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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 concurred in Senate amendments to **H.3849** and enrolled the legislation for ratification. The joint resolution provides a **GRACE PERIOD ON THE ENFORCEMENT OF THE NEW CIGARETTE STAMP TAX REQUIREMENTS**, running through October 1, 2019, to afford sellers additional time to deplete their remaining inventories of unstamped packages of cigarettes. In order to take advantage of this grace period, a report on the amounts of these remaining unstamped packages of cigarettes must be filed with the Department of Revenue by March 31.

The House amended, approved, and sent the Senate **H.3438**, a bill making provisions for the **DEPARTMENT OF VETERANS AFFAIRS** within the executive branch of government. In place of the current arrangement where veterans’ affairs are housed as a division of the Department of Administration cabinet agency, the legislation establishes a separate Department of Veterans Affairs within the executive branch that is headed by a Director appointed by the Governor with the consent of the Senate. The Director of the Department must be a veteran. The legislation provides new duties for the Director that include coordinating with state and federal agencies to obtain additional resources and support for veterans living in South Carolina in the areas of medical care, mental health and rehabilitative services, housing, homelessness prevention, job creation, and education, and addressing all issues of mutual concern to the state and the armed forces of the Unites States, including quality of life issues unique to South Carolina’s military personnel and their families, quality of educational opportunities for military children, transportation needs, substance abuse, and social service needs. The Department of Veterans Affairs is required to submit an annual report to the Governor detailing its work on behalf of the state’s veterans. The department is authorized to apply for and accept funds, grants, gifts, and services from this state, the United States Government or any of its agencies, or any other public or private source, and may use funds derived from these sources to defray clerical and administrative costs, as may be necessary for carrying out the department’s duties. The Department of Administration may provide administrative support to the Department of Veterans Affairs in such areas as financial accounting, human resources, information technology, procurement, and logistics.

The House approved and sent the Senate **H.3726**, a bill requiring **CONTINUING EDUCATION ON THE IDENTIFICATION OF OPIATE-RELATED DEATHS FOR CORONERS AND MEDICAL EXAMINERS** and their deputies. The legislation draws upon the work of the special House Opioid Abuse Prevention Study Committee that was appointed by the Speaker of the House to examine the growing misuse of prescription painkillers and recommend legislative actions to counter the epidemic of ruinous addiction and fatal overdoses.

The House approved and sent the Senate to **H.3101**, a bill authorizing South Carolina to enter into the **“INTERSTATE MEDICAL LICENSURE COMPACT”**. The compact allows qualified physicians to practice medicine in all member states by applying for an expedited license through the licensure board of the physician’s principal state. The compact is administered by the Interstate Commission which consists of two voting representatives appointed from the medical licensing boards of each participating state. To date, 25 states have joined the Compact. This bill requires applicants for expedited licensure to undergo a criminal background check to include fingerprint or other biometric data checks. The Compact requires a participating physician to be under the jurisdiction of the state medical board where the patient is located. Each participating physician will be charged a non-refundable $700 fee for applying to the Commission of which $300 will be remitted to the SC Board of Medical Examiners for physicians whose state of primary licensure is SC. The physician will be required to pay licensure fees for each of the states chosen plus a $100 handling fee to the commission for requesting additional state licenses. The bill further provides that a member state may withdraw from the compact by repealing the statute authorizing membership. A member state may be terminated from the compact if the state fails to comply with its provisions.

The House amended, approved, and sent the Senate **H.3237**, a bill establishing provisions **PROHIBITING PRIVATE INVESTIGATORS FROM REPRESENTING MULTIPLE PARTIES WITH CONFLICTING INTERESTS** in civil or criminal matters and placing limitations on the information that private investigation businesses may reveal without the client providing informed consent.

The House approved and sent the Senate **H.3362**, a bill which provides that suspension of a person’s driver’s license for failure to pay a traffic ticket shall not constitute a conviction of an offense that would result in the person being considered an **HABITUAL OFFENDER**.

The House amended and gave second reading approval to **H.3601**, a bill establishing a procedure that allows a court to grant a **CONDITIONAL DISCHARGE FOR A FIRST TIME OFFENDER CHARGED WITH PUBLIC DRUNKENNESS AND DISORDERLY CONDUCT**.

The House approved and sent the Senate **H.3916**, a bill **INCREASING THE FINE FORFAILING TO REGISTER A MOTOR VEHICLE** from not more than one hundred dollars to five hundred dollars. The increase addresses an issue that has emerged since the fee for registering an out-of-state vehicle was increased as part of the comprehensive road funding measures approved in Act 40 of 2017. Rather than registering a vehicle properly and paying the two-hundred-fifty-dollar fee, some have been choosing to pay the lower one-hundred-dollar maximum fine.

The House approved and sent the Senate **H.3985**, a bill **CONFORMING STATE TAX PROVISIONS WITH THE FEDERAL INTERNAL REVENUE CODE** by updating statutory references.

The House returned **S.80**, a joint resolution addressing the **MEMBERSHIP OF THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION**, to the Senate with amendments. The legislation increases the membership of the commission from thirteen to fifteen persons. In addition to the three ex-officio members, four members are to be appointed by the President of the Senate of which at least one of whom must be of African‑American descent; four members are to be appointed by the Speaker of the House of which at least one of whom must be of African‑American descent; and four members are to be appointed by the Governor of which at least one of whom must be of African‑American descent. The Lieutenant Governor is removed from the commission’s membership. Any member who was appointed by the Lieutenant Governor shall be deemed to have been appointed by the President of the Senate and may continue to serve on the commission.

The House approved **S.327**, pertaining to the South Carolina Senate’s redesignation of its General Committee as the **SENATE FAMILY AND VETERANS’ SERVICES COMMITTEE**, and enrolled the bill for ratification. The legislation updates a statutory reference to reflect the recent change in the committee’s name.

