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**HOUSE WEEK IN REVIEW**

The House of Representatives approved **S.2**, relating to the **PRESIDENT OF THE SENATE** in the South Carolina General Assembly, and enrolled the bill for ratification. The legislation brings state statutes into conformity with the amendments to the South Carolina Constitution approved by voters and ratified in Act 214 of 2014 to allow for the joint election of the Governor and Lieutenant Governor. These changes, which allow a gubernatorial candidate to select a running mate, have also eliminated the legislative duties of the Lieutenant Governor. With the Lieutenant Governor no longer serving as the presiding officer of the Senate, the Senate elects a President from its membership. This legislation amends numerous statutes to reflect the revised roles of these officers.

The House approved and sent the Senate **H.3630**, a joint resolution that provides a three-month **EXTENSION IN REAL PROPERTY TAX PENALTIES FOR WORKERS LEFT UNPAID DURING THE FEDERAL GOVERNMENT SHUTDOWN**. For property taxes due on January 15, 2019, this legislation provides a three-month delay in the penalty schedule for unpaid property taxes and assessments that applies to real property owners who are federal government employees who have not been paid their salaries since the shutdown began on December 21, 2018. The extension also applies to federal government contractors who have lost a substantial portion of their income because of the shutdown.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

 **H.3640 *SUBSISTENCE SALTWATER FISHING LICENSES*** **Rep. Rivers**

This bill provides for the annual sale of the Subsistence Saltwater Fishing licenses surrounding the Sea Islands and the Lowcountry. A resident shall purchase an annual subsistence saltwater fishing license for ten dollars. It further outlines that of that ten dollars, one dollar may be retained by the issuing agent and one dollar shall go into a fund to monitor fisheries that are based on the use of traditional fishing methods of Gullah/Geechees and Native Americans.

 **H.3644 *USE OF WILD TURKEY FEATHERS IN ART* Rep. Clemmons**

The bill establishes a label requirement for the artist to affix a label to the product or provide a document with the product stating the “Artist’s Name and American Indian Art including language -Resale of this product in its unaltered original condition is lawful in South Carolina. In addition, the bill does not authorize the sale of wild turkey meat and it deletes provisions dealing with prohibiting the sale of wild turkeys.

**EDUCATION AND PUBLIC WORKS**

[**H.3577**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3577&session=123&summary=B) ***EDUCATOR PREPARATION PROGRAMS* Rep. Allison**

This bill provides that educator preparation programs in institutions of higher education may submit separate and distinct educator preparation programs for alternative preparation to the State Board of Education for approval.

[**H.3578**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3578&session=123&summary=B) ***EDUCATOR PREPARATION PROGRAMS* Rep. Allison**

This bill provides that the State Board of Education shall provide certain educator preparation programs with certain information regarding graduates of those programs with privacy protections.

[**H.3579**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3579&session=123&summary=B) ***SCHOOL BOARD GOVERNANCE* Rep. Felder**

This bill provides requirements for local school board governance and board member conduct.

[**H.3591**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3591&session=123&summary=B) ***TRUST FUND FOR PERFORMANCE ACCOUNTABILITY* Rep. Allison**

This bill establishes the “Trust Fund for Performance Accountability”.

[**H.3593**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3593&session=123&summary=B) ***CERTAIN PROHIBITIONS ON DRONES* Rep. G.M. Smith**

This bill provides that the DMV may issue "Air Medal" special license plates and provides that it is unlawful for certain persons to operate an unmanned aerial vehicle in certain areas.

[**H.3594**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3594&session=123&summary=B) ***MILITARY TEMPORARY REMOTE SCHOOL ENROLLMENT ACT***

 **Rep. G. M. Smith**

This bill enacts the "Military Temporary Remote School Enrollment Act" to provide that public school pupils comply with school enrollment requirements if their parents are transferred to or are pending transfer to military installations in this state while on active military duty pursuant to official military orders.

