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**(April 18 - 20, 2023)**

**House Floor Actions**

The House amended and sent back to the Senate, **S. 120**,legislation to keep **confidential** all **Execution Team Member Identities** as well as **Lethal Injection Drugs and Related Materials Information.** This bill would protect personal and other identifying information about any person, or entity, participating in the planning or administration of death sentence executions. This protected information would include, but not be limited to, names, social security numbers, birth dates, addresses, telephone numbers, social media information, and usernames. Also, to be protected would be information related to pharmacists, other healthcare professionals, and providers of lethal injection drugs for executions.

As amended by the House this week, no General Assembly member, family member of a General Assembly member, or any business in which they hold a controlling interest as an owner, director, officer, or majority shareholder with voting rights or control over that business’s financial decisions, would be allowed to provide drugs, medical supplies, or medical equipment to be used for these executions. Also as amended by the House, the confidential information set out above could not be obtained by any means of legal compulsion, including, but not limited to, subpoenas, discovery rules, rules of civil procedure, or other disclosure processes by any entity that exercises the sovereign powers of South Carolina. The state Comptroller General, Treasurer, and Department of Corrections would have to coordinate on developing a system to keep all related purchases and expenditures in a deidentified status. The Department of Corrections would have to comply with all federal regulations applicable to bringing execution drugs into South Carolina. Anyone revealing this confidential information, including information about execution team members or their families, would be facing up to three years in jail for doing so.

The House of Representatives concurred in Senate amendments to **S. 604 (R. 10)**, a joint resolution authorizing **American Rescue Plan Act (ARPA) appropriations**, and enrolled the legislation for ratification (now R. 10). From the funds disbursed to the state under the federal “American Rescue Plan Act of 2021,” the legislation appropriates $586 million to the Rural Infrastructure Authority ARPA Water and Sewer Infrastructure Account to be used towards fulfilling existing grant applications. Of this amount, $100 million must be available for projects designated by the Secretary of Commerce as being significant to economic development and may be funded at up to $20 million per project with no local match requirement. The legislation provides that the funds in the ARPA Resilience Account also may be used to mitigate the potential release of contamination associated with the USS *YORKTOWN* (CV-10), an asset of the Patriots Point Development Authority. The *YORKTOWN* project must be conducted in two phases that require review and comment by the Joint Bond Review Committee to finalize project cost and scope.

The House approved and sent the Senate **H. 3255**, the **“Living Donor Protection Act.”** This bill prohibits issuers of individual life insurance policies, group life insurance policies, disability income insurance policies, and long-term care insurance policies from discriminating against living organ donors. These insurers may not: (1) decline or limit coverage based solely upon someone’s status as a living organ donor; (2) preclude an insured from donating all or part of an organ as a condition of continuing to receive insurance coverage; or (3) discriminate in the offering, issuance, cancellation, amount of coverage, price, or any other condition of an insurance policy for a person, based solely and without any additional actuarial risks upon the individual’s status as a living organ donor.

The House approved and sent the Senate **H. 4049**, a bill authorizing **remote shareholders meetings**. The legislation revises requirements for holding meetings in provisions governing corporations, partnerships, and associations and provisions in the South Carolina Nonprofit Corporation Act to allow for remote participation instead of in-person attendance.

The House amended, approved, and sent the Senate **H. 3769**. This bill provides that the Department of Health and Environmental Control shall not deny a property owner the **right to repair and replace any existing well or septic tank** solely because of any other available water and/or sewer service.

The House approved and sent the Senate **H. 3799**, a bill designating the first Monday in March of each year as **"Water Professionals Day"** in South Carolina.

## Committees

**Judiciary**

The committee voted a favorable report on **H. 3583**, legislation to abate **Sexual Extortion** in South Carolina. This offense typically involves someone obtaining nude images of someone else via text messaging, or ‘sexting.’ Once the recipients have these images, they then blackmail the senders by threatening to publish their images on the Internet, or otherwise distribute it, with often fatal outcomes. It proposes abating these schemes by adding sexual extortion and aggravated sexual extortion definitions to the criminal code and proposing penalties for violators, and aggravated violations, of this new crime.