The House approved and sent the Senate **H.3274**, a bill providing for the **PREEMPTION OF LOCAL GOVERNMENT REGULATION OF VAPING, E-CIGARETTES, CIGARETTES, AND OTHER TOBACCO AND NICOTINE PRODUCTS**. The legislation provides that political subdivisions of this state may not enact any laws, ordinances, or rules pertaining to ingredients, flavors, or licensing of cigarettes, electronic cigarettes, tobacco products, or alternative nicotine products. Local government laws, ordinances, or rules enacted prior to January 1, 2019, are exempt from the preemption imposed by this legislation.

The House approved and sent the Senate **H.3760**, legislation **MERGING THE PATIENTS’ COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION** and establishing it as a market of last resort for ensuring the availability of medical malpractice and other types of liability insurance for health care providers that it is not in competition with the private insurance market. The legislation addresses governance following the merger, makes provisions to eliminate the accumulated deficit of the JUA and the Patients’ Compensation Fund, and provide for rates for policies issued to be adequate and established at a level that permits the association to operate without accumulating additional deficits over time.

**HOUSE COMMITTEE ACTION**

**EDUCATION AND PUBLIC WORKS**

The Education and Public Works Committee met February 27 and 28 and passed H. 3759, South Carolina Career Opportunity and Access for All Act, as amended.

**South Carolina Career Opportunity and Access for All Act--SC COA3**

**Highlights (Full amendments are in *bold underlined italics):***

* ***Focus on Students***:
  + Creates the Student Bill of Rights.
  + Reinvigorates the Education and Economic Development Act by reexamining career clusters, and requiring high school or career center to teach at least one high-skill, high demand pathway.
  + Requires high schools to offer computer science.
  + Lexile and Quantile scores must be reported to parents.
  + Removes grade 3-8 assessments that are not required by ESSA, and removes the U.S. History End of Course exam.
  + Updates Read to Succeed to end the parent exemption, require certain teacher candidates to pass an examination regarding literacy, and tighten the portfolio exemption.
* ***Teacher Recruitment and Retention***
  + Minimum starting salary of $35,000.
  + Free college tuition for children of highly effective teachers who work for at least four years in unsatisfactory schools.
  + Allows districts to reimburse teachers who travel more than twenty-five miles one way to school.
  + $2,000 tax credits for businesses that hire teachers as interns.
  + SDE to develop a plan for teacher salary bands to replace the step schedule.
* ***Greater accountability for schools and districts***
  + Improved requirements for assisting underperforming schools and districts.
  + Consolidation or new management of unsatisfactory schools.
  + Dissolution of failing school districts.
  + School Board training and ethics.
* ***Modernizing and improving access to technical colleges***
  + No more remediation in technical colleges--must occur in twelfth grade.
  + Common admission standards for technical colleges.
  + Lottery Tuition Assistance for industry credentials.
  + Common dual enrollment standards.
* ***Greater Efficiency throughout education***
  + Zero to Twenty Committee with the Lieutenant Governor serving as Chair.
  + Committee to develop and report performance measures.
  + Committee to report areas for improvement to the General Assembly.

**Bill Summary:**

**I. ESTABLISH AN OVERALL STATE COLLEGE AND CAREER READINESS GOAL**

* By 2030, 60 percent of all working-age South Carolinians should have a postsecondary degree or recognized industry credential. The General Assembly should reexamine and revise the goal as needed.
* ***Subcommittee amendment adds language stating that the goal of the bill is consistent with the Profile of the South Carolina Graduate.***

**II. STUDENT BILL OF RIGHTS**

* Students should expect that the General Assembly, Governor, State Superintendent of Education, State Board of Education, local school boards, local superintendents, principals, teachers, and parents to focus on improving education, and creating a system that puts them first.
* Students should feel safe and secure in school.
* Students should have educational choice, and the ability to challenge unfair treatment.
* A student shall serve on the State Board of Education as a non-voting advisory member.
* ***The term of the student member to the State Board of education is reduced from two years to one, and the South Carolina Teacher of the Year is added as a non-voting advisory member.***
* ***Minor additions to the Student Bill of Rights. These include requiring a “balanced education and curriculum,” an indication that the right to attend schools out of a zoned area is already in place (charter schools, magnet schools, Exceptional SC), and notes the parental responsibility to ensure attendance at school.***

***III. TEACHER BILL of RIGHTS***

* ***Among the items teachers should be able to expect are the following:***
  + ***Their discretion included in regard to disciplinary and instructional decisions.***
  + ***Freedom from frivolous lawsuits,***
  + ***Work in an environment conducive to learning***
  + ***Planning time***
  + ***A competitive salary***
  + ***No unnecessary paperwork***
  + ***Support from school administration.***

**IV. CREATE THE *ZERO-TO-TWENTY* COMMITTEE**

* This ten-person committee will monitor the state’s education and workforce pipeline, and provide frequently updated information regarding the education and training levels required by the state’s employers. Members must have a background in early childhood education, K-12 education, higher education, workforce development, or economic development.
* The committee must identify and recommend improvements for efficiency and cooperation throughout the age 0-20 education and workforce pipeline, and annually report its findings. (In other words, there will be a “silo buster” that allows the state to realize its potential.)
* The committee must establish a series of benchmarks that measure the state’s efforts on its overall college and career readiness goal. Benchmarks must include access to quality pre-kindergarten, third grade reading proficiency, high school graduation rates, and post-high school education attainment. A website to track and report progress on the benchmarks must be established.
* The Lieutenant Governor shall serve as the committee chairman. The Governor, House of Representatives, and the Senate will all have three appointments to the committee.
* Staffing and funding for the committee can come from existing programs. The committee’s Executive Director will officially be known as the Education Tsar.
* ***The Governor hires the Zero to Twenty Committee Executive Director, the term “Education Tsar” is removed, and the Governor shall provide staff to the Committee. At least two teachers must be appointed to the Committee--one appointed by the House and one by the Senate.***

