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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 and the Senate adopted the conference committee report on **H.3357** and the bill was enrolled for ratification. The legislation allows for a **HEARING IMPAIRMENT NOTATION ON A MOTOR VEHICLE REGISTRATION** as a means of providing law enforcement officers with information that could prevent misunderstandings during traffic stops and other interactions. The legislation establishes a procedure that allows drivers who are deaf or hard of hearing to apply to the Department of Motor Vehicles to have a notation added to their private passenger‑carrying motor vehicle registration. This special motor vehicle registration notation would only appear when a law enforcement check is run on the vehicle’s license plate through the department’s online interface with law enforcement to alert the officer that the driver may be deaf or hard of hearing.

The House concurred in Senate amendments to **S.996** and the legislation was ratified and signed by the Governor. This joint resolution authorizes an **EXTENSION OF SOUTH CAROLINA PUBLIC SERVICE COMMISSION CANDIDATE SCREENING** to provide an opportunity to find additional qualified candidates to present to the General Assembly for election to the commission that oversees public utilities. The legislation authorizes an extension in screening for candidates for PSC Seats 1, 3, 5, and 7 that allows the Public Utilities Review Committee to accept applications for a time period beginning Monday, February 3, 2020, through noon on Friday, February 28, 2020. Provisions are made for advertising these positions. In screening candidates for the PSC and making its findings, the Review Committee is directed to find the best qualified people by considering candidates’ ability, dedication, compassion, common sense, and integrity as well as their race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this state.

The House amended, approved, and sent the Senate **H.4209**, a bill that creates the **SOUTH CAROLINA FARM AID FUND** to receive appropriations from the General Assembly along with private donations and establishes a protocol for using this fund to operate a grant program for providing financial assistance to farmers should the state again experience disastrous flooding or another type of catastrophic weather event. Under the grant program, financial assistance is limited to farmers who experience a verifiable loss of agricultural commodities of at least forty percent due to a catastrophic weather event. A grant may not exceed twenty percent of the farmer’s verifiable loss with a total cap of one hundred thousand dollars. Grant awards must be used for agricultural production expenses and losses due to the catastrophic weather event which demonstrate an intent to continue the agricultural operation, such as the purchase of seeds and fertilizer. The financial assistance may not be used to purchase new equipment. A Farm Aid Advisory Board is established to make recommendations and assist the Department of Agriculture in the administration of the grant program.

The House approved **S.525** and enrolled the bill for ratification. The legislation eliminates the sunset date for an environmental impact fee so that it will no longer expire on December 31, 2026, and will instead continue to fund the **SUPERB ACCOUNT**, which is used to address environmental clean up costs should an underground petroleum tank leak.

The House amended, approved, and sent the Senate **H.4831**, a bill **STRENGTHENING LEGAL PROTECTIONS FOR NATIVE REPTILE AND AMPHIBIAN POPULATIONS** to counter illicit trade operations that collect these animals, notably South Carolina’s box turtles, and export them for sale. With certain exceptions, the legislation makes it unlawful for someone to sell, purchase, trade, exchange, barter, export, ship, transfer the possession of, rehome, remove, or attempt to remove from this state any native reptile or amphibian species, including parts, products, eggs, offspring, and derivatives. The Department of Natural Resources is authorized to establish possession limits for reptile and amphibian species by regulation in order to protect designated species from commercial exploitation and other pressures on these populations. The legislation also includes provisions making it unlawful for someone to release from captivity wildlife that is not native to this state. The Department of Natural Resources is authorized to promulgate regulations to prohibit or otherwise restrict certain species of nonnative wildlife in this State, including species that have the potential to become established in this state in sufficient numbers so as to become a nuisance and those that pose a demonstrable deleterious and widespread threat to wildlife, agriculture, or human health and safety. The legislation enhances penalties for violations.

The House approved **S.474** and enrolled the bill for ratification. The legislation revises catch limits and size limits for estuarine and saltwater finfish, to provide that it is unlawful for someone to take or have in possession more than ten **SPADEFISH** (Chaetodipterus faber) in any one day, not to exceed thirty spadefish in any one day on any boat. The legislation provides that it is unlawful to take, possess, land, sell, purchase, or attempt to sell or purchase spadefish of less than fourteen inches in total length.

The House approved **S.475** and enrolled the bill for ratification. The legislation revises catch limits and size limits for estuarine and saltwater finfish, to provide that it is unlawful for someone to take or have in possession more than three **TRIPLETAIL** (Lobotes surinamensis) in any one day, not to exceed nine tripletail in any one day on any boat. The legislation provides that it is unlawful to take, possess, land, sell, purchase, or attempt to sell or purchase tripletail of less than eighteen inches in total length.

