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

**HOUSE WEEK IN REVIEW**

The House of Representatives amended, approved, and sent the Senate on **H.4287**, legislation establishing a protocol for **EVALUATING PROPOSALS FOR THE SALE OF SANTEE COOPER OR OTHER ARRANGEMENTS** in order to protect the individual and corporate ratepayers of Santee Cooper and the electric cooperatives of this state who receive electric power from this state-owned electric utility from rising electric power rates due to grossly excessive debt and costs incurred in the construction of the two abandoned nuclear reactors at Jenkinsville, South Carolina. This joint resolution establishes a process for the Public Service Authority Evaluation and Recommendation Committee to receive and consider offers of purchase and other arrangements such as entering into a management agreement. The committee is authorized to retain the services of legal and technical experts. The legislation provides that any offer of purchase or alternate proposal must be submitted to the General Assembly for approval and specifies the manner in which proposals are to be transmitted to and approved or disapproved by the General Assembly.

The House amended, approved, and sent the Senate **H.4261**, a bill providing **REFORM FOR SOUTH CAROLINA’S PUBLIC SERVICE AUTHORITY** which governs the operations of the state-owned electric utility Santee Cooper. Terms of service are ended for the current PSA Board of Directors and a schedule is established for the appointment of their successors. All new board members must meet a set of qualifications to ensure that they possess certain levels of educational attainment and a background that affords expertise in: energy issues; water and wastewater issues; finance, economics, and statistics; accounting; engineering; or law. The legislation revises appointment procedures to provide for the directors representing each of the state’s congressional districts to be elected by the General Assembly. Members of the General Assembly and their immediate family may not be appointed to the Public Service Authority while serving as legislators and for four years after their service. Provisions are included to avoid conflicts of interests by prohibiting members of the board of directors from having certain financial ties with the Public Service Authority. Transparency provisions are included that require live-streaming of PSA board and committee meetings and online public access to archived recordings of these meetings along with agendas and any documents presented during the open portion of meetings. The legislation requires that all major utility facilities proposed by the Public Service Authority must be submitted to the Public Service Commission for approval. A new procedure is established that the Public Service Authority must follow prior to revising any of its board‑approved retail rate schedules for residential, lighting, commercial, or industrial customers in a manner that results in a rate increase. This retail rates process includes requirements for providing notice to customers, holding public meetings, and receiving commentary from customers impacted by proposed rate increases. The legislation creates a ten-member South Carolina Public Service Authority Review and Oversight Commission composed of key legislative leaders, or their designees. The commission’s oversight duties include conducting a biennial review of to assess whether the PSA is improving the quality of life for South Carolinians by providing low cost, reliable power in this state in an efficient, effective manner in accordance with all applicable laws and regulations. The commission is authorized to undertake other reviews, studies, or evaluations on such matters as: (1) transmission and distribution reliability; (2) generation sources and availability; (3) customer surveys; (4) economic development; (5) lake management; (6) financial reports including operating budgets, outstanding debt, existing and proposed debt issuances, debt defeasance, debt/equity ratios, and bond ratings; (7) executive organizational structure and compensation, to include retirement compensation; and, (8) status of planned and ongoing capital projects. The South Carolina Public Service Authority board of directors and president/CEO have a duty to disclose material operational issues that impact customer rates to the commission.

The House concurred in Senate amendments to **H.3438**, a bill making provisions for the **DEPARTMENT OF VETERANS AFFAIRS** within the executive branch of government, and enrolled the legislation for ratification. In place of the current arrangement where veterans’ affairs are housed as a division of the Department of Administration cabinet agency, the legislation establishes a separate Department of Veterans Affairs within the executive branch that is headed by a Secretary appointed by the Governor with the advice and consent of the Senate. The Secretary must be a veteran. The legislation provides new duties for the Secretary that include coordinating with state and federal agencies to obtain additional resources and support for veterans living in South Carolina in the areas of medical care, mental health and rehabilitative services, housing, homelessness prevention, job creation, and education, and addressing all issues of mutual concern to the state and the armed forces of the Unites States, including quality of life issues unique to South Carolina’s military personnel and their families, quality of educational opportunities for military children, transportation needs, substance abuse, and social service needs. The Department of Veterans Affairs is required to submit an annual report to the Governor detailing its work on behalf of the state’s veterans. The department is authorized to apply for and accept funds, grants, gifts, and services from this state, the United States Government or any of its agencies, or any other public or private source, and may use funds derived from these sources to defray clerical and administrative costs, as may be necessary for carrying out the department’s duties. The Department of Administration may provide administrative support to the Department of Veterans Affairs in such areas as financial accounting, human resources, information technology, procurement, and logistics. The **SOUTH CAROLINA MILITARY BASE TASK FORCE** is established for the purpose of enhancing the value of military installations and facilities and the quality of life for military personnel located in this state and coordinating efforts among the public and the private sectors to maintain a significant United States Department of Defense presence in South Carolina. The task force is charged with advising the Governor and the General Assembly on any issues and strategies related to military base closures, realignments, and mission changes. The legislation provides for the composition of the task force and establishes its duties including the coordination of an annual meeting between the Governor, military commanders, and General Assembly members geographically representing military communities to discuss items of interest to all parties and exchange pertinent information on the current climate and challenges facing our state’s military installations and their personnel.

