



South Carolina House of Representatives

Legislative Update

G. Murrell Smith, Speaker of the House

Vol. 41

March 5, 2024

No. 8

(February 27 - 29)

LEGISLATIVE UPDATE

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House Floor Actions

H. 4895 Judicial Elections

The House has concurred in Senate amendments to **H. 4895**, legislation to **set judicial elections**. As a result, the South Carolina Supreme Court Chief Justice election is expected to be held Wednesday, March 6th. Remaining judicial elections are expected to be held on Wednesday, April 17th.

H. 4927 Executive Office of Health and Policy

The Senate is receiving **H. 4927** establishing an “**Executive Office of Health and Policy**” after the House passed it this week. As part of reorganizing the South Carolina Department of Health and Environmental Control, a new “Executive Office of Health and Policy” would be created under this proposal. It would be led by a new Secretary of Health and Policy, who would be appointed by the Governor, with the advice and consent of the Senate, and who would develop a “blueprint” State Health Plan-- after working with an advisory committee-- for public health services. Their proposed plan would address the quality of healthcare South Carolinians receive. It would also include an inventory, projections, and performance standards for its health services, facilities, equipment, and workforce.

In addition, and as amended, the existing Department of Health and Human Services would become the Department of Health Financing and the South Carolina state code would be revised to set up a Department of Public Health with a director selected by the Secretary of Health and Policy, who would also approve all regulations propounded by this new Department. A separate Department of Intellectual and Related Disabilities would be established, along with a new Behavioral Health and Substance Abuse Services entity to replace the existing Department of Mental Health. A separate, new Department of Environmental Services would undertake duties currently being performed by the environmental branch of SC DHEC.

The balance of this bill, as proposed, completes the revision of current code sections referencing SC DHEC to set out a division of responsibilities between the Department of Health and Policy and the Department of Environmental Services.

H. 3676 Constitutional Convention for a Federal Balanced Budget Amendment

The Senate will be receiving this concurrent resolution, **H. 3676**, that was passed by the House this week, which calls for a **federal constitutional convention** to implore the United States Congress to **pass a balanced budget amendment** to the United States Constitution. As amended during the floor debate in the House, delegates sent by South

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Carolina would be limited to issues related to balancing the federal budget and are expressly prohibited from taking on US Constitution Amendments 13, 14, 15, and the Bill of Rights as part of discharging their assigned duties. In addition, the only power the US Congress would have in the matter would be calling for the convening of the convention.

H. 4709 Cursive Writing

H. 4709 was ordered to third reading on Friday, March 1, 2024. **H. 4709** would require that **cursive writing** be taught in public elementary schools, specifically that cursive writing instruction must begin in second grade and continue in each grade through fifth grade.

S. 418 Reading

The House concurred in Senate amendments to **S. 418**, and it was enrolled for ratification. **S. 418** overhauls public school **reading methodologies**. The Act will define key literacy concepts and mandate the State Department of Education (SDE) to oversee compliance with Read to Succeed mandates; shift from "evidence-based" to "scientifically based" teaching methods; narrowing the focus of Read to Succeed from grades pre-K-12 to pre-K-5 [Read to Succeed is the concept of getting students to the proper reading level (by third grade). The Science of Reading is the method to get it done.]; provide additional support in middle schools where over 50 percent of students perform at the lowest state assessment levels; ban curricula based on the three-cueing system for word recognition; mandate foundational literacy, structured literacy, and science of reading coursework for teachers in early childhood, elementary, or special education; starting September 1, 2024, prospective teachers in these fields must pass a test on scientifically based reading instruction; higher education institutions must report the pass rates of their teacher candidates on this assessment; teachers, administrators, and certified staff are required to earn a literacy endorsement for certification, with exemptions available for those passing a literacy assessment; districts must align PK-5 reading and writing instruction with the science of reading and provide interventions for underperforming students; interventions include daily supplemental instruction by endorsed teachers, and the replacement of broad universal screeners with literacy-focused ones; "Substantially Fails to Demonstrate Third-Grade Reading Proficiency" is redefined for more stringent promotion criteria, with provisions for additional support and documentation of proficiency by teachers; intensive interventions for K-2 students lacking reading proficiency and summer reading camps for K-3 students not at grade level are mandated, with eligibility criteria for older students based on proficiency and exemptions.

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H. 4589 Municipal Election Procedures and Protests

Also going to the Senate is **H. 4589**, a proposal to amend **municipal election law and protest procedures**, to set out that newly elected officers could not be qualified until 48 hours after the last contest concludes. It removes the stay of this qualification under existing law when election contests are filed. Courts would handle these contests on a priority basis, and no stay of any municipal election results would be allowed.

H. 3866 Role of Attorney General in Litigation

In other action this week, the House nonconcurred in proposed Senate amendments to **H. 3866**, a proposal to clarify the **role of South Carolina's Attorney General in litigation** filed against state agencies and officials. A conference committee is expected to be appointed at a future date.

H. 3594 Constitutional Gun Carrying

The Senate has named Senators Martin, Hutto, and Massey to serve on the conference committee on **H. 3594, Constitutional Gun Carrying**. The House members of this committee are Reps. B. J. Cox, Caskey, and Bamberg.