[**H.3639**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3639&session=123&summary=B) ***IN-STATE TUITION AND FEES* Rep. Taylor**

This bill regards military personnel and their dependents who are entitled to pay in-state tuition and fees without regard to the length of time they have resided in this state, so as to expand the categories of individuals covered by these provisions to conform with certain changes in federal law.

[**H.3654**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3654&session=123&summary=B) ***TRANSIT-RIDER STUDY* Rep. Pendarvis**

This bill provides that the state or any of its political subdivisions, including a school district, that is planning to build a new, or improve an existing, public facility shall include in its planning a study of certain transit-rider access to the location for the purpose of determining if the access is safe and practical.

[**H.3655**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3655&session=123&summary=B) ***TRANSIT-ORIENTED DEVELOPMENT PROJECTS* Rep. Pendarvis**

This bill sets forth a process by which a county or municipality may create a transit-oriented redevelopment agency to develop certain areas in connection with planned or existing transportation facilities.

[**H.3656**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3656&session=123&summary=B) ***COMPLETE STREETS* Rep. Pendarvis**

This bill provides that the DOT shall implement a "Complete Streets" policy to provide safe and efficient accommodations for pedestrians, cyclists, and transit riders.

**JUDICIARY**

 **S.1 *FILLING VACANCIES WHEN THE SENATE IS OUT OF SESSION* Senator Leatherman**

When the Senate is not in session, the governor could only make interim appointments for offices requiring Senate advice and consent. If the Senate does not confirm these interim appointments during the next regular legislative session, the governor could not make another interim appointment. All of these interim appointments would terminate when the General Assembly reconvenes.

 **H.3615 *ACT TO ESTABLISH PAY EQUITY* Rep. Brawley**

Enacts the "Act to Establish Pay Equity." This act would prohibit employers from paying wages to employees at rates less than the rates paid to employees of other races, religions, colors, sexes (including gender identity and sexual orientation), ages, national origins, or disability statuses for comparable work. It allows some exceptions to this general prohibition. Requests for the disclosure of wages would be unlawful. Any victim of these unlawful practices could file a civil action. Victims could also recover unpaid wages and damages. The SC Department of Labor, Licensing and Regulation would have authority to investigate violations and to bring any authorized legal actions. Employers would be required to post notice of the rights established under this act in conspicuous places.

 **H.3616 *SOUTH CAROLINA ELECTION SECURITY COUNCIL* Rep. Finlay**

Establishes the South Carolina Election Security Council. Sets out the composition, duties, powers, and responsibilities for this group. After the effective date of this act, all voting systems used in South Carolina would be a paper-based system using paper ballots tabulated by optical scanners. This paperwork would then become the official ballot of record. Beginning with the 2020 general election, the State Election Commission, in conjunction with all county boards of voter registration and elections, as necessary, would be required to conduct postelection risk-limiting audits for all statewide primary, general, and special elections. Authorizes the State Election Commission to propose regulations covering the procedures and use of these risk-limiting audits.

 **H.3622 *LOBBYING LOCAL GOVERNMENTS* Rep. Rose**

Expands the definitions of "lobbying" and "lobbyist" to include any person who is employed, appointed, or retained, with or without compensation, by another person to influence certain local government officials. These attempts to influence local government actions would include direct communications with public officials or public employees. Also, includes efforts to influence actions, or votes, by any county or municipal council, agency, board, commission, chief executive, employee, and county or municipal administrator or manager. The definitions of "public body," "public employee," and "public official" would be expanded to include county or municipal bodies, employees, and officials.

 **H.3623 *STATE AGENCY AND DEPARTMENT DATA INTEGRATION PILOT PROJECT***

 **Rep. Mace**

Under this proposed legislation, SLED would be tasked with developing a pilot data integration and analytics system to improve access to timely, complete, and accurate information integrating data from various departments and agencies. SLED would send a report on this pilot project to the General Assembly. SLED would include in this report any recommendations for statewide expansion and funding of this project.

