**Vol. 39 March 8, 2022 No. 10**

**Contents**

[**House Floor Review 2**](#_Toc97564007)

[**House Committees 6**](#_Toc97564008)

[**Introduced Bills 10**](#_Toc97564009)

# House Floor Review

The House set **H. 5150**, the General Appropriation Bill, and **H. 5151**, the joint resolution making appropriations from the Capital Reserve Fund, for special order on Monday, March 14, to begin its consideration of the **Fiscal Year 2022-2023 State Government Budget** on the House Floor.

Approved by the House, and sent to the Senate, was **H. 4601, County Minimum Ambulance Service Standards.** County councils would need to have at least one licensed ambulance service operating within its county under this proposal. They will not have to fund them if the private sector provides the service. Cities could set up, or contract for, these services as well. Mutual agreements are permitted to ensure these minimum service levels are met.

The House amended, approved, and sent the Senate **H. 4837**, a bill establishing requirements and authorization that allows a not-for-profit program to operate **optometry mobile units** to visit Title I public schools and provide services onsite to their students.

The House recommitted **H. 4946**, legislation which states beginning July 1, 2022, theDepartment of Agriculture will establish the **South Carolina Agricultural Tax Exemption (SCATE) Card** **Program** as the sole method for obtaining farm and agricultural sales tax exemptions.

The House received message from the Senate that the Conference Report for **H. 3308** was adopted and enrolled for ratification. The bill increases the **watercraft idle speed wake distance on certain lakes.**

The House returned **S. 1090** to the Senate with amendments. The bill explicitly reaffirms the Department of Employment and Workforce’s authority to set a **weekly maximum amount of unemployment benefits** that an individual may receive in a week for the legitimate legislative purpose of ensuring the solvency of the unemployment insurance trust fund and that there are adequate funds to pay unemployment insurance benefits to individuals unemployed through no fault of their own. The maximum weekly benefit amount set each year by DEW within the range established in statute must be published on the Department’s website. The legislation identifies the statutory procedure for reconsideration of benefit determinations as the sole and exclusive procedure and remedy for disputing the Department’s determination of an insured worker’s weekly benefit amount.

After adopting the proposed Committee amendment, the House amended and sent **H. 3600** to the Senate. Those House amendments made minimal changes regarding highway crossing and helmet requirements. [**H. 3600**](http://scstatehouse.gov/billsearch.php?billnumbers=3600&session=124&summary=B) extensively addresses the subject of **utility terrain vehicles (UTV)**.

This bill would define the term utility terrain vehicle and provide for the registration and operation on highways and streets (to include side-by-side, four-wheel drive, off-road vehicle, transporting individuals and cargo or both, tires, width, steering and seating). The bill also addresses speed and engine power parameters to ensure they are over the size of UTVs designed for young people. UTVs must be registered like a passenger vehicle. They would be exempt from county property tax and subject for registration renewal biennially. They are subject to user fees for electric, hydrogen, and fuels other than motor fuel. Other requirements are: unobscured license plate, registration, proof of ownership, liability insurance and a ten-dollar biennial fee. UTVs may only travel on roads with a fifty-five mph speed limit or less, but UTVs may cross at an intersection where the road has a posted speed limit of more than fifty-five miles an hour. It may be operated on an island road not accessible by a bridge designed for use by automobile. Operator must be at least sixteen years old and hold a valid driver's license. The operator must have in his possession while operating on a street or highway: license plate and registration certificate, proof of liability insurance and driver's license. If the operator is sixteen and holds a conditional driver's license, the vehicle may only be driven during daylight hours. Registered UTVs may not be operated by anyone who holds a beginner's permit holder, even if accompanied by a licensed driver, a moped operator's permit, a temporary alcohol license, a route restricted license, a provisional driver's license; or solely a motorcycle license. No child under eight