drivers and passengers are required to have helmets and goggles. Registered UTVs must be equipped with Type 2 seat belt assembly (pelvic and upper torso restraints), operable headlights, brake lights, taillights, and turn signals. Drivers and passengers of a registered UTV, while being operated on a roadway, must wear a fastened safety belt.

SC DMV must not register or renew the registration of a UTV unless a certificate of title has been issued to the owner or an application delivered by the owner to SC DMV. The SC DMV may require a bill of sale, invoice, or other sales document to properly title. Certificates of titles issued under this subsection must be branded "off-road use only. This act takes effect one year after approval by the Governor.

**JUDICIARY**

The House Judiciary Committee met last week and reviewed several bills.

House Judiciary voted a favorable report with amendment on **H. 3514**, the **"South Carolina Equine Advancement Act."** Among many things, this bill would set up a South Carolina Equine Commission. It would be chaired by our Department of Revenue Director. They will select and oversee up to three entities in South Carolina that would operate parimutuel betting entities for equestrian activities. Five percent of the ten percent licensing fee would be retained by this commission to cover operation costs as a division within the South Carolina Department of Revenue. Remaining fees from this portion would be used to set up a grant program to assist the growth and development of the equine industry in South Carolina.

**H. 3267,** a bill to confirm our **Secretary of State Public Charities Division** as the single authority with oversight of these entities, received a favorable report. By doing so, it would repeal outdated SC Code Section 1-7-117 that references a Division of Public Charities as part of our Attorney General's office operations. These organizations are currently being monitored by our Secretary of State and have been since 1998.

**H. 3865** received a favorable report. It is proposed to set out **Additional Optional Coroner Candidate Qualifications.** Under existing state law, all candidates for coroner must meet all standards set out on a list of minimum qualifications in order to serve. In addition to these minimum qualifications, they also must have at least one qualification from a second list of qualifications. This bill would add anyone with three years’ experience as a licensed paramedic to this second list as a potential, additional qualification to become a coroner.

Also receiving a favorable report with amendment was **H. 3500** proposed legislation for **Identifying Drafters of Real Estate Mortgages, Deeds, and Related Documents.** Once enacted, preparers of real estate-related mortgages, deeds, and related documents prepared after December 31, 2023, would have to include the name of the document preparer, or the name of the South Carolina licensed lawyer who handled the closing. Absent this information appearing on these documents, registers of deeds and clerks of court could refuse to file them.

**H. 3553** a bill to remove **Adoption Waiting Periods** was voted out with a favorable report. This bill would eliminate the existing statutory 90-day waiting period. Adoptions would still have to be completed within six months of the adoption petition being filed. Adoptions of special needs children would be allowed up to twelve months for completion.

Also given a favorable report was **H. 3554** a bill to establish **Family** **Court Judicial Discretion to Waive Pre- and Post-Placement Adoption Reports.** If enacted,family court judges would be given the ability to waive pre- and post-adoption report requirements in these proceedings, and upon a proper petition being made to them.

A favorable report with amendment was given to **H. 3555** proposed legislation **Adoption Reforms for Children in SC Department of Social Services (SC DSS) Custody.** This bill represents an effort to speed up adoptions and permanent placement of children that are in DSS custody. As amended, relatives and fictive kin would be added into the mix of potential adopters of minors in DSS placements. In addition, in termination of parental rights hearings involving pending DSS cases, permanent placement planning matters could be heard at the same time. DSS also could pursue adoption final hearings to be held within thirty days after filing adoption petitions.

**H. 3556**, proposed to modify existing state **Infant Safe Havens Law**, was voted a favorable report. This bill would modify existing law to allow permanency planning hearings to include termination of parental rights determinations at the same time. Parents would be given notice they have a right to appear at these hearings and assert their parental rights.

A favorable report was voted on **H. 3557** proposing **Child Abandonment Reforms**. **SC Department of Social Services (**SC DSS) would have to consent to the adoption in cases involving abandonment of a child. Abandonment of a child would be more specifically defined as incidents where a parent or guardian wilfully deserts a child, or wilfully surrenders physical possession of a child without making adequate arrangements for this child’s needs or for the continuing care of this child. The consent of the parent who abandoned the child would not be required in subsequent proceedings.

**H. 3558** proposed legislation for **Prerequisite Safety Plans Prior to Child Placement in SC Department of Social Services (SC DSS) Removal Cases and** was given a favorable report. Before any child could be placed outside of their home, DSS and interested parties, including relatives and fictive kin, to any such placement would all have to sign off on a safety plan and any treatment plans for the child under this proposal. These plans would have to be developed within three days of the child being removed. DSS would have to continually assess the appropriateness of its safety plan and monitor for compliance with it. Courts would retain authority to place children in these situations on an expedited basis. Records of probable cause hearings could be held open for up to 72 hours. In addition, emergency placements of children in these expedited matters could last up to 10 days as well.