The House concurred in Senate amendments to **H.3180**, the **“SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT”**, and enrolled the bill for ratification. The legislation aligns South Carolina with federal law that provides for contracts for telecommunication services, Internet services, cable, direct satellite, and other television services, satellite radio services, and athletic club or gym memberships to be cancelled, without early termination charges, when those in military service are deployed or reassigned. The legislation sets out duties for notifying service providers and establishes civil penalties for violations. The Adjutant General is directed to post on the South Carolina National Guard website a list of the rights a servicemember or a servicemember’s dependent has under the South Carolina Servicemembers Civil Relief Act and the federal Servicemembers Civil Relief Act.

The House approved **S.214**, a bill addressing **SALES AND USE TAX LIABILITY** in light of a recent U.S. Supreme Court ruling regarding state tax collections on Internet retail sales, and enrolled the legislation for ratification. The legislation reaffirms state tax policy regarding market facilitators and other matters and makes explicit provisions that Internet marketplaces where a person sells tangible personal property at retail by listing or advertising, or allowing the listing or advertising of, another person’s products on an online marketplace and collects or processes the payment from the customer are retailers required to remit the sales and use tax on such retail sales under the provisions of South Carolina sales and use tax law.

The House approved and sent the Senate to **H.3807**, the **“TEEN SKIN CANCER PREVENTION ACT”**. The legislation provides that an individual must be at least eighteen years old in order to use tanning beds and other equipment that induces tanning through ultraviolet radiation in a tanning facility. Tanning facilities are subject to requirements for posting signs to provide notification of this minimum age for using tanning equipment. A tanning facility that allows a minor to use tanning equipment in violation of these provisions is subject to a five-hundred dollar civil penalty assessed by the Department of Health and Environmental Control. DHEC may deny, suspend, or revoke a tanning facility’s registration for repeated violations.

The House amended, approved, and sent the Senate **H.4262**, a bill that enacts the **“SOUTH CAROLINA SMALL WIRELESS FACILITIES DEPLOYMENT ACT”** to establish certain uniform procedures and standards for small wireless facilities, including small cells and distributed antenna systems, on utility poles in rights of way to encourage the development of strong and robust wireless and broadband communications networks throughout the state. The legislation prohibits local government authorities from imposing regulations and restrictions on small wireless facilities that are more burdensome than provisions applied to other types of infrastructure deployments in the rights of way or charging these wireless providers discriminatory rates or fees for the use of rights of way.

The House amended, approved, and sent the Senate **H.3780**, a bill creating the **“GROWING RURAL ECONOMIES WITH ACCESS TO TECHNOLOGY (GREAT) PROGRAM”** to facilitate the deployment of broadband data transmission service to unserved areas of the state. The legislation establishes the Growing Rural Economies with Access to Technology Fund as a special revenue fund in the South Carolina Rural Infrastructure Authority that is to be used for awarding state grants, in conjunction with federal funds, that are to be used to pay for the infrastructure costs associated with deploying high speed, high capacity, broadband Internet access to homes, businesses, and community anchor points in an unserved area of an economically‑distressed county.

The House amended, approved, and sent the Senate **H.3778**, a bill addressing **PORT CARGO VOLUME INCREASE TAX CREDITS AND PORT TRANSPORTATION CREDITS**. The legislationincreases the maximum annual amount of tax credits for port cargo volume increases available to all qualifying taxpayers from eight million to fifteen million dollars. The legislation establishes a schedule for phasing in a port transportation credit for the costs of transporting freight, goods, and materials to and from port facilities in South Carolina as a means of establishing a customer base for a new Jasper Port facility. The port transportation credit expires effective at the end of the calendar year in which a port in Jasper County is opened and is accepting shipments. The legislation provides that a port facility is a distribution facility for purposes of certain sales tax exemptions.

The House amended, approved, and sent the Senate **H.4127**. This bill revises eligibility criteria for the **DEPARTMENT ON AGING’S PHYSICIAN STUDENT LOAN REPAYMENT PROGRAM** as a means of enhancing the South Carolina’s ability to recruit and retain needed geriatricians. A sunset date is established for the loan repayment provisions so that these incentives expire at the end of 2024.

The House approved and sent the Senate **H.3936**, a bill revising eligibility requirements of the merit-based Palmetto Fellows Scholarship by **ALLOWING A PALMETTO FELLOWS SCHOLARSHIP TO BE USED AT TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL SCHOOLS** in addition to four-year colleges and universities.

The House approved and sent the Senate **H.4133**. This bill revises provisions relating to **COMMUNITY DEVELOPMENT TAX CREDITS**, so as to: allow a tax credit of fifty percent of any cash donation to a community development corporation or community development financial institutions; eliminate an aggregate credit provision and set an annual limit; establish tax credit reserve accounts for the first three quarters of each tax year so as to avoid the depletion of credits by an individual taxpayer; eliminate the pro‑rata distribution of tax credits; allow financial institutions with tax liabilities in this state to invest in community development corporations for the purpose of receiving a tax credit; and, provide that returns on investments in certified community development corporations and certified community development financial institutions may not exceed the total amount of the initial investment. The legislation extends the provisions of the South Carolina Community Economic Development Act until June 30, 2023.

The House amended, approved, and sent the Senate **H.3620**, legislation addressing **RETIREES RETURNING TO COVERED EMPLOYMENT UNDER STATE PENSIONS**. This bill revises provisions governing retirement benefits after returning to covered employment under the South Carolina Retirement System and the Police Officers Retirement System, respectively, so as to establish a protocol that allows retirees to return to covered employment without being subject to the ten thousand dollar earnings limitation.