H. 4875 Permit Deer Processors and Donated Tagged Female (Doe) Deer

The House approved the Committee amendment, gave a third reading, and sent to the Senate **H. 4875**, a bill that allows **permit deer processors to process tagged female (doe) deer** donated by a hunter or crop depredation permittee and, in turn, recover the fee of processing the deer from a person other than the individual who donated the deer. The bill also increases penalties for selling deer or deer parts.

H. 4387 Hybrid Bass

The House gave third reading and sent to the Senate **H. 4387**, a bill that **includes the reference of hybrid bass in the striped bass statutes**.

H. 4386 Robust Redhorse

The House gave third reading and sent to the Senate **H. 4386**, a bill that makes it **unlawful to take, harm, or kill robust redhorse** (*Moxostoma robustum*) from public waters. The robust redhorse is a large, long-lived member of the redhorse sucker family. It is an important part of the native aquatic ecosystem and is being considered for the national endangered species list.

H. 3963 Hog Management

The House approved the Committee amendment, gave second reading with unanimous consent for third reading on Friday to **H. 3963**. Current law outlines that the revenue from the sale of antlered deer tags are to be used to administer the Coyote Management

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Program. The bill adds **hog management** to the **Coyote Management Program** for administration. Every year by January 31st, the Department of Natural Resources must provide to the General Assembly, a report on the use of the program funds for the prior year.

H. 5007 Hook Size in the Lower Saluda River

The House gave second reading to **H. 5007**, a bill that **restricts permitted hook size in the Lower Saluda River**. The bill outlines that when fishing with live or dead bait fish or bait fish parts in the Lower Saluda River between June 16th and September 30th, hook gap, the distance from hook to point to shank, must not exceed 3/8ths of an inch (#6 hook) for all hook types with exceptions. All sizes of inline, nonoffset, nonstainless steel circle hooks are allowed.

H. 4820 Statewide Turkey Hunting Season

The House recommitted **H. 4820** to the Agriculture, Natural Resources and Environmental Affairs Committee. This bill creates a **statewide turkey hunting season**.

S. 298 Corporate Income Tax Changes

The House concurred in Senate amendments to **S. 298** and enrolled the bill for **ratification**. The legislation provides clarification in **corporate income tax** provisions to address such issues as: assessing intercompany transactions in computing the taxpayer's state net income properly attributable to its business activity in South Carolina; determining when a combined tax return that encompasses affiliated groups must be submitted rather than separate filings; the apportionment formula for affiliated groups in combined returns; and, the process for appealing determinations made by the Department of Revenue.

S. 912 South Carolina Nexus for Advanced Resilient Energy

S. 912 was ordered to third reading and the bill was enrolled for ratification. The joint resolution expresses support for South Carolina as the nexus for advanced resilient energy and to encourage the continued global leadership to reduce the state's environmental impact while enhancing the economic output.

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Committees

Education and Public Works

The full House Education and Public Works committee met on Tuesday, February 27 and gave a favorable recommendation to the following bills for consideration by the House.

H. 4709 Cursive Writing

H. 4709 would require that **cursive writing** be taught in public elementary schools, specifically that cursive writing instruction must begin in second grade and continue in each grade through fifth grade.

H. 4819 Photograph for Handicapped Parking Placards

H. 4819, relating to parking placards for handicapped persons, would allow applicants (focused on children) for handicapped parking placards to provide a photograph for the placard subject to the Department of Motor Vehicle's approval.

H. 3160 Limousines and Ride-Share Apps

H 3160 amends the "personal vehicle" and "prearranged ride" definitions applicable to the transportation network company act (TNC) to allow for the inclusion of limousines and other for hire vehicles. This bill allows for limousines and charter limousines to be available by ride-share apps (e.g., Uber and Lyft).

H. 4933 Sunscreen Devices

H. 4933 would hold that the provision regarding sunscreen (window tinting) devices do not apply to law enforcement vehicles. The previous exception applied to law enforcement vehicles regularly using the vehicle to transport a canine trained for law enforcement purposes.¹

H. 4436 Emergency Scene Management

H. 4436, in an effort to protect tow trucker operators, would mandate that drivers maintain control of their vehicles in emergencies, including scenes with stopped vehicles,

¹ SECTION 56-5-5015 (J)(1) (Sunscreen devices) "Sunscreening device" means a film material or device that is designed to be used in conjunction with motor vehicle safety glazing materials for reducing the effects of the sun [AKA "window tint."]

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adding that drivers do not obstruct emergency vehicle operations nor operators of authorized emergency vehicles. A person who violates this requirement is guilty of a misdemeanor and, upon conviction, must be fined not less than \$300 nor more than \$500.

H. 5105 Military Credentials Recognized by Technical Colleges

H. 5105 would formally recognize military training and experiences as educational credits within South Carolina's technical colleges, guided by a mandated policy from the State Board for Technical and Comprehensive Education. Courses and experience completed in the military as recommended by the American Council on Education (ACE) may qualify for exemption credit at the state's technical colleges. It requires clear implementation guidelines and collaboration with the South Carolina Department of Veterans' Affairs to standardize credit review and award processes across colleges.

H. 4655 Physical Education and Recess

H. 4655, as amended, would require certain mandatory minimum periods for physical education and recess from four-year old kindergarten through eighth grades each year. The bill would also provide that recess periods must be held indoors during times of inclement weather as conducive to allowing physical activity as practical. The bill includes other curriculum requirements regarding student-teacher ratios, facilities, and staffing. The provisions of this act prevail to the extent they conflict with any such regulations and rules.