The final bill given a favorable report was **S. 380** covering **Legal Guardianships With Supplemental Benefits.** In cases where adoption or other permanent placement of a minor with another family simply will not work, this pending legislation would allow, among other things, permanent legal guardianships to be established. Procedures for obtaining an appropriate court order in these cases are set out. Also in the bill are the responsibilities these legal guardians that can include fictive kin would assume upon being so appointed. A monetary fund would be established and administered by **SC Department of Social Services (**SC DSS) to pay benefits to these legal guardians. This legislation would put South Carolina in tandem with similar federal legislation and programs, entitling SC DSS to qualify for federal funding for these placements, where appropriate.

**Medical, Military, Public and Municipal Affairs Committee**

The Medical, Military, Public and Municipal Affairs Committee met on Tuesday, March 28, 2023, and reported out five bills.

The committee gave a favorable with amendment report to **H. 3138**, a bill dealing with the disposal of **abandoned aircraft** by an airport manager. The bill provides requirements for the notification and sale process for an airport manager of a publicly owned or public-use airport when it is determined an abandoned aircraft, or a derelict aircraft is located on the premises of the airport. The bill applies to publicly owned aircraft. It also increases the timeframe for which an abandoned aircraft (due to being wrecked, or in partially dismantled condition) be located or stored on the premises from 60 days to 120 days. In addition, a "derelict aircraft" means any aircraft that is located or stored on the premises of an airport for at least 180 days. Also, the bill outlines that the courts must establish ownership before any court-ordered sale or transfer of the aircraft.

The committee gave a favorable with amendment recommendation to **H. 3691,** legislation stating that a  **coroner,** deputy coroner, or coroner's designee may administer an opioid antidote in accordance with the requirements of the “South Carolina Overdose Prevention Act.” The legislation also states that a coroner and a deputy coroner are considered public safety officers if killed in the line of duty**.**

**H. 3870,** legislation that authorizes the permitting and operation of **Narcotic Treatment Programs** for associated pharmacists and practitioners, was given a favorable with amendment recommendation by the Committee. "Narcotic Treatment Program (NTP)" means a program licensed by the Department of Health and Environmental Control that dispenses and administers methadone or other narcotic treatment medications. This bill requires the Board of Pharmacy to issue a narcotic treatment program (NTP) permit to an NTP before methadone or other narcotic treatment medications may be administered, dispensed, or delivered to the NTP. The permit must be inspected annually by the Board of Pharmacy.

**H. 3877**, legislation that revises an anesthesiologist’s supervisory requirements for **anesthesiologist’s assistants**, was given a favorable recommendation by the committee. The bill outlines that an anesthesiologist may not supervise more than four anesthesiologist's assistants at any one time.

The committee gave a favorable recommendation to **H. 3681**, a bill that prohibits municipalities from enacting laws, ordinances or rules pertaining to ingredients and flavors of **tobacco products** such as cigarettes or electronic smoking devices, and vapor products. This bill allows cities and towns to continue to control zoning for businesses that sell these products, and grandfathers in cities and towns that have ordinances adopted prior to 2021 that pertain to ingredients and flavors of tobacco.

**Labor, Commerce, and Industry Committee**

The House Labor, Commerce and Industry Committee met during the week and reported out several bills.

The Committee gave a report of favorable with amendments on **H. 3952**, a bill revising the **administrative authority of the Department of Consumer Affairs relating to motor vehicle dealers** under the state’s Consumer Protection Code. The legislation revises Consumer Protection Code provisions addressing motor vehicle sales contracts and the closing fees charged by dealers to recover their actual costs for all administrative and financial work needed to transfer and deliver the motor vehicle to the consumer. The legislation revises the criteria that the Department of Consumer Affairs utilizes to determine if a dealer’s closing fee is considered reasonable. In administering and enforcing these provisions, the Department is charged with promoting education for consumers and best practices for dealers and mediating complaints between a consumer and a dealer, whenever possible. In conducting its administrative and enforcement responsibilities, and in any review or investigation of dealers, the Department of Consumer Affairs must: (a) have probable cause to believe, based on a consumer complaint or other credible evidence, that the dealer has violated a Consumer Protection Code provision; (b) prior to contacting the dealer’s employees or visiting the dealer’s business premises, present the dealer with written notice of any cause or complaint which necessitates any department review or investigation and any request for records necessary to conduct the review or investigation; (c) allow the dealer to cure any unintentional Consumer Protection Code violation within sixty days of notice from the department; and, (d) close its investigation into the complaint and pursue no further administrative action on it once the complaint has been cured. A dealer is considered to be in substantial compliance if the consumer receives a clear and prominent disclosure of the closing fee in the sale or lease transaction and was not misled by any other failure to comply with other requirements. A dealer may not be held liable in any action for a Consumer Protection Code violation if the dealer shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid the error.

