

Labor, Commerce and Industry Committee



THOMAS C. ALEXANDER
CHAIRMAN

SUITE 313
GRESSETTE OFFICE BUILDING
TELEPHONE: (803) 212-6220
SLCIComm@scsenate.gov

THE SENATE OF SOUTH CAROLINA
P.O. BOX 142
COLUMBIA, SOUTH CAROLINA 29202

LISA MANINI WIDENER
DIRECTOR OF RESEARCH

CAROLYN W. YOUMANS
ADMINISTRATIVE ASSISTANT

MEMORANDUM

TO: Senate LCI Professions and Occupations Subcommittee:
Senator Nikki Setzler
Senator Sean Bennett
Senator Kevin Johnson
Senator Karl Allen
Senator Mike Gambrell
Senator Wes Climer

cc: Senator Greg Gregory
Senator Paul Campbell
Senator Rex Rice
Representative Sandifer

FROM: Senator Tom Davis, Subcommittee Chairman
Professions & Occupations Subcommittee

DATE: January 30, 2020

SUBJECT: Senate LCI - Professions & Occupations Subcommittee Meeting
February 12, 2020 10:00 A.M.

There will be a meeting of the Professions & Occupations Subcommittee of the Senate Labor, Commerce and Industry Committee on **February 12, 2020 at 10:00 a.m. in room #407 of the Gressette Building**. The following legislation will be on the agenda for consideration:

- A. **S.758** - S. 758 -- Senator Gregory: A BILL TO AMEND SECTION 40-6-240(B) OF THE 1976 CODE, RELATING TO **CONTINUING EDUCATION REQUIREMENTS FOR LICENSED AUCTIONEERS**, TO PROVIDE THAT A LICENSEE WHO IS SIXTY-FIVE YEARS OLD OR OLDER WITH TWENTY-FIVE YEARS OF LICENSURE MAY APPLY FOR A CONTINUING EDUCATION WAIVER.
- B. **S.706** - S. 706 -- Senator Campbell: A BILL TO ENACT THE “**MULTIFAMILY DWELLING SAFETY ACT**”, TO AMEND TITLE 40 OF THE 1976 CODE, RELATING TO PROFESSIONS AND OCCUPATIONS, BY ADDING CHAPTER 21, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS, TO REQUIRE THE DEPARTMENT PERIODICALLY TO CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE, TO PROVIDE REMEDIES FOR VIOLATIONS, AND TO DEFINE NECESSARY TERMS.

Labor, Commerce and Industry Committee



THOMAS C. ALEXANDER
CHAIRMAN

LISA MANINI WIDENER
DIRECTOR OF RESEARCH

CAROLYN W. YOUMANS
ADMINISTRATIVE ASSISTANT

SUITE 313
GRESSETTE OFFICE BUILDING
TELEPHONE: (803) 212-6220
SLCIComm@scsenate.gov

THE SENATE OF SOUTH CAROLINA
P.O. BOX 142
COLUMBIA, SOUTH CAROLINA 29202

- C. **S.1041** - S. 1041 -- Senator Climer: A BILL TO AMEND SECTION 39-20-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO **SELF-SERVICE STORAGE FACILITY** DEFINITIONS, SO AS TO ADD THE DEFINITION OF "LATE FEE"; TO AMEND SECTION 39-20-30, RELATING TO LIENS AND DENIAL OF ACCESS TO PERSONAL PROPERTY, SO AS TO PROVIDE THAT AN OWNER MAY IMPOSE CERTAIN LATE FEES; TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR CERTAIN ONLINE NOTIFICATIONS.
- D. **S.1048** - S. 1048 -- Senators Rice, Rankin and Campbell: A BILL TO AMEND SECTION 13-1-1030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERS SERVING ON THE **AERONAUTICS COMMISSION**, SO AS TO PROVIDE THAT A RESIDENT COMMISSION MEMBER MAY NOT SERVE FOR MORE THAN TWO CONSECUTIVE TERMS; AND TO AMEND SECTION 13-1-1050, RELATING TO THE TERMS OF THE AERONAUTICS COMMISSION, SO AS TO MAKE CONFORMING CHANGES.
- E. **H.4256** - H. 4256 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF **FUNERAL SERVICE** WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; TO AMEND SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; TO AMEND SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; TO AMEND SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; TO AMEND SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; TO AMEND SECTION 40-19-10, RELATING TO THE COMPOSITION OF THE BOARD, SO AS TO REQUIRE SEVEN OF THE NINE LICENSEE MEMBERS BE APPOINTED ONE FROM EACH CONGRESSIONAL DISTRICT, AND TO PROVIDE FOR THE GRADUAL IMPLEMENTATION OF THIS PROVISION AS THE TERMS OF CURRENT MEMBERS EXPIRE ON A STAGGERED BASIS; TO AMEND SECTION 40-19-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICE, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICE INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; TO AMEND SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT

Labor, Commerce and Industry Committee



THOMAS C. ALEXANDER
CHAIRMAN

SUITE 313
GRESSETTE OFFICE BUILDING
TELEPHONE: (803) 212-6220
SLCIComm@scsenate.gov

THE SENATE OF SOUTH CAROLINA
P.O. BOX 142
COLUMBIA, SOUTH CAROLINA 29202

LISA MANINI WIDENER
DIRECTOR OF RESEARCH

CAROLYN W. YOUMANS
ADMINISTRATIVE ASSISTANT

JURISDICTION; TO AMEND SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; TO AMEND SECTION 40-19-110, AS AMENDED, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; TO AMEND SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; TO AMEND SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND TO AMEND SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Please contact Lisa Manini Widener at 212-6220 should you have questions.