The House amended and gave second reading approval to **H.3307**, a bill making provisions for a searchable online **DATABASE ON PROPERTY SEIZED BY LAW ENFORCEMENT AND FORFEITED**. The legislation charges the Prosecution Coordination Commission with establishing and maintaining a case tracking system and searchable public website that provides information about property seized by a law enforcement agency and forfeited under state law or under any agreement with the federal government.

The House amended, approved, and sent the Senate **H.3951**, a bill revising **QUALIFICATIONS FOR SHERIFFS** and candidates for the office of sheriff. The legislation provides that law enforcement experience requirements are satisfied exclusively through South Carolina Class I Certification. Incumbent sheriffs are exempt from these Class I Certification provisions. The legislation allows someone to be eligible to serve as sheriff who has obtained a law degree and, within six months of being elected, obtains certification as a Class I certified law enforcement officer. The legislation disqualifies someone from holding the office who has been convicted of, pled guilty to, or been pardoned for a felony or a crime of moral turpitude in this state or another state. In order to be eligible to serve as a sheriff, an individual must be a legal resident of the state for at least one year immediately preceding the date of the election for sheriff and a legal resident of the county in which he seeks the office of sheriff at the time he files for office.

The House approved and sent the Senate **H.3079**, a bill establishing an **ADDITIONAL METHOD OF POSTING NOTICE OF TRESPASSING** on a property. As an alternative to the posting of‘No Trespassing’ signs, the legislation establishes a procedure that allows trespassing notice to be posted on tracts of land by marking immovable, permanent objects along the boundary lines with purple paint.

The House amended, approved, and sent the Senate **H.4245**, a bill addressing the labeling of vat grown **CELL‑CULTURED MEAT** for sale. The legislation prohibits someone who advertises, offers for sale, or sells all or part of a carcass from engaging in any misleading or deceptive practices, labeling, or misrepresenting a product as ‘meat’ or ‘clean meat’ that is cell‑cultured meat/protein, or is not derived from harvested production livestock, poultry, fish, or crustaceans. These provisions do not apply to plant-based meat substitutes. A violation is a misdemeanor punishable with imprisonment for up to one year and/or a fine of up to one thousand dollars.

The House amended, approved, and sent the Senate **H.4244**, a bill making revisions related to **VEHICLE SERVICE CONTRACTS** and theft protection program warranties that include requirements for disclosures to consumers and provisions for how service contract providers establish their financial security to pay claims.

The House amended, approved, and sent the Senate **H.4246**, a bill addressing **REAL ESTATE COMMISSION CRIMINAL BACKGROUND CHECKS**. The legislationrevises requirements for criminal background checks by the Real Estate Commission, so as to change the effective date to allow for better coordination with license renewal schedules.

The House amended, approved, and sent the Senate **H.3785**, a bill making revisions that relate to the operation of the **BOARD OF ACCOUNTANCY** including provisions detailing when it is appropriate for meetings of the board to be closed.

The House amended, approved, and sent the Senate **H.3800**, a bill that waives the certification of completion requirement for a hunting license if a person purchases an **APPRENTICE HUNTING LICENSE**. The legislation is offered as a means of extending the opportunity for a person to try out hunting prior to purchasing a hunting license. The legislation also provides that a nonresident who meets the qualifications as an apprentice hunter must purchase a three-day temporary statewide apprentice hunting license for fifty dollars.

The House approved and sent the Senate **H.4239**, a bill making provisions for **TRAWLING IN AREAS ALONG THE COAST OF HORRY COUNTY**.

The House amended, approved, and sent the Senate **H.4009**, a bill dealing with statutory changes for the **DEPARTMENT OF NATURAL RESOURCES (DNR)**. This bill repeals outdated sections, amends incorrect sections, updates sections to current procedure and nomenclature. It deletes items pertaining to an expired directive or an ended study. It further gets rid of duplicative statutes. As a result, the changes include the ability for DNR to send license suspension information through the mail without a return receipt. As a result, this update leads to a cost savings of nearly $7K. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House amended, approved, and sent the Senate **H.4011**, legislation that makes necessary changes and enhances the **“WATER RESOURCE AND PLANNING COORDINATION ACT”**. Among many things, the bill adds a “State Water Plan” as an example of a comprehensive water resource policy in which DNR provides assistance to the Governor and General Assembly in formulating. The bill allows DNR to accept and spend federal money for water resource investigation. Requires to DNR to assist with coordination of water resource activities, programs, and plans at both local and “regional” level. The bill also expands DNR’s consideration of adequate supplies of surface and groundwater from specific uses to “all” uses. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House gave second reading approval to **H.4012**, legislation that cleans up and updates the **LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION**. Among many things, the bill updates the division’s name to Land, Water and Conversation Division and it reformats the State Land Resources Conservation Commission into the Land, Water and Conservation Division Advisory Committee. The bill also removes unnecessary statutory requirements that relates to financial needs for soil and water conservation districts which is now accomplished through the budgeting process. It removes references to discontinued practices as it relates to County Agricultural Agents. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House approved and sent the Senate **H.4013**, a bill that changes certain requirements for the **STATE GEOLOGICAL SURVEY UNIT** under the Department of Natural Resources. The bill requires that the state geologist become familiar with geologic hazards throughout the state. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House approved and sent the Senate to **H.4014**, a bill that designates the Department of Health and Environmental Control as the designated agent in selecting land as it related to the **LEASE OF DEVELOPMENT RIGHTS TO GEOTHERMAL RESOURCES UNDERLYING SURFACE LANDS OWNED BY STATE**. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House approved and sent the Senate **H.4015**, a bill repealing Chapter 11, of Title 13, the **NEW HORIZONS DEVELOPMENT AUTHORITY** as a result of the inactivity over the years. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House approved and sent the Senate **H.4260**, the **“SOUTH CAROLINA RATEPAYER PROTECTION ACT OF 2019”**.