The **“Uniform Child Abduction Prevention Act,” H. 3220**, also received a favorable report. This proposed legislation was developed by the national Uniform Law Commission. It sets out comprehensive criteria for determining a credible threat to a child’s safety or likelihood of abduction in either child custody or visitation situations. It also sets out countermeasures to these attempts in great detail. These criteria would be available to judges and parties in these cases to evaluate the seriousness of children’s situations and take proactive steps to prevent these incidents from occurring.

Also receiving a favorable report was **H. 3217,** the **“Uniform Unregulated Child Custody Transfer Act.”** This proposed legislation also arises from work performed by the national Uniform Law Commission. It sets out criteria for adoption and transfer of custody of children by a custodial parent, or parents, to the other parent, stepparents, blood kin, or fictive kin, without state agency involvement or the issuance of a court order. It also has a specific

prohibition against soliciting or advertising services to facilitate these transfers. Additional proposed provisions incorporate these placements into preplacement law for the adoption of these children by their custodians and exempts transfers of custody of Native American children in violation of any applicable tribal law provisions.

**Florence County** would be added to the list of counties with a **Register of Deeds** in the event the favorable report issued by the committee on **H. 3313** is adopted and this bill is enacted**.** This list specifies the South Carolina counties who have a register of deeds to handle all real estate-related matters. In the past, county Clerks of Courts in all counties handled these documents.

They have favorably reported out **H. 3883,** a bill to **keep alternate jurors on the job.** If enacted, this bill would allow circuit court trial judges discretion to retain alternate jurors through deliberations. Trial judges would determine the appropriate time to release these alternates from jury duty.

The Committee voted a favorable report, with amendments, on **H. 3734, City Election Reforms**. This legislative effort would require municipal elections to be conducted only in odd numbered years on the third Tuesday in March, the first Tuesday of July, or the first Tuesday after the first Monday in November using voting systems adopted by the State Election Commission. City elections authority could be transferred to county boards of voter registration and elections. As amended by the full committee, the terms for city mayors and council members would commence at the next regular city council meeting in the month after the election results were certified. This proposal also prohibits the extension of terms for any mayor or council member elected in an even numbered year when existing election dates are changed. As amended, if they were elected in an odd numbered year, that term would be extended. Officers would continue to serve until their successors are elected and qualified.

The committee issued a favorable report on **H. 4042,** which would codify **antisemitism as a listed discriminatory act.** As proposed, this bill would incorporate the International Holocaust Remembrance Alliance definition and examples of *antisemitism* into the South Carolina Code of Laws. After that is done, it would be included in efforts to protect South Carolinians’ civil rights, as well as for reviewing policies, laws, and regulations prohibiting discriminatory acts to include acts of antisemitism. However, anyone criticizing the country of Israel in the same manner they criticize other countries, or otherwise exercising their constitutionally guaranteed First Amendment rights, would not run afoul of this proposed legislation.

**S. 96,** a bill allowing minors aged 16 and younger to go **Jet Skiing After Obtaining Safety Certification** also received afavorable report. It would prohibit any minor from operating a ‘personal watercraft,’ jet ski, or other specialty propcraft, less than 16 feet long, along with other specifications set out in this bill, until they have successfully completed a SC Department of Natural Resources (SC DNR) approved boating safety education class first. Exceptions to these requirements include riding with someone 18 years or older who has boating operation certification or other licensures from the United States Coast Guard.

They voted a favorable report on **S. 341,** a bill that would allow **guardianship appointment revisions** to include petitions being filed 180 days prior to a youth turning 18 years old, when it can be shown to the court that this youth would benefit from a guardianship being in place even after they obtain adulthood.

The last bill receiving a favorable report, with amendments, was **S. 342** adding **homeless children and youths definitions** to the code of laws.The bill would add definitions of ‘unaccompanied homeless youth,’ ‘homeless child or youth,’ and ‘youth at risk of homelessness’ to the South Carolina Children’s Code. Significantly, a ‘homeless child or youth,’ would include anyone from their birth to 24 years of age who lacks a fixed, regular, and adequate nighttime residence.

## Introduced Legislation

**Education and Public Works**

[**H. 4321**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4321&session=125&summary=B) **Weapons Detector Systems In Schools Act Rep. Gilliard**

H. 4321 provides that weapons detector systems must be installed in all public school building and athletics venue entrances, provides related training must be given to appropriate staff, provides everyone entering buildings and venues must be screened by trained personnel, provides for the temporary use of handheld metal detectors until more complete systems may be implemented, and provides that weapons detectors may include metal detectors and other means for screening for weapons as technology provides.