H. 4649 Promote Safety and Security on School Premises

H. 4649, as amended, would provide that public school districts with more than 15,000 students may use uniformed security personnel over 21 years old who are armed or delegated arrest authority to work on the premises of the district to promote safety and security on the premises (provided they are licensed as a proprietary security business). These persons do not play an advisory, mentor, nor instructional role. The bill provides requirements regarding training, licensure, registration, and certification those security officers (with exceptions): the State Law Enforcement Division (SLED) mandates specific training and registration requirements for security officers in schools. Schools must have a dedicated division for security and emergency management, would be required to form a written agreement with local law enforcement for joint training and continuous education in areas like firearms handling, defensive tactics, and managing active scenarios, ensuring uniformity in training and responses, and security officers would undergo recertification every two years. The bill also maintains the obligation of districts to use school resource officers as currently required by law.

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Judiciary

H. 5066 “Fair Access to Insurance Requirements Fund”

The Committee issued a favorable report, with amendment, to **H. 5066 the “Fair Access to Insurance Requirements Fund.”** This proposal seeks to provide an affordable option for liquor liability insurance to any person or business required to have this coverage. A tax on liquor drinks would be credited to this fund. This program would be governed by a board of directors, which would consist of nine directors, representing a variety of different interests. A person licensed to sell alcohol for on-premises consumption that is open after 5:00 p.m. would be required to carry a policy of at least one million dollars in the annual aggregate during their biennial permit effective dates. Operations, which close by 10:00 p.m., having servers trained in SC Department of Insurance [SCDOI] approved courses, meeting SC DOI risk-limiting requirements, and with less than 40 percent of their revenues coming from alcohol sales, [or are nonprofits obtaining a one-off alcohol serving fundraising event permit] would potentially qualify for this liquor liability mitigation fund program. As amended, reductions are stepped down as set forth in the amended proposal. Nonprofit organizations would only have to have half of the total annual aggregate policy limits, or \$500,000 coverage. In addition, and as amended, no more than 50 percent of the annual aggregate limit could be paid out on any claim.

H. 3676 Constitutional Convention for a Federal Balanced Budget Amendment

H. 3676, which calls for a **federal constitutional convention** received a favorable report. It represents an effort to implore the United States Congress **to pass a balanced budget amendment** to the United States Constitution. As amended during the floor debate in the House, delegates sent by South Carolina would be limited to issues related to balancing the federal budget and are expressly prohibited from taking on US Constitution Amendments 13, 14, 15, and the Bill of Rights as part of discharging their assigned duties. In addition, the only power the U. S. Congress would have in the matter would be calling for the convening of this convention.

H. 4589 Municipal Election Procedures and Protests

Also receiving a favorable report was **H. 4589**, a proposal to amend **municipal election law and protest procedures**. It proposes that newly elected officials could not be qualified until 48 hours after the last election contest concludes. It removes the stay of this qualification under existing law when election contests are filed. Courts would handle these contests on a priority basis, and there would no longer be any stay of any municipal election results.

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H. 4590 Extending Early Voting Hours

Another favorable report was given to **H. 4590** pending legislation to **extend the closing time for early voting** centers from 6 p.m. to 7 p.m. on weekdays for statewide general elections and from 5 p.m. to 7 p.m. on weekdays for early voting during other elections that are not statewide general, or runoff, elections.

H. 4158 Domestic Violence Survivor Rental Termination Rights

H. 4158, a bill to **allow documented domestic violence**, dating violence, sexual assault, stalking, or other criminal sexual assault **survivors to terminate any rental agreements** they are listed in, and to remain in the leased premises for up to 60 days after giving notice to their landlords received a favorable report. Landlords could not charge any rental termination fees, or other such costs, to these tenants. Tenants would have to pay any rents owed, however.

Medical, Military, Public and Municipal Affairs

The Medical, Military, Public and Municipal Affairs met on Tuesday, February 27, 2024, and reported out several bills.

H. 3988 Pharmacy Practice Act

The committee gave a favorable with amendment report to **H. 3988**, a bill that **makes permanent some of the 2020 pharmacy provisions allowed during the pandemic under the "Pharmacy Practice Act"**. The bill allows for flu and COVID-19 testing in the pharmacy. A pharmacist can order a test and must be the one to interpret the results (they can delegate the swabbing to trained pharmacy technicians or interns). The bill authorizes pharmacy technicians who have the required certifications and training to administer vaccinations under the direct supervision of a pharmacist and amends the certification and training requirements for pharmacy interns to administer vaccines.

The bill also outlines that individuals aged 16 and older can receive any age appropriate approved immunizations in the pharmacy. If the person receiving a vaccine is under the age of 18 years, a pharmacist must inform the patient and their caregiver of the importance of mental health and routine well care visits with a pediatrician. In addition, the bill increases the Board of Pharmacy by adding an at-large member who is a state-certified pharmacy technician.