The Committee gave a report of favorable with amendments on **H. 3782**, a bill making revisions to statutes governing telephone, cable television services, ” and other telecommunications to specify that **video streaming services** (i.e., direct-to-home satellite services or Internet streaming video content) are not subject to the franchise fees that local governments charge for the use of public rights of way.

The Committee gave a favorable report on **H. 3977**, a bill facilitating **property and casualty insurance policies** that are posted on a website. The legislation establishes conditions under which an insurer may post a standard property and casualty policy or endorsement, that does not contain personally identifiable information, on its website instead of mailing the document to the insured. Should an insurance company exercise its option to post e-policies online, the insured must still be able to obtain, upon request, a paper copy of the policy without charge.

The Committee gave a report of favorable with amendments on **H. 3690**, the **"ESG Pension Protection Act."** “ESG” refers to “Environmental, Social, and Governance.” The billrevises provisions governing the state’s retirement system funds to require decisions about investing and managing assets to be based on **pecuniary factors** reasonably believed to have a material effect or impact on the financial risk or return on an investment based on an appropriate investment horizon consistent with a retirement system's investment objectives and funding policy. Under the legislation, investment and management decisions must exclude nonpecuniary factors that are collateral to or not reasonably likely to effect or impact the financial risk and return of the investment, such as the promotion, furtherance, or achievement of environmental, social, governance, or political goals, objectives, or outcomes. The legislation includes requirements for the Retirement System Investment Commission to certify compliance. The Attorney General is authorized to bring legal actions to enforce these provisions.

The Committee gave a favorable report on **H. 3953**, legislation **restructuring the Department of Consumer Affairs** as a cabinet agency. The bill transfers of the Department of Consumer Affairs to the executive branch of state government, dissolves the department’s governing board, the Commission on Consumer Affairs, and provides for the head of the department to be an administrator appointed by the Governor upon the advice and consent of the Senate.

The Committee gave a report of favorable with amendments on **H. 4086**, a bill making revisions relating to the licensure and regulation of **residential builders**. The South Carolina Residential Builders Commission is charged with instituting a new two-tiered system for residential builders’ licenses conducted on a biennial, rather than annual, basis. The legislation provides for more extensive work experience and education requirements in the licensure process. New applicants for licensure and registration are required to supply a criminal background report from an accredited agency or state/government entity that covers the states where they have resided for the last ten years. The legislation makes provisions for residential trade registrants as independent contractors who contract with a licensed residential builders, licensed general contractors, or individual property owners to do construction work, repairs, improvements, or reimprovements that require special skills and involve the use of specialized construction trades or crafts that are not tested for licensure under the residential builders chapter, when the undertakings exceed two hundred dollars and are not regulated by the contractor provisions of Chapter 11. As a means of bringing down home inspection costs, the legislation provided a mechanism that allows someone exempted from these licensure provisions to engage in the business of home inspection by registering with the commission and paying a fee to the commission of not more than the cost of registering the individual as a home inspector. As a means of enhancing protection for homeowners, the legislation provides for more expansive requirements for obtaining surety bonds that apply when undertaking projects in excess of two hundred dollars, rather than a minimum of five thousand dollars. The legislation provides that a claim on a residential builder’s surety bond for alleged violations of the South Carolina Residential Standards or building codes may be brought only if the homeowner has first complied with the requirements of the South Carolina Notice and Opportunity to Cure Construction Dwelling Defects Act. Claims are limited to the actual costs of repair, remediation, or both, and may not include an award of attorney’s fees as damages. The legislation provides that an implied warranty includes only those performance standards violations identified by the homeowner within twelve months after substantial completion.

The Committee gave a report of favorable with amendments on **H. 4115**, a bill making revisions relating to the licensure and regulation of **building contractors**. The legislation increases from five thousand dollars to ten thousand dollars the minimum project value that requires licensure for general contracting and mechanical contracting. The financial surety requirements of licensees are revised for the various project levels, adjusting the amounts of bonds required or the levels of net worth or working capital that must be demonstrated through financial statements. Penalties for violations are revised to be more in line with penalties established for other boards and commissions under the authority of the Department of Labor, Licensing and Regulation. Private reprimands are included in the disciplinary process. Revisions are made to general contractor specialty subclassifications, including provisions for fabricating, assembling, installing, and replacing solar panels and related components.

