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**HOUSE WEEK IN REVIEW**

The House of Representatives and the Senate adopted the conference committee report on **S.16**, legislation that relates to **EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS**, and the bill was enrolled for ratification. Current law provides authority for pharmacists to dispense an emergency prescription refill of up to a ten-day supply of a medication once within a twelve-month period. The bill increases the maximum amount of a medication that may be dispensed for an emergency prescription refill to a fourteen-day supply. If the qualifying medication is packaged in a way that it is not possible to dispense a fourteen-day supply, the pharmacist may dispense up to a thirty-day supply.

The House returned **S.635** to the Senate with amendments. The legislation authorizes the Department of Motor Vehicles to issue **“DRIVERS FOR A CURE” SPECIAL LICENSE PLATES** to support medical research that combats cancer. Proceeds from the plates must be distributed evenly between the Medical University of South Carolina Hollings Cancer Center and the Duke Cancer Institute. The legislation also authorizes the issuance of **AIR MEDAL SPECIAL LICENSE PLATES** to those who have been awarded the medal in the course of their military service.

The House amended, approved, and sent the Senate **H.4663**, legislation **AUTHORIZING PHARMACISTS TO ADMINISTER FLU VACCINES TO CHILDREN YOUNGER THAN TWELVE YEARS OLD** in accordance with a protocol issued by the Board of Medical Examiners upon recommendation of the Joint Pharmacist Administered Vaccines Committee. The legislation builds upon current provisions that authorize pharmacists to administer the influenza vaccine, without a physician’s order, to those who are at least twelve years old.

The House amended, approved, and sent the Senate **H.4776**, a bill addressing **RESTRICTIONS ON REPRESENTING PARTIES BEFORE THE PUBLIC SERVICE COMMISSION IMPOSED UPON FORMER COMMISSIONERS AND PSC EMPLOYEES**. The legislation prohibits representing a party in a Public Service Commission proceeding for a period of four years, in the case of a former commissioner, and a period of one year, in the case of a former PSC employee.

The House amended, approved, and sent the Senate **H.4724**, a joint resolution establishing a temporary **COMMITTEE TO STUDY CERTAIN ISSUES AFFECTING VETERANS** that is charged with examining the prevalence and root causes of veteran homelessness in South Carolina. The committee’s study must address such issues as: the approximate number of homeless veterans in the state; how many of South Carolina’s veterans have been diagnosed with post-traumatic stress disorder (PTSD); the availability of services for the state’s most economically disadvantaged veterans; and, reasons why traditional Veterans Affairs Services are not alleviating homelessness, particularly with regard to job placement services. The committee is composed of: three members of the Senate, appointed by the President of the Senate; three members of the House of Representatives, appointed by the Speaker of the House; and, the Secretary of the South Carolina Department of Veterans’ Affairs or his designee. The legislation requires the committee to submit its report to both houses of the General Assembly and to the Governor by the end of 2021 and provides for the committee to dissolve after this deadline.

The House approved and sent the Senate **H.4694**, a bill **EASING SCHOOL BUS TRAVEL RESTRICTIONS**. The legislation revises the blanket prohibition that makes it unlawful for a school bus to pass another school bus by establishing an exception which provides that a school bus may pass another school bus on a multilane highway. The legislation also eliminates a provision that sets maximum speed limits for school buses.

The House amended, approved, and sent the Senate **H.4454**, a bill that revises the criminal offense that applies to drivers **ENDANGERING EMERGENCY SERVICES PERSONNEL** at accident scenes so that tow truck operators responding to emergency incidents are included among the emergency services personnel.

The House amended, approved, and sent the Senate **H.4938**, a bill addressing **EXEMPTIONS FROM ELECTRONIC PRESCRIPTION REQUIREMENTS FOR CONTROLLED SUBSTANCES** included in Schedules II, III, IV, and V. The legislation adds to the electronic prescription requirements exemptions list: a practitioner who writes a prescription for a controlled substance included in Schedules II through V that does not exceed a five-day supply for the patient; and, a practitioner who issues an oral authorization in the case of an emergency situation. The legislation revises an existing exemption that addresses hospital discharges so that it also applies to state mental health facilities. Another existing exemption is revised so that it also applies to controlled substances administered in a home infusion pharmacy.