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H. 4333 Mobile Optometry Units

In an effort to help rural areas, **H. 4333**, was given a favorable report with an amendment recommendation by the full committee. Currently mobile optometry units only operate during the school year. **H. 4333** allows **mobile optometry units to operate during the summer** when schools are not in session. The mobile optometry unit must be at a site of an organization serving children from low-income communities if approved by the local community foundation serving the region. The bill further outlines that a “community foundation” means an organization, lawfully organized and in good standing, that typically focuses on supporting a geographical area by addressing community needs and supporting local nonprofits.

H. 4680 Firefighter Cancer Health Care Benefit Plan

The committee gave a favorable with an amendment report to **H. 4680**, a bill that **removes the residency requirement for firefighters** under the Firefighter Cancer Health Care Benefit Plan.

H. 4365 Social Work Interstate Compact Act

H. 4365, a bill allowing the state to enter into a multistate agreement under the “**Social Work Interstate Compact Act**,” was given a favorable recommendation by the committee. This compact offers South Carolina an opportunity to participate allowing for access for social work services. The compact requires member states to recognize licenses for social workers issued by any other member state as well as allow for the practice of telehealth between member states. To be eligible to participate in the compact, a member state must currently meet all of the following criteria to include but not limited to license and regulate the practice of social work; require applicants for licensure to graduate from an approved program of the licensing authority; require applicants for clinical licensure to complete a period of supervised practice; as well as have a mechanism in place for receiving, investigating, and adjudicating complaints about licensees. Among many things, the bill also provides for the structure, function, powers, and duties of the Social Work Licensure Compact Commission.

H. 4817 Alternative Nicotine Product

The committee gave a favorable report to **H. 4817**, a bill that prohibits the sale of an **alternative nicotine product** to a person who does not present proof of age. The bill also specifies that it unlawful to sell an alternative nicotine product or tobacco product through a vending machine unless the machine is located in an establishment that is only open to those aged 18 or older or under continuous control by the owner or licensee of the premises or his employee and is not accessible to the public when the establishment is closed.

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H. 4552 Redevelopment of a Federal Military Installation

H. 4552, a bill that **expands projects that can be undertaken in the redevelopment of a federal military installation** to include affordable housing projects, was given a favorable with amendment report by the committee. The bill outlines that all or part of the new property tax revenues generated in the tax increment financing (TIF) district will be used to provide or support publicly and privately owned affordable housing, including supporting infrastructure projects, in the district. The bill also defines “affordable housing” as residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed 80 percent of the median income for the local area, with adjustments for household size, from the United States Department of Housing and Urban Development (HUD).

Labor, Commerce, and Industry

The House Labor, Commerce and Industry Committee met on Wednesday, February 28, and reported out three bills.

H. 4754 Real Estate Brokers

The committee gave a report of favorable with amendments on **H. 4754**, a bill that makes comprehensive revisions and updates to the provisions governing the licensing and regulation of **real estate brokers, brokers-in-charge, associates, and property managers**. The revisions include: prohibiting the practice of “wholesaling” which involves having a contractual interest in purchasing residential real estate from a property owner, then marketing the property for sale to a different buyer prior to taking legal ownership of the property; enhancing provisions for brokers-in-charge to provide for greater responsibility; updating advertising rules; raising the minimum fine for violations from five thousand to ten thousand dollars; establishing criminal background checks for associates; and, specifying that licensees are responsible for any and all work product produced with the assistance of artificial intelligence, machine learning, or similar programs.

H. 4113 Ambulance Fee Trust Fund

The committee gave a favorable report on **H. 4113**, a bill that creates an ambulance assessment fee for private ambulance services charged by the South Carolina Department of Health and Human Services and deposited in a newly created **Ambulance Fee Trust Fund** where this funding can be augmented with federal matching dollars. The Trust Fund is to be used exclusively to supplement Medicaid reimbursements to ambulance services to make the transportation of Medicaid patients more cost effective.

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H. 4218 Restrictions Regarding Genetic Information

The committee gave a report of favorable with amendments on **H. 4218**, a bill providing **restrictions for insurers on the use of genetic information** obtained from preventive screenings to detect variations or mutations, including carrier status, in an individual's genetic material or genes that are scientifically or medically believed to cause, or are associated with a statistically increased risk of developing, a disease, disorder, or syndrome. The legislation revises provisions for life, health, and long-term care insurance to prohibit these insurers from requiring someone who has insurance coverage or who is applying for coverage to take a genetic test as a precondition of insurability. These insurers are also prohibited from requiring the complete genome sequencing of an individual's DNA. These insurers are not allowed to request, obtain, or use an individual's genetic information for underwriting purposes without first obtaining the individual's signed, written consent. Provided that an individual's signed, written consent is obtained, these insurers are prohibited from cancelling, limiting, or denying coverage based solely on an individual's genetic information.

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Ways and Means

H. 5100 Fiscal Year 2024-2025 State Government Budget

H. 5101 Capital Reserve Fund

The Ways and Means Committee met during the week of **February 19** and approved the General Appropriation Bill and the joint resolution making appropriations from the Capital Reserve Fund, which together comprise the \$13.2 billion **Fiscal Year 2024-2025 State Government Budget**. After \$801 million is transferred to the Tax Relief Trust Fund that provides for the residential property tax caps, \$12.3 billion in recurring revenue is available for appropriation. The budget's \$896 million in nonrecurring revenue includes \$58 million in the Fiscal Year 2022-2023 Contingency Reserve Fund and \$390 million in Capital Reserve Funds.