The Committee gave a report of favorable with amendments on **H. 4116**, a bill making revisions relating to the licensure and regulation of **funeral directors and other licensed funeral service providers**. The legislation revises criteria for those who are considered to be in the practice of funeral service so that licensure requirements apply to someone who, not only engages and participates in the active management of a funeral establishment, but also works actively, regularly, and directly with the families of the deceased. Continuing education requirements are enhanced, including a requirement for one credit hour to be an ethics in funeral service course. The legislation provides that it is unlawful to aid and abet those who are unlicensed to engage in the practice of funeral service. Provisions are included to target the unlawful division of funeral service fees and other payments. The legislation enhances penalties for violations. The legislation includes a requirement that a licensed funeral director or embalmer who commits a violation must be reported to the State Board of Funeral Services for immediate investigation and disciplinary proceedings. Someone convicted of a felony in South Carolina is permanently banned from conducting preneed funeral contract sales. The legislation includes requirements that all cremations must be performed by a trained individual who: (1) successfully completed a crematory operator training course approved by the board of not less than eight hours instructional time; (2) has submitted an affidavit of good character from at least one crematory operator; and (3) has submitted a nationwide employment clearance indicating that he has not been convicted of, or pled guilty to, any felony crime in South Carolina or any other jurisdiction in this country. The legislation provides a more detailed definition for cremation. Apprentices are systematically redesignated as interns. The legislation revises the criteria for the issuance of funeral home permits that include a requirement that the manager reside in South Carolina. The legislation makes revisions that allow requirements for displaying options to consumers to be satisfied with showing photographs or other representations of available caskets and other necessary funeral supplies.

**Ways and Means Committee**

The Ways and Means Committee met on Thursday, March 30, and reported out several bills.

The Committee gave a report of favorable with amendments on **S. 604**, a joint resolution authorizing **American Rescue Plan Act appropriations**. From the funds disbursed to the state under the federal “American Rescue Plan Act of 2021”, the legislation appropriates $586 million to the Rural Infrastructure Authority ARPA Water and Sewer Infrastructure Account to be used towards fulfilling existing grant applications. $100 million of this amount must be available for projects designated by the Secretary of Commerce as being significant to economic development and may be funded at up to twenty million dollars per project with no local match requirement. The legislation specifies that the funds in the ARPA Resilience Account also may be used for projects that mitigate the impacts from potential releases of contamination associated with natural hazards.

The Committee gave a report of favorable with amendments on **H. 4087**, a bill enhancing **tax incentives for economic development**. The legislation expands the corporate income tax credit provisions for establishing a corporate headquarters in South Carolina. The legislation lowers the minimum investment threshold from three hundred million to one hundred million for a qualified recycling facility to be eligible for tax credits. Batteries, solar panels, turbines, and related structures are included in the definition of “postconsumer waste material” for recycling facilities. The legislation revises provisions in the Enterprise Zone Act of 1995 to allow remote employees working in South Carolina to be included in certain job creation requirements and adds incentives for certain investments. The legislation revises provisions relating to the Enterprise Zone Act credit against withholding for retraining employees to provide who is eligible for the credit and the amount of the credit allowed. In order to recruit an eligible business to this state or encourage an expanded investment in South Carolina, the legislation provides authority for the Secretary of Commerce, subject to approval by the Joint Bond Review Committee, to allow an eligible business to sell, exchange, or otherwise transfer job tax credits they have earned.

The Committee gave a report of favorable with amendments on **H. 4124**, a bill **restructuring the Department of Health and Environmental Control**. The legislation makes comprehensive reform provisions to replace the Department of Health and Environmental Control with a newly created Department of Public Health to assume DHEC’s health‑related functions and a newly created Department of Environmental Services to assume DHEC’s environmental‑related functions. The new departments are established as cabinet agencies in the executive branch of government under the leadership of directors who are appointed by the Governor with the advice and consent of the Senate.

The Committee gave a report of favorable with amendments on **H. 3786**, the **“South Carolina Conservation Enhancement Act.”** This bill reinstates a dedicated funding stream for the South Carolina Conservation Bank from a share of the deed recording fee by providing that twenty-five cents of each one dollar thirty cents of the fee is devoted to the Conservation Bank Trust Fund. The legislation expands the Conservation Bank’s governing board from fourteen members to seventeen by adding the Commissioner of Agriculture, the Secretary of Commerce, and the Secretary of Transportation as members who serve in and ex officio capacity without voting privileges. The ex officio board members may be represented by their designees. The legislation revises qualifications criteria for voting members appointed to the board by adding farming as one of the required fields of expertise.

The Committee gave a report of favorable with amendments on **H. 4020**, a bill enhancing **motion picture production company tax rebates**. The legislationrevises the tax rebate provisions for certain motion picture production companies by increasing the total annual limit from ten million to thirty million dollars and by allowing the use of rebates for certain additional expenditures and expenses.

Provisions are made for a rebate to a motion picture production company of up to thirty percent of its in-state expenditures if the motion picture production company has a minimum in state expenditure of one million dollars. A portion of the rebate allotment may be used to fund the operations for the South Carolina Film Commission and for the promotion of collaborative production and educational efforts between institutions of higher learning in South Carolina and motion picture-related entities. The legislation repeals provisions relating to distribution of admissions taxes for rebates to motion picture production companies and certain departmental expenses.