 **H.3629 *USING HANDS FREE DEVICES WHILE MOTORING* Rep. Hart**

Declares as unlawful the use of a cellular phone, pager, personal digital assistant, or any other wireless communications device that is not equipped with a hands-free mechanism, while motoring on any road in South Carolina.

 **H.3631 *CURBSIDE DELIVERY OF BEER AND WINE* Rep. Fry**

Allows retailers to deliver beer and wine for curbside pickup under certain circumstances and to designated spots. Also would allow purchases of beer or wine at drive-through locations.

 **H.3632 *PROTECTING MONUMENTS ON PUBLIC PROPERTY* Rep. Loftis**

Makes it unlawful to deface, vandalize, injure, or remove a historical monument or historical marker on public property. Sets up procedures for repairing this damaged public property and allows recovery of repair costs from vandals.

 **H.3634 *SHOWING OFF HOW YOU VOTED* Rep. Hill**

Voters could share electronic, or digital, images of their marked ballot via social media, or other means, under this proposal.

 **H.3643 *PROSECUTORIAL IMMUNITY FROM CIVIL LIABILITY* Rep. Tallon**

Circuit solicitors--and authorized prosecutors--would be immune from civil liability for any legal counsel or advisory opinions requested by, or provided to, law enforcement under this proposed legislation.

 **H.3657 *CRIMINALLY VICTIMIZING TRANSPORTATION WORKERS* Rep. Pendarvis**

Enhances criminal penalties for perpetrators of violent crimes against public transportation employees and workers.

 **H.3658 *NO ARREST ON SUBSEQUENT CHARGES FOR A SIMILAR, PREVIOUSLY- DISMISSED OFFENSE* Rep. Rutherford**

Covers circumstances where charges have been dismissed--or *nolle prossequied--*after a preliminary hearing. If these defendants are subsequently indicted by local or state grand juries for the original or substantially similar charges, then only a courtesy summons could be issued.

 **H.3661 *CONTIGUOUS PROPERTY ANNEXATIONS BY CITIES* Rep. McCoy**

Clarifies the term "contiguous" for occasions when municipalities wholly within a special purpose district annex unincorporated property that is also wholly within these special purpose districts.

 **H.3663 *HOMICIDE BY NARCOTICS* Rep. Pope**

Creates a criminal offense of homicide and great bodily injury by administering fentanyl, morphine, methamphetamine, or heroin. Sets out criminal penalties and defines necessary terms.

 **H.3664 *LAW ENFORCEMENT WORKERS COMPENSATION CLAIMS* Rep. Pope**

Allows law enforcement officers injured in the line of duty from stress, mental injury, or mental illness to seek workers’ compensation benefits.

**LABOR, COMMERCE AND INDUSTRY**

 **H.3568 *REBATES FROM DOMINION ENERGY TO SCANA RATEPAYERS* Rep. Gilliard**

This House Resolution expresses the belief that Dominion Energy, Inc., now that its purchase of the SCANA corporation has been approved, should honor its first representations to ratepayers and pay them the average one thousand dollar refund of charges paid by them in regard to the construction of the now abandoned nuclear reactors at Jenkinsville, South Carolina. The resolution also expresses the belief that if Dominion fails to honor in good faith this obligation, the South Carolina Public Service Commission, as part of future rate proceedings, should require Dominion to do so.

 **H.3585 *INSURANCE LAW REVISIONS* Rep. Spires**

This bill provides for various revisions to laws governing insurance and regulation by the Department of Insurance.

 **H.3586 *COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9‑1‑1 (NG9‑1‑1) SYSTEM***

 **Rep. Sandifer**

This bill charges the Revenue and Fiscal Affairs Office with creating, updating, and implementing a comprehensive strategic plan, including operating standards, for a coordinated statewide 911 system to address changing technology, services, and operating efficiency and effectiveness. The standards must be developed and updated with comments and recommendations from the South Carolina 911 Advisory Committee, local officials, service providers, and the public. The legislation includes provisions for auditing local governments on the use of the “Emergency Telephone System” Fund, requiring local governments to restore 911 funds that were inappropriately used and allowing the withholding of funds to local governments that fail to comply with audit provisions.