The House amended, approved, and sent the Senate **H.4737**, a bill revising **PERSONAL WATERCRAFT AND BOATING SAFETY** provisions by increasing distance limits between a watercraft operating in excess of idle speed upon certain lakes and rivers of this state and a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water. The doubling, or in the case of Lake Wylie tripling, of the current fifty foot minimum distance requirement on these lakes and portions of rivers is offered to afford greater protection from wakes generated by personal watercraft, notably sport boats used for waterskiing and wakeboarding.

The House amended, approved, and sent the Senate **H.5018**, a bill facilitating **ELECTRONIC PROCESSING OF WATERCRAFT AND OUTBOARD MOTOR TITLES** through the Department of Natural Resources. The legislation allows for the transmitting and receiving titles and liens and the discharging of liens online using electronic documents.

**HOUSE COMMITTEE ACTION**

AGRICULTURE, NATURAL RESOURCES AND

**ENVIRONMENTAL AFFAIRS**

The Agriculture, Natural Resources and Environmental Affairs Committee met on Thursday, February 6, 2020, and gave a favorable with amendment report to **H.5062**. This bill that allows the Department of Natural Resources to issue **WILDLIFE LICENSES** in the formof a durable permanent hard card for a cost of $6. This card would be a material similar to a driver’s license.

**H.5015**, a bill adding **SCHEDULE IV DRUGS TO THE CURRENT LIST OF** **CONTROLLED SUBSTANCES FOR THE** **CAPTURE AND IMMOBILIZATION OF WILDLIFE**, was given a favorable with amendment recommendation by the committee. There is a new compound drug developed specifically for wildlife that works very well with deer and bear immobilization. This less controlled drug falls under Schedule IV drugs. The legislation adds Schedule IV drugs to the current list for utilization by the Department of Natural Resources.

**JUDICIARY**

The House Judiciary Committee met Tuesday, February 4th, and reported out the following bills:

**H.3066 MISTAKEN IDENTITY AND OTHER ARREST RECORDS DESTRUCTION** received a favorable report, with amendment. This legislation directs arrest records destruction for anyone arrested because of mistaken identity. It has a 180-day destruction deadline from completion of investigations that prove arrests were due to mistaken identity. No investigating authority can charge or collect fees for these arrest record destructions.

In addition, the full committee approved an amendment that expanded the scope of this bill. When listed minor criminal offenses are not disposed within five years of being brought, they can be dismissed. These offenses include 3rd degree simple assault and battery, public intoxication, disorderly conduct, breach of trust with fraudulent intent, open containers of alcohol in motor vehicles, trespassing, misdemeanor fraudulent check offenses, misdemeanor shoplifting, driving under suspension, simple possession of controlled substances, and similar local and state offenses that are similar to these listed crimes, in the opinion of the prosecutor. Once dismissed, within 10 days, all arrest records, bench warrants, mug shots, fingerprints, and all related documents must be destroyed, and cannot be retained in any form. Failure to destroy these records constitutes contempt of court.

**H.4974 ADDITIONAL CIRCUIT AND FAMILY COURT JUDGES** also received a favorable report, with amendment. This bill, as amended, adds two resident circuit court judges: one for the 14th Circuit and one for the 15th Circuit. It also adds two more resident family court judges: one to the 1st Circuit, and one to the 16th Circuit.

**LABOR, COMMERCE AND INDUSTRY**

The House Labor, Commerce and Industry Committee met on Thursday, February 6, and reported out several bills.

The committee gave a favorable report on **H.4151**, a bill making revisions relating to **REAL ESTATE APPRAISERS** that include a consolidation of the training required for licensure. This expedited schedule for meeting education and experience requirements is offered as a means of addressing a shortage of real estate appraisers.

The committee gave a favorable report on **H.4834**, a bill revising provisions of the **NURSE PRACTICE ACT** to clarify the academic qualifications required for certified registered nurse anesthetists.

The committee gave a favorable report on **H.4541**, a bill establishing a protocol that allows **MOTOR VEHICLE SALVAGE POOL OPERATORS** to obtain a lien-free title from the Department of Motor Vehicles to sell a wrecked vehicle without having to pursue title clearance through a magistrate. The expedited process is offered to allow salvage pool operators to avoid incurring long-term storage costs for a vehicle that can exceed the value of its salvageable parts.