The House amended, approved, and sent the Senate **H.4669,** a bill that narrows the exemption from **ELECTRONICALLY FILING DEATH CERTIFICATES** by removing from the exemption physicians who certify fewer that twelve deaths per year and funeral homes that perform fewer than twelve funerals per year. By subjecting these individuals to requirements for the electronic filing of death certificates, only those who act, without compensation, as a funeral director on behalf of a deceased family member or friend remain covered by the exemption from electronic filing.

The House amended, approved, and sent the Senate **H.4937**, a bill revising provisions for **CHARITABLE RAFFLES**. The legislation makes revisions to provisions authorizing raffles conducted by nonprofit organizations that include: allowing charitable raffles to continue by eliminating the upcoming sunset date when these provisions are set to expire; increasing prize amounts; consolidating reporting requirements; authorizing a nonprofit organization to compensate members for services rendered in a fundraising event that may include raffle costs related to entertainment, such as the costs of a disc jockey, band, auctioneers, support staff, waiters, bartenders, and wait staff utilized to conduct the fundraising event; and removing a prohibition so that raffle funds may be used for the provision of athletic facilities and equipment.

The House amended, approved, and sent the Senate **H.4963**, a bill relating to **ALCOHOL SAMPLES**. The legislation establishes a protocol that allows a producer or wholesaler to furnish samples of wines, cordials, and distilled spirits to a retailer.

The House amended, approved, and sent the Senate **H.4710**, a bill to strengthen provisions enacted last year as updates to the Youth Access to Tobacco Prevention Act and public school tobacco-free campus policies that take **VAPING** into account. The legislation also applies Clean Indoor Air Act restrictions to vaping.

The House approved and sent the Senate **H.4800**, a bill **REAUTHORIZING THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN** through 2030.

The House approved and sent the Senate **H.4078**, a bill that revises requirements for the **ELECTRONIC SUBMISSION OF REPORTS** to the General Assembly so that these requirements also apply to reports that are required to be sent to a legislative standing committee or other committee created by the General Assembly. The legislation implements a recommendation arising from the House Legislative Oversight Committee’s study of the South Carolina Commission on Indigent Defense.

The House gave Special Order status to **H.5201**, the General Appropriation Bill, and **H.5202**, the joint resolution making appropriations from the Capital Reserve Fund, so that consideration of the **FISCAL YEAR 2020-2021 STATE GOVERNMENT BUDGET** is set to begin on Monday, March 9.

**HOUSE COMMITTEE ACTION**

AGRICULTURE, NATURAL RESOURCES AND

**ENVIRONMENTAL AFFAIRS**

The Agriculture, Natural Resources and Environmental Affairs Committee met on Wednesday, March 4, 2020, and reported out three bills.

**H.5152**, a joint resolution creating the “**EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE**”, was given a favorable recommendation by the committee. This committee is to study the overall impact of the horse industry, such as but not limited to examining the details of the economic impact of the equine industry; studying the potential for equine business growth in South Carolina and the steps that could be taken to encourage growth; and identifying any barriers that exist for equine business growth in South Carolina and ways to eliminate or reduce them.

The committee will be comprised of seven members: two members of the House of Representatives appointed by the Chairman of the Agriculture, Natural Resources and Environmental Affairs Committee; two members of the Senate appointed by the Chairman of the Senate Agriculture and Natural Resources Committee; two members from the equine industry, with one appointed by the Speaker of the House of Representatives and one appointed by the President of the Senate, upon the recommendation of the South Carolina Thoroughbred Owners and Breeders Association; and the Commissioner of Agriculture, or his designee.