 **H.3587 *INSURER CORPORATE GOVERNANCE* Rep. Spires**

This bill establishes requirements for an insurer or an insurance group to submit a corporate governance annual disclosure.

 **H.3598 *HEALTH INSURANCE COVERAGE REQUIREMENTS FOR EARLY DETECTION OF***

 ***CARDIOVASCULAR DISEASE* Rep. Felder**

This bill requires health maintenance organizations, individual and group health insurance policies, and insurance contracts issued beginning January 1, 2020, to provide coverage for certain tests for the early detection of cardiovascular disease for higher-risk individuals. The legislation revises Public Employee Benefit Authority provisions to include these early detection coverage requirements in the group health plan.

 **H.3617 *PERMITS ISSUED BY CORONERS AND MEDICAL EXAMINERS* Rep. King**

This bill prohibits coroners from charging a fee for issuing a permit for cremation. The legislation prohibits coroners and medical examiners from charging a fee for a Burial‑Removal‑Transit Permit.

 **H.3618 *INSURANCE CLAIMS FOR DAMAGE CAUSED BY LEAKS* Rep. Rutherford**

This bill provides that an insurer may not deny a claim arising from a leak on the basis of the leak occurring over an extended period of time unless the insured had actual knowledge of the leak and failed to undertake actions to repair or replace the source of the leak

 **H.3619 *MORATORIUM ON FORECLOSURES AND LATE FEES FOR FEDERAL EMPLOYEES***

 ***AFFECTED BY THE GOVERNMENT SHUTDOWN* Rep. Howard**

This joint resolution urges a lending institution that does business in this state to implement a ninety‑day moratorium for foreclosures and late fees on consumer debt for all federal employees who are currently unpaid because of the government shutdown that began on December 22, 2018. If a lending institution allows a federal employee a moratorium for his debt, the federal employee is responsible for debt repayment at the end of the ninety‑day period.

 **H.3621 *ATHLETIC TRAINERS* Rep. V. S. Moss**

This bill revises terms defined in the Athletic Trainers’ Act of South Carolina, so as to change the definition of “athletic trainer”. The legislation revises provisions relating to certification of athletic trainers, so as to change the name of the required examination. The legislation revises provisions relating to employees of organizations that are considered athletic trainers, so as to add certain organizations. The legislation revises penalties for violating a provision of the act, so as to authorize the Department of Health and Environmental Control to take certain disciplinary actions, including the imposition of monetary penalties.

 **H.3624 *MANDATORY MINIMUM GRACE PERIOD FOR MORTGAGE PAYMENTS***

 **Rep. Hart**

This bill makes provisions for a mandatory minimum grace period of twenty days for a mortgage payment. The provisions do not apply to a simple interest or other mortgage in which interest accrues daily.

 **H.3628 *REQUIREMENTS FOR ELECTRICAL UTILITIES TO BURY POWER LINES IN***

 ***MUNICIPALITIES* Rep. Hart**

This bill requires an electrical utility operating in this state to bury all of its new electrical power transmission lines installed within the boundaries of a municipality in this state after January 2, 2020, and to bury all of its existing electrical power transmission lines located within the boundaries of a municipality in this state according to a graduated schedule before January 1, 2025.

 **H.3633 *“FAIR ACCESS TO RESIDENTIAL WATER ACT OF 2019”* Rep. Hill**

This bill enacts the “Fair Access to Residential Water Act of 2019” to provide that a municipality may not charge people who reside outside the corporate boundaries higher rates for water services than it charges municipal residents. The legislation provides that a municipality may not require or demand a nonmunicipal resident’s permission or consent to annexation by the municipality as a condition for establishing or maintaining water service. The legislation prohibits out of state water utilities from charging South Carolina residents an unfair rate for water services.