The budget affords \$1.4 billion in direct tax relief.

In keeping with the "Comprehensive Tax Cut Act of 2022," \$99.8 million in recurring funds is used for the third year of the tax relief schedule, allowing the highest income tax bracket to be lowered from 6.4 percent to 6.3 percent.

The budget funds the enhancements to the state financial reserve accounts used to cope with revenue shortfalls as provided for in the amendments to the South Carolina Constitution that were approved by voters in the 2022 general election and ratified by the General Assembly.

\$200 million in nonrecurring funds is allocated to accelerate the Department of Transportation's schedule for repairing and replacing the state's bridges.

\$29 million in nonrecurring funds is provided for capital investments to improve the state's commercial airports.

\$41 million in recurring revenue is devoted to state employee pay raises with each full-time state employee who makes no more than \$66,667 a year receiving a \$1,000 increase in base pay and full-time employees making more than \$66,667 a year receiving a 1.5 percent salary increase.

\$108 million in recurring funds is included to cover the increased costs of operating the state's health insurance plan with no additional monthly premium costs.

The budget legislation continues to include the revised educational funding formula established in recent years that consolidates numerous budget lines into the single State Aid to Classrooms. The funding formula's weightings continue to apply, including those that emphasize more funding for students in poverty and students with disabilities. After satisfying fundamental requirements, local school districts are afforded

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greater flexibility in spending State Aid to Classrooms. Districts are subject to accountability and transparency requirements for publishing their expenditures of federal, state, and local funds online.

An additional \$230 million is provided for State Aid to Classrooms. The total appropriations for State Aid to Classrooms represent an average per pupil appropriation of \$5,772.

The budget allows pay raises for all teachers under a revised salary schedule that includes increases at all levels but directs the largest increases towards the lowest paid teachers. The revised pay schedule allows the state's minimum starting salary for teachers to increase from \$42,500 to \$47,500.

\$2.7 million in recurring Education Improvement Act funds is provided to increase the amount that each teacher is afforded for purchasing classroom supplies from \$350 to \$400.

\$40 million in Education Lottery Funds is appropriated for instructional materials.

\$6.9 million in recurring Education Improvement Act funds is allocated to the Child Early Reading and Developmental Education Program and \$17 million in these EIA funds for CERDEP at the SC Department of Education.

\$3 million in recurring Education Improvement Act funds is provided for early literacy training.

\$10 million in recurring Education Improvement Act funds is devoted to math resources and support.

\$30 million in recurring funds is appropriated for the Education Scholarship Trust Fund.

\$1 million in recurring Education Improvement Act funds is provided for the Jobs for America's Graduates program.

\$20 million in nonrecurring funds is provided for school safety upgrades. \$5 million in nonrecurring funds is provided for school safety mapping to assist first responders.

\$35 million in lottery funds is allocated for purchasing and leasing school buses.

The State Department of Education Grants Committee is afforded \$4.8 million in recurring Education Improvement Act funds.

The budget continues to include a higher education tuition mitigation initiative in which additional recurring funds is distributed among the state's institutions of higher learning. In order to retain these appropriations, the institutions must comply with provisions for freezing in-state tuition and mandatory fees during the 2024-2025 academic

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year for all in-state undergraduate students at all public four-year and two-year University of South Carolina campuses.

Full funding is provided in Education Lottery funds for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs.

The Commission on Higher Education is afforded \$80 million in lottery funds for need-based grants.

The Higher Education Tuition Grant Commission is allocated \$20 million in lottery funds.

\$51 million in lottery funds is provided through CHE and the Board of Technical and Comprehensive Education for tuition assistance.

The Board of Technical and Comprehensive Education is afforded \$78.7 million in lottery funds for SC Workforce Industry Needs scholarships that help provide full tuition at technical colleges for SC WINS recipients seeking degrees in industry sectors with critical workforce needs.

\$5 million in lottery funds is allocated to the Ready SC Program which provides worker training at the state's technical colleges that is customized to the needs of new and expanding business and industry.

\$10 million in lottery funds is provided to the Commission on Higher Education for its Nursing Initiative.

\$50 million from the Capital Reserve Fund is provided to the Department of Commerce for SC Nexus for Advanced Resilient Energy.

\$10 million in nonrecurring funds is provided for the Deal Closing Fund that the Department of Commerce uses to recruit new business to the state and encourage expansions in investments.

The Department of Parks, Recreation and Tourism receives \$11.5 million in nonrecurring funds for destination specific tourism marketing grants, \$1 million in nonrecurring funds for statewide marketing, \$1.1 million in nonrecurring funds for SC Association of Tourism Regions promotions, \$10 million in nonrecurring funds for film incentives, \$5 million in nonrecurring funds for its Sports Marketing Program, \$250,000 in nonrecurring funds for the Undiscovered SC Grant Program.

The Department of Archives and History receives \$2 million in nonrecurring funds for the commemoration of the 250th anniversary of the American Revolution in South Carolina.

The Conservation Bank is provided \$13 million in nonrecurring funds for conservation grant funding.

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The Department of Environmental Services is afforded \$3.1 million in recurring funds for workforce retention and credentialing, \$2.5 million in nonrecurring funds for the clean-up of uncontrolled hazardous waste sites, and \$2.8 million in nonrecurring funds for the implementation of State Water and River Basin Planning.