**V. INCREASE THE RIGOR FOR BETTER PREPARATION**

* Increase the state’s emphasis on computer science by requiring that high schools offer at least one computer science course. The course may be offered in person, online, or at a technical college through dual enrollment.
* ***Deletes language regarding specific requirements regarding computer science.***
* Removes summative assessments not required by federal accountability law. This includes eliminating the eighth grade science assessment, all grades 3-8 social studies assessments, and the United States History end-of-course assessment.
* ***Deletes language regarding specific requirements regarding computer science.***
* ***Deletes the United States History end of course assessment that was supposed to be removed in the original bill.***
* ***Deletes the eighth grade science assessment that was supposed to be removed in the original bill*.**
* The Office of First Steps and the State Department of Education (SDE) must provide a report to the General Assembly regarding how to increase the number of children attending state-funded four-year-old kindergarten programs.
* Students desiring a lottery scholarship must, in addition to existing requirements, take a math and English course during their senior year of high school to maintain these skills prior to entering college.
* Enhance Read to Succeed
  + State Board must approve no more than five reliable and valid early literacy and numeracy screening assessment instruments for students in Kindergarten through third grade.
* ***Clarifies that the use of literacy screeners should be given more than once in grades Kindergarten through third if, and only if, the student demonstrates deficiencies.***
  + Assessments must be given at the beginning of the school year. For students who need additional assistance, the screening will also occur during the middle and end of the school year.
  + Assessment results must be reported to SDE who is responsible for monitoring student progress.
* ***Amends Read to Succeed to require that districts provide appropriate in-class intervention until all students are at grade level.***
* ***When identifying students for intensive reading assistance, teacher observations are reinstated along with screenings and diagnostic assessments.***
  + Students will be retained if their SC Ready scores are at the “Does Not Meet” level. This is more rigorous than the current “Not Met 1” level.
  + The reading portfolio exemption for retention is strengthened.
  + The exemption regarding the parent/guardian appeal is removed.
* ***Parent appeal of retention is reinstated. Districts are required to report on the number of appeals made, the number granted, and the outcome of the students whose appeals are successful***.
  + Require more specific job duties and position requirements for reading coaches.
* ***The requirement for reading coaches in each elementary school is reinstated.***
  + SDE must screen and approve reading coaches for districts where more than one-third of the students score at the lowest achievement level.
  + Early childhood, elementary, and special education teachers must pass a test regarding reading instruction before they can be certified.
* ***Professional development required for compliance with Read to Succeed must be offered at no cost by the school districts.***
  + CHE and the Learning Disorders Taskforce must examine the effectiveness of teacher education programs in regard to diagnosing and assisting students with reading difficulties.
* Expand dual enrollment opportunities so that students who want to go to college already have at least one year of college credit by creating a uniform, statewide credit articulation agreement between K-12 and higher education.
* ***Independent Institutions of Higher Education are included in the planning and jurisdiction of the articulation agreement.***
* Require the Advisory Committee on Academic Programs to develop a statewide dual enrollment articulation agreement that will replace all locally created agreements between K-12 and higher education.
* The accountability system should let parents know if schools are successful in preparing students for eventual success in college or on the job. To further this effort, the State Department of Education must continuously monitor student progress in grades K-12, and provide parents and students with lexile and quantile scores derived from assessments.
* ***In addition to using Lexile and Quantile scores, high school equivalency assessment thresholds may also serve as common admission scores to technical colleges. A test in an English/language arts and mathematics course may be used to satisfy the requirement. A test for every course is not required.***
* Remediation for high school students shall take place in high school, beginning as early as the ninth grade, and will no longer be offered in the technical colleges.
* ***Technical colleges may continue to provide remedial courses to students. For students who are age 21 and younger who have earned a high school diploma or equivalency credential, the public school must pay for the cost of the remedial courses for up to one academic year.***
* The Education and Economic Development Act (EEDA) is updated.
  + SDE, the Technical College System, Commission on Higher Education, the Department of Commerce, and Department of Employment and Workforce must collaborate to ensure that workforce needs are aligned with career pathways and K-12 curriculum.
  + High schools or career centers must have a minimum of three career pathways, with at least one pathway in a high-skill, high-demand area.
  + Pathways must be reviewed every three years and updated as needed.
  + ***Districts must coordinate with each other to ensure student access to multiple pathways. Upon Department approval of bus routes, district may provide transportation for students.***
* The State Board for Technical and Comprehensive Education (SBTCE) must establish, and technical colleges must recognize, common admission scores. (Scores may be differentiated for certain programs of study.) For students who do not meet the minimum admission score, they should be encouraged to enter a noncredit program that awards a national recognized business or industry credential.
* Lottery Tuition Assistance is available for individuals who enroll in a noncredit, credential awarding program provided they enroll within seven years of the first time they entered the ninth grade.
* Before July 1, 2021, SDE and SBTCE must provide a report to the General Assembly that describes how adult education programs may best be moved to the Technical College System.
* ***Deletes the requirement that the State Board of Education and State Board for Technical and Comprehensive Education create a plan for moving career and technology centers to technical colleges.***
* The term “School of Choice” is amended to “School of Innovation,” and districts are clearly allowed to create more than one such institution.