The House committed **H.3917**, the **“SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT”**, to the Ways and Means Committee.

**HOUSE COMMITTEE ACTION**

AGRICULTURE, NATURAL RESOURCES AND

**ENVIRONMENTAL AFFAIRS**

The Agriculture, Natural Resources and Environmental Affairs Committee met on Wednesday, April 3, 2019, to discuss **H.4318**, a bill relating to the **TURKEY HUNTING SEASON**. This bill was given a favorable with amendment recommendation by the full committee.

Among many things, this bill addresses the wild turkey season which outlines that in Game Zones 1 and 2, turkey season is April 1 through May 12; Game Zones 3 and 4 is March 20 through April 30. Statewide, the season bag limit for male wild turkeys is three. The daily bag limit is one in each Game Zone with specified conditions. The bill outlines that it is unlawful to take a female turkey unless authorized by the Department of Natural Resources. The bill also declares that the weekend prior to the start of a game zone turkey season is to be “Youth Turkey Weekend” within the game zone for turkey hunters under eighteen years old.

The bill also deletes the term “wild turkey transportation tags” and replaces it with the term “wild turkey tags”. Along with the required hunting license and big game permit, a person must possess a set of these tags. These tags are no longer free. A resident tag is five dollars per set of three tags; a nonresident tag is one hundred dollars per set of two tags. There is no cost for a set of wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees.

**EDUCATION AND PUBLIC WORKS**

The House Education and Public Works Committee met on Tuesday April 2nd and passed out five bills.

The Committee passed **S. 514**, which directs the Department of Motor Vehicles to issue **'CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS' SPECIAL LICENSE PLATES** and that License number '1' for the 'Clemson University 2018 Football National Champions' license plate is reserved for the Clemson University Head Football Coach."

**H. 3577, EDUCATOR PREPARATION PROGRAMS**, was passed as amended that authorizes the State Board of Education to approve alternative route providers and programs for educator preparation and certification. And to establish guidelines that must include a timely review of all programs and providers and the guidelines to allow for differentiated designs and delivery methodologies of both providers and individual programs. Educator preparation programs housed within an institution of higher education (IHE) may be approved as an alternative route provider and may submit a separate and distinct educator preparation program for alternative certification to the State Board of Education and the Commission on Higher Education for approval. These alternative preparation programs are not required to be nationally accredited, but, consistent with other alternative preparation programs, IHE-led alternative programs must include, but are not limited to, documented evidence of the following: budget and sources of revenue including fees paid by the candidates; organizational information including the names and qualifications of administrators, support staff, and faculty; entry requirements for candidates for each certification area program offered by the applicant; plans for curriculum offerings including delivery method and timeframe, field placements, field supervision plans, and assessments of success; and also, partnerships with public schools for clinical experiences, if applicable, including signed memoranda of agreement with detailed responsibilities for the alternative route educator provider program and the school district; among other directives. The State Board of Education, through the State Department of Education, shall develop and implement a plan for the cyclical evaluation process for all alternative route educator preparation providers and programs every seven years. Institutions of higher education that are approved providers the by Commission on Higher Education must be consulted in the cyclical evaluation process. The plan must include requirements for initial and continuing approval and must include evidence of annual successful teaching experience of educators differentiated by program. The board shall include a process for revocation of program approval, continuous evaluation and upgrading of standards for program approval for all alternative route providers and programs;

The Committee passed, as amended, [**H. 3403**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3403&session=123&summary=B), **COMPETENCY-BASED EDUCATION**. This bill allows the State Board of Education to exempt a competency-based school from certain applicable state laws and regulations when the school is being launched by the district. A district that wishes to obtain an exemption must submit a waiver application to the State Board of Education in a format developed by State Department of Education. A district must show evidence of the meaningful steps already taken to engage parents and community stakeholders. A district must also include a continued plan to seek parental outreach and consultation using guidelines approved by the State Board of Education when submitting a waiver application for approval by its local board of trustees and the State Board of Education, or the application may not be considered. A district whose waiver application is approved may request additional exemptions and may request amendments to its current approved waiver on a rolling basis. A school created pursuant to this bill must admit all children eligible to attend the school, subject to space limitations and may not limit or deny admission or show preference in an admission decision to an individual or group of individuals. If a school is selected to become a competency-based education school, each student enrolled in the school is considered to be a full-time equivalent student enrolled in the school while participating in the competency-based education system for the purpose of calculating state financial support, average daily membership, and attendance. SDE must develop a process to ensure that schools and districts are not penalized for the purposes of accreditation. Also, SDE must establish procedures to ensure that a student who attends a competency-based school and subsequently transfers to another school that does not have a competency-based system is not penalized by being required to repeat coursework. SDE may provide a necessary accreditation exemption to a school that launches a competency-based education program. SDE must create evaluation criteria and guidelines for schools that are implementing competency-based education. A participating school must submit required data for a biennial cyclical review on a form developed by SDE. Additionally, during the cyclical review, SDE must notify any district and school if a goal or objective is not being met. The Commission on Higher Education and the State Board for Technical Education must establish policies to provide fair and equitable access to institutions of higher education and technical colleges for students with competency-based credits or diplomas, scholarships, and financial aid for graduates of schools implementing innovative school models and using non-traditional diplomas and transcripts.

