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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

**H. 4285** was taken up, adopted and sent to the Senate. This concurrent resolution, normally referred to as the General Assembly’s “***Sine Die* resolution**,” permits adjournment to be extended and session continue **after** Thursday**, May 13**, 2021. This extension is subject to the limitations the resolution contains. In particular:

The two chambers will stand in recess subject to the call of the President of the Senate and the Speaker of the House of Representatives at times they consider appropriate to meet for the consideration of, but subject to, the following conditions:

* consideration of the **General Appropriations** Bill,
* **Capital Reserve Fund** Resolution,
* supplemental **appropriations** Bill,
* any **Continuing Resolution** to fund the ordinary expenses of state government,
* appropriation or authorization legislation concerning **COVID-19** relief funding;
* concurrence, nonconcurrence, or amendments to these bills returned from the other chamber
* appointment of members to **conference and free conference committees** and consideration of conference and free conference reports on the matters specified in this item.

**June 8 - June 10**

Authorizes meeting on Tuesday, **June 8, 2021**, at 12:00 noon and continue meeting until not later than 5:00 p.m. on Thursday, **June 10**, 2021, for consideration of:

* the **General Appropriations** Bill,
* **Capital Reserve Fund** Resolution,
* supplemental **appropriations** Bill,
* any **Continuing Resolution** to fund the ordinary expenses of state government,
* appropriation or authorization legislation concerning **COVID-19** relief funding;
* concurrence, nonconcurrence, or amendments to these bills returned from the other chamber
* appointment of members to **conference and free conference committees** and consideration of conference and free conference reports on the matters specified in this item.

In addition, at this session, potential consideration of:

* gubernatorial vetoes;
* resolutions affecting Sine Die adjournment;
* receipt and confirmation of appointments;
* resolutions expressing sympathy or congratulations
* local legislation that has the unanimous consent of the affected delegation;
* conference and free conference reports for which a committee of conference has been appointed **prior** to 5:00 p.m. on Thursday, May 13, 2021;
* convening a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and
* introduction, receipt, and consideration of reports, appointments or amendments to **redistricting legislation** enacted by the General Assembly concerning the South Carolina House of Representatives, the South Carolina State Senate, and the United States Congressional Seats allocated to South Carolina.

**June 21 - June 23 for consideration of:**

* the **General Appropriations** Bill,
* **Capital Reserve Fund** Resolution,
* supplemental **appropriations** Bill,
* any **Continuing Resolution** to fund the ordinary expenses of state government,
* appropriation or authorization legislation concerning **COVID-19** relief funding;
* concurrence, nonconcurrence, or amendments to these bills returned from the other chamber
* appointment of members to **conference and free conference committees** and consideration of conference and free conference reports on the matters specified in this item.

In addition, at this session, potential consideration of:

* gubernatorial vetoes;
* resolutions affecting Sine Die adjournment;
* receipt and confirmation of appointments;
* resolutions expressing sympathy or congratulations
* local legislation that has the unanimous consent of the affected delegation;
* conference and free conference reports for which a committee of conference has been appointed **prior** to 5:00 p.m. on Thursday, May 13, 2021;
* convening a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and
* introduction, receipt, and consideration of reports, appointments or amendments to **redistricting legislation** enacted by the General Assembly concerning the South Carolina House of Representatives, the South Carolina State Senate, and the United States Congressional Seats allocated to South Carolina.

**June 29 - June 30, 2021 for consideration of:**

* the **General Appropriations** Bill,
* **Capital Reserve Fund** Resolution,
* supplemental **appropriations** Bill,
* any **Continuing Resolution** to fund the ordinary expenses of state government,
* appropriation or authorization legislation concerning **COVID-19** relief funding;
* concurrence, nonconcurrence, or amendments to these bills returned from the other chamber
* appointment of members to **conference and free conference committees** and consideration of conference and free conference reports on the matters specified in this item.

In addition, at this session, potential consideration of:

* gubernatorial vetoes;
* resolutions affecting Sine Die adjournment;
* receipt and confirmation of appointments;
* resolutions expressing sympathy or congratulations
* local legislation that has the unanimous consent of the affected delegation;
* conference and free conference reports for which a committee of conference has been appointed **prior** to 5:00 p.m. on Thursday, May 13, 2021;
* convening a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and
* introduction, receipt, and consideration of reports, appointments or amendments to **redistricting legislation** enacted by the General Assembly concerning the South Carolina House of Representatives, the South Carolina State Senate, and the United States Congressional Seats allocated to South Carolina.

When each house recedes not later than 5:00 p.m. **on June 30, 2021**, the General Assembly shall stand in recess subject to the call of the President of the Senate for the Senate and the Speaker of the House of Representatives for the House of Representatives at times they consider appropriate for their respective bodies to meet for the consideration of the following matters and subject to the following conditions, as applicable:

* the **General Appropriations** Bill,
* **Capital Reserve Fund** Resolution,
* supplemental **appropriations** Bill,
* any **Continuing Resolution** to fund the ordinary expenses of state government,
* appropriation or authorization legislation concerning **COVID-19** relief funding;
* concurrence, nonconcurrence, or amendments to these bills returned from the other chamber
* appointment of members to **conference and free conference committees** and consideration of conference and free conference reports on the matters specified in this item.