**IV. IMPROVE TEACHER RECRUITMENT & RETENTION**

* Schools that receive a rating of “Good” or “Excellent” may hire noncertified teachers in a ratio up to 25 percent of its entire teaching staff as allowed in charter schools. Noncertified teachers must have a baccalaureate or graduate degree in the subject she is hired to teach and have five years of relevant workplace experience.
* ***Removes the ability of traditional public schools to have up to 25 percent of their teaching faculty be non-certified.***
* Colleges and Universities may create alternative teacher preparation programs that are not nationally accredited; however, the programs must provide specifically mandated evidence of effectiveness.
* The State Board of Education must review educator preparation programs at least once every five years.
* SDE must provide each teacher preparation program with information regarding the performance of its graduates. The programs are required to protect the confidentiality of the data, and the information is not subject to the Freedom of Information Act.
* Require accountability for teacher preparation programs--both traditional and alternative by creating the South Carolina Teacher Preparation Report Card. The report card will examine the number of students completing the program, the performance of teacher candidates on basic skills examinations, and the effectiveness of the programs’ graduates in the classroom setting.
* The existing teacher satisfaction survey currently administered is now statutorily required. Results must be complied, analyzed, and reported for each school and district. This data should be shared with policy makers on a yearly basis, and the Department will publish those results on its website.
* The starting salary for teachers must be at least $35,000.
* SDE is required to submit a plan to the General Assembly regarding the creation of career bands for teacher pay instead of the current salary step schedule.
* ***Provides that the teacher salary step schedule and inflation factor must be determined in the annual appropriations act. Deletes the pay band study required of SDE, and adds in funding language that was originally removed.***
* For highly-effective, full-time certified teachers who are employed in unsatisfactory schools, their children may attend any state-supported college or university tuition-free for up to four years.
* Districts may reimburse teachers for daily commutes of more than 25 miles to school (one way).
* ***Local districts may establish policies allowing teachers to enroll their children in the schools where the teachers work.***
* In order to better understand the demands of the 21st century workplace, public school teachers who work in grades 6-12 are encouraged to become interns for up to 80 hours per year. Employers who hire teachers for this summer internship are eligible for a $2,000 tax credit for each teacher they employee.
* Require the Department to design proposed teacher pay bands in lieu of the current pay schedule and report the findings to the General Assembly.

**V. HELP FOR STUDENTS IN UNDERPERFORMING SCHOOLS AND DISTRICTS**

* Reinforce the accountability act regarding assistance for struggling schools or districts.

Local school boards with below average or unsatisfactory are required to establish renewal plans that must be approved by the State Board of Education. These plans include professional growth plans for teachers and principals. A report on the assistance provided to the schools must be provided to the General Assembly on a yearly basis.

* Stakeholder groups that include mental health, social services, and law enforcement must be asked for input into renewal plans.
* Schools that are unsatisfactory (i.e. failing) for three out of four years are considered to be “chronically underperforming.” These schools must be closed and one of three options are available:
  + Reconstituted with the faculty and staff dismissed (they are not prohibited from being rehired). SDE must contract with a non-profit entity that has success in working with underperforming schools. If the school does not improve within three years, it must be placed in the Transformation School District, or with a charter management organization,
  + Placed under the management of a charter school authorizer or educational management organization, or
  + permanently closed with students being sent to other schools in the district.
* ***When the State Superintendent decides to reconstitute an unsatisfactory school, the requirement that all school employees must be dismissed is removed. Instead, the Superintendent has the authority to hire and fire personnel.***
* The South Carolina Transformation School District is established as part of SDE to operate and manage unsatisfactory schools. The Superintendent shall hire an individual, government entity, or non-profit entity to manage the district’s schools. For schools whose districts have not been dissolved, the district must create a plan for the return of the schools once they have improved.
* For districts where a majority of the students attend schools with an overall rating of below average or unsatisfactory, the State Superintendent must declare a state of emergency. If the district remains in a state of emergency for four consecutive years, the district must be consolidated or the schools must be placed under control of a charter school authorizer, an education management organization, or the Transformation School District.
* School districts with a student population under 1,000 must be consolidated. The State Superintendent must provide a report to the General Assembly specifying how the consolidation should be accomplished. The Superintendent must also provide a comprehensive plan regarding the merger of school districts. Factors to be considered include student population, the fiscal health of the district, accreditation concerns, and school grades. The Superintendent must also include information on the status of districts that have consolidated administrative functions.
* ***In addition to having fewer than 1,000 students, and additional condition for automatic consolidation incudes having a majority of students attend below average and unsatisfactory schools.***
* Local School Boards of Trustees may require that students earn more than 24 hours of credit in order to receive a high school diploma.

**VI. SCHOOL BOARD OF TRUSTEES ETHICS**

* The State Board of Education must adopt a model code of ethics that shall be adopted by local districts by July 1, 2020.
* ***Local School Boards may adopt a policy prohibiting certain disclosures if allowed by law, but removes mention of FOIA.***
* A person may not serve on a local school board if a family member is employed by the district as a superintendent, principal, assistant principal, or member of the district administrative staff. This requirement may be waived for districts with a student population under 3,000.
* Board members may not use their position for personal or family advantage.
* Expectations for board members is codified.
* Board members may be removed by the Governor if the district loses accreditation.
* The State Ethics Act, including the requirement to file a statement of economic interest, is applied to local board members.
* Local school boards must adopt an annual training programs for members that includes school law, ethics, school finance, instruction, nepotism, board relations, and conflicts of interest. Completion of the training must be reported to, and retained by SDE.
* The Governor may remove a board member for fraud, misappropriation of funds, nepotism, or a violation of election or procurement laws.
* ***Possible imprisonment for school board members who fail to attend mandatory training is removed, but fines remain.***

**VII. MISCELLANEOUS**

* All reports, studies, published findings, memoranda, guidelines, rules, and other documents concerning the implementation of programs and initiatives concerning student performance, district and school accountability, curriculum revisions, funding, and other matters requested by the House Education and Public Works Committee, or Senate Education Committee must be posted by SDE on its website within twenty-four hours after being made public.
* SDE must pay a fine of $10,000 per day for each separate failure to comply with the posting requirements.
* ***A fine for non-compliance with reporting requirements is removed.***
* ***Allows for school districts to ask for a waiver for the purposes of using competency-based education, and establishes reporting requirements for participating schools.***