 **H.3641 *PUBLIC SERVICE COMMISSION REFORM* Rep. Clary**

This bill revises the composition of the Public Service Commission. The legislation requires the commissioners and their employees to attend at least six hours of continuing education curriculum. The legislation eliminates a provision forbidding the audit of public utilities. The legislation authorizes the Public Service Commission to direct the Office of Regulatory Staff to conduct certain examinations. The legislation revises provisions relating to certain inspections, so as to authorize the Public Service Commission to take certain actions in the furtherance of its duties. The legislation revises provisions governing the conduct of PSC meetings to require the commissioners to question the parties thoroughly during hearings of contested cases when appropriate. The legislation revises provisions relating to communications with the Public Service Commission, so as to allow the Public Utilities Review Committee and certain other legislative oversight committees to communicate with the Public Service Commission in certain circumstances. The legislation revises Public Utilities Review Committee provisions to authorize the nomination of all qualified candidates to the Public Service Commission. The legislation requires the election of members to the Public Service Commission to be held within a certain time period after the screening and nomination process and to imposes certain nomination qualifications.

 **H.3642 *UTILITY OVERSIGHT COMMITTEE* Rep. Clary**

This bill creates the Utility Oversight Committee and provides for the composition, duties, and administration of the committee. The legislation revises provisions relating to the Executive Director of the Office of Regulatory Staff, so as to require the oversight committee to nominate interim and permanent executive directors and to allow the committee to remove the executive director. The legislation repeals provisions relating to the Public Utilities Review Committee.

 **H.3652 *SHORT‑TERM VEHICLE‑SECURED LOANS* Rep. Pendarvis**

This bill revises provisions relating to short‑term vehicle‑secured loans. The legislation alters certain short‑term vehicle‑secured loan requirements including extending the repayment term and setting certain renewal requirements. The legislation establishes certain requirements before a lender may make a loan and provides that failure to meet these requirements renders the loan void. The legislation updates notice requirements for the loan agreement.

 **H.3659 *“SOUTH CAROLINA ENERGY FREEDOM ACT”* Rep. McCoy**

This bill enacts the “South Carolina Energy Freedom Act” to enumerate specific rights owed to every electrical utility customer in South Carolina and to provide for judicial review of violations of an electrical utility customer’s rights. The legislation makes comprehensive provisions to establish the right of every customer of an electrical utility to reduce the energy purchased from the electrical utility by energy cost-saving measures to lower electricity bills through such means as installation and utilization of onsite solar power generation and other distributed energy resources to meet onsite load, energy conservation practices, adoption of energy efficiency measures, and participation in technology‑enabled demand response programs.

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

 **H.3573 *PORNOGRAPHY* Rep. Thayer**

This Concurrent Resolution recognizes and acknowledges the public health hazard of pornography which leads to a broad spectrum of individual and societal harms. The resolution expresses the need to address the pornography epidemic by encouraging education, prevention, research and policy changes to address the proliferation of pornography on the internet.

 **H.3660 *“SOUTH CAROLINA COMPASSIONATE CARE ACT”* Rep. McCoy**

Among many things, this bill provides for the sale of medical cannabis and the conditions under which a sale can occur. It provides for certain definitions and it provides for criminal penalties. It also establishes a Medical Cannabis Program.

**WAYS AND MEANS**

 **H.3576 *SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)***

 **Rep. White**

This bill makes provisions allowing a student who is attending a two‑year public technical college and is majoring in an identified critical workforce area program and who is receiving a Lottery Tuition Assistance Program Scholarship (LTAP) for the current school year, to receive an additional South Carolina Workforce Industry Needs Scholarship (SC WINS). The SC WINS scholarship is equal to the cost of attendance after applying all other scholarships or grants, not to exceed two thousand five hundred dollars each school year for no more than three school years of instruction, including the student’s freshman year.

