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# Introduced Bills

**Education and Public Works**

**H. 4840 Charter School Participation in Interscholastic Competition Rep. Oremus**

This bill relates to charter school participation in interscholastic competition, so as to provide charter schools may not contract with private entities that supervise, sanction, or regulate interscholastic competitions (unless the entity requires its member charter schools that accept students living outside of the public school attendance zone in which the charter school is located to participate at higher classification levels of competition).

**Judiciary**

**H. 4811 Criminally Storing Guns Negligently Rep. J. L. Johnson**

An effort to create the offense of criminally **negligent gun storage** in the first and second degree. Proposes graduated penalties for violations. Requires gun owners or others lawfully possessing guns to report any loss or theft of them within twenty-four hours.

**H. 4813 Removing Campaign Signs After Elections are Over Rep. J. L. Johnson**

Candidates could not leave their **campaign signs** on public property for more than twenty-one calendar days after an election under this proposal.

**H. 4814 Community Violence and Intervention Division for SC DHEC Rep. J. L. Johnson**

Seeks to create the **Community Violence Intervention and Prevention** Division of the South Carolina Department of Health and Environmental Control. Establishes an advisory board for it. Its responsibilities are set out and would include operating a community violence intervention and prevention grant program. This program would fund community-based initiatives.

**H. 4819 Medicare Coverage for Multi-Cancer Early Detection Screening Tests Rep. Yow**

Memorializes our United States Congress to enact S. 1873, H.R. 1946, or similar legislation, to establish Medicare coverage for **multi-cancer early detection** screening tests. In addition, it beseeches these elected federal officials to work cooperatively across party lines to reduce cancer deaths in South Carolina.

**H. 4830 "Equal Protection for Unborn Babies Act" Rep. Magnuson**

The "**Equal Protection for Unborn Babies Act**" would prohibit performing or inducing abortions in this state. Violations would bring criminal penalties. It would become effective once our federal government restores or grants South Carolina the authority to regulate abortion this way.

**H. 4835 Capping Residential Deed Stamp Fees Rep. Herbkersman**

**Deed recording fees** could not exceed $3,500 for any single residential deed filed.

**H. 4836 SCDPS Audits, Fees, and Witness Payments Rep. Morgan**

If enacted, this proposed legislation would authorize the SC Department of Public Safety [SCDPS] to operate comprehensive law enforcement **personnel training programs** for its officers. Its annual audit would no longer have to be completed by a previously specified date. In addition, the SC Department of Motor Vehicles could carry forward revenues, which, in turn, could be used to cover the costs of drug testing. Also, it would authorize spending restricted funds in a following fiscal year on obligations incurred in a prior fiscal year. Witness fees for SCDPS troopers testifying in civil matters would be increased and could be adjusted for inflation, once this bill becomes law.

**H. 4838 South Carolina Street Gang and Criminal Enterprise Prevention and Anti- Racketeering Act Rep. Bustos**

This legislation proposes a "South Carolina **Street Gang and Criminal Enterprise Prevention and Anti-Racketeering Act**" to expand existing criminal law. It would do so by creating anti-racketeering provisions that would complement revised street gang and criminal enterprise prevention code sections. Creates various racketeering offenses and establishes penalties for violations. As a final feature, this bill would prescribe asset forfeiture procedures to be used in racketeering cases.

**H. 4841 Political Subdivision Communist Chinese Investments Ban Rep. Haddon**

This proposed bill seeks to prohibit any South Carolina political subdivision from investing in companies owned or controlled by the People's Republic of China, the Chinese Communist Party, or in any entity whose principal place of business is located within the **People's Republic of China.**

**H. 4842 Public Entities Banned From Communist Chinese Contracts Rep. Haddon**

Public entities would be prevented from entering into contracts with companies owned, in whole or in part, by the **People's Republic of China** or the Chinese Communist Party.

**H. 4845 No Communist Chinese Landowners of Less Than 100 Acres Rep. Haddon**

Companies owned, in whole or in part, by the **People's Republic of China** or the Chinese Communist Party would not be able to own, lease, possess, or exercise any control over more than one hundred acres of South Carolina real estate, if this initiative becomes law.

**H. 4848 Vaccination Status Cannot Be a Prerequisite for Premises Admission Rep. Burns**

Criminal liability would attach to those who inquire about another person's **COVID-19** **vaccination** status prior to permitting that person to enter their premises, under this pending bill.

**Labor, Commerce and Industry**

**H. 4829 “Personhood Enforcement at Conception for Every South Carolinian (PEACE SC) Act”**

 **Rep. Magnuson**

This bill requires local governments, the Department of Labor, Licensing and Regulation, and boards of professional licensing to receive and review complaints against businesses, licensees, and employers that engage in practices that terminate the **life** of a person. Penalties are established for failure to comply and the state’s citizens are afforded authority to file civil actions. The legislation requires local governments, boards of professional licensing, and the Department of Labor, Licensing and Regulation to revoke or permanently suspend the business, professional, or employment license of any business, licensee, or employer that engages in practices that terminate the life of a person.