The Committee amended and passed **H. 3757** relating to the **WORKFORCE AND EDUCATION DATA OVERSIGHT COMMITTEE**. This bill establishes the Workforce and Education Data Oversight Committee. The bill provides the functions of the committee, provides that certain departments shall submit certain data to the Revenue and Fiscal Affairs Office, provide for the uses of the data collected, provide for administrative oversight, provide for audits, and provide that individual level data may not be released. The purpose of the bill is to improve the effectiveness of the state's educational delivery system for economic opportunities of individuals and the state's workforce. Through the use of data analytics this bill enables state and local decision makers to design and support education programs that deliver an educated and prepared workforce. Regarding security, the bill directs state agencies and other entities participating in the Office's data analytics to develop and implement appropriate policies and procedures concerning data quality, integrity, transparency, security, and confidentiality. Concerning privacy, Sections D and E require compliance with federal laws, the use of deidentified data in research and reporting information relating to a specific individual or entity, requires the use of aggregated data, the maintenance of a data security plan (including audits) and clarifies that ownership and direction of data is the submitting agency. These sections emphasize the role of consent and third party consent and that data may not be used to identify any particular individual or set of individuals on an individual basis except as required by law enforcement or a court order or in any way that violates state or federal law, except as required by law. The administrative oversight section (F) refers to compliance with federal and state laws (including the South Carolina Division of Information Security and Enterprise Privacy Office's standards to uphold the security, privacy, and accuracy of all workforce and education data) using authenticated and authorized persons; privacy and security compliance standards; notification and procedures regarding a data breach; privacy and security audits; and policies for data retention, disposition, and disposal. There are specific restrictions such as: "No one, including, but not limited to, a member of the General Assembly or a member of the Governor's office, is authorized to have access to or be in possession of any individual level data within the jurisdiction of the office." And, in order to establish control, authority and responsibility, the chairman of the Committee, in consultation with, the Executive Director of the Office, shall notify immediately the Governor's Office of anomalies or violations to data integrity and security.

**H. 3174**, **ELECTRIC-ASSIST BICYCLES**, was amended and passed.This amended bill provides definitions for the terms electric-assist bicycles and bicycles with helper motors and provides that bicyclists operating electric-assist bicycles shall be subject to all statutory provisions applicable to bicyclists. Electric-assist bicycles are defined as low-speed electrically assisted bicycles with two or three wheels, each having fully operable pedals and an electric motor of no more than 750 watts, or one horsepower, and a top speed of less than 20 miles per hour when operated by a rider weighing 170 pounds on a paved level surface. This bill specifies that bicycles with helper motors are not mopeds. The amended bill also states that manufacturers and distributors of electric-assist bicycles shall apply a label that is affixed permanently in a prominent location to each electric-assist bicycle. The owner of the electric-assist bicycle shall not remove or tamper with the label. Electric-assist bicycles and bicycles with helper motors are not mopeds.

**JUDICIARY**

The House Judiciary Committee met Tuesday, April 2nd, and reported out the following bills:

A favorable report, with amendment, was given to **H.3020 SOUTH CAROLINA FETAL HEARTBEAT PROTECTION FROM ABORTION ACT.** This proposal requires testing for a detectable fetal heartbeat before an abortion could be performed. It prohibits abortions when a fetal heartbeat is detected. However, exceptions to this prohibition are made for cases of rape, incest, and medical emergencies. Requires recordkeeping by physicians performing abortions. Creates civil causes of action by pregnant women who have abortions performed on them. Creates criminal and professional license revocation penalties as well.

A favorable report was given to **H.3080 MULTI-EVENT ALCOHOL SALES PERMITS.** The SC Department of Revenue could issue permits to sell beer and wine for multiple locations as well as for multiple days for festivals, using only a single application. Defines "festival."

Also receiving a favorable report, as amended, was **H.3231 ADDITIONAL DIVORCE GROUNDS.** The amendment adds--to the physical cruelty grounds for divorce--willful or abhorrent conduct, or treatment, that destroys, or tends to destroy, the mental or physical well-being, happiness, and welfare of a spouse that renders continued cohabitation unsafe or intolerable.

**H.3729 MANDATORY REPORTING OF FETUS OR INFANT EXPOSURE TO ALCOHOL OR DRUGS** received a favorable report, with amendment**.** Under this proposal, mandated reporting of suspected child abuse, or neglect, would include instances where an infant, or a fetus, is exposed to alcohol or controlled substances. The amendment requires the South Carolina Department of Social Services, immediately after receiving a report, to create a plan of safe care for the child, and his family or caregiver. This plan will be formulated after an appropriate assessment of the circumstances.