In addition, at this session, potential consideration of:

* gubernatorial vetoes;
* resolutions affecting Sine Die adjournment;
* receipt and confirmation of appointments;
* resolutions expressing sympathy or congratulations
* local legislation that has the unanimous consent of the affected delegation;
* conference and free conference reports for which a committee of conference has been appointed **prior** to 5:00 p.m. on Thursday, May 13, 2021;
* convening a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and
* introduction, receipt, and consideration of reports, appointments or amendments to **redistricting legislation** enacted by the General Assembly concerning the South Carolina House of Representatives, the South Carolina State Senate, and the United States Congressional Seats allocated to South Carolina.

Unless the session is otherwise adjourned *Sine Die* at an earlier date, the 2021 session of the General Assembly shall stand adjourned *Sine Die* not later than 11:59 a.m., Tuesday, **January 11, 2022.**

Senate amendments to **H. 3017** were taken up for consideration. The Senate amendments were agreed to, and the bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be **enrolled for ratification**. H. 3017 would provide that two-year institutions of higher learning and technical colleges be among institutions of higher learning whose students may be eligible for **Palmetto Fellows Scholarships**. Currently the Palmetto Fellows scholarship is available only to students attending an eligible four-year institution in South Carolina. The bill specifically deletes the current exclusion of two-year and technical institutions. Moreover, a student who uses the Palmetto Fellows scholarship to attend eligible two-year institution shall receive a maximum of four continuous semesters and may continue to use the scholarship to attend an eligible four-year institution. The Senate amendment that the House accepted would add three-year degrees and the use of the scholarship for 6 semesters. These programs are largely available in the technical college system.

The House approved and gave unanimous consent for third reading on Friday **H.3006**. This bill would prohibit public schools or districts from using debt collection agencies to collect or attempt to collect outstanding debts on **student school lunch** or breakfast accounts, nor assess or collect any interest, fees, or other such monetary penalties for outstanding debts for student school lunch or breakfast accounts, and forgives current debt ("provisions of this act apply to debts on student lunch and breakfast accounts outstanding on the effective date of this act and incurred after the effective date of this act."). The act takes effect upon approval by the Governor.

The House read the third time, passed and, having received three readings in both Houses, was ordered that the title be changed to that of an Act, and that it be enrolled for **ratification.**  **S. 241**. This bill relates to the definition of "covered individual" for the purposes of **tuition rates for military personnel** and their dependents. The bill would eliminate the requirement that a veteran or dependent enroll in a public institution of higher education within three years of the veteran's discharge in order to receive educational assistance. Failure to comply entails serious consequences from the federal government.

The Senate informed the House that it concurred in the amendments proposed by the House to **S. 38** and has ordered the bill enrolled for ratification. This bill would enact the **Reinforcing College Education on America's Constitutional Heritage Act (the REACH Act**). This bill would require that each public institution of higher learning instruct in and all undergraduates shall complete no fewer than three semester credit hours in American history, American government or other equivalent course of instruction that provides a comprehensive overview of the major events and turning points of American history and government, which includes at a minimum, reading in their entirety: the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and at least five essays from the Federalist Papers. The House added an amendment requiring the study of “one or more documents that are foundational to the African American Freedom struggle.”

The House gave third reading to, and then sent to the Senate, **H. 3623 Earlier Early Inmate Release Eligibility and Stricter Fentanyl and Fentanyl-related Substances Enforcement.** Inmates in jail for no parole offenses would become eligible for early release, discharge, or community supervision after serving sixty five percent of certain drug offense sentences. This proposal also reduces some criminal penalties and revises weight presumptions for the unlawful possession, manufacture, and trafficking of some controlled substances. It proposes to eliminate mandatory minimum sentences, as well, if enacted. However, it contains much more stringent penalties for possession, sale, distribution, or trafficking of fentanyl and fentanyl-related substances.

They have also sent the Senate **H. 3927 General Sessions Court Case Transfers.** Criminal charges, with penalties not exceeding three years, could be transferred from general sessions court under this bill. Current law limits transfers for charges with one year or less in potential jail time.

The Senate will also be receiving from the House **H. 3939** **Compensable Mental Injuries to Law Enforcement Officers**.First responders, defined in the amendment as law enforcement officers and firefighters employed by state or local governments would be covered. When they are injured, they could be considered for compensation for stress, mental injury, or mental illness injuries medically diagnosed as anxiety disorder, conduct disorder, depression, obsessive-compulsive disorder, sleep-wake disorder, or post-traumatic stress disorder after these first responders are involved in significant traumatic experiences within the scope and course of their employment. Current law exempts these injuries from consideration for these awards. During its debate, this bill was further amended to require any law enforcement officer who receives these benefits to return them to the officer’s employer or insurance carrier, if the officer is later convicted of an unlawful killing.