The committee shall issue a report to the General Assembly by March 15, 2021, providing its findings and recommendations. Upon issuance of the report, the committee is dissolved.

The full committee gave a favorable report to **H.5273**, a bill that **EXTENDS THE MORATORIUM ON FOR PROFIT PETROLEUM PIPELINE COMPANIES TO USE EMINENT DOMAIN TO OBTAIN PROPERTIES.** The extension is through November 30, 2021.

And finally, the committee gave a favorable with amendment report to **H.5306**, legislation outlining that no setbacks are required from a **NEWLY BUILT RESIDENCE ON AN ADJOINING PROPERTY OF AN ESTABLISHED AGRICULTURAL OPERATION**, which is subject to setbacks for expansion. All other required setbacks would still apply for permitting of agricultural animal facilities.

**JUDICIARY**

The House Judiciary Committee met Tuesday, March 3rd, and reported out the following bills:

**S.176** **ELECTING** **HOW TO BE EXECUTED** received a favorable report, as amended. Inmates sentenced to death would be executed by electrocution unless they elect to die by lethal injection. This proposed legislation would allow lethal injection to be used if it is available at the time an inmate makes this election. Any stay of an execution will also cancel the election made. In the event lethal injection is judicially determined to be an unconstitutional execution method, then executions would be carried out by electrocution. Firing squad executions are not an option under this bill in its current form.

A favorable report, with amendment, was given to **H.3125 FEDERAL CONSTITUTION CONVENTION. It c**alls for a convention of states to propose amendments to the US Constitution that would impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of the US Congress. The amendment made in committee requires 50% of the delegates to be African Americans.

A favorable report was given to **H.5072 UPDATING THE SC HUMAN AFFAIRS COMMISSION****.** It wouldrelieve this agency from duplicitous reports they now have to make to the Governor and General Assembly. Commission authority would expand so that it could require reports from all employers. Extends deadlines for complaint filing in unlawful discriminatory practice lawsuits. Eliminates verification requirements for complaints and answers in of discriminatory housing practice cases. Individuals who file civil lawsuits for discriminatory housing practices would have to meet certain filing requirements.

In the wake of on-duty deaths of noncertified law enforcement officers, **H.5109 NONCERTIFIED LAW ENFORCEMENT OFFICER SUPERVISION** received a favorable report.This bill requires noncertified law enforcement officers, appointed or employed after July 1, 2020, to perform any law enforcement duties only when certified law enforcement officers accompany them.

A favorable report was given to **H.5112 TIME SERVED TO INCLUDE TIME UNDER GPS MONITORING****.** Inmates could receive full credit against their sentences for time spent under Global Positioning System (**GPS**) monitoring.

**WAYS AND MEANS**

The House Ways and Means Committee met on Thursday, March 5, and gave a report of favorable with amendments on **H.5335**, a bill addressing the **FUTURE OF SANTEE COOPER**. The legislation makes provisions for continuing negotiations on a possible sale of this state-owned electric utility and makes provisions for governance reform at the Public Service Commission. The legislation creates a special legislative committee, composed of three members from each house of the General Assembly, to further negotiate the terms and conditions of the preferred sale proposal of Santee Cooper as recommended by the Department of Administration under to Act 95 of 2019. The committee’s recommendation and report may be accepted and approved by each house in the same manner conference committee reports are accepted and approved. Upon approval by the General Assembly, the report must also be transmitted to the Governor for his approval. The legislation makes provisions for governance reform at the Public Service Commission. The legislation provides for the directors of the public service authority to be approved with the advice and consent of the entire General Assembly, rather than the Senate, alone. The legislation revises the composition of the PSA Board, requiring: two of the directors from the congressional districts must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. The board shall also have one director recommended to the Governor by the South Carolina Manufacturers Alliance to represent industrial customers of the authority, and one director recommended to the Governor by the governing authority of the authority’s largest wholesale customer; provided however, these two directors may not be an employee, counsel, or board member of a customer served by the authority. The legislation provides for staggered five-year terms for board members. The legislation establishes qualifications criteria for board members and includes provisions to preclude conflicts of interest. The legislation provides for the establishment of subcommittees of the board of directors to include Finance and Audit, Public Information, Water Services and Resource Management, Generation and Power Supply Planning, and Executive and Governance. Directors shall owe a fiduciary duty of care to the state of South Carolina during their service. The Public Service Authority shall explore joint cost-saving opportunities through joint agreements with a privately-owned electrical utility for the purpose of advancing system economy and reliability and generating cost savings to its customers. The legislation makes provisions for the creation of the Operational Process and Improvement Committee (OPIC) to facilitate any joint operating agreement with privately-owned electrical utility approved by the PSA. The legislation makes provisions for the PSA to update its reform plan submitted under to Act 95 of 2019. A revised process is established for approving PSA rate increases, with appeals of board decisions on rate increases made to the South Carolina Supreme Court. The Public Service Commission Office of Regulatory Staff is afforded authority to investigate the Public Service Authority. The Public Service Authority must submit an integrated resource plan for review by the Public Service Commission. The Public Service Authority must apply to the Public Service Commission for approval of the proposed issuance of long-term revenue obligation securities representing new debt. All major utility facilities proposed by the Public Service Authority must be submitted to the Public Service Commission for approval.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