A favorable report, with amendment was given to **H.3730 TRAFFICKING IN FENTANYL****.** This bill creates the criminal offense of "trafficking in fentanyl" for quantities of 4 grams or more. First time offenders could receive up to 10 years in jail. Second time, or more, offenders could receive up to 20 years’ imprisonment.

**H.3737 RICHLAND-LEXINGTON AIRPORT DISTRICT** received a favorable report, as amended. This legislation increases the Richland-Lexington Airport District board membership by two members. These two new members must be residents of either Cayce, West Columbia, or Springdale.

The final bill receiving a favorable report was **H.4075 NO MORE COUNTY OFFICER OFFICE INSPECTIONS.** It repeals the legal requirement for the Attorney General, and circuit solicitors, to inspect county officer offices**.**

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

The Medical, Military, Public and Municipal Affairs Committee on Tuesday, April 3, 2019 and reported out five bills.

**H.3703**, a bill dealing with the **LICENSURE EXAMINATION REQUIREMENTS FOR** **PHYSICAL THERAPY**, was given a favorable with amendment recommendation by the committee. The bill applies to physical therapists and physical therapist assistants. Currently, an applicant may attempt the licensure examination a total of three times. This bill will increase the attempts to six. However, if an applicant fails the examination a fifth time, the applicant must take courses and furnish evidence of completing these courses before taking the examination a sixth time.

**H.3036**, legislation that enacts **“DYLAN’S LAW”,** was given a favorable with amendment recommendation by the committee. This bill requires the Department of Environmental Control to add tests for nine neonatal genetic disorders and diseases to the existing newborn screening program. These additional tests for lysosomal storage disorders to be tested upon the recommendations of the Newborn Screening Advisory Committee. As a result, the legislation also establishes the Newborn Screening Advisory Committee to review the feasibility and advisability of including additional metabolic, genetic, and congenital disorders in the neonatal testing. The committee must be multidisciplinary and composed of members of the department.

The committee gave a favorable with amendment recommendation to **H.3728**, legislation that expands the **PRESCRIPTION MONITORING PROGRAM**, requiring the Department of Health and Environmental Control to include and maintain information in the prescription monitoring program on the administering of opioid antidotes in a hospital emergency department or by a first responder.

**H.4004**, a bill enacting the **“PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT”**, was given a favorable with amendment report by the committee. This bill enables certain persons to execute a POST form, signed by physician, that outlines the patient’s wishes as to life sustaining care. The bill outlines that a POST form is a designated document designed for use as part of advance care planning, the use of which must be limited to situations where the patient has been diagnosed with a serious illness or, based upon medical diagnosis, may be expected to lose capacity within twelve months and consists of a set of medical orders signed by a patient’s physician.

The bill establishes the Physician Orders for Scope of Treatment (POST) Advisory Council, consisting of a representative from the South Carolina Medical Association; the South Carolina Hospital Association; the South Carolina Nurses Association; the Leading Age South Carolina; the South Carolina Department of Health and Environmental Control; the South Carolina Healthcare Ethics Network; the Carolinas Center for Hospice and End of Life Care; the South Carolina Society of Chaplains; the American Association of Retired Persons (AARP); the South Carolina Department on Aging; the South Carolina Department of Health and Human Services; the South Carolina Bar; the South Carolina Home Care and Hospice Association; and members as appointed by the department.

The Advisory Council will act as an advisory body for POST system development and provide technical support to the department in areas of POST program design, standards, data collection and evaluation, quality improvement, funding, and evaluation of the POST programs.

The Department of Health and Environmental Control shall, with the advice of the POST Advisory Council, oversee the POST form.

The committee gave a favorable recommendation to **S.205**, legislation that provides for an additional duty to the Department of Aging’s **ALZHEIMER’S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER**, to facilitate the coordination of educational initiatives for health care providers on the early detection of Alzheimer’s disease and related disorders.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

**S.575 *TURKEY HUNTING SEASON* Sen. Campsen**

Among many things, this bill outlines turkey hunting season and the taking of male wild turkey. It also establishes “Youth Turkey Hunting Weekend”.

**EDUCATION AND PUBLIC WORKS**

**S.401 *TRANSPORTATION IMPROVEMENT PROJECT* Sen. Campbell**

This bill relates to the construction of the state highway system, to provide that an entity undertaking a transportation improvement project shall bear the costs related to relocating water and sewer lines, to provide the requirements for utilities to be eligible for relocation payments, and to define necessary terms.

**H.4381 *COMMERCIAL DRIVER LICENSE HOLDER EMPLOYMENT PROTECTION ACT***

**Rep. Cobb‑Hunter**

This bill enacts the “Commercial Driver License Holder Employment Protection Act” to provide that the successful completion of a federally sanctioned commercial driver license examination and the issuance of a valid commercial driver license by this state or another state shall constitute prima facie evidence of basic qualifications to drive commercial motor vehicles; and provides that a violation of a regulation enacted under the motor vehicle traffic and safety statutes and regulations of this state, or of another state, or the federal motor carrier safety regulations, or a conviction of a moving violation, shall not constitute per se wilful, wanton, or reckless conduct, or gross negligence.

**H.4383 *DISTRACTED DRIVING* Rep. Toole**

This bill imposes a civil penalty to fund public education regarding the dangers of distracted driving upon a person who is convicted of certain motor vehicle moving violations if the arresting officer observed the person holding a wireless communication device at the time of the violation.