Also receiving third reading and on its way to the Senate is **H. 4075 Sex Offender Registration** **Exemptions**. If passed into law, it would allow second degree criminal sexual conduct with a minor offenders who are 18 years old, or younger, as well as third degree criminal sexual conduct offenders engaging in consensual sex who are also minors, to be exempted, through an appropriate order issued by any court with competent jurisdiction, from any sex offender registration requirements.

The House approved **S. 623** and enrolled the bill for ratification. The legislation revises provisions governing **automobile insurance premium rate increases** in order to afford insurers greater flexibility and provide better alignment between South Carolina’s laws and the regulatory practices of other states. The legislation includes limits on the number of rate increases that insurers may implement in a year.

The House returned **S. 510**, a bill addressing **motor vehicle manufacturers and dealers**, to the Senate with amendments. The Senate subsequently concurred in the House amendments and enrolled the bill for ratification. The legislation makes comprehensive revisions to the laws governing the operation of manufacturers and dealers of motor vehicles and the contractual arrangements that exist between them.

The Senate amendments to **H. 3805** were considered. The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification. This legislation would standardize military license plates administered by the Department of Motor Vehicles Article by creating Article 147 **Military Special License Plates** for consistent treatment. Currently, there are different standards for similarly classified military-related license plates. This bill would provide that the DMV may issue and regulate various military special license plates and repeal various articles. The Senate added Veteran or Veteran wheelchair if the registrant qualifies for handicapped parking and female Veteran or female Veteran wheelchair if the registrant qualifies for handicapped parking. Also, they added disabled female Veteran and the same regarding disabled female Veteran (wheelchair) (the applicant must be considered totally and permanently disabled due to a service-connected disability as evidenced by official military documentation). The following categories and lists are reflective of the bill, which may bear reading for further identification. The House had also added language defining veteran or veteran wheelchair if the registrant qualifies for handicapped parking and Combat-Related Disabled Veteran where the registrant must have a combat-related disability as evidenced by a letter from the U.S. Department of Veterans Affairs defining a combat and operations-related disability.

Valorous Awards:

Medal of Honor- Army

Medal of Honor- Navy

Medal of Honor- Air Force

Distinguished Service Cross- Army

Distinguished Service Cross- Navy

Distinguished Service Cross- Air Force

South Carolina Medal of Valor

Silver Star

Bronze Star (with valor)

Soldier's Medal

Distinguished Service Awards:

Distinguished Service Medal- Army

Distinguished Service Medal- Navy

Distinguished Service Medal- Air Force

Distinguished Service Medal- Marine Corps

Distinguished Service Medal- Coast Guard

Distinguished Flying Cross

Legion of Merit

Palmetto Cross

Exemplary Service Awards:

Gold Star Family

Gold Star Family Prisoner of War

Purple Heart:

Purple Heart Wheelchair

The following Military Campaigns:

World War II Veteran

Pearl Harbor Survivor

Normandy Invasion Survivor

Korean War

Vietnam War

Operation Desert Shield/Desert Storm

Operation Iraqi Freedom

Operation Enduring Freedom

Meritorious Service Awards:

Air Medal

Bronze Star (service).

Reflective of Military Service:

Veteran

Combat-Related Disabled Veteran

Army

Marine Corps

Navy

Air Force

Coast Guard

National Guard- Army

National Guard- Air

National Guard- Retired

US Military Reserve- Army

US Military Reserve- Marine Corps

US Military Reserve- Navy

US Military Reserve- Air Force

US Military Reserve- Coast Guard

US Armed Forces Retired

State Guard

Support for Military-Related Private Organizations:

Blue Star Family

Veterans of Foreign Wars

American Legion

Disabled American Veterans

American Veterans

Marine Corps League

Chief Petty Officer

The Senate amendments to H. 3689 (regarding an international registration plan) were considered. The Senate amendments were agreed to, and the bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification. H. 3689 is largely a bill that corrects inadvertent problems in Act 40 , the 2017 "Road Funding Bill." One of the things that Act did was to create a "Road Use Fee (RUF)." This bill would provide that if a commercial motor vehicle is registered through the international registration plan and is operated under a United States Department of Transportation (US DOT) number assigned to a person other than the vehicle's owner, then the person to whom the US DOT number is assigned may register the commercial motor vehicle by submitting the appropriate application and fees to the Department of Motor Vehicles. This bill codifies existing agency procedures. This addresses integrated trucking fleets. The Senate amendments clarify that the DMV has administrative control over registration, treats intra-state vehicles like inter-state trucks, effectively freeing counties from certain administrative burdens -- clarifying that the DMV as the "1-Stop-Shop" for commercial truck customers. The amendments would also restore quarterly-payment installment options.