[**H. 4322**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4322&session=125&summary=B) **Weapons Detectors In Schools Study Committee Rep. Gilliard**

A joint resolution to create the "weapons detectors in schools study committee" to evaluate whether it is in the public interest to require the installation and use of weapons detectors at public schools in this state, and to provide for the membership and duties of the study committee.

[**H. 4349**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4349&session=125&summary=B) **Greenville Technical College Area Commission Rep. Bannister**

This bill relates to the Greenville Technical College Area Commission and sets out its powers and responsibilities.

[**H. 4352**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4352&session=125&summary=B) **Middle Level Education Month Rep. Calhoon**

This bill designates the month of March of each year as "Middle Level Education Month.”

**Judiciary**

**H. 4335 Business Organization Loyalty Rep. Herbkersman**

This legislative effort seeks to set up exceptions to the general requirement of Limited Liability Corporation (LLC) organization loyalty when a member is a member of another LLC as well.

**H. 4348 No mRNA in Certified South Carolina Grown Food Rep. Burns**

A bill to prohibit any mRNA from being an ingredient in any food sold in South Carolina that is to be certified as ‘South Carolina Grown.’

**H. 4358 420 Day in South Carolina Rep. J. Moore**

If enacted, this bill would establish each April 20th in South Carolina to be 420 Day. It also would require the Governor to pardon twenty percent of inmates convicted of simple possession of marijuana offenses who have successfully completed their entire sentence.

**S. 147 Domestic Violence, Sexual Assault, and Trafficking Survivor Confidentiality Sen. Shealy**

The residential address of domestic violence, dating violence, human trafficking, stalking, harassment, or similar sexual offense survivors would be kept confidential if this legislation is signed into law. These survivors could designate another address for contact purposes. This information protection program is proposed to be administered by the Attorney General. Nonprofit entities assisting these survivors would also be required to protect this information as confidential. Employees, agents, or volunteers with these groups would have to keep all conversations, communications, and records related to these survivors confidential.

**Labor, Commerce, and Industry**

**H. 4351 State Board of Pyrotechnic Safety Rep. Sandifer**

This bill revises the composition of the seven-member State Board of Pyrotechnic Safety by providing that one member must be a fireworks wholesaler and one member must be a fireworks retailer and by reducing from three to one the number of members who must be drawn from the general public and have no financial interest in the sale of pyrotechnics.

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

**H. 4333 Mobile Optometry Units Rep. M. M. Smith**

The bill expands the sites for mobile optometry to include certain sites of organizations that serve children from low-income communities during the summer.

**H. 4334 SC Residential Opportunity and Education Act Rep. W. Jones**

The bill provides give authority for counties and municipalities to use inclusionary zoning strategies to increase the development of affordable housing for low- and moderate-income families. “Inclusionary zoning” is defined as a zoning regulation, requirement, or condition of development that promotes the development of affordable dwelling units.

**Ways and Means**

**S. 484 “South Carolina Waterways Protection Act” Sen. Campsen**

This bill creates the South Carolina Waterways Protection Fund to receive a three‑dollar waterways protection fee that is attached to each tax notice for a watercraft. The fund must be used for: (1) the removal of hazardous, abandoned, or unattended vessels, marine debris, or hazards to navigation from the waters of this state; (2) identification, marking, and lighting of hazards to navigation; and, (3) the development and administration of a grant program to provide funds to applicants, whether public or private, to remove hazardous, abandoned, or unattended vessels, marine debris, or hazards to navigation from the waters of this state. In addition to other penalties, the legislation provides that the owner of an abandoned, junked, or adrift watercraft or outboard motor must also pay a fine that is not less than five hundred dollars nor more than the cost of performing the removal of the abandoned, junked, or adrift watercraft or outboard motor. The revenue collected from this fine must be deposited into the South Carolina Waterways Protection Fund.

**H. 4320 Sales Tax Exemption for Durable Medical Equipment Rep. White**

This bill provides for a more expansive sales tax exemption for durable medical equipment that includes, but is not limited to, items considered to be durable medical equipment under federal and state Medicaid and Medicare laws and other similar items.

Tuesday, May 2, 2023

The House Research Office uses the 17th edition of the Chicago Manual of Style, with practical modifications [i.e., regarding numbers].

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