**Summary of the Education and Public Works Committee Amendment to H. 3759**

* Adds language stating that the goal of the bill is consistent with the Profile of the South Carolina Graduate.
* Changes to the Student Bill of Rights include requiring a “balanced education and curriculum.” When describing that the right to attend schools out of a zoned area is already in place, the amendment lists the types of school choice--charter, magnet, and ExceptionalSC. Finally, the amendment notes the parental responsibility to ensure attendance at school.
* The term of the student member to the State Board of education is reduced from two years to one, the South Carolina Teacher of the Year is added as a non-voting advisory member, and neither may serve as Board chair.
* The Teacher Bill of Rights is added.
* The Governor serves as the Chair of the Zero to Twenty Committee, but may appoint the Lieutenant Governor to Chair. The Governor hires the Zero to Twenty Committee Executive Director, the term “Education Tsar” is removed, and the Governor shall provide staff to the Committee. At least two teachers must be appointed to the Committee--one appointed by the House and one by the Senate.
* Deletes language regarding specific requirements regarding computer science.
* Deletes the United States History end of course assessment that was supposed to be removed in the original bill.
* Deletes the eighth grade science assessment that was supposed to be removed in the original bill.
* The State Department of Education must work with its assessment vendor to embed social studies items into the SC Ready reading and writing assessments at the appropriate grade levels.
* Requires CHE to ensure that changes to SAT and ACT scores ranges will be equated to minimum scores mandated by statute, and includes ACT minimum scores where SAT minimum scores are mentioned.

* Clarifies that the use of literacy screeners should be given more than once in grades Kindergarten through third if, and only if, the student demonstrates deficiencies.
* Amends Read to Succeed to require that districts provide appropriate in-class intervention until all students are at grade level.
* When identifying students for intensive reading assistance, teacher observations are reinstated along with screenings and diagnostic assessments.
* Parent appeal of retention is reinstated. Districts are required to report on the number of appeals made, the number granted, and the outcome of the students whose appeals are successful.
* The requirement that reading coaches are employed in each elementary school is reinstated.
* Professional development required for compliance with Read to Succeed must be offered at no cost by the school districts.
* Independent institutions of higher education are also included as participants to the dual enrollment articulation agreement.
* Language clarifying that only one test should be used in high school to determine Lexile and Quantile scores is added.
* In addition to using Lexile and Quantile scores, high school equivalency assessment thresholds may also serve as common admission scores to technical colleges.
* Technical colleges may continue to provide remedial courses to students. For students who are age 21 and younger who have earned a high school diploma or equivalency credential, the public school must pay for the cost of the remedial courses for up to one academic year.
* References to the entities making up the Coordinating Council for Workforce Development are replaced by the Education and Economic Development Act Coordinating Council, and a start date of August 1, 2022 is added for the update of career pathways.
* Requires input from the business community when developing curriculum for career pathways.
* References to the entities making up the Coordinating Council for Workforce Development are replaced by the Education and Economic Development Act Coordinating Council.
* Districts must coordinate with each other to ensure that students have increased access to multiple pathways. Schools may provide transportation upon SDE approval of the bus routes.
* Deletes the requirement that the State Board of Education and State Board for Technical and Comprehensive Education create a plan for moving career and technology centers to technical colleges.
* Removes the ability of traditional public schools to have up to 25 percent of their teaching faculty be non-certified.
* Adds “professional growth opportunities in content areas” to the list of items for the teacher survey.
* Reinserts language regarding per pupil funding and teacher salaries. Retains the new $35,000 minimum starting salary for teachers and removes **t**he pay band study required of the State Department of Education.
* Local school boards of trustees may establish policies allowing teachers to enroll their children in the schools where they teach regardless of the student’s zone of attendance.
* The parent orientation sessions required of underperforming schools must include information regarding after-school, extracurricular, summer learning, or other enrichment programs.
* When the State Superintendent decides to reconstitute an unsatisfactory school, the requirement that all school employees must be dismissed is removed. Instead, the Superintendent has the authority to hire and fire personnel.
* Districts with fewer than 1,000 students must be consolidated if more than fifty percent of students are enrolled in below average or unsatisfactory schools.
* Local school boards may adopt a policy prohibiting certain disclosures if allowed by law, but removes mention of the Freedom of Information Act.
* Possible imprisonment for school board members who fail to attend mandatory training is removed, but fines remain.
* A fine for non-compliance with reporting requirements is removed.
* Allows for school districts to ask for a waiver for the purposes of using competency-based education, and establishes reporting requirements for participating schools.

**JUDICIARY**

The House Judiciary Committee met Tuesday, February 26th, and reported out the following bills:

Receiving a favorable report was [**H.3029**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3029&session=123&summary=B)**EXPANDING STATE POLITICAL PARTY EXECUTIVE COMMITTEE JURISDICTION TO INCLUDE COUNTY OFFICERS.** Expands political party state executive committee authority to hear protests and contests in county officer, and less than county officer, elections. Repeals state code sections covering hearings by county executive committees and appeals from decisions of county executive committees.

They also voted a favorable report, as amended, to [**H.3237**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3237&session=123&summary=B)**PROHIBITING PRIVATE INVESTIGATORS FROM MULTI-PARTY REPRESENTATION.** This bill would not allow private investigators, or private investigation businesses, to knowingly represent multiple parties with opposing interests in the same civil or criminal matter. Following ethics laws for lawyers, private investigators could not reveal their clients’ identities without specific permission from them to do so.

A favorable report, with amendment, was given to [**H.3243**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3243&session=123&summary=B)**SETTING A FLAT FEE SCHEDULE FOR REGISTER OF DEEDS OFFICES.** It updates 30-year old fee schedules, and sets a flat fee for deed, mortgage, time share deeds, plats, as well as a list of other documents, of $25.00 for filing or recording them the register of deeds or clerk of court. In addition, a flat fee of $10.00 would apply to satisfactions, liens, corporate documents, and a list of other items, filed or recorded with the register of deeds or clerk of court, with exceptions. Also specifies other flat fees and costs.

They also gave a favorable report to [**H.3294**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3294&session=123&summary=B)**LEGALLY LEAVING BABIES BEHIND.** Children, now up to one-year-old under this proposal, could be left at designated locations without any criminal liability. This legislation also updates the definition of "infant."