The House read the third time, passed and, having received three readings in both Houses, was ordered that the title be changed to that of an Act, and that it be enrolled for **ratification** **S. 685**. This bill would provide for the compensation of **intercollegiate athletes** by a third-party for the use of an athlete's name, image, or likeness (NIL). Numerous definitions are provided. The bill provides for guidelines and safeguards to protect both the student athletes in college athletics from misuse or abuse of contracts. Per RFA’s FI summary: “the bill establishes provisions for an intercollegiate athlete to earn compensation for the use of his name, image, or likeness (NIL). Compensation may only be provided by a third-party, and may only be for third-party endorsements, the athlete’s non-athletic work product, or activities related to a business that the athlete owns. Such activities may not take place during the student’s academic, athletic, or team-mandated activities. In addition, compensation may not be earned for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or gambling. For the purposes of this bill, “third-party” is defined as any entity other than the institution of higher learning in which the intercollegiate athlete is enrolled. This bill also allows student athletes to obtain an athlete agent for the purposes of securing compensation for their NIL. Athlete agents must be registered by the Department of Consumer Affairs (DCA). A grant-in-aid awarded to the athlete by an institution of higher learning is not considered compensation. Such an award may not be revoked or reduced as a result of the athlete earning compensation. Compensation earned for the use of an athlete’s NIL may not be used to limit athletic grant-in-aid, but may be used in the calculation or his need-based financial aid. Earning compensation in compliance with this bill does not affect the student’s athletic eligibility. The bill prohibits compensation for the student’s athletic participation or performance, or for his attendance at a particular institution. In addition, use of such compensation by an institution or its boosters as a recruiting inducement is prohibited. The athlete may not use his institution’s facilities, uniforms, or intellectual property in connection with the use of his NIL. An institution of higher learning and its athletic conference are prohibited from directly or indirectly creating or facilitating compensation opportunities for an athlete. In addition, an institution and any entity that supports or benefits the institution or its athletic programs may not directly or indirectly compensate an athlete for the use of his NIL. An institution of higher learning may only prohibit an athlete from using his NIL for compensation if that use conflicts with an existing sponsorship agreement or the institution’s values. The bill provides guidance on disclosure of information by the institution, the athlete, and the agent representing the athlete.”

The House read the third time, passed and, having received three readings in both Houses, was ordered that the title be changed to that of an Act, and that it be enrolled for **ratification** **S.667**. This bill would provide options and parameters to adjust or relocate **outdoor advertising signs** to restore visibility, and provide for the costs of adjustment or relocation. This bill permits the owner of an outdoor advertising sign whose property is acquired by highway projects the option of relocating the sign to a position within five hundred feet of the original site or alter to where no portion of the sign overhangs the right of way. Also, the owner of an outdoor advertising sign, in which its visibility has been obscured by a project, has the option to alter the height or angle of the sign, or relocate the sign. This bill transfers the responsibility for compensation under a local highway project to the political subdivision responsible for the local highway project.

**H. 3943** was taken up, read the third time, and ordered sent to the Senate. This bill would provide that a truck towing a vehicle utilizing a **fifth wheel assembly** may tow one additional vehicle. The combined pickup truck and trailing vehicles may not exceed a total of 75 feet and the weight of the trailers must not exceed 3,000 pounds.

**H. 3219** was taken up, read the third time, and ordered sent to the Senate. This bill is an effort to enable children living in out-of-home care to be able to participate in age or developmentally appropriate activities based on caregivers for these children using a reasonable prudent standard to determine age or developmentally appropriate activities. The bill permits **children fifteen years of age or older who reside in ‘out-of-home” care**, including foster children, to facilitate that they be **legally authorized to drive**. The amendment waives certain fees and effectively limits the bill to insurance and other liabilities involving caregivers and foster parents.

**H. 3730** was taken up, read the third time, and ordered sent to the Senate. This bill would provide the additional circumstance of "other on-track equipment" (e.g., maintenance equipment) that would require a driver of a motor vehicle to stop a vehicle approaching a **railroad grade crossing** in order to obey a signal that indicates an approaching train. Although perhaps a federal issue, the House amended the bill to include restrictions and fines on railroad companies for loitering locomotives and tardy trains.

The House approved and gave unanimous consent for third reading on Friday **S. 607**, which relates to the removal of **charter school district board members** for cause or due to incapacity. The bill would revise the bases for removal, provide that resulting membership vacancies must be filled pursuant to certain bylaws of the charter school, and removes the charter school district from the provisions.

The House amended and ordered to third reading **H.3591**, the **teacher preparation report card.** This bill would improve the means for evaluating educator preparation programs to train new teachers by directing several agencies to develop and annually publish before November 1 an online report card known as the "South Carolina Teacher Preparation Report Card." The report will evaluate the ability of educator preparation programs including alternate programs, to train new teachers. The bill also would require SDE to share data regarding the graduates of the various preparation programs with the respective providers. In addition to the State Board of Education, the Department of Education and the South Carolina Commission on Higher Education, the committee amendment adds the Center for Research on Teacher Education (SC-TEACHER). These entities will form a commission to conduct a detailed assessment of the teacher data infrastructure, develop metrics, determine weightings, construct a data upload system and create reports regarding educator preparation programs. The educator preparation report card must be published on the websites of SDE, CHE and educator preparation programs. Data on "nationally normed performance assessments that are data and evidence-based and can assess teacher effectiveness" are to be used.

