**Vol. 37 February 4, 2020 No. 04**

**CONTENTS**

**HOUSE WEEK IN REVIEW 02**

**HOUSE COMMITTEE ACTION 03**

**BILLS INTRODUCED IN THE HOUSE THIS WEEK 05**

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**HOUSE WEEK IN REVIEW**

The House of Representatives amended, approved, and sent the Senate **H.4760**, a bill revising the **STUDENT ASSESSMENTS** that are administered in the state’s public schools as a means of: ensuring that standardized testing is not unnecessarily burdensome; improving notification about upcoming assessments; and, affording parents, guardians, and teachers with timely access to test results so that this information might be better used to improve student achievement. The legislation eliminates the summative assessments in social studies and United States History that are not required under the federal Every Student Succeeds Act accountability provisions. In addition to streamlining summative testing, which is conducted at the end of a school year to determine what a student has learned in a course of study, the legislation also places limits and conditions on formative testing, which is conducted during the course of a school year to determine what progress a student is making towards mastering particular subjects. With certain exceptions, the legislation provides for students to be administered no more than one state or locally procured formative assessment, and for that one standardized test to be given no more than three times during an academic year. A protocol is established that requires schools to provide notification to parents and guardians about upcoming formative assessments and their purpose at least one week before testing. No more than one week after the administration of a formative assessment, schools are required to provide teachers, parents, and guardians with test results. In addition to test scores, the material that parents and guardians receive must include information on how the formative assessment aligns with state standards and summative assessments, and suggestions for how to support the child’s learning at home.

The House approved and sent the Senate **H.4753**, a bill providing for **TEACHER INCENTIVES**. The legislation establishes a “Teacher Bill of Rights” to enumerate those things that all certified public school teachers in South Carolina should be able to expect. These include: working in an environment conducive to learning; the inclusion of their discretion with regard to disciplinary and instructional decisions; freedom from frivolous lawsuits; unencumbered daily planning time; a competitive salary; no unnecessary paperwork; and, support from school administration to meet performance standards and professional expectations. These provisions do not create or imply a private cause of action for a violation. The legislation provides that each classroom teacher and full time librarian is entitled to at least a thirty minute daily planning period free from the instruction and supervision of students. Each school district may set flexible or rotating schedules for the implementation of this duty free planning period. Implementation may not, however, result in a lengthened school day. The legislation offers a tax incentive for attracting teachers to areas where they are most needed in the form of an income tax credit that covers all of the property taxes paid for five years on a residence for a K-12 public school teacher who lives and teaches in a Tier IV economically challenged county.

The House appointed a conference committee to address its differences with the Senate on **S.455**, the **“ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT”**.

The House returned **S.996** to the Senate with amendments. This joint resolution authorizes an **EXTENSION OF SOUTH CAROLINA PUBLIC SERVICE COMMISSION CANDIDATE SCREENING** to provide an opportunity to find additional qualified candidates to present to the General Assembly for election to the commission that oversees public utilities.

The House approved and sent the Senate **H.4936**, a bill that eliminates the prohibition on possessing **GAME FISH DEVICES** while possessing or using nongame devices. The change allows someone to have an authorized game fish device, such as a rod and reel, while using authorized nongame devices, such as set hooks, trotlines, eel pots, jug fishing devices, and traps.

The House approved and sent the Senate **H.4945**, a bill that revises coastal zone management provisions governing construction seaward of the baseline to allow for certain **EROSION CONTROL STRUCTURES** to have their damage assessment based on a single distinct continuous seawall or bulkhead rather than on a lot by lot basis.

**HOUSE COMMITTEE ACTION**

AGRICULTURE, NATURAL RESOURCES AND

**ENVIRONMENTAL AFFAIRS**

The full Agriculture, Natural Resources, and Environmental Affairs Committee met on Wednesday, January 29, 2020, and reported out several bills.

The committee gave a favorable report to **H.4936**, a bill that allows a person to have in possession **GAME FISH DEVICES** such as fishing rods in the boat while using nongame devices such as trotlines or set hooks. Currently the law prohibits the use of game fish devices while using nongame devices.

**H.4945**, a bill that changes the damage assessment for certain **EROSION CONTROL STRUCTURES** to be based on a single continuous seawall rather than on a lot by lot basis, was given a favorable recommendation by the committee. The whole structure must be a minimum of one thousand linear feet parallel to the shoreline.

The committee gave a favorable with an amendment recommendation to **H.4831**, a bill that strengthens the law to protect the state’s reptile and amphibian species, in particularly the native **BOX TURTLES**. There is a growing problem of an “underground” market for the taking of turtles to other countries to be sold. This bill protects responsible reptile keepers and will not affect any sale of reptiles or amphibian within the state. The legislation also changes that in the event of some type of confiscation and the reptile has to be housed by the Department of Natural Resources and the owner is convicted, the cost of housing of the reptile will be the owner’s responsibility.

**H.4209**, a bill that creates the **SOUTH CAROLINA FARM AID FUND PROGRAM**, was given a favorable with an amendment report by the full committee. In past years, through the budget process, the General Assembly has provided relief funds to farmers but there was no official process for administering. As a result, in the event of catastrophe weather events affecting farms in the state, this legislation sets up a permanent relief grant program that would be a mechanism to administer funds provided by the General Assembly. The funds will be administered by the Department of Agriculture. The legislation also requires the creation of a six-member Farm Aid Advisory Board which will make recommendations to the department. The grant program will include; however, not limited to, eligibility requirements and application process.

**H.5018**, legislation allowing for **ELECTRONIC PROCESSING OF WATERCRAFT OR OUTBOARD MOTOR TITLES** through the Department of Natural Resources, was given a favorable recommendation by the committee. The legislation allows for the transmitting and receiving of title, liens and discharging of liens electronically. The legislation goes into effect July 2021.

The committee gave a favorable with an amendment recommendation to **H.4737** relating to personal watercrafts on lakes, in particularly **WAKE BOATS**. The current law outlines that these watercrafts must be 50 feet or more away from a dock. In an effort to protect the safety of properties and docks, the bill increases the distance by 50 feet, allowing for a total distance of 100 feet from a dock for lakes except Lake Wylie. Lake Wylie will be increased by 100 feet, allowing for a total of 150 feet from docks.

**EDUCATION AND PUBLIC WORKS**

The Education and Public Works Committee met on Wednesday, January 29, and gave a favorable report on **H.4753**, a bill providing for **TEACHER INCENTIVES**. The legislation establishes a “Teacher Bill of Rights” to enumerate those things that all certified public school teachers in South Carolina should be able to expect. These include: working in an environment conducive to learning; the inclusion of their discretion with regard to disciplinary and instructional decisions; freedom from frivolous lawsuits; unencumbered daily planning time; a competitive salary; no unnecessary paperwork; and, support from school administration to meet performance standards and professional expectations. These provisions do not create or imply a private cause of action for a violation. The legislation provides that each classroom teacher and full time librarian is entitled to at least a thirty minute daily planning period free from the instruction and supervision of students. Each school district may set flexible or rotating schedules for the implementation of this duty free planning period. Implementation may not, however, result in a lengthened school day. The legislation offers a tax incentive for attracting teachers to areas where they are most needed in the form of an income tax credit that covers all of the property taxes paid for five years on a residence for a K-12 public school teacher who lives and teaches in a Tier IV economically challenged county.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

**H.5062 *RELATING TO HUNTING AND FISHING LICENSES* Rep. Ott**

The bill authorizes the Department of Natural Resources to offer license, permit or tag made of a durable material and establishes a fee for this provision.

**EDUCATION AND PUBLIC WORKS**

**H.5037 *“METAL DETECTORS IN PUBLIC SCHOOLS ACT OF 2020”* Rep. Gilliard**

Beginning with the 2021 2022 School Year, walk through metal detectors must be installed and operated at all public entrances of each public elementary school, middle school, and high school in the state.

**H.5056 *PUBLIC SCHOOL HOLIDAY OBSERVANCE* Rep. R. Williams**

The bill states that K-12 public schools must be closed in observance of Veterans Day. It adds that this day may not be considered one of the required one hundred and eighty instructional days in the school year.

**H.5059 *“HEALTHY STUDENTS ACT OF 2020”* Rep. R. Williams**

Beginning in the 2020 2021 School Year, students in sixth grade through twelfth grade must be provided a minimum of ninety minutes of physical activity each week, integrated into the classroom experience throughout each school day

**JUDICIARY**

**H.5027 *NO PLEDGING IN JUDICIAL ELECTIONS* Rep. Morgan**

Would prohibit General Assembly members from offering pledges to vote for any judicial candidates at any time. It would also prohibit legislators from suggesting, encouraging, or pressuring judicial candidates to withdraw at any stage in the judicial election process. Anyone violating these prohibitions would be reported to the Ethics Committee.

**H.5028 *GEORGETOWN-HORRY COUNTY LINE MODIFICATION* Rep. Fry**

This legislation follows the request of affected residents to redraw the county lines of Horry and Georgetown counties. If enacted, it would grant residents’ request to be annexed into Horry County, from Georgetown County. Grants authority to Georgetown records officials and other to transfer any necessary records to Horry County authorities once the new line is established.

**H.5045 *UPDATING OUTDATED DISORDERLY CONDUCT LAWS FOR SCHOOLS, FUNERALS,***  ***RELIGIOUS SERVICES, AND PUBLIC PLACES.* Rep. Hixon**

In light of recent federal court rulings, makes revisions to clarify, and more accurately describe, conduct that violates our state disturbing schools laws, and applies these standards to nonstudents on campuses. Similarly revises both our state laws covering public disorderly conduct and disrupting or disturbing religious services, or funerals. Sets out graduated penalties for violations. Repeals existing laws that the federal court found to be unconstitutionally vague, covering public disorderly conduct, disturbing religious services, and disrupting funerals.

**H.5058 *SYNTHETIC CONTROLLED SUBSTANCES ENFORCEMENT* Rep. R. Williams**

Our State Board of Pharmacy would be empowered to identify any new synthetic chemical formulas of currently-listed controlled substances. Once so identified, these synthetic substances could be placed on the same schedules as their original controlled substance counterparts. This Board could issue emergency rules to schedule synthetic chemical formulas as controlled substances as well. They can also act after a request from SLED, DEA, or poison control. They also would be required to file quarterly reports with the Governor, Attorney General, and the General Assembly about all of the compounds they find.

**H.5060 *SYNTHETIC CANNABINOID AND CATHINONE* Rep. R. Williams**

Schedule I controlled substances would include any material, compound, mixture, or preparation that binds to a cannabinoid receptor, or mimics the pharmacological response of Schedule I or II controlled substances, under this proposed legislation.

**H.5061 *INMATE PAY* Rep. R. Williams**

Inmates who are permitted to work, and do so in the prison industries program, would be exempt from the SCDOC-imposed 35% wage deduction for room and board costs under this proposal. In order to qualify for this exemption, these inmates must earn less than federal minimum wage [currently set at $7.25/hour] and not have any child support obligations.

**H.5072 *UPDATING THE SC HUMAN AFFAIRS COMMISSION* Rep. Funderburk**

The South Carolina Commission on Human Affairs would be relieved from duplicitous reports they now have to make to the Governor and General Assembly in this proposed bill. Commission authority would expand so that it could require reports from all employers. Extends deadlines for complaint filing in unlawful discriminatory practice lawsuits. Complaints about discriminatory housing practices would no longer have to be verified. Answers to these complaints would not have to be verified either. Individuals who file civil lawsuits for discriminatory housing practices would have to meet certain filing requirements.

**LABOR, COMMERCE AND INDUSTRY**

**H.5057 *ELECTRIC AND NATURAL GAS UTILITIES PROHIBITED FROM TRANSFERRING***

***UNPAID BILLS* Rep. R. Williams**

This bill provides that a public utility that supplies electricity or natural gas may not transfer or apply a delinquent, late, overdue, or unpaid balance from one account to another account held individually or jointly in the same customer’s name.

**H.5070 *HEALTH INSURANCE PREEXISTING CONDITION EXCLUSIONS PROHIBITED***

**Rep. Garvin**

This bill establishes provisions that no individual, group or small employer health benefit plans, including the State Health Plan and health maintenance organizations in this state may impose preexisting condition exclusions with respect to coverage under the plan.

**H.5073 *VEHICLES EQUIPPED WITH SPLASH GUARDS* Rep. Jefferson**

This bill provides that certain trucks, trailers, semitrailers, and buses must be equipped with splash guards. A penalty is established for operating a vehicle on the state’s public highways in violation of the requirement.

**H.5083 *PROFESSIONAL CERTIFICATIONS FOR VETERANS WHO HAVE ATTAINED***

***EXPERTISE IN THEIR MILITARY SERVICE* Rep. Clemmons**

This bill directs the South Carolina Contractors Licensing Board to issue electrical subclassification certifications to applicants who have achieved certain electrical designations by the United States Armed Forces when all other requirements are met. The legislation directs the Department of Health and Human Services to issue certified nursing assistant certificates to applicants who have achieved certain combat medic designations by the United States Armed Forces when all other requirements are met. The legislation revises provisions relating to the licensure of nurses, so as to direct the board to issue registered nurse licenses to applicants who have achieved certain medical designations by the United States Armed Forces when all other requirements are met. The legislation revises provisions relating to examination for certification as a plumber, so as to require local board of examiners to issue certificates to applicants who have achieved certain plumbing designations by the United States Armed Forces when all other requirements are met. The legislation revises provisions relating to certifications of residential specialty subcontractors, so as to direct the commission to issue residential specialty certifications with electrical classifications to applicants who have achieved certain electrical designations by the United States Armed Forces when all other requirements are met.

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

**H.5071 *LOCATIONS OF TATTOO FACILITIES* Rep. Rutherford**

With certain exceptions, this bill allows the issuance of a license for a tattoo facility if all churches, schools, and playgrounds within the parameters affirmatively do not object to the issued license.

**WAYS AND MEANS**

**H.5029 *REQUIREMENTS FOR A BILLION DOLLAR NONPROFIT CORPORATION TO***

***REPORT ON REDUCTIONS IN FORCE* Rep. Rutherford**

This bill provides that if a nonprofit corporation located in this state has an annual gross revenue exceeding one billion dollars and in the same year imposes a reduction in force of more than one hundred employees, then the nonprofit corporation must prepare a report detailing all of the economic and procedural benefits it is eligible to receive under state law, such as tax credits, deductions, exemptions, exclusions, other preferential tax benefits, and the elimination of administrative requirements. The report also must set forth the monetary value of such benefits, the reasons why each benefit is necessary to its operation, and why it was necessary to impose the reduction in force. The report must be delivered to the Senate Finance Committee, the House Ways and Means Committee, and to the local governing body of each county in which the nonprofit corporation is located no more than thirty days after the reduction in force is imposed. The legislation makes provisions for these government bodies to hold meetings to review the report.

**H.5032 *EMERGENCY CONTRACTS AWARDED BY THE DEPARTMENT OF***

***TRANSPORTATION* Rep. Finlay**

This bill revises provisions governing construction contracts awarded by the Department of Transportation to provide that emergency contracts may be awarded upon an emergency declared by the Governor instead of upon a determination of the Secretary of Transportation. The legislation provides that such contracts may not be issued more than ninety days after the declaration. A contract awarded in emergency status may not last more than ninety days and any subsequent related contract may not be awarded in emergency status.

**H.5064 *OWNER OCCUPIED RESIDENTIAL PROPERTY TAX ASSESSMENT RATIO***

**Rep. Finlay**

This bill revises property tax assessment ratio provisions to eliminate the owner occupant’s spouse from the definition of “a member of my household”, and to provide that the owner occupant must provide a South Carolina driver’s license and a Social Security card or passport to qualify for the special four percent assessment ratio.

**H.5068 *SALES TAX EXEMPTION FOR SCHOOL SAFETY EQUIPMENT* Rep. Elliott**

This bill establishes a state sales tax exemption for items sold to school districts, schools, and institutions of higher learning for the purpose of improving school safety, such as equipment related to emergency radio systems, access control, building and property security, radio-frequency identification, surveillance, detection, and emergency medical response.

**H.5081 *PROPOSED CONSTITUTIONAL AMENDMENTS ON INCREASING RESERVE FUNDS***

**Rep. W. Cox**

This joint resolution proposes an amendment to the South Carolina Constitution to provide that the General Reserve Fund, currently set at five percent of general fund revenue of the latest completed fiscal year, must be increased each year by one-half of one percent of the general fund revenue of the latest completed fiscal year until it equals seven percent of such revenues. The joint resolution also proposes a constitutional amendment to provide that the Capital Reserve Fund, currently set at two percent of general fund revenue of the latest completed fiscal year, must be increased to three percent of general fund revenue of the latest completed fiscal year.

**H.5082 *STATUTORY IMPLEMENTATION OF CONSTITUTIONAL AMENDMENTS***

***INCREASING RESERVE FUNDS* Rep. W. Cox**

This bill revises statutory language to provide for the implementation of reserve fund increases should the amendments to the South Carolina Constitution proposing increases in the General Reserve Fund and the Capital Reserve Fund be approved and ratified.

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