The budget includes funding for healthcare campus relocation in keeping with restructuring initiatives that consolidate the state's public health agencies.

The Department of Health and Human Services receives \$36 million in recurring funds for Medicaid program maintenance of effort, \$50.6 million in recurring funds for Medicaid medical provider rate adjustments, and \$18.5 million in recurring funds for Medicaid behavioral health provider rate adjustments.

The Department of Social Services is afforded \$1 million in nonrecurring funds for its Family Resource Center.

The Attorney General's Office is afforded \$1.5 million in recurring funds for its Statewide Violent Crimes Prosecution Task Force and \$1 million in nonrecurring funds for grants for residential and emergency housing for minor victims of human trafficking.

The Department of Corrections is afforded \$4.5 million from the Capital Reserve Fund for deferred maintenance and capital projects.

\$30 million is provided from the Capital Reserve Fund for the Disaster Relief and Resilience Reserve Fund.

The Adjutant General receives \$3.3 million in nonrecurring funds for armory revitalization.

The Department of Administration is appropriated \$1 in nonrecurring funds for first responder communications modernization and \$1 million in recurring funds and \$4 million in nonrecurring funds for cybersecurity and asset protection systems.

The Department of Veterans' Affairs receives \$1 million in nonrecurring funds for the Veteran Trust Fund, and \$2 million in recurring funds and \$8 million in nonrecurring funds for the Military Enhancement Plan Fund, and \$1.3 million in nonrecurring funds for the M.J. "Dolly" Cooper State Veterans' Cemetery.

Veteran homes are afforded \$25.5 million in recurring funds for inherent costs and \$49 million from the Capital Reserve Fund for capital improvements.

\$5 million in nonrecurring funds is provided for information technology system modernization at the Department of Motor Vehicles.

The Election Commission is afforded \$8 million in nonrecurring funds for election operations.

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The State Ports Authority is provided \$55 million from the Capital Reserve Fund for North Charleston Economic Development Land Acquisition.

\$13.9 million in recurring funds is included for full funding of the Local Government Fund that is consistent with the revised approach for sending revenue to political subdivisions established in Act 84 of 2019.

\$1.1 million in recurring funds is provided to increase state aid to county libraries.

Introductions

Agriculture, Natural Resources and Environmental Affairs

S. 903 Flounder Catch Size and Limits Rep. Hewitt

The bill repeals the sunset date of June 30, 2024 in Section 5 of Act 91 of 2021.

H. 5149 "Certified SC Raised Beef" Designation Rep. Haddon

The Department of Agriculture must develop a "Certified S.C. Raised Beef" designation, label, and application.

H. 5155 Regulation of Farm Structures Rep. Pope

the bill, relating to regulation of construction or improvement of a farm structure, exempts converted farm structures that accommodate up to 300 people used for public or private events including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting from definition of farm structures.

H. 5169 "Farmer Protection Act" Rep. Haddon

A financial institution may not discriminate in the provision of financial services to an agriculture producer based upon the agriculture producer's greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

Education and Public Works

H. 5144 School Mapping Data Program Rep. B. J. Cox

H. 5144 would create the school mapping data program within the State Department of Education for the purpose of facilitating efficient emergency responses in public schools by public safety agencies.

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H. 5156 Prohibition on Discrimination Rep. Garvin

H. 5156 proposes to prohibit discrimination based on race, color, or national origin, including features and hairstyles linked to race, in housing, public accommodations, education, and employment in South Carolina. It clarifies exceptions for employers on health and safety grounds.

S. 862 Caregiver Requirements Sen. Shealy

S. 862 relates to caregiver requirements and would provide for educational and pre-service training requirements.

S. 946 Regulation of Childcare Facilities Sen. Shealy

S. 946 relates to the State Advisory Committee on the Regulation of Childcare Facilities and would change the organization of the members and change the quorum of members required to vote from eight to six.

S. 974 Definitions Regarding Institutions and Scholarships Sen. Bennett

S. 974 relates to the definition of "public or independent institution" for purposes of the Palmetto Fellows Scholarships, the Legislative Incentives for Future Excellence (LIFE) Scholarships, and the SC Hope Scholarships, respectively, so as to add an institution accredited by the accrediting commission of career schools and colleges to the definition.

H. 5164 Education Scholarship Trust Fund Program Rep. Erickson

H. 5164 proposes comprehensive updates to the Education Scholarship Trust Fund Program, encompassing revisions to definitions, application processes, fund administration, privacy, funding formulas, fees, scholarship management, provider standards, and student eligibility. These amendments would simplify, and update the application process, strengthen privacy protections, refine funding and management procedures, optimize fund utilization, clarify, and remove many scholarship restrictions, enforce stricter provider criteria, and streamline eligibility communication.

Judiciary

S. 755 Property Transfer Upon Death Sen. Young

This bill would require that every person who acquires a watercraft or outboard motor to apply for a certificate of title to include when a Transfer of Death (TOD) beneficiary is designated, each beneficiary's name, address, county, date of birth, state ID number, state of issue and when one or more TOD beneficiaries receives the title and registration to a watercraft or outboard motor, a bill of sale would not be required to issue a title, but TOD beneficiaries would establish the death of owners. Additionally, each certifi-

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cate of title issued by the department would contain information of whether TOD beneficiary designations have been filed with the department. Certificates issued by the Department of Motor Vehicles would contain the names of any TOD beneficiaries and the Department should charge \$15.00 for the establishment, modification, or revocation of TOD beneficiaries.