The Committee gave a favorable report on **H. 3810**, a bill providing for the **exclusion of certain initial investments from corporate license fees**. The legislationprovides that a corporation whose headquarters and principal place of business are in South Carolina may exclude from its paid-in or capital surplus subject to the annual corporate license fee the first fifty million dollars of equity contributions from a qualifying venture capital fund, angel investor, or private investment firm.

The Committee gave a favorable report on **H. 3737**, the **“Short Line Railroad Modernization Act.”** This bill makes provisions for an income tax credit equal to fifty percent of an eligible taxpayer’s qualified railroad reconstruction or replacement expenditures as a means of encouraging the rehabilitation of certain comparatively small rail lines.

The Committee gave a report of favorable with amendments on **H. 4118**, a bill providing an **extension for community development tax credits** so that these tax credit provisions are set to terminate on June 30, 2029, rather than 2023.

The Committee gave a favorable report on **H. 3563**, a bill establishing a **sales tax exemption for feminine hygiene products** including tampons, sanitary napkins, and other similar personal care items for use in connection with the menstrual cycle.

The Committee gave a report of favorable with amendments on **H. 3908**, a bill addressing **paid parental leave for school district employees**. The legislationestablishes provisions under which school district employees are eligible to receive paid parental leave upon the birth of a child or initial legal placement of a foster child or a child by adoption.

The Committee gave a favorable report on **H. 4017**, a bill providing for **state and federal income tax conformity**. The legislationupdates references to the federal Internal Revenue Code in state tax laws and provides that any extensions granted at the federal level for any of the Internal Revenue Code provisions adopted by this state prompt extensions for South Carolina income tax purposes.

The Committee gave a favorable report on **S. 490**, a joint resolution providing that funds from Act 94 of 2021 appropriated to the Department of Parks, Recreation and Tourism may be extended for the current **Fair Play Welcome Center** project.

## Introduced Legislation

**Agriculture, Natural Resources and Environmental Affairs**

**S. 603 Grain And Cotton Producers Guaranty Fund Sen. Climer**

Current law states that if there is an insufficient amount of money in the fund to cover all claims, payments must be made on a pro rata basis. This bill provides that the pro rata determination shall be based upon the producer’s total loss amount as well as the total number of exemptions granted to the producer.

**Education and Public Works**

[**S. 138**](https://www.scstatehouse.gov/billsearch.php?billnumbers=138&session=125&summary=B) **Life Scholarships And Dual Enrollment Complications Sen. McElveen**

S. 138 provides a student who becomes eligible for a life scholarship may not subsequently become ineligible for retention of the scholarship based on a grade in a dual enrollment class.

[**H. 4184**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4184&session=125&summary=B) **Covid-19 Vaccination Requirements And Study Abroad Programs Rep. Blackwell**

H. 4184 holds that a public institution of higher learning shall not enter into any agreement that enables its students to participate in a study abroad program provided by another entity if the other entity requires the student to comply with more stringent COVID-19 vaccination requirements than the institution requires for students attending classes on its campus.

[**H. 4185**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4185&session=125&summary=B) **Driver Education Rep. Erickson**

This bill proposes several amendments to the Code of Laws related to driver training schools, driver licensing, and related requirements. The bill seeks to replace "defensive driving course" with "driver training course” designation; establishes minimum standards and conditions of operation for driver training schools and inspection of schools; defines the term "classroom training" and outlines the components of online classroom training instruction, testing, and course completion; requires persons who possess out-of-state driver's licenses to surrender them within 45 days of becoming residents of South Carolina before they can be issued a South Carolina driver's license; vision screenings required for the issuance of initial and renewal drivers' licenses; active-duty members of the Armed Services are exempt from the requirements of this section provided they provide the department with a Leave and Earning Statement dated within thirty-one days of applying for or renewing their driver's license and a nonexpired military identification card; ending with changes relating to license fees imposed on driver training schools and the expiration of licenses.

[**H. 4186**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4186&session=125&summary=B) **Special License Plates Rep. J. E. Johnson**

This bill provides the department of motor vehicles may issue "U.S. Coast Guard Auxiliary" special license plates.

[**H. 4191**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4191&session=125&summary=B) **Sunscreen Devices Rep. Beach**

This bill seeks to amend laws relating to sunscreen devices installed on the windows of motor vehicles. This bill proposes to reduce the permitted level of light transmission for sunscreen devices installed on motor vehicles from 27 percent to 5 percent. The bill contains a grandfather provision.

[**H. 4211**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4211&session=125&summary=B) **Increased Left-Lane Penalties Rep. West**

[**H. 4211**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4211&session=125&summary=B) **increases the** penalties relating to overtaking and passing other vehicles in the farthest left-hand lane, increasing the fine for violations from the previous legislation’s\* $25 to $200 and providing a two points assessment against the violator's motor vehicle operating record.

