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

**HOUSE WEEK IN REVIEW**

The House of Representatives amended, approved, and sent the Senate **H.4182**, the **“STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT”**. The legislation establishes a process that allows South Carolina’s public universities and colleges to exercise greater authority and bypass state regulatory oversight, including approvals by the Commission on Higher Education and the Joint Bond Review Committee, when undertaking capital projects and making investments utilizing funds that are not derived from state appropriations or undergraduate tuition in auxiliary activities related to research, housing, food services, stores, and athletics. The legislation makes provisions for annual reports on the financial activities of higher education auxiliary divisions and audit requirements to insure that their financial arrangements and borrowing is not secured by the state. An institution of higher learning may adopt a procurement policy for an auxiliary division’s purchasing and contracting, which, upon approval of the policy by the State Fiscal Accountability Authority, exempts the division from the South Carolina Consolidated Procurement Code. The Commission on Higher Education retains its oversight authority over core functions, such as the approval of new academic programs. Purchases, borrowing, and financial transactions using state funds remain subject to state regulatory protocols through such oversight bodies as the Joint Bond Review Committee and the State Fiscal Accountability Authority. The legislation applies to the Citadel, Clemson University, Coastal Carolina University, College of Charleston, Francis Marion University, Lander University, the Medical University of South Carolina, South Carolina State University, Winthrop University, and the University of South Carolina’s main campus in Columbia and its Aiken, Beaufort, and Upstate campuses.

**H.4421**, a bill facilitating the more expansive use of **SOLAR POWER AND OTHER DISTRIBUTED ENERGY RESOURCES** by customers of investor-owned electric utilities, was rejected at third reading, having failed to receive the two-thirds affirmative vote that Article X, Section 3 of the South Carolina Constitution requires for the approval of a property tax exemption.

The House approved **S.1101** and enrolled the bill for ratification. The legislation **EXTENDS PROVISIONS** **DISALLOWING THE USE OF EMINENT DOMAIN POWERS BY PRIVATE, FOR‑PROFIT PIPELINE COMPANIES**, including publicly traded for‑profit companies, that are not defined as a public utility so that these provisions are set to expire on November 30, 2020, rather than the original sunset date of June 30, 2019. The extension affords additional time for the temporary Petroleum Pipeline Study Committee to report its findings and recommendations to the General Assembly.

The House approved **S.340**, revising the **APPOINTMENT OF** **SOUTH CAROLINA’S POET LAUREATE** by the Governor, and enrolled the legislation for ratification. In making an appointment, the Governor is required to select from a list of qualified candidates recommended by the South Carolina Arts Commission. A four-year term is established for a poet laureate who may be reappointed to serve one additional term. The poet laureate shall respond to requests of the Governor and participate in other relevant public programming.

The House approved **S.796** and enrolled the joint resolution for ratification. The legislation creates a **SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION** to plan and execute a proper observance of the upcoming 250th anniversary of the Revolutionary War and South Carolina’s role in attaining American independence.

The House approved and sent the Senate **H.4799**, a bill providing authorization for South Carolina to join the multi-state **PHYSICAL THERAPY LICENSURE COMPACT** to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services.

The House approved and sent the Senate **H.3684**, a bill authorizing the Department of Revenue to implement **INTERNET FILING AND INDEXING OF TAX LIENS** for public inspection online. Replacing the existing system of filing tax liens with county clerks of court, the legislation allows the Department of Revenue to implement a centralized system of filing and indexing liens which is accessible to the public over the Internet or through other means.

The House amended, approved, and sent the Senate **H.5145**, a bill facilitating the issuance of **DRIVER’S LICENSES THAT ALLOW DEPLOYED MILITARY PERSONNEL TO OPERATE MOTORCYCLES** while stationed abroad. The legislation directs the South Carolina Department of Motor Vehicles to contract with the United States Department of Defense to administer Class M driver’s license examinations for active duty military members assigned outside of the contiguous United States.

The House approved and sent the Senate **H.5231**, a bill restoring revenue generated from the sale of recreational and commercial marine fishing licenses, permits, and tags to the **MARINE RESOURCES FUND**. The legislation discontinues the practice, adopted during the revenue shortfalls experienced during the recession, of diverting a portion of the funding to support law enforcement activities at the Department of Natural Resources.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

**JUDICIARY**

**S.820 *TEMPORARY ALCOHOL SALES PERMIT REFERENDUMS***

**Senator Fanning**

This proposal relates to temporary alcohol permits, for nonprofits and on-premises-licensed businesses, approved in a municipal or a county referendum vote. Unsuccessful referendums could be reheld 24 months later. Existing law requires a 48 month wait.