S. 845 "Honoring Our Pact Act" to Open Probate Estates Sen. Rankin

This proposal would allow informal or formal probate court appointments in estates to be filed more than 10 years after someone's death only to allow a claim to be made pursuant to Section 804 of the "Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022," United States Public Law 117-168, as amended.

S. 915 Executive Office of Public Health Sen. Peeler

This bill would create the Executive Office of Health and Policy. Several departments including the Department of Alcohol and Other Drug Abuse Services, the Department of Disabilities and Special Needs, Department of Public Health, Department of Health and Human Services, the Department of Mental Health, and the Department on Aging would be dissolved if this proposal becomes law. In their place, a Secretary of Public Health would handle all of these responsibilities. This bill also sets out proposed responsibilities for a new the Secretary of Public Health.

S. 1001 Inmate Labor Sen. Martin

This bill would require that inmates participating in programs established by the Director of the Department of Corrections, to work in the private sector, not be paid less than an hourly rate equal to federally established minimum wage.

H. 5143 Freedom of Information Act Rep. King

This bill would remove exemptions from disclosing, under our Freedom of Information Act, the salaries paid to any public employees.

H. 5145 Reckless Driving Rep. Willis

This bill would require that drug and alcohol testing be performed when any drivers operate motor vehicles recklessly and cause great bodily injury or death to another person by doing so.

H. 5147 Firearm and Ammunition Possession Rep. Gilliam

Under this proposal, no one convicted of a crime punishable by a maximum sentence of imprisonment of more than one year could possess a firearm or ammunition. This prohibition would not apply to convictions for crimes such as antitrust violations, unfair

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trade practices, restraints of trade or similar business regulation offenses, any offense classified as a misdemeanor, or any conviction that has been expunged, set aside, or pardoned. Violators would be guilty of a felony. For a first offense they could be imprisoned for up to 5 years; for a second offense, be imprisoned from a minimum of 5 years up to 20 years; and for a third offense, be imprisoned for a minimum of 10 years up to 30 years.

H. 5152 Reduction of Sentences for Substantial Assistance Rep. Robbins

This bill would require appropriate law enforcement agencies or prison wardens to verify with the appropriate circuit solicitor that any defendant seeking sentence reduction actually provided substantial assistance to the State. Upon a motion for reduction of sentence being filed, these appropriate circuit solicitors would notify the arresting law enforcement agency and any victims, of the petition filing. These interested parties would also be notified they have a right to heard; the date, time, and locations of all hearings; and any other information relevant to the hearing to be conducted. The circuit judge assigned to hear these motions would be required to conduct hearings on the record, verify all statutory conditions have been met, ensure a reasonable attempt was made to notify any victims, make findings of fact supporting any reduction requested, and set all findings out in a written order. Judge's would have discretion to reduce any eligible defendant's mandatory minimum sentence below the mandatory minimum.

H. 5157 Human Embryos Rep. Garvin

This bill would prohibit any fertilized human egg or human embryo, that exists in any form outside of the uterus, from being considered an unborn child, a minor child, an unborn person, an unborn fetus, a natural person, or any other term that connotes a human being under South Carolina law.

H. 5161 Gullah Language Rep. Johnson

This bill would recognize the English and the Gullah languages as the official languages of South Carolina.

H. 5170 Judicial Merit Selection Reforms Rep. Pope

This bill seeks to reform the Judicial Merit Selection Commission. The commission would be composed of thirteen members. The Speaker of the House of Representatives would appoint four members, two who would be members of the House, and two others who are South Carolina Bar members in good standing, with ten years of experience. The Senate would appoint four members, with two appointed by the President of the Senate, one being a member of the Senate and the other being selected from the

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South Carolina Bar and must be in good standing with 10 years of experience. The remaining two appointments from the Senate would be appointed by the Chairman of the Senate Judiciary Committee, with one being a member of the Senate, and the other a South Carolina Bar member in good standing, with ten years of experience. The Governor would appoint five members, with one being a retired judge from our state judicial system, who will serve as the commission chairman, and four who would be South Carolina Bar members, who have at least 10 years of experience.

Individuals would not be eligible for appointment if they contributed to a campaign of one of the appointing authorities in the most recent election. Non-legislative members could not be public employees or serve in another elected office. Members of the commission would serve a term of two years and would not serve more than two consecutive terms. A commission member from the House of Representatives or Senate, who is not reelected to the General Assembly, would be terminated from their service when they no longer serve in the General Assembly. A member who is appointed to fill a vacancy in an unexpired term could serve two full terms following their appointment.

Initially, one member would be appointed by the Speaker of the House of Representatives, one member appointed by the President of the Senate, and two members would be appointed by the Governor would serve an initial term of one year and could be reappointed for a following two-year term. The Chairman would serve a two-year term and could be reappointed.

When making these appointments, the commission would consider race, gender, national origin, and other demographic factors to ensure nondiscrimination. Current members of the Judicial Merit Selection Commission who have served more than four years would not be eligible for appointment to this newly reconfigured commission. No member could receive compensation for commission services except for travel, board, and lodging expenses. No member would be eligible for nomination or appointment as a judge or justice in our state court system or administrative law court while serving on the commission, and for one year after serving on the commission.