The House amended and ordered to third reading **H. 3592**. This bill regards the **statewide assessment program** to promote student learning and student performance. It establishes that an 'interim assessment' means a test that may be administered at least once, but no more than three times, over an academic year. The bill has details governing the frequency of tests (and exceptions). This bill would delete the requirement for an end of course assessment in United States history. *The course would still be required*. Specific diagnostic information must be included, among which is certain related information that districts and schools shall provide parents or guardians of students being assessed (including that if the assessment is administered more than once during the school year, information provided to the teacher and parent or guardian must document all prior administrations of the assessment so that the parent or guardian can determine the progress of the student). The bill would require the administration of the ACT (with the writing assessment) to eleventh grade students beginning with the 2021-2022 school year and for five years thereafter. The department shall procure a college readiness assessment provider that includes sections in mathematics, English, writing, and science. Further, that beginning with the 2022-2023 school year the Department shall embed items in standards-based assessments to address certain social studies standards on the SC Ready reading and writing assessments. Amended language ensures that the SC READY assessment remains the main determinant regarding whether a student needs additional assistance. The amendment also made a few technical changes ("interim" instead of "formative" regarding assessments) and clarified language and intent (including that there is to be only one assessment given to students over the course of the school year except for assessments that are designed to be administered more than once but not more than three times.

House amended and gave second reading to **S. 201**. The house amendment combined House and Senate language regarding definitions: **Underperforming school**--receives an overall rating of unsatisfactory or below average on its school report card; **Chronically underperforming school**--receives an overall rating of “unsatisfactory” for three consecutive years on its school report card; and **Underperforming district--**where sixty-five percent or more of schools in the district have an overall rating of unsatisfactory or below average on the school report card.

The House added that if **report cards are unavailable, the metrics used to determine report card ratings are to be used in making the designation.** After a school has been in a state of emergency for three consecutive years, *or* ***five of the last seven years***, the State Superintendent may extend the state of emergency for an additional three-year period with State Board approval.In regard to the interim board, the Senate gave the Governor one appointment, the legislative delegation three appointments, and the State Superintendent one appointment with delegation consultation.  The House keeps the gubernatorial appointment, but gives the delegation one appointment and the Superintendent three with delegating consultation.

In detail:

The Department shall implement a tiered system for providing technical and other assistance, professional development, and monitoring for schools and districts. The Department shall report to the General Assembly on the tiered system's progress relating to assistance provided to schools and school districts. The report shall include data documenting the impact of the assistance on student academic achievement, college and career readiness, and high school graduation rates.

To achieve this, schools will monitor the professional development of teachers, staff, and administrators provided by or approved through districts and schools; monitor local school board operations for efficient and effective management; and identify and provide a summary of improvements and changes to the school districts, district school boards, and other involved parties. Upon a school or district's designation as an underperforming school or district, the department shall immediately place the school or district into a tiered status to provide technical assistance. The Department shall notify the underperforming school or district and the district superintendent of the tiered status. Upon receiving notification from the Department, the district superintendent, in consultation with school and community stakeholders, must review and revise the school’s and district’s strategic plan with the assistance of the School Improvement Council to include a turnaround plan component for any underperforming school or district.

The **turnaround plan** component of the revised strategic plan must include various requirements. Upon approval by the local board of trustees, the turnaround plan component of the revised strategic plan must be submitted to the department for review and approval. Thereafter, the district superintendent and the local board of trustees annually shall submit updates to the Department regarding the implementation of the turnaround and revised strategic plan, including metrics assessing the impact of the activities included in the plan. The department shall monitor the district's implementation of the revised strategic plan and evaluation of students' academic progress, as provided for in the plan, and shall apprise the State Board of Education of the district's progress once a quarter. For a school receiving an underperforming rating, the district and local board of trustees must work with the school principal to inform the parents of students of the rating. The notification must outline the steps in the revised strategic plan to improve performance, including the support that the local district board of trustees has agreed to give the plan. Upon the release of the annual report card, the Department shall notify the appropriate **legislative delegation** of any school receiving an overall unsatisfactory rating.

The local school board and district superintendent with jurisdiction over the unsatisfactory school will notify parents of students in writing and electronically; schedule, prominently publicize, and hold a public meeting to explain the school's rating, its implications, how it must develop and implement a revised strategic plan for improvement, and how it will involve and engage the community in its plans, within thirty days of receiving the rating; immediately review and revise its strategicplan, which must incorporate and focus on turnaround plan components for each school designated as unsatisfactory in accordance with the template and guidelines provided by the department; and upon Department approval, immediately list the revised strategic plan as a topic on the local district board meeting agenda at least once a quarter.

The State Superintendent of Education may seek a state-of-education emergency declaration **for a school** that he is

chronically underperforming;

the school's accreditation is denied; or

the State Superintendent of Education determines that a school's turnaround plan results are insufficient.

If the State Superintendent of Education determines that a school state-of-education emergency declaration is justified, then he must request that the State Board of Education meet to approve or disapprove the declaration.