**H.4390 *ADVERTISING ON BENCHES* Rep. Thigpen**

This bills relates to the Department of Transportation’s issuance of permits that allow the installation and maintenance of benches upon which commercial advertisements may be placed, so as to provide that the permits must be renewed annually instead of terminated on July 1, 2010.

**H.4391 *NOTATIONS ON MOTOR VEHICLE REGISTRATION* Rep. Garvin**

This bill provides that the DMV may add a notation to a private passenger‑carrying motor vehicle registration to indicate the vehicle owner or an occupant of the vehicle suffers from certain medical conditions and to provide the Criminal Justice Academy shall offer courses to train law enforcement officers on handling situations that may arise from the enforcement of this provision.

**H.4397 *DUPLICATE FRONT AND REAR LICENSE PLATES* Rep. Rutherford**

This bill requires the DMV to issue duplicate front and rear license plates to the registered owner of a motor vehicle who is employed as a transportation network company (TNC) driver and who, in the course of his employment, operates his vehicle in a municipality or municipalities that by ordinance require TNC vehicles to display duplicate front and rear license plates, and to provide that the fee paid to the DMV to acquire duplicate front and rear license plates may be deducted from the registered owner’s state income tax return for the year in which the fee was paid.

**H.4401 *ALLOCATION FOR CONSTRUCTION AND RENOVATION PROJECTS* Rep. Jefferson**

This bill relates to the allocation of state source highway funds for construction and renovation projects to firms owned and controlled by disadvantaged ethnic groups or women, so as to provide that this provision also applies to funds on contractors or consultants for certain projects that include building construction and maintenance, to delete the estimated value of contracts covered by this provision, to provide this provision covers subcontracts, to provide the Department of Transportation and the counties may establish subcontracting goals to obtain participation in the contracting process by ethnic groups and women, and to revise design of and implementation of the department of transportation’s program to allocate funds pursuant to this section.

**H.4403 *BULLYING* Rep. Bennett**

This bill relates to bullying prohibition policies adopted by school districts, so as to provide procedures for responding to and remediating allegations of bullying, to require an appeals procedure, and to provide certain additional requirements of school districts and the Superintendent of Education.

**H.4404 *VETERANS NURSING DEGREE OPPORTUNITY ACT* Rep. Stringer**

This bill enacts the “Veterans Nursing Degree Opportunity Act”; and authorizes the development and implementation of veteran associate of science in nursing degree programs and veteran bachelor of science in nursing degree programs to enable military veterans with relevant military training and experience to expedite the transition from military life to a professional career in nursing.

**H.4414 *DUAL ENROLLMENT COURSES* Rep. B. Newton**

This bill makes dual enrollment opportunities available to all high school students beginning with the 2020‑2021 school year, to provide certain requirements that high school students must satisfy to take dual enrollment courses, to make lottery tuition assistance available to all high school students for dual enrollment credits, and to provide this assistance does not require students to take any minimum number of dual enrollment credits.

**JUDICIARY**

**S.105 *SPAY/NEUTER PROGRAMS AND CRUELTY TO ANIMAL REFORMS***

**Senator Campbell**

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

**H.4386 *CRIMINALLY IMPERSONATING A RIDESHARE DRIVER* Rep. Bernstein**

Adds to our existing felony kidnapping offense, the crime of impersonating a "transportation network company driver," "TNC driver," or any other type of "ridesharing" driver. Doing so, as well as intentionally misrepresenting a vehicle as a "transportation network company vehicle," "TNC vehicle," or any other type of "ridesharing" vehicle, would be considered *prima facie* evidence of attempted kidnapping.

**H.4398 *CORONER CANDIDATE QUALIFICATIONS* Rep. Rutherford**

Modifies the qualifications list for county coroner candidates for them to be residents of that county at the time they file for office rather than for one year prior to filing.

**H.4399 *TERM LIMITS FOR AERONAUTICS COMMISSIONERS* Rep. Hiott**

Resident aeronautics commissioners could not serve for more than two consecutive terms under this proposal.

**H.4400 *REVISED PAROLE ELIGIBILITY SCHEDULE* Rep. Bryant**

Once prisoners confined for violent crimes are denied parole, their cases would be reviewed every five years for parole eligibility instead of every two years.

**H.4415 *ALCOHOL DELIVERIES* Rep. Bernstein**

Under this legislation, the SC Department of Revenue would issue delivery service licenses that will be valid for five years. These licenses would allow delivery services already delivering retail items to deliver sealed alcoholic beverages and wine, too.

**H.4416 *QUALIFYING CANDIDATES FOR ELECTIVE OFFICE* Rep. Fry**

Would require all candidates from each political party in this state to pay a filing fee, including candidates from parties that are not required to conduct primary elections. Political parties would be authorized to charge a certification fee to all candidates seeking nomination via political party primaries or political party conventions. Candidates would have to affirm their participation in at least three of the last four statewide party primaries. In the alternative, if precluded from participation due to age, personal health, residency, or active military service, candidates may pledge that they are *bona fide* members of the political party whose nomination they are seeking. State party chairs, if permitted by party rule, could require additional verification when candidates’ affirmations of *bona fide* party membership are disputed. The state party chairs are the final arbiters of any disputes raised.