**H.5320 *MORATORIUM ON THE PRODUCTION OF PENTACHLOROPHENOL* Rep. Ott**

Pentachlorophenol is a synthetic substance, made from other chemicals, and does not occur naturally in the environment and has significant health risks, this bill makes the production of pentachlorophenol unlawful in this state until July 1, 2021.

**H.5334 *WATERCRAFT AND BOAT SAFETY* Rep. Wooten**

The bill prohibits the operation of a watercraft for a person born after June 30, 1979, unless the person has completed a boating safety course. The bill also requires person operating watercraft to carry a boating safety certificate. This certification can be provided electronically.

**JUDICIARY**

**H.5337 *CAMPAIGN FUNDS FOR CHILDCARE* Rep. Dillard**

Under this proposed legislation, candidates could use campaign funds to pay qualifying reasonable childcare expenses. These expenses would have to be the direct result of campaign activity. In addition, these expenses could not have been otherwise incurred by the candidate. Defines "childcare expenses.”

**H.5338 *NONPROBATE AND OTHER TRANSFERS UPON OWNERS’ DEATHS* Rep. Fry**

This bill sets out proposed methods for ‘transfer on death’ designations for personal property with ownership titles, typically handled by the Department of Motor Vehicles [SCDMV] and the Department of Natural Resources [SCDNR]. Sets up fees for transfer on death designations. Sets out methods for the SCDMV and SCDNR to include transfer on death designations on the titles issued by their department. Revises and includes definitions pertaining to transfers on death for all personal property that carries certificates of title.

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

**H.5321 *DENTAL HYGIENE* Rep. Bennett**

The bill outlines that dental hygienists may perform primary preventive care that is reversible in certain settings with supervision.

**H.5339 “CANCER PREVENTION ACT” Rep. Moore**

In an effort to protect residents from harmful toxins in drinking water, the legislation requires the Department of Health and Environmental Control to promulgate regulations to establish maximum contaminant levels for certain pollutants in public water systems.

**H.5348 *NEWBORN SCREENING ADVISORY COMMITTEE* Rep. Howard**

The bill renames the Newborn Screening Advisory Committee to the Newborn Screening and Rare Disease Council. This bill also establishes new requirements for the members of the council.

**WAYS AND MEANS**

**H.5335 *FUTURE OF SANTEE COOPER* Rep. Lucas**

This bill creates a special legislative committee to further negotiate the terms and conditions of the preferred sale proposal of Santee Cooper as recommended by the Department of Administration and the terms and conditions of the preferred management proposal for Santee Cooper as recommended by the Department of Administration under Act 95 of 2019. The legislation makes provisions for governance reform at the Public Service Commission.

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