A favorable report, with amendment, was given to **H.3601 CONDITIONAL DISCHARGE FOR DISORDERLY CONDUCT.** This legislation expands the use of conditional discharge orders to the criminal offense of first offense disorderly conduct. The defendant must pay a $150.00 fee to participate in this program and abide by terms and conditions established by the judge. Collected fees would be paid over to the Commission on Prosecution Coordination. Successful completion of the program will result in the charges being dismissed. Failure to abide by any applicable conditions will result in reinstatement of the criminal proceedings.

One final bill received a favorable report, also with an amendment, **H.3973 CRIMINAL FEMALE GENITAL MUTILATION.** It prohibits mutilating the genitalia of females under the age of eighteen years, or of females who are over the age of 18, but who are unable to consent to the procedure. Establishes Female Genital Mutilation as a criminal offense. Adds these female genital mutilations to the definitions of "child abuse or neglect" and "harm."

**LABOR, COMMERCE AND INDUSTRY**

The House Labor, Commerce and Industry Committee met on Thursday, February 28, and reported out several bills.

The committee gave a report of favorable with amendments on **H.3200**, the **“SOUTH CAROLINA LACTATION SUPPORT ACT”**. As a means of promoting public health and benefitting South Carolina’s economy by keeping nursing employees in the workforce, the legislation requires employers to make reasonable efforts to provide workers with reasonable unpaid break time and space to express milk at work. The legislation does not require employers to compensate employees for breaks taken to express breast milk unless the employer already provides compensated breaks and does not require employers to create a permanent or dedicated space for use by pumping employees. The South Carolina Human Affairs Commission is charged with certain responsibilities for educating employers, employees, and employment agencies about their rights and responsibilities under the legislation. A timeline is established for workplace compliance.

The committee gave a report of favorable with amendments on **H.3586**, a bill revising and updating the **COORDINATED STATEWIDE 911 EMERGENCY TELECOMMUNICATIONS SYSTEM**. The legislation 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 plan must be approved by the board and may be amended as necessary. 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.

The committee gave a report of favorable with amendments on **H.3263**, the **“ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT”**. The legislation establishes a protocol that allows the Department of Labor, Licensing and Regulation to issue professional and occupational licenses to spouses of military personnel transferred to South Carolina when the spouse holds a professional or occupational license issued by another state that has similar requirements.

The committee gave a favorable report on **H.3755**, a bill that establishes new provisions and notification requirements that allow insurers to issue a **RENEWAL OF AN AUTOMOBILE INSURANCE POLICY WITH A REDUCTION IN COVERAGE**. Current provisions do not allow for a reduction in coverage through the renewal of an existing policy. A reduction in coverage requires a notice of nonrenewal to be issued, which has proven to be a source of confusion for insurance customers.

The committee gave a report of favorable with amendments on **H.3145**, a bill addressing **ELECTRIC COOPERATIVES OVERSIGHT AND TRANSPARENCY**. The legislationvests the Office of Regulatory Staff with authority and jurisdiction to make inspections, audits and examinations of electric cooperatives. The legislation provides that no distribution electric cooperative shall, as to rates or services, make or grant any unreasonable preference or advantage to any person, corporation, municipality or consolidated political subdivision to its unreasonable prejudice or disadvantage. No distribution electric cooperative shall establish or maintain any unreasonable difference as to rates or service as between localities or as between classes of service. The legislation revises provisions relating to annual meetings of members of an electric cooperative, so as to revise the notice requirements for certain meetings. The legislation revises provisions relating to a quorum at meetings of electric cooperatives, so as to allow persons casting early voting ballots for the election of trustees to be counted for purposes of determining a quorum at the meeting for the election, and to prohibit voting by proxy. For meetings that include the election of cooperative trustees, polling locations must be open for a minimum of four hours. Requirements are included for making early voting accommodations when trustee races are contested. Unless otherwise provided in the bylaws, each trustee’s principal residence, as determined by South Carolina voter registration law, must be served by the cooperative. A vacancy in the office of trustee occurring for any reason other than expiration of a term may be filled only for the remainder of the unexpired term by a vote of the membership at the next annual meeting. The legislation requires annual public disclosure of compensation and benefits paid to or provided for members of the board of trustees. The legislation includes notice requirements for all non‑emergency meetings of the board of trustees or the membership of the cooperative. The legislation makes transparency provisions for meetings that include requirements for certain votes of trustees to be taken in open session, requirements for votes taken in executive session to be ratified in open session, require for providing minutes of all meetings to cooperative members. Provisions are included to prohibit certain conflicts of interest and the misuse of a position on a board of trustees for financial gain or to secure certain other advantages. The legislation establishes provisions governing the conduct of elections by a cooperative, that prohibit advocacy or campaigning within a certain distance of the polling place. Incumbent trustees seeking reelection shall not directly or indirectly influence the nomination or credentials process.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

**H.4152 *SOLID WASTE POLICY AND MANAGEMENT* Rep. Hixon**

This bill adds to the Solid Waste Policy that recovered materials includes post‑use polymers and recoverable feedstocks that are processed at a pyrolysis or gasification facility, held at such facility prior to processing, or stored off site with the intent that they will be processed at a pyrolysis or gasification facility.

**EDUCATION AND PUBLIC WORKS**

**S.514 *CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS SPECIAL***

***LICENSE PLATES* Sen. Alexander**

This bill provides for the issuance of “Clemson University 2018 Football National Champions” special license plates by the DMV.

**H.4076 *INSTITUTIONS’ DUTIES AND POWERS* Rep. Tallon**

This bill provides that an agency or instrumentality in the executive branch of state government or a public institution of higher learning with a governing board or commission shall provide incumbent members of the board and new members of the board with a written document outlining the agency’s, instrumentality’s, or institution’s statutory duties and powers, which incumbent board members must sign within ninety days after the effective date of this section and which new board members must sign within ninety days after taking office.

**H.4148 *FOUR‑DAY WEEKLY CALENDARS* Rep. Ballentine**

This bill provides that school districts may operate schools on four‑day weekly calendars subject to approval by the State Department of Education.

**H.4149 *PERSONAL FINANCE* Rep. Davis**

This bill requires a one‑half credit course of study in personal finance with an end‑of‑course examination as a requirement for high school graduation beginning with the 2020‑2021 school year.