**(\*Act 64 of 2021 (H. 3011)** was the “**Slower Traffic Move Right Bill**” (signed into law by the Governor on May 17, 2021 [Act 64]). That Act created a new section of law providing that a vehicle may not be driven in the farthest left-hand lane on a controlled access highway except when overtaking or passing another vehicle. This rule is subject to a number of exceptions, including that a vehicle may proceed in the farthest left lane if no other vehicle is directly behind it.)

**S. 581 Official Carnivorous Plant Sen. Hembree**

S. 581 would name the Venus Flytrap the official carnivorous plant of South Carolina.

**H. 4233 Official Carnivorous Plant Rep. Brittain**

H. 4233 would name the Venus Flytrap the official carnivorous plant of South Carolina.

**Judiciary**

**H. 4178 Limiting Abortion Procedure Penalties Rep. Bauer**

This bill seeks to eliminate existing criminal penalties against a pregnant woman who self-administer medicine or consent to medical procedures to terminate their pregnancies.

**H. 4179 Judicial Merit Selection Commission Reforms Rep. Bauer**

Under this proposal, the Governor would appoint six members of the Judicial Merit Selection Commission (JMSC). The Senate President would appoint two of its members, and the House

Speaker would appoint two members. Also, no General Assembly member could serve on this commission. It would submit a list of all qualified candidates to the General Assembly for its consideration and provide a written explanation to all candidates found not qualified.

**H. 4180 Governor Submits Names For Judicial Election By the General Assembly Rep. White**

The Governor would submit no more than six names from among the resumes he receives for each vacant judicial seat to the Judicial Merit Selection Commission for vetting. Once their screening is completed, they would submit all qualified candidates to the General Assembly for voting and election. In addition, the JMSC would provide a written explanation to the Governor for all candidates found not qualified.

**H. 4182 Judicial Merit Selection Commission Reforms Rep. White**

In this version, the Judicial Merit Selection Commission would submit the names of all qualified candidates to the General Assembly for consideration and a vote. The commission would also have to send written explanations to all candidates found not qualified.

**H. 4183 Judicial Merit Selection Commission Membership Reforms Rep. White**

Under this bill, the Governor would appoint six members--one of whom would be recommended by the South Carolina Bar and another recommended by the Sheriffs’ Association—to the **Judicial Merit Selection Commission (**JMSC). The Senate President and the House Speaker would each appoint two members to it. A member of the legislature who is also a lawyer must not be appointed to serve as a member of the commission.

**H. 4187 Felony Retail Theft Rep. J. E. Johnson**

This legislative attempt would revise the criminal offense of retail theft to create the offenses of felony organized retail crime and felony organized retail crime of an aggravated nature. Among other things, definitions of emergency exit, infant formula, merchandise credit, organized retail crime, and obtaining confidential information illegally are also included in the bill. It also proposes graduated penalties for these new crimes.

**H. 4188 Bad Faith Assertion of Copyright Infringement Rep. Chumley**

This bill would establish, as an unlawful trade practice, any person or entity making a bad faith assertion of copyright infringement. Establishing acts of bad faith assertion of infringement would be judged under criteria set out in this proposal. Once established, it also sets out remedies for targets of these spurious claims.

**H. 4190 SCDL Change of Address as Voter Registration Updated Information Rep. Beach**

Proper South Carolina Department of Motor Vehicles change of address forms for driver's licenses would double as notification of change of address for voter registration purposes.

**H. 4221 Expanding the Voting Base Rep. Pendarvis**

Proposed legislation to allow anyone on probation, parole, or other offender supervision programs to register and vote. Inmates also could register to vote after successfully completing a specified course requirement, which includes all of the qualifications for becoming a registered voter in South Carolina.

**H. 4222 Anti-Gerrymandering Act Rep. Pendarvis**

The “Anti-Gerrymandering Act” would establish a multipartisan redistricting commission to submit ten proposed reapportionment plans that comply with the parameters set out in this legislative proposal to the General Assembly.

**H. 4224 Collecting Building Code Enforcement Fines Rep. Sandifer**

Building code enforcement actions by cities and counties resulting in fines or other penalties could be collected the same way real and other property taxes are collected by them, including effecting recorded real estate liens once this bill is enacted. Specifically exempted from these enforcement methods, though, are agricultural lands, owner-occupied permanent residential structures, outhouses and other appurtenances, and structures with solely aesthetic structures.

**H. 4227 Alimony Reform Rep. Gatch**

This bill proposes limitations on family court judicial authority to award alimony in legal separation or divorce cases. They include awarding it to the party in the relationship who earned less income and capping total monthly payments to the total months the couple were officially together.

**H. 4231 Sunday Sales at Micro-distilleries Rep. M.M. Smith**

If enacted, micro-distilleries could apply with appropriate state and local entities for the right to conduct Sunday sales of their products.