 **H.3583 *UPDATED ADMINISTRATIVE SYSTEM FOR STATE PENSIONS* Rep. Herbkersman**

This bill requires The South Carolina Public Employee Benefit Authority (PEBA) to update its pension administrative system. The legislation requires that a contractor selected to provide technology or services for the updated system must be on a separate contract from any other products or services that the contractor may offer to PEBA, and establishes other requirements for hiring a contractor including a provision for immediate termination if the contractor is determined to be negligent or noncompliant.

 **H.3595 *INDUSTRY PARTNERSHIP FUND TAX CREDIT AGGREGATE ANNUAL AMOUNT***

 ***INCREASE* Rep. Elliott**

This bill revises the industry partnership fund tax credit to provide that the maximum amount is two hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of twelve million dollars for all taxpayers.

 **H.3596 *ROLLBACK PROPERTY TAXES ON RECLASSIFIED AGRICULTURAL LAND* Rep. Long**

This bill revises provisions relating to classification of property and assessment ratios for purposes of ad valorem taxation, so as to limit rollback taxes to one year when land classified as agricultural real property is applied to another use.

 **H.3620 *RETIREES RETURNING TO COVERED EMPLOYMENT UNDER STATE PENSIONS***

 **Rep. Pope**

This bill revises provisions governing retirement benefits after returning to covered employment under the South Carolina Retirement System and the Police Officers Retirement System, respectively, so as to remove the ten thousand dollar earnings limitation on employees returning to employment who retired before January 2, 2019.

 **H.3625 *REPEAL OF “SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT”***

 **Rep. Hart**

This bill repeals the “South Carolina Real Property Valuation Reform Act” with its “point of sale” valuation of real property for purposes of imposition of the property tax and largely reinstates the former systems of valuation and taxation of real property and improvements to real property.

 **H.3626 *PROPOSED CONSTITUTIONAL AMENDMENT RESCINDING REAL PROPERTY***

 ***VALUATION REFORM ACT PROVISIONS* Rep. Hart**

This joint resolution proposes to amend provisions of the South Carolina Constitution relating to property tax, the method of valuation of real property, and the limits on increases in the value of real property for purposes of the property tax, so as to require the General Assembly to provide by law a definition of “fair market value” for real property for purposes of the property tax, to eliminate the fifteen percent limit on increases in the value of real property over five years and to eliminate an assessable transfer of interest as an event which may change the value of the real property.

 **H.3630 *EXTENSION IN REAL PROPERTY TAX PENALTIES FOR WORKERS LEFT UNPAID***

 ***DURING THE FEDERAL GOVERNMENT SHUTDOWN* Rep. Stavrinakis**

This joint resolution provides that, for property taxes due on January 15, 2019, a three-month delay in the penalty schedule for unpaid property taxes and assessments is established that applies to real property owners who are federal government employees who have not been paid their salaries since the shutdown began on December 21, 2018. The extension also applies to federal government contractors who have lost a substantial portion of their income because of the shutdown.

 **H.3653 *SOUTH CAROLINA URBAN FARMING GRANT PROGRAM* Rep. Pendarvis**

This bill creates the South Carolina Urban Farming Grant Program to provide grants to private and public entities located in South Carolina for the purpose of transitioning convicted felons into the workforce with a career in farming in an urban area. The legislation makes provisions for the program to be administered by the Department of Agriculture.

 **H.3665 *ADDITIONAL CIGARETTE SURTAX FOR K‑12 PUBLIC SCHOOL TEACHER PAY***

 ***RAISES* Rep. Jefferson**

This bill provides for an additional cigarette surtax equal to five cents on each cigarette with the revenue credited to the Department of Education to be distributed to school districts to be used for equal pay raises for all K‑12 public school teachers.

**The *Legislative Update* is on the Worldwide Web. Visit the South Carolina General Assembly Home Page (http://www.scstatehouse.gov) and click on "*Publications*," then click on "*Legislative Updates*." This will list all of the *Legislative Updates* by date. Click on the date you need*.* Also available on the website is a bill summary index, where bills referenced in one or more issues of the *Legislative Update* are listed in numeric order. Links to the specific text of the *Legislative Update* issue are provided in the bill summary index.**

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