**H. 4831 Offshore Wind Energy Supply Chain Industries Economic Development Study Rep. Elliott**

This joint resolution directs the Department of Commerce must conduct an **economic development stud**y to evaluate the state’s business advantages, economic climate, workforce readiness, and any other relevant state assets to create a roadmap for South Carolina to effectively compete in attracting offshore **wind energy** supply chain industries to the state.

**H. 4832 Insurance Law Revisions Rep. Sandifer**

This bill revises numerous provisions governing **insurers**.

**H. 4837 Optometry Mobile Units Rep. Elliott**

This bill establishes additional requirements for the operation of **optometry** mobile units.

**H. 4839 “Living Donor Protection Act” Rep. Jefferson**

This bill prohibits issuers of individual **life insurance** policies, group life insurance policies, disability income insurance policies, and long-term care insurance policies from discriminating against living organ donors. The legislation requires employers to extend benefits of the Family Medical Leave Act of 1993 to individuals undergoing surgery related to organ donation.

**H. 4847 “Rural Area Support Act” Rep. Jefferson**

This bill requires all automobile **insurance** policies to contain an appraisal clause. The legislation prohibits collusion between automobile insurers and vendors. The legislation provides that an insurance policy that covers a person operating a rented or leased vehicle, regardless of the limitations or exclusions in the operator’s policy, shall be primary to a motor vehicle insurance policy in which the named insured is a rental company or affiliate of the rental company, a qualified self-insurer, and a bond posted by a rental company or an affiliate of the rental company for the purpose of complying with financial responsibility. The legislation requires automobile repairs to follow manufacturer’s instructions. The legislation allows an insured to select a vendor for services arising under an automobile insurance policy. The legislation requires insurers to utilize South Carolina owned vendors for at least fifty percent of covered services. The legislation requires insurers to pay sales tax for automobile paint when required to provide car painting services.

**Medical, Military, Public and Municipal Affairs**

**H. 4834 Certified Copies of an Original Birth Certificate Rep. Bernstein**

The bill adds definition for “other legal representative,” which means a person or agency that has current legal custody of a registrant pursuant to any currently effective order of a court of competent jurisdiction, including a temporary order.

**Ways and Means**

**H. 4812 Accommodations Sales Tax Exemption Rep. J. L. Johnson**

This bill revises the seven percent **sales tax on accommodations**, so as to change the age that a certain one percent sales tax does not apply from individuals over the age of eighty-five to individuals over the age of eighty.

**H. 4816 Retirement System Payment for Police Officers Killed in the Line of Duty Rep. Herbkersman**

This bill makes provisions for an additional one-time **payment** to members of the Police Officers Retirement System who are killed in the line of duty. Criteria are established to make the amount of the payment dependent on the circumstances of the death.

**H. 4817 “Short Line Railroad Modernization Act” Rep. Ligon**

This bill makes provisions for an income tax credit equal to fifty percent of an eligible taxpayer’s qualified **railroad reconstruction** or replacement expenditures.

**H. 4833 South Carolina Wildlife Law Enforcement Officers’ Association Dues Rep. Lowe**

This bill revises payroll deduction provisions to authorize the Comptroller General to deduct dues for the South Carolina **Wildlife Law Enforcement Officers’ Association** from the compensation of state employees and retirees.

**H. 4843 Prohibition on State Investments in Chinese Companies Rep. Haddon**

This bill revises provisions governing the investment of state funds to prohibit the State Treasurer from investing in certain companies owned or controlled by the **People’s Republic of China** or the Chinese Communist Party or whose principal place of business is located within the People’s Republic of China.

**H. 4844 Prohibition on Investing Public Employee Retirement Funds in Chinese Companies**

 **Rep. Haddon**

This bill prohibits the Retirement Investment Commission from investing public employee retirement funds in certain companies owned, in whole or in part, by the **People’s Republic of China** or the Chinese Communist Party.

**H. 4846 “South Carolina Job Creation and Competitiveness Act of 2022” Rep. Burns**

This bill repeals provisions relating to the South Carolina **Income Tax Act and corporate license fees**. The legislation provides that South Carolina **taxable income** for individuals, estates, and trusts is equal to the three and one half percent of the difference between the federal taxable income of the taxpayer and the state standard deduction. The legislation makes provisions for the state standard deduction, an earned income tax credit, and income taxes paid to another state. The legislation repeals certain exemptions from the sales and use tax.

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# House Committees

**Education and Public Works**

The House Education and Public Works Committee met January 19 and reported four bills to the House.

**H. 3464**, enacting the "**Seizure Safe Schools Act**," was given a favorable report, as amended. The bill requires the establishment of seizure action plans in public schools, and to provide requirements for such plans and their implementation. 'Seizure action plan' means a written, individualized health plan between a school and the parent of a student who is diagnosed with a seizure disorder. The parent or legal guardian of a student may petition a school the student attends for the development of a seizure action plan for the student. A school keeps each seizure action plan on file in the office of a school administrator or school nurse employed by the school, if any, and make the plan available to school personnel and, with the permission of the parent or legal guardian of the student, a volunteer responsible for the supervision of the student. The parent or guardian and the school shall develop the seizure action plan consistent with policies and procedures developed by the governing body of the school. The plan shall include all the particulars such as a statement from the health care provider, the type, dosage, storage and administration of the medicine. Including a written statement from the parent indicating whether school personnel or volunteers are permitted to administer the seizure medication to the student in the applicable school year. Training is required. Substantial training guidelines are included.