The commission would employ an executive director who would be tasked with the day-to-day commission operations. The commission would be authorized to promulgate rules and regulations. The SC Bar and Citizens' Judicial Qualifications Committee would be created to survey candidates' qualifications. A Magistrates Review Subcommittee would be created. This subcommittee would be comprised of nine members,

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with four appointed by the President of the Senate and the Chairman of the Senate Judiciary Committee and five members appointed by the Governor. Magistrates would have concurrent civil jurisdiction in cases not exceed \$25,000.

H. 5180 Political Signs Rep. Guffey

This bill would prohibit municipalities or counties from enacting ordinances that regulate any political signs that are located on private property.

H. 5181 Ethics Offenses/Statutes of Limitations Rep. Morgan

This bill would permit the State Ethics Commission, Senate Ethics Committee, and the House ethics committee could take action on a complaint after four years of the alleged violation in the event that public official or public member who allegedly committed a violation is still in the same governmental entity where it occurred.

H. 5189 Property Transfer Upon Death Rep. Burns

This bill would require every person who acquires a motor vehicle, watercraft, or outboard motor with a certificate of title that includes a Transfer of Death (TOD) beneficiary designation to include each beneficiary's name, address, county, date of birth, state ID number, and state of issuance. When one or more TOD beneficiaries receives a title and registration to a motor vehicle, watercraft, or outboard motor, a bill of sale would not be required to issue a new title. These TOD beneficiaries would only have to establish the death of owners. Additionally, each such certificate of title issued would contain information of whether TOD beneficiary designations have been filed with the department. Fees for these services are set out in this proposed bill.

Medical, Military, Public and Municipal Affairs

S. 423 "Compassionate Care Act" Sen. Davis

The bill establishes the South Carolina Compassionate Care Act which includes many components dealing with an allowable amount of medical cannabis.

S. 1064 Alzheimer's Special Care Unit, Community Residential Care Facilities Sen. Turner

SC DHEC is directed to review the current law regarding community residential care facilities including, but not limited to qualifications for a community residential care facility to identify and advertise as an Alzheimer's special care unit. A report is requested by January 1, 2025 to the General Assembly, with recommendations for changes and improvements to the law regarding Alzheimer's special care units.

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H. 5183 Certified Medical Assistants and Unlicensed Assistive Personnel Rep. M. M. Smith

The bill revises the qualifications for a certified medical assistant (CMA), as well as provides additional responsibilities for the unlicensed assistive personnel.

Labor, Commerce, and Industry

S. 944 "Paid Family Leave Insurance Act" Sen. Gambrell

This bill establishes provisions authorizing insurance policies issued to an employer related to a benefit program provided to an employee to pay for a percentage or portion of the employee's income loss due to: the birth of a child or adoption of a child by the employee; the placement of a child with the employee for foster care; care of a family member of the employee who has a serious health condition; or, the status of a family member of the employee who is a service member on active duty or who has been notified of an impending call or order to active duty.

S. 957 Department of Insurance Provisions Sen. Cromer

This bill updates and revises Department of Insurance provisions.

H. 5148 Automobile Insurance Provisions Rep. White

This bill provides that an insurance policy that covers a person operating a rented or leased vehicle shall be primary to a motor vehicle insurance policy. The legislation requires insurers to pay sales tax for automobile paint when required to provide car painting services. The legislation establishes a procedure to resolve a dispute between an insurer and an insured as to the amount of loss of a vehicle.

H. 5151 Displaying Barber Poles Rep. Long

This bill prohibits those who are not licensed in the practice of barbering from using or displaying a barber pole for advertising purposes.

H. 5154 Civil Penalty for Gas Utility Violations Rep. West

This bill provides that a gas utility which violates SC Code Section 58 5 1020 or a regulation under Article 9 of Chapter 5, Title 58 is subject to a civil penalty not more than the civil penalty provided by 49 U.S.C. Section 60122 and 49 C.F.R. 190.233.

H. 5187 State Minimum Wage Rep. Williams

This bill provides that the minimum wage in South Carolina is the greater value of either ten dollars or the minimum wage set by the federal Fair Labor Standards Act. The legislation provides that a political subdivision of this state may not require a minimum wage that exceeds this established minimum wage. The legislation revises provisions relating to therapeutic patient employment, to provide that a patient employee must be

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paid this established minimum wage. The legislation revises provisions relating to Sunday work in machine shops and Sunday work in manufacturing or finishing of textile products, to provide that Sunday work must be compensated at a rate of no less than this established minimum wage.

Ways and Means

H. 5150 Education Capital Improvements Sales and Use Tax Rep. Gilliam

This bill repeals provisions relating to counties in which the Education Capital Improvements Sales and Use Tax may be imposed.

H. 5182 Police Officer Retention Incentive Program Rep. Bustos

This bill revises provisions relating to leave and lump-sum payments permitted upon termination of employment, death, or retirement of employees to create the Police Officer Retention Incentive Program.

H. 5188 Tax Exemptions for Unprepared Food Items Rep. Thayer

This bill revises provisions relating to sales and use taxes or tolls as revenue for transportation facilities to provide for certain exemptions for unprepared food items.

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Wednesday, March 6, 2024