Upon the approval of a state-of-education emergency declaration, the State Superintendent of Education will notify the appropriate district superintendent, local school board, and local legislative delegation and the Governor and assume management of the school. The local district board may, upon a majority vote, appeal the State Board of Education's approval of the declaration to the Administrative Law Court.

Once a school has met annual targets identified in the revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation. Upon an affirmative vote by the State Board of Education to end the state-of-education emergency, the Department, in consultation with the district and local board of trustees, shall develop a transition plan and timeline for returning management of the school to the district.

After a school has been in a state-of-education emergency for three consecutive years, the State Superintendent of Education may extend the state-of-education emergency for an additional three-year period only upon the approval of the State Board of Education. The State Superintendent of Education may make requests every three years, which must be approved or disapproved by the board. If the State Superintendent of Education does not request additional time, or if the State Board of Education disapproves a request, then the school shall revert back to the control of the local school board.

The State Superintendent of Education may seek a state-of-education emergency declaration **for a district**:

That district is identified as underperforming for three consecutive years or five out of the last seven years;

the district's accreditation is denied; and

the Superintendent of Education determines that a district's turnaround plan results are insufficient; or

the district is classified as being in a fiscal emergency status pursuant to Section 59-20-90, or financial mismanagement resulting in a deficit has occurred.

The process for the district is similar to that of the school above.

The State Board of Education shall approve that an interim local district board of trustees be appointed. The interim local district board of trustees shall consist of five members appointed in the following manner with a chairman elected by the appointees: one member appointed by the Governor; one member appointed by the local legislative delegation; and three members appointed by the State Superintendent of Education in consultation with the local legislative delegation. The members of the interim local district board of trustees shall represent the educational needs of the district.

Upon an affirmative vote by the State Board of Education to end the state-of-education emergency, the department, in consultation with the district and interim board, shall develop a transition plan and timeline for returning management of the district to a local board of trustees. Beginning with the next regularly scheduled election, members for the local district board of trustees will be elected or appointed pursuant to statutory requirements. Upon the swearing in of a new local district board of trustees, the declaration of a state-of-education emergency shall expire, and the powers and duties of the district superintendent and local district school board of trustees are restored.

Notwithstanding any other provision of law, a district in a state-of-education emergency pursuant to this section shall have its fiscal authority relating to taxing authority and levying millage transferred to its county council until the state-of-education emergency is lifted. The county council may not exceed millage limitations established pursuant to Section 6-1-320 or otherwise established prior to the state-of-education emergency declaration."

The House of Representatives approved **S. 467** and enrolled the bill for ratification. The legislation makes comprehensive revisions regarding the organization and operation of banks and other **financial institutions** in order to update South Carolina’s banking laws and allow for greater consistency with laws and regulations outside the state.

The House concurred in Senate amendments to **H. 4064**, a bill **clarifying a tax exemption for** **manufacturing property**, and enrolled the legislation for ratification. The legislationrevises a property tax exemption provision to clarify that manufacturing property owned or leased by a public utility regulated by the Public Service Commission does not qualify for the exemption. Any resulting refunds or credits that go to a public utility that is regulated by the Public Service Commission must be flowed through to customers as a reduction in rates. The legislation appropriates sixty-seven million fifty-five thousand dollars from the Fiscal Year 2019-20 Contingency Reserve Fund to the Trust Fund for Tax Relief.

The House returned **S. 304**, a bill addressing **electric vehicles**, to the Senate with amendments. The legislation establishes conditions under which a person or corporation who uses electric vehicle charging stations to resell electricity to the public for compensation is not considered an electric utility. The legislation provides that any increase in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility. A Joint Committee on the Electrification of Transportation, composed of appointees from the Senate and House of Representatives, is established to study the challenges and opportunities associated with the electrification of the transportation sector and make recommendations to the General Assembly to enable a fair, efficient, and cost effective transition to electric transportation.

The House approved and sent the Senate **H. 4149**, a bill establishing **whistleblower protections for public utility employees**. The legislationprohibits a public utility from taking adverse employment action against an employee who made a report of waste or wrongdoing by the public utility to the Office of Regulatory Staff. The legislation establishes remedies if a public utility dismisses, suspends, demotes, or decreases the compensation of an employee who made a report of wrongdoing. If the Office of Regulatory Staff determines the employee’s report is unfounded, or amounts to a mere technical violation, and is not made in good faith, the public utility may take disciplinary action including termination.

# HOUSE COMMITTEE WORK

Agriculture, Natural Resources, and Environmental Affairs

The Agriculture, Environmental and Natural Resources Committee met on Tuesday, April 27, 2021, and reported out four bills.

The committee gave a favorable report to **S. 107**, a bill that make changes to the **Beach Preservation** **Policy**. The bill outlines that if the primary ocean front sand dune is more than two hundred feet landward of the current line of stable vegetation, then the baseline must be established seaward of the primary oceanfront sand dune at a distance equal to thirty percent of the measured distance from the primary oceanfront sand dune to the current line of stable vegetation. It further outlines that if there is no primary oceanfront sand dune, then the baseline must be established at whichever is further as written in existing law. In addition, the bill removes the study requirement in cases where primary oceanfront sand dunes do not exist.