While **S. 16**, as passed by the Senate, requires completion of certain basic **personal finance** coursework for high school graduation instead of existing economics coursework requirements, the Committee substantially amended the bill directing the State Department of Education to convene a task force to examine the effectiveness of the South Carolina economics course required for high school graduation. Specifically, the task force must determine how well students are being instructed and if course standards should be changed. Among those items for review: financial literacy, personal finance for a global economy connected by the internet; internet safety and cyber security; personal financial planning and asset management; loans and credit products; insurance products; risk; postsecondary education loans, loan forgiveness programs, grants, scholarships, apprenticeships, and other options to assist with related educational and career attainment costs, including the Federal Application for Federal Student Aid (FAFSA) and other federal, state, and local financial aid application processes, and implications of student loan indebtedness; and, economics standards. The task force shall be comprised of the following appointments: by the Superintendent of Education (that appointee shall serve as chair of the task force); by the Governor upon recommendation of the South Carolina Bankers Association; by the Governor upon recommendation of the United Way Association of South Carolina; by an institution of higher education appointed by the Chair of the Commission on Higher Education; by the Chair of the Education Oversight Committee appointed by the South Carolina Council on Economics Education; by the Chair of the House of Representatives Education and Public Works Committee; and by the Chair of the Senate Education Committee. The task force is to report its findings to the General Assembly no later than January 1, 2023. Included is that the State Department of Education shall develop metrics and reporting requirements to monitor for the successful implementation of existing and future state standards and outcomes within and across districts, and make recommendations to improve outcomes accordingly at the state and local levels.

The Committee adopted **S. 203** relating to the **removal of school district trustees** and filling vacancies. District trustees guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity shall be subject to removal from office by the governor.

The Committee adopted **H. 3100** relating to **penalties associated with unlawfully passing a stopped school bus**. This bill revises penalties, with all fines being used to purchase digital recording devices mounted on school buses and extended school bus stop arms. The month of August is declared "**School Bus Safety Month**.” The State Superintendent of Education may overrule the decision of a local school district regarding the placement of certain student school bus stops.

The Committee Chair Lady announced that beginning January 26, the Committee would begin work on a group of bills pertaining to **critical race theory**.

# House Floor Actions

After a conference committee resolved issues between the House and Senate, the free conference report on **S. 525**, a bill dealing with updates to the **solid waste** laws to include the regulation of **advanced recycling**, was adopted. The bill outlines that “advanced recycling,” means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes and other products. The bill includes that DHEC require these companies, new to the state, prior to being issued a permit, to provide financial responsibility in the form of a surety bond for five years. This requirement will expire five years from the effective date.

The bill states that DHEC must provide a report every year to the General Assembly regarding DHEC’s analysis of the advanced recycling facility industry and its recommendation as to the industry's record in this state or elsewhere. The report must also include, but not be limited to, the industry’s costs of clean up, environmental remediation, firefighting, ground water or surface water contamination, private property contamination, public health impacts, and displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management, or abandonment of any pyrolysis and gasification facilities.

In addition, beginning July, 2022, DHEC is required to provide regulations for the handling of outdated solar panels and batteries and the decommissioning of solar projects in excess of thirteen acres. The Department must require, as part of a new application or an application pending on July 1, 2022, local approval of a site plan for a solar farm in excess of thirteen acres, that an owner, lessee, or developer of real property upon which the site is situated must submit to the department a nonbinding plan to manage and dispose of end-of-life photovoltaic modules and energy storage system batteries and decommission solar energy equipment, facilities, or devices.

The House gave third reading and sent to the Senate **H. 3055**, a bill that cleans up language and provides for technical changes in the law for the **Department of Natural Resources**. These changes are per the Legislative Oversight Committee’s review of the Department. The changes include, but are not limited to, updating names of the division departments as a result of the department's name change; updating the department's name on enforcement officers' badges; deleting language regarding enforcement officers requirement for bond; and updating boundary description for the Wildlife Sanctuary at Charleston Harbor by simply deleting old references to location descriptions and replacing them with GPS coordinates.

The House approved and sent the Senate **H. 4815**, a joint resolution **suspending the statutorily mandated sweep of any unused State Health Plan health insurance claim funds to the South Carolina Retiree Health Insurance Trust Fund** for Fiscal Year 2021-2022. The suspension allows the Public Employee Benefit Authority to retain these funds in the state’s employee health insurance program and continue to use them to address the increase in claims that PEBA is experiencing following the delays in scheduling elective surgeries caused by COVID-19 shutdowns. The amount that would be swept is $92 million. The OPEB trust fund was created in 2008 and current has a balance of one billion dollars.

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