**JUDICIARY**

**H.4071 *TRIAL RECORDINGS RETENTION AND INDICTMENT FORMS* Rep. Johnson** Relieves the Commission on Prosecution Coordination from providing blank indictment forms to circuit solicitors. Also sets out a schedule for primary and backup trial court recordings retention, as well as retention of prepared electronic transcripts.

**H.4072 *SOLICITOR, PUBLIC DEFENDER, AND APPOINTED COUNSEL FINANCIAL ACCOUNTABILITY* Rep. Johnson** Requires the Commission on Prosecution Coordination to establish regulations covering circuit solicitor finances. Requires appointed lawyers and public defenders to obtain court approval before incurring fees or expenses, which must be shown to be reasonable and necessary. Also has guidelines for preparing payment vouchers.

**H.4073 *SOLICITOR AND INDIGENT DEFENSE PROCEDURES ENFORCEMENT* Rep. Johnson** The Commission on Prosecution Coordination and Commission on Indigent Defense would be required to establish enforcement procedures for enforcing any of their regulations.

**H.4074 *APPOINTED COUNSEL APPLICATION REFORMS* Rep. Johnson** Revises affidavits of inability to employ counsel. Repeals any ability to make claims against assets of a person provided an appointed lawyer.

**H.4075 *NO MORE COUNTY OFFICE INSPECTIONS* Rep. Johnson** Repeals Attorney General and circuit solicitor inspections and examinations of county officer offices.

**H.4077 *LOCAL GOVERNMENT FINANCIAL REPORTS STUDY COMMITTEE* Rep. Tallon** Creates the Local Government Financial Reports Study Committee to review and make recommendations focused on greater compliance, and accuracy of, political subdivisions’ annual audited financial statements.

**H.4078 *ELECTRONIC FILING OF GENERAL ASSEMBLY COMMITTEE REPORTS* Rep. Tallon** Reports submitted by standing committees, or any other committee created by the General Assembly, would also have to be electronically filed with the Legislative Services Agency [LSA].

**H.4079 *CRIMINAL JUSTICE ACADEMY DIRECTOR EXPANDED RESPONSIBILITIES* Rep. Tallon**  The Criminal Justice Academy Director would be empowered to determine the location for providing basic and advance training. Also included in these responsibilities is the selection of nondiscriminatory aptitude tests to be taken by officers as a prerequisite to enrolling in any academy training course.

[**H.4080**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4080&session=123&summary=B) ***CRIMINAL JUSTICE ACADEMY AND LAW ENFORCEMENT OFFICER CERTIFICATION* Rep. Tallon**  Revises the firearms qualifications program certification process for law enforcement officers.

**H.4081 *CRIMINAL JUSTICE ACADEMY DIRECTOR* Rep. Tallon** The Criminal Justice Academy Director could no longer seek court-ordered injunctive relief, but could still levy civil fines for noncompliance. Allows the Law Enforcement Training Council to set out regulations for imposing and enforcing civil penalties.

**H.4082 *DEPARTMENT OF PUBLIC SAFETY* Rep. Tallon** Under this proposed legislation, this department would be comprised of the divisions outlined in its departmental regulations. This organizational structure would have to be posted on the department's website.

**H.4084 *DEPARTMENT OF PUBLIC SAFETY WITNESS FEES* Rep. Tallon** Allows department personnel witness fees to be adjusted annually for inflation.

**H.4085 *TRAINING LAW ENFORCEMENT OFFICERS* Rep. Tallon** The Department of Public Safety would no longer operate a comprehensive law enforcement personnel training program under this proposal. However, this bill does require this department to continue to operate certain programs for its staff, so long as these trainings are not done in lieu of any Criminal Justice Academy curriculum.

**H.4086 *MULTIDISCIPLINARY ACCIDENT TEAM REPORT FEES* Rep. Tallon** Requires the Department of Public Safety to develop regulations to address costs associated with generating multidisciplinary accident investigation team --and similar type teams--reports. Also requires fees covering these costs to be established.

**H.4087 *ILLEGAL GUN OR AMMUNITION POSSESSION BY FELONS* Rep. Rose** Expands the scope of denying possession of guns or ammunition by anyone convicted of a crime punishable by imprisonment of more than one year. Sets out a graduated penalties structure, and allows confiscation of all illegally possessed guns and ammunition.

**H.4088 *DISTRIBUTING EMBARRASSING SEXUALLY EXPLICIT MATERIALS* Rep. Norrell** Creates the criminal offense of unlicensed individuals disseminating materials depicting sexually explicit nudity. In order to violate this law, the depiction must cause emotional distress to the persons so depicted.

**H.4125 *TRAFFIC TICKET ELECTRONIC PAYMENT CONVENIENCE FEES* Rep. D. C. Moss** Allows county, or city, councils to establish convenience fees of up to $5.00 for electronically paying traffic tickets. Fees collected can be spent only as set forth in this proposal.

[**H.4126**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4126&session=123&summary=B) ***SOUTH CAROLINA ANTI-MONEY LAUNDERING ACT UPDATES* Rep. Clemmons** Updates procedures, terms, requirements, licensing, fees, reporting, sanctions, and remedies under the South Carolina Anti-Money Laundering Act.

[**H.4128**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4128&session=123&summary=B) ***ABSENTEE VOTING BALLOT VERIFICATION* Rep. Jefferson** Sets out the notification requirements before examining return-addressed envelopes containing the absentee ballots. Allows these examinations to be done at 9:00 a.m. [currently set at 2:00 p.m.] on the day before election day. Eliminates the requirement that an absentee ballot applicant's oath be witnessed.

**H.4129 *DOCUMENTING NO-CITATION-ISSUED TRAFFIC STOPS* Rep. Rutherford** Requires data about motorists stopped by law enforcement officers with, or without, any citation being issued to be documented.