**H.4417 *CAPITAL PUNISHMENT ALSO BY FIRING SQUAD* Rep. Martin**

Reinstates death sentences by electrocution, or, at the election of the person, by lethal injection, if it is available at the time of election, or by firing squad under the direction of the Director of the Department of Corrections. A convicted person's election must be in writing and his signature must be witnessed by two persons whose signatures must be notarized. Both witnesses must certify the convicted person's signature was made free from coercion, and voluntarily given. Inmates failing to sign an election form would receive their death sentence by electrocution. In the event execution by lethal injection under this section is unavailable or is held to be unconstitutional by an appellate court, then the manner of inflicting a death sentence would be by electrocution regardless of the method elected by the condemned. The SC Department of Corrections must provide written notice to condemned inmates of this right of election.

**LABOR, COMMERCE AND INDUSTRY**

**H.4405 *TRANSPORTATION NETWORK COMPANY PASSENGER SECURITY***

***REQUIREMENTS* Rep. Gilliard**

This bill revises standards applicable to transportation network companies operating in this state, so as to require transportation network companies, at the time the transportation network company (TNC) matches the TNC driver to the TNC passenger through the digital network, to transmit a numeric pin code both to the driver and the passenger for the purpose of confirming that the passenger has located the correct driver, and to require the TNC to include in the passenger’s ride confirmation message instructions for using the numeric pin code to confirm that the passenger has located the correct driver.

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

**H.4382 *STATE SURGEON GENERAL* Rep. Funderburk**

The bill provides for the appointment of a state surgeon general by the Governor and establishes qualifications and duties.

**WAYS AND MEANS**

**S.185 *HIGH GROWTH SMALL BUSINESS JOB CREATION ACT EXTENSION* Sen. McElveen**

This bill provides for a six-year extension of the High Growth Small Business Job Creation Act of 2013, commonly referred to as the Angel Investor Act, by changing the sunset date from December 31, 2019, to December 31, 2025.

**S.530 *CONSOLIDATED PROCUREMENT CODE REVISIONS* Sen. Leatherman**

This bill makes comprehensive revisions to the Consolidated Procurement Code.

**S.621 *BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS* Sen. Setzler**

This bill revises provisions relating to the issuance of bonds for industrial development projects, so as to provide for certain notice requirements before the bonds may be issued.

**S.647 *TAX CREDIT FOR DONATED WILD HOG MEAT FOR CHARITABLE DISTRIBUTION***

**Sen. Martin**

This bill expands provisions for a nonrefundable tax credit for processing donated deer for charitable distribution, so that these provisions also apply to donated wild hogs.

**H.4385 *TAX EXEMPTIONS FOR CITY HOUSING AUTHORITIES* Rep. Dillard**

This bill revises provisions for tax exemptions for city housing authorities, so as to provide that the property of an authority includes certain leasehold interests in and improvements to property owned by an entity that provides housing accommodations to persons of moderate to low income.

**H.4389 *TRANSPORTATION SERVICES* Rep. Thigpen**

This bill revises provisions relating to the establishment of county transportation authorities, so as to provide that the term “services” means transportation services such as mass transit systems. The legislation revises transportation authority procurement methods and requirements, so as to provide that transportation authorities or contracting entities shall apply the same procurement methods and requirements when procuring or contracting for services and the operation of transportation services. The legislation revises provisions governing the imposition of sales and use taxes or tolls to finance transportation facilities projects within a county, so as to provide that sales and use taxes or tolls also may be used to finance transportation services.

**H.4402 *PROPERTY TAX REFUNDS FOR THE FINANCIALLY DISABLED* Rep. Burns**

This bill revises provisions relating to property tax assessment ratios, so as to allow for a refund in any year when taxes are overpaid because the property was eligible for the special four percent assessment ratio if the owner was financially disabled during such period.

**H.4413 *STATE GOVERNMENT BUDGET CONTINUING RESOLUTION* Rep. G. M. Smith**

This joint resolution makes provisions for the continuing authority to pay the expenses of state government if the 2019‑2020 Fiscal Year begins without a general appropriations act for that year in effect.

**H.4418 *“DISPLACED STATE EMPLOYEE READJUSTMENT FUND”* Rep. Davis**

This bill provides for the Department of Administration to establish a “Displaced State Employee Readjustment Fund” to be used for creating and operating a Displaced State Employee Readjustment Applicant Pool by the Office of Human Resources for the purpose of helping public agency and quasi‑public agency workers displaced by the sale or transfer of the agency or quasi‑public agency transition to certain other employment by giving them first priority consideration for filling vacancies or new positions at other state agencies or quasi‑public agencies. The legislation limits applicability of these provisions to agencies employing one hundred or more workers.

**H.4419 *ECONOMIC IMPACT STUDY OF A SALE OR TRANSFER OF THE SOUTH CAROLINA***

***PUBLIC SERVICE AUTHORITY* Rep. Davis**

This joint resolution provides that before the South Carolina Public Service Authority and its assets and liabilities may be sold or conveyed to a public or private entity, and before a sales contract may be entered into, the Department of Administration must cause a full study to be undertaken in the territory of the authority to determine the economic and other impacts of the sale. The sale or conveyance of the Public Service Authority may not be undertaken or a contract for such a sale entered into until the study is completed. The legislation provides that the General Assembly further pledges and commits to enact and implement without delay, based on the study, meaningful economic incentive packages for those areas and individuals adversely affected as a result of a sale in terms of jobs lost, adverse effects on communities, and diminished prospects for future economic growth.

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