The committee gave a favorable with amendment report to **S. 545**, a bill that deals with **nongame fishing devices**. The bill allows for the use of set hooks on the Santee River with set limits of 50 and allows commercial use of hoop nets on the Wateree River with a limit of 10. The bill prohibits the use of hoop nets on the Congaree River.

**S. 525**, a bill that updates the solid waste laws to include the **regulation of** **advanced recycling**, was given a favorable recommendation by the committee. “Advanced recycling” means manufacturing processes that convert post use polymers and recovered feedstocks into basic hydrocarbon raw materials through processes that include, pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming, hydrogenation, and other similar technologies. In addition to definitions, the bill outlines that prior to receiving approval, advanced recyclers must get a bond or establish a trust fund to cover costs associated with potential environmental impacts, in which this requirement would terminate after three years. The bill requires the Department of Health and Environmental Control to review an applicant’s compliance history prior to approval. In addition, DHEC must provide a report on South Carolina Advance Recyclers within two years of the effective date of the provision.

The committee gave a favorable report to **H. 3055**, a bill that cleans up language as well as addresses **technical changes in the law for the Department of Natural Resources**. The bill includes technical changes such as updating the names of the division departments as a result of the department’s name change; updating the department’s name on enforcement officers’ badges; deleting language regarding enforcement officers requirement for bond; and updating boundary description for the Wildlife Sanctuary at Charleston Harbor by simply deleting old references to location descriptions and replacing them with GPS coordinates.

#### Education and Public Works

House Education and Public Works did not meet this week.

#### Judiciary

The committee issued a favorable report to **redefine the state capitol grounds and authority of each chamber’s Sergeant at Arms on them,** **S. 131.** This bill modifies the existing definition of “capitol grounds” as the area inward from the vehicular traveled surfaces of Gervais, Sumter, Pendleton, and Assembly Streets in Columbia. It also sets out what constitutes unauthorized entry into the capitol. Specifies which acts are unlawful in any building on the capitol grounds. Declares the Statehouse open to the public, and closed only under certain circumstances. As a final feature, it expands duties of each Chamber’s sergeants at arms, and allows deputies to be hired.

A favorable report, with amendment, was given by the committee to **S. 200, death sentence methodology**. Under this bill, anyone sentenced to death could elect to die by firing squad, electrocution, or lethal injection. (The choice of lethal injection only if lethal injection is available at the time of election). Any written election that expires must be renewed in writing. Death must be administered by firing squad or electrocution for those waiving their right of election. A death sentence must be firing squad or electrocution, regardless of the method elected by the person, if execution by lethal injection is unavailable, or is held to be unconstitutional by an appellate court.

As a final item taken up, the committee issued a favorable report on **S. 619, brewery, winery, and micro-distillery on premises sales of alcohol.** If a winery is the primary American source of supply for the wine it sells; or a brewery is the primary American source of supply of beer with an alcohol content of twelve percent or less, or sealed beer with an alcohol content of fourteen percent or less, it sells; or a micro-distillery is the primary American source of supply of liquors produced, then they can make these sales on their premises, subject to specified quantity restrictions. It also allows manufacturer satellite certificates for breweries, wineries, and micro-distilleries to sell their products in certain locations, subject to certain conditions.

#### Labor, Commerce and Industry

The House Labor, Commerce and Industry Committee met on Thursday, April 29, and reported out several bills.

The committee gave a report of favorable with amendments on **S. 425**, a bill establishing provisions for the **protection of vulnerable adults from financial exploitation**. The legislation authorizes banking institutions to decline certain financial transaction requests in cases of the suspected financial exploitation of a vulnerable adult. A financial institution may provide access to or copies of records relevant to the suspected financial exploitation of a vulnerable adult to law enforcement agencies or other authorized investigators. Employees of financial institutions are afforded legal immunity for making use of these provisions when acting in good faith.

The committee gave a report of favorable with amendments on **S. 435**, a bill that revises the regulatory framework governing the issuance of **travel insurance**.

The committee gave a favorable report on **S. 421**, a bill authorizing the payment of federally funded **extended unemployment security benefits**. The legislation reduces a lookback period from three years to two years in order to align state law with federal provisions.

The committee gave a favorable report on **S. 468**, a bill that temporarily waives a state waiting period provision in order to allow for an **extended unemployment security benefit period** if needed. The waiver is put in place through the end of 2021 to allow South Carolinians to make use of extended federal benefits should the state experience sufficiently high unemployment rates during the remainder of the year.

The committee gave a favorable report on **S. 500**, a bill that revises an exemption from regulation by the **Board of Architectural Examiners** to clarify when an architect’s seal is required on certain dwellings, including townhouses.