**H.4147 *FIREFIGHTER OCCUPATIONAL DISEASE MANIFESTATION* Rep. Mace** Firefighters, with ten years of service, who sustain impairment, injury, or a disease, such as heart, lungs, respiratory tract, colon cancer, lung cancer, melanoma, mesothelioma, multiple myeloma, non-melanoma skin cancer, prostate cancer, rectal cancer, Non-Hodgkin’s lymphoma, or stomach cancer, would be extended a rebuttable presumption that this impairment or injury arose from, and in the course of, their cope of employment as a firefighter in consideration of eligibility to receive workers compensation benefits. This presumption is conditioned upon certain medical examinations and reporting requirements being performed.

**LABOR, COMMERCE AND INDUSTRY**

**H.4150 *“MUSIC THERAPY PRACTICE ACT”* Rep. Davis**

This bill enacts the “Music Therapy Practice Act” to regulate the practice of music therapy. The South Carolina Music Therapy Board is created to assist the director of the Department of Labor, Licensing and Regulation in the regulation of the profession of music therapy. The legislation provides criteria for licensure, makes provisions for the use of a professional designation, and prohibits the practice of music therapy without a license.

**H.4151 *REAL ESTATE APPRAISERS* Rep. West**

This bill revises various provisions for the licensure and regulation of real estate appraisers.

**H.4154 *STATE MINIMUM WAGE OF SEVENTEEN DOLLARS PER HOUR* Rep. Hart**

This bill makes provisions for a base state minimum wage of seventeen dollars per hour effective January 1, 2020. The legislation requires the Department of Labor, Licensing and Regulation to provide notification of this minimum wage to employers before November 1, 2019. The legislation provides that it is unlawful for an employer to fail to pay the state minimum wage or to retaliate against an employee for certain actions regarding enforcement of the state minimum wage law. Remedies are provided for violations. The legislation establishes a five‑year statute of limitations and makes provisions for class action lawsuits.

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

**H.4130 *LICENSURE OF HEARING AID SPECIALISTS* Rep. Weston**

Per recommendation by the Legislative Oversight Committee, this bill allows for the Department of Health and Environmental Control to facilitate the administration of qualifying examinations by third parties. The bill further allows for the department to directly administers exams and charge applicant fee to be used to defray costs related to the administration of examination.

**WAYS AND MEANS**

**S.160 *ONLINE INDEX OF TAX LIENS* Sen. Allen**

This bill authorizes the Department of Revenue to implement a system of filing and indexing tax liens which is accessible to the public over the Internet or through other means.

**S.318 *“SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT”***

**Sen. Alexander**

This bill enacts the “South Carolina Pay for Success Performance Accountability Act”, to establish the Trust Fund for Performance Accountability to fund pay-for-success contracts, whereby the state contracts with a private‑sector organization to achieve specifically defined measureable outcomes in which the state pays only to the extent that the desired outcomes are achieved.

**S.329 *REPEAL OF GEOTHERMAL EQUIPMENT TAX CREDITS* Sen. Cromer**

This bill provides that tax credits for the purchase of geothermal machinery and equipment shall be repealed on January 1, 2022.

**S.408 *TAXATION OF CABLE SYSTEM OPERATORS* Sen. Reese**

This bill revises taxation provisions to provide that if a pass-through business operates a cable system or a direct broadcast satellite service, or if it has receipts from video service, then a corporation that owns an interest in that pass-through business, either directly or indirectly, must be treated as operating a cable system or a direct broadcast satellite service, or as having receipts from video service.

**H.4083 *DEPARTMENT OF PUBLIC SAFETY CARRY FORWARD FUNDS* Rep. Tallon**

This bill revises provisions relating to the Department of Public Safety’s annual audit and the expenditure of certain revenue generated by the department, so as to eliminate certain outdated references and authorize the department to expend certain funds for drug testing. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the Department of Public Safety.

**H.4127 *DEPARTMENT ON AGING’S PHYSICIAN STUDENT LOAN REPAYMENT PROGRAM***

**Rep. Ballentine**

This bill revises provisions for the Department on Aging’s Physician Student Loan Repayment Program, so as to change the program’s eligibility requirements.

**H.4131 *SOUTH CAROLINA FILM COMMISSION FUNDING* Rep. W. Newton**

This bill provides that each year from 2019 until 2023, an additional four percent of the general fund portion of admissions tax collected by the State of South Carolina must be funded annually for the exclusive use of the South Carolina Film Commission until the total amount is equal to forty‑six percent of the general fund portion of admissions tax.

**H.4132 *SOUTH CAROLINA FILM COMMISSION CARRY FORWARD FUNDS***

**Rep. W. Newton**

This bill provides that any funds committed to film projects must be carried forward from the previous year and used for the same purpose, and that any uncommitted funds must be carried forward and used for wage and supplier rebate funds.

**H.4133 *COMMUNITY DEVELOPMENT TAX CREDITS* Rep. Weeks**

This bill revises provisions relating to community development tax credits, so as to: allow a tax credit of fifty percent of any cash donation to a community development corporation or community development financial institutions; eliminate an aggregate credit provision and set an annual limit; establish tax credit reserve accounts for the first three quarters of each tax year so as to avoid the depletion of credits by an individual taxpayer; eliminate the pro‑rata distribution of tax credits; allow financial institutions with tax liabilities in this state to invest in community development corporations for the purpose of receiving a tax credit; and, provide 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.4153 *REQUIREMENTS FOR FEE IN LIEU OF PROPERTY TAXES AGREEMENTS***

**Rep. McDaniel**

This bill requires a county to consult with other affected taxing entities before entering into a fee in lieu of property taxes agreement. Each year a fee in lieu of property taxes agreement is in effect, the county shall provide a report to the other affected taxing entities of the total amount of revenue generated from the agreement, the amount of revenue distributed to each taxing entity, and the calculation used to determine each distribution. In any year in which the county fails to distribute an affected taxing entity its correct distribution as provided by law, the Office of the State Treasurer shall withhold the county’s State Aid to Subdivisions Act distribution until the correct amount is distributed.

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