The committee gave a report of favorable with amendments on **H.4940**, a joint resolution creating a temporary **ELECTRICITY MARKET REFORM MEASURES STUDY COMMITTEE** to examine whether the legislature should adopt market reform measures affecting the provision of electric service in South Carolina and study the public benefits associated with such measures. The legislation provides for the study committee’s membership of six legislators and a non-voting advisory board. Provisions are made for the study committee to engage third party, independent, expert consultants. The legislation sets a deadline of January 12, 2021, for issuing a report to the General Assembly and provides for the study committee to dissolve after making its final report.

The committee gave a report of favorable with amendments on **H.4776**, a bill addressing **RESTRICTIONS ON REPRESENTING PARTIES BEFORE THE PUBLIC SERVICE COMMISSION IMPOSED UPON FORMER COMMISSIONERS AND PSC EMPLOYEES**. The legislation prohibits representing a party in a Public Service Commission proceeding for a period of four years, in the case of a former commissioner, and a period of one year, in the case of a former PSC employee.

The committee gave favorable report on **H.4702**, a bill restoring **AUTHORIZATION FOR THE RICHLAND-LEXINGTON AIRPORT COMMISSION TO OPERATE A FOREIGN TRADE ZONE** that was inadvertently removed from statutory language.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

**H.5108 *COBIA CATCH LIMITS* Rep. Herbkersman**

In addition to adding catch limits to the cobia (Rachycentron canadum), the bill also prohibits the taking or possession of Cobia when Federal regulations provide for the closure of a recreational or commercial cobia fishery.

**JUDICIARY**

**H.5090 *LIMITING GENERAL ASSEMBLY OR FAMILY MEMBER JUDICIAL CANDIDATES* Rep. Morgan**

Under this proposal, and going forward, no one could be placed in any judicial office if he or she is an immediate family member of a General Assembly member. This prohibition also would apply to immediate family members of former General Assembly members whose legislative service ended less than one year prior to any judicial selection.

**H.5099 *EMPLOYMENT CONTRACT TEACHER TERMINATIONS* Rep. Mace**

Teacher employment contract provisions imposing any restraints on teachers who terminate their employment in other districts are declared void and unenforceable. Also, no school district could divulge, or inquire about, these terminations. Furthermore, they could not consider these terminations in teacher evaluations or hiring decisions. This information would also be exempt from disclosure under the SC Freedom of Information Act. It would also put penalties in place for violations of these prohibitions.

**H.5109 *NONCERTIFIED LAW ENFORCEMENT OFFICER SUPERVISION* Rep. D. C. Moss**

This bill requires noncertified law enforcement officers, appointed or employed after July 1, 2020, to perform any law enforcement duties only when accompanied by certified law enforcement officers.

**H.5112 *TIME SERVED TO INCLUDE GPS MONITORING TIME* Rep. Clary**

Inmates could receive full credit against their sentences for time spent under Global Positioning System (GPS) monitoring if this bill becomes law.

**H.5114 *STOPPING AT RAILROAD CROSSINGS* Rep. R. Williams**

Expands the on-track equipment requiring drivers to stop at railroad crossings under this proposed legislation.

**LABOR, COMMERCE AND INDUSTRY**

**H.5113 *CAP ON COST OF PRESCRIPTION INSULIN DRUGS UNDER HEALTH INSURANCE***

***PLANS* Rep. McKnight**

This bill requires all individual and group health insurance, health maintenance organizations, and the State Health Plan to cap an insured’s monthly cost sharing obligation for covered prescription insulin drugs at an amount not to exceed one hundred dollars per thirty day supply of prescription insulin drug, regardless of the amount or type of insulin needed to fill the insured’s prescription.

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

**H.5107 *DO NOT RESUSCITATE ORDERS* Rep. Ridgeway**

This bill allows a parent or legal guardian of a medically eligible child to request and revoke a “Do Not Resuscitate Order” for the child.

**H.5110 *POSSESSION OF HUMAN REMAINS THAT HAVE BEEN IDENTIFIED* Rep. Huggins**

If a coroner has possession of human remains that have been identified and the deceased person has been determined to be an unclaimed veteran, then the coroner must release the remains to a funeral home, funeral establishment, or mortuary for disposition.

**WAYS AND MEANS**

**H.5111 *COLLECTING PROPERTY TAXES ON BOATS, BOAT MOTORS, AND WATERCRAFT***

**Rep. Kirby**

This joint resolution provides that no county tax official may collect or attempt to collect a property tax payment on a boat, boat motor, or watercraft if property taxes were due, without penalty, on the same property within a twelve-month period thereof, and no tax is owed. If property taxes have been paid in violation of this provision, then the taxpayer must be refunded the full amount paid.

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