**S.912 *LIMITING PRIVATE INVESTIGATOR CLIENTELE* Senator Jackson**

This bill would prohibit private investigation businesses from knowingly representing multiple parties with opposing interests in the same civil or criminal matter.

**S.1120 *SOUTH CAROLINA LIEUTENANT GOVERNOR RESTRUCTURING ACT OF 2018* Senator Campsen**

Enacting the proposed South Carolina Lieutenant Governor Restructuring Act of 2018 would enable constitutional and statutory changes to be made to enable joint tickets for gubernatorial candidates. These candidates, beginning in the 2018 election, could name a running mate for the lieutenant governor’s office. Once elected, the governor would be responsible for determining the duties and responsibilities of the lieutenant governor. Creates a Department on Aging. A Joint Legislative Committee on Aging would deliver a report to the President of the Senate and the Speaker of the House of Representatives recommending any additional changes needed to enhance efficient and cost effective delivery of services to the aging community. These recommendations would have to comply with the federal Older Americans Act.

**S.1128 *DOCUMENT REQUESTS BY THE OFFICE OF REGULATORY STAFF DIRECTOR* Senator Rankin**

This proposed joint resolution would authorize the Executive Director of the Office of Regulatory Staff to file legal actions in circuit court. These actions would be limited to seeking the production of documents or witnesses when an entity has provided goods or services to a utility for the design, construction, or operation of a facility under the provisions of the Base Load Review Act. Courts in these legal actions would only have authority to order the production of documents, the appearance of witnesses, taking depositions. These courts would have to hear and decide these requests as expeditiously possible, subject to due process considerations.

**S.1142 *AMERICAN REVOLUTION SESTERCENTENNIAL* Senator Sheheen**

Would establish the American Revolution Sestercentennial Commission of South Carolina. This group would plan observances to commemorate our gaining independence from Great Britain.

**H.5223 *AGE LIMITS FOR GENERAL ASSEMBLY MEMBERS* Rep. Pitts**

Anyone reaching the age of seventy-two, in the year before a General Assembly election year is conducted, would be ineligible to run for that office.

**H.5227 *NO FOR SALE SIGN LIMITATIONS BY HOMEOWNERS ASSOCIATIONS* Rep. Hewitt**

This proposed bill would allow homeowners, or tenants, to display for sale signs that comply with applicable SC Labor, Licensing, and Regulation agency requirements. They could do so without interference by any homeowners associations. This right must be honored in spite of any deed, contract, lease, rental agreement, or homeowner's association document prohibitory provisions to the contrary.

**WAYS AND MEANS**

**S.412 *COMMUNITY ECONOMIC DEVELOPMENT TAX CREDITS***

**Sen. Campbell**

This bill revises provisions relating to community development tax credits, setting new annual limits on these tax credits. The legislation provides that twenty‑five percent of annual tax credits must be held in a reserve account during the first three quarters of each tax year and made available exclusively to small, rural‑based, community development corporations. During the first three quarters of any tax year, an individual community development corporation or a community development financial institution must not be authorized to receive more than fifteen percent of the statewide total annual credits. During the fourth quarter of each tax year, all remaining tax credits are available to all certified community development corporations or community development financial institutions. The legislation allows financial institutions with tax liabilities in this state to invest in certified community development corporations for the purpose of receiving a tax credit. The legislation provides that returns on investments in certified community development corporations and certified community development financial institutions may not exceed the total amount of the initial investment. The legislation extends the provisions of the South Carolina Community Economic Development Act until June 30, 2023.

**H.5226 *DENTAL SERVICES AND ITEMS COVERED UNDER THE MEDICAID***

***INCURRED MEDICAL EXPENSES PROGRAM FOR NURSING HOME***

***RESIDENTS* Rep. Martin**

This bill requires certain dental services and items to be covered under the Medicaid Incurred Medical Expenses Program for nursing home residents in addition to existing covered services and items. The legislation sets forth the reimbursement process for dental service providers.

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