**H. 4232 Access to Safe Havens by Older Infants Rep. Crawford**

Current state law limiting access to designated Safe Haven locations by infants sixty days or younger would be expanded to extend to infants up to six months old if this legislative proposal becomes law in South Carolina.

**H. 4234 Incapacitated Individuals Probate Court Protections Rep. W. Newton**

Existing probate code laws and procedures covering incapacitated people would be revised and updated under this filing. Among other things, it would update references to documents formerly known as Health Care Powers of Attorney to the now more correct label of Advanced Directive and Appointment of Health Care Agent. When more than $15,000 per year will be handled on behalf of incapacitated people, then protective proceedings would have to be conducted. In these proceedings, affidavits could also be filed by nurse practitioner, or, in the discretion of Probate Court, by a physician assistant, nurse, or psychologist in addition to licensed physicians as current law allows.

**S. 36 Ignition Interlocks and Other Alternatives to Underage Drinkers’ Route-Restricted Drivers Licenses Sen. Hutto**

A comprehensive bill to allow, among other things, alternatives to drivers under 21 who are found to have a 0.02 percent, or higher, alcohol concentration in their bodies while driving. It would replace route-restricted licenses with temporary licenses and opportunities for these drivers to participate in Ignition Interlock Device Programs. In addition, enrollment in these programs would become available to habitual offenders and drivers whose privileges to drive had been permanently revoked, as part of their efforts to regain their driving privileges, by following procedures set out in this pending bill.

**S. 112 Fraudulent Check Charges and Expungements Sen. Allen**

Checkwriters convicted of misdemeanor-level criminal offenses involving checks could seek to expunge their convictions after paying full restitution, should this bill become law. It would add multiple misdemeanor offenses of writing fraudulent checks to those offenses eligible for expungement as well.

**S. 142 Sex Trafficking Revisions Sen. Shealy**

Our existing definitions of *sex trafficking* would be expanded to include sexual exploitation of minors and promoting or participating in prostitution of a minor. Sex trafficking victims would be given the right to raise duress and coercion as affirmative defenses to nonviolent offenses committed as a direct result of, or incident to, their being so trafficked. In addition, child sex trafficking victims could not be convicted for nonviolent offenses committed as a direct result, or incident to, their being trafficked. They also could not be made the subject of delinquency enforcement actions if they can show their conduct was a direct result of being trafficked,

**S. 459 Alcohol Consumption In Airports Sen. Grooms**

This proposed legislation would allow screened airflight passengers to consume liquor drinks purchased from airport concessionaires throughout the secured areas of the Charleston International, Columbia Metropolitan, Florence Regional, Greenville-Spartanburg, Hilton Head Island, and Myrtle Beach airports.

**Labor, Commerce, and Industry**

**S. 546 Department of Employment and Workforce’s Executive Director Sen. Massey**

This bill provides for the Department of Employment and Workforce’s Executive Director to be appointed by the Governor with the advice and consent of the Senate. The legislation eliminates provisions relating to the Department of Employment and Workforce Review Committee’s nomination of applicants for the Executive Director position that are submitted to the Governor for consideration.

**H. 4189 Captive Insurance Companies Rep. Sandifer**

This bill revises provisions governing captive insurance companies.

**H. 4212 “Act to Establish Pay Equity” Rep. Dillard**

This bill establishes provisions to ensure that all employees are paid fairly at work and that no employees take home a lower wage as a result of their race, religion, color, sex, age, national origin, or disability status.

**H. 4218 Restrictions on Use of Genetic Information by Insurers Rep. Pope**

This bill prohibits certain insurers from cancelling, limiting, or denying coverage, or establishing differentials in premium rates based upon genetic information.

**H. 4223 Engaging in the Real Estate Brokerage Business Rep. Hewitt**

This bill prohibits real estate brokerage firms from engaging in the real estate brokerage business unless its activities are conducted by licensees or under the supervision of a broker‑in‑charge or property manager‑in‑charge.

**H. 4225 Transfer of Residential Property Subject to a Vacation Rental Agreement Rep. Hewitt**

This bill revises provisions relating to the transfer of a title of residential property subject to a vacation rental agreement, so as to extend certain time periods.

**H. 4238 Bank Mergers Rep. Sandifer**

This bill revises provisions addressing the consolidation or merger of banks, trust companies, and credit unions.

**Medical, Military, Public and Municipal Affairs**

**S. 241 Genetic Counselors Sen. Garrett**

The bill provides for the regulation of genetic counselors. Among many things, the bill creates the South Carolina Board of Genetic Counselors to license genetic counselors. The purpose of this board is to protect the public through the regulation of professionals who educate and communicate with the public regarding the human problems associated with the occurrence, or the risk of occurrence, of a genetic disorder in a family, including the provision of services to help an individual or family.

**S. 445 Certification of Recovery Housing Sen. Garrett**

The bill defines “Recovery housing” to mean recovery residences, recovery homes, sober living homes, work rehab homes, three quarter houses, and other similar dwellings that provide individuals recovering from alcohol and substance use disorders with a living environment free from alcohol and illicit substance use.

**S. 569 Alzheimer's State Plan Sen. Shealy**

This bill requires the advisory council for the Alzheimer’s Disease and Related Disorders Resource Coordination Center of the Department on Aging to maintain and update a statewide plan to address Alzheimer’s disease and related dementias.

**Ways and Means**

**S. 108 Death Benefits for Law Enforcement Officers Killed in the Line of Duty Sen. Davis**

This bill makes provisions for death benefits for law enforcement officers killed in the line of duty.

**S. 285 Academic Choice in Education (ACE) Scholarship Program Sen. Davis**

This bill establishes a program that allows income tax credits for making contributions to nonprofit organizations that award Academic Choice in Education (ACE) Scholarships to: defray costs of homeschooling a child; allow children with exceptional needs to obtain specialized instruction beyond what is offered at their resident public school districts; or, afford public school students the opportunity to attend private schools by defraying the costs of tuition, textbooks, transportation and other qualifying expenses. For public school students who qualify for ACE Scholarships to attend independent schools, the annual amount of the scholarship is set at the actual state-allocated revenue for each pupil or the total amount of tuition and other qualifying expenses, whichever is less. A greater amount is allowed for students with exceptional needs and students from economically disadvantaged households, with the annual ACE Scholarship amount capped at one hundred forty percent of the state’s per-pupil allocation or the total amount of tuition and other qualifying expenses, whichever is less. In the case of homeschool students, the annual amount of a scholarship may not exceed twenty percent of the state’s per-pupil allocation or the cost of qualifying expenses, whichever is less.

**S. 557 Apprenticeship Program Income Tax Credit Sen. M. Johnson**

This bill revises apprentice income tax credit provisions to increase the amount of the credit and the number of years in which it may be claimed.

**S. 576 Prohibition on Foreign Adversaries Acquiring Real Property in South Carolina Sen. Massey**

This bill establishes provisions under which a citizen of a foreign adversary or a corporation controlled by a foreign adversary may not acquire any interest in real property within the limits of South Carolina.

**S. 604 Expenditure of American Rescue Plan Act Federal Funds Sen. Peeler**

This joint resolution authorizes the expenditure of State Fiscal Recovery Funds disbursed to the South Carolina under the federal “American Rescue Plan Act of 2021.”

**H. 4181 “In‑District Essential Goods and Services Fund” Rep. White**

This bill provides that the General Assembly may not appropriate any funds in the General Appropriations Act for nonessential projects through budgetary set‑asides or earmarks. Provisions are made for a separate “In‑District Essential Goods and Services Fund” that must be allocated among the one hundred seventy members of the General Assembly to be used for in‑district essential goods and services.

**H. 4210 Tax Exemption for State Employee Retirement Income Rep. Cobb-Hunter**

This bill revises income tax provisions to exempt the retirement income of qualifying retired state employees.

**H. 4213 Funding for Workforce Housing Development Rep. Dillard**

This bill revises provision governing the use of revenue from local accommodations taxes, revenue from local hospitality taxes, the special fund for tourism, and revenues to finance bonds, so as to provide that the development of workforce housing is one of the purposes for which this funding may be use.

**H. 4214 Rollback Taxes Rep. Long**

This bill provides that rollback taxes only apply to the previous tax year instead of the previous three tax years.

**H. 4219 Property Tax Exemption for Disabled Veterans Rep. Hart**

This bill makes provisions that certain disabled veterans of the Armed Forces of the United States are exempt from property taxes in the year in which the disability occurs.

**H. 4220 Gross Receipts from Broadcasting to this State Rep. Herbkersman**

This bill provides that a broadcast entity shall source certain gross receipts from broadcasting to South Carolina.

**H. 4226 Paid Parental Leave Requirements Rep. Pendarvis**

This bill requires eligible employers to provide paid parental leave to eligible employees after the birth of a child.

Tuesday, April 4, 2023

The House Research Office uses the 17th edition of the Chicago Manual of Style (with practical modifications, esp. regarding numbers).

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) nor the House of Representatives. They are for the use of members of the House of Representatives and are not to be construed by a court of law as an expression of legislative intent. These Legislative Updates are on the South Carolina General Assembly home page (<http://www.scstatehouse.gov>). Go to Publications, then Legislative Updates. This lists all the Legislative Updates by date as a Word document and a document with hypertext links to the bills. Also available under Publications is a Bill Summary Index to the Legislative Updates (bills are listed in numeric order and provide the different summary versions at the different stages and dates in the process).