#### Medical, Military, Public and Municipal Affairs

The committee gave a favorable with amendment report to **S. 427**, a bill allowing a **renal drug manufacturer**, registered with the State Board of Pharmacy, to deliver dialysate drugs or devices directly to a patient with end-stage renal disease for the patient’s approved self-administration of dialysis therapy; or deliver to a health care provider or institution for administration of dialysis therapy to a patient with end-stage renal disease. Currently under the Pharmacy Practice Act, pharmacist must take continuing education courses in person, this bill allows a pharmacist to take some continuing education classes online.

The committee gave a favorable report to **S. 431**, a bill that updates the name of the three major children’s hospitals in the state that serve as the **Regional Tertiary Level Developmental Evaluation Centers.** These centers provide comprehensive developmental assessment and treatment services for children with developmental disabilities, significant developmental delays, or behavioral or learning disorders.Currently the names are the Department of Pediatrics of MUSC, University of Pediatrics of USC and Children’s Hospital of the Greenville Hospital, the names will update to Medical University of South Carolina, Prisma Health University of South Carolina Medical Group and Prisma Health University Medical Group. The Children’s Hospital of Greenville and Columbia and are now part of Prisma Health System. The name change for the Charleston health system reflects a previous internal restructuring of clinical services at MUSC.

The committee approved **S. 455**, a bill codifying the current practice of the **temporary licensure for graduate nurses** authorized last year under the public health emergency statute as a result of the COVID 19 pandemic. The authorization allowed qualified nurse graduates to receive a temporary license, with certain conditions, to work under supervision of a licensed registered nurse while awaiting the nursing exam for permanent license. The bill also provides for situations in which temporary licensure as a graduate nurse can be immediately revoked.

**S. 503**, a bill that provides for **advanced practice registered nurses and physician assistants to issue orders for certain home health services**, was given a favorable report by the committee. Currently, home health services can only be ordered by a physician.

The committee gave a favorable report to **H. 3416,** a bill that states that a **county veterans officer** is an at will employee of the county legislative delegation and is considered a county employee. The bill adds that the Secretary of Veterans Affairs may offer recommendations to the county delegation after annual reviews of the local county veterans' affairs office.

#### Ways and Means

The committee did not meet this week.

# BILLS INTRODUCED IN THE HOUSE THIS WEEK

Agriculture, Natural Resources, and Environmental Affairs

**S. 596 Pre-Production Plastic Sen Senn**

The Department of Health and Environmental Control is to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on the existing criteria of the National Pollutant Discharge Elimination System Stormwater Program.

#### Education and Public Works

[**S. 231**](https://www.scstatehouse.gov/billsearch.php?billnumbers=231&session=124&summary=B) **Student Identification Card Suicide Prevention Act Sen. Shealy**

This bill would enact the "Student Identification Card Suicide Prevention Act.” This bill would provide that public schools and public and private institutions of higher learning shall add the telephone number for the national suicide prevention lifeline to student identification cards and may add telephone and text numbers for certain other hotlines to student identification cards, and provide for the use of student identification cards in existence before the implementation of this requirement. This bill is similar to a previously introduced bill, H. 3476 by Rep. Thigpen**.**

#### Judiciary

**H. 4268 Protecting Juror Information Rep. J. E. Johnson**

A bill to add, to the list of items exempt from disclosure under our Freedom of Information Act, names or other personally identifying information of jurors, regardless of the documents this information is in.

**H. 4282 Attorney Fee Payments by SC DSS Rep. Bailey**

Proposed legislation to allow attorney's fees in specified state-initiated actions to include Department of Social Services child abuse and neglect actions.

**H. 4283 “Judicial Emergencies Act” Rep. Murphy**

The "Judicial Emergencies Act" is a pending proposal to allow judicial emergencies to be declared after the governor, SC DHEC, or the Supreme Court Chief Justice identify occurrences preventing normal judicial department operations. Described protocols have to be followed, and any declaration, which is renewable, can cover a long list of items.

**H. 4284 “Caution Against Racially Exploitive Non-Emergencies Act (CAREN)” Rep. J. Moore**

The "Caution Against Racially Exploitative Non-Emergencies (CAREN) Act" would allow affected people to bring a civil action against anyone who uses an "E-911" call to intentionally inflict harm on them, and sets out other penalties.

#### Labor, Commerce and Industry

**S. 628 Hormonal Contraceptives Sen. Davis**

This bill provides that the South Carolina Pharmacy Practice Act does not create a duty of care for a person who prescribes or dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive. The legislation establishes protocols that apply to such hormonal contraceptives.

**H. 4267 Funeral Services Rep. Sandifer**

This bill enhances regulatory provisions governing the practice of funeral services and enhances penalties for prohibited practices.

#### Medical, Military, Public and Municipal Affairs

**H. 4296 Certified Medical Assistants Rep. G. M. Smith**

Specific tasks may be delegated to a certified medical assistant by a physician, physician assistant if authorized to do so in his scope of practice guidelines, or advanced practice registered nurse if authorized to do so in his practice agreement. “Certified medical assistant” or “CMA” means a person who is a graduate of a post-secondary medical assisting education program accredited by the National Healthcare Association.

**Ways and Means**

No bills were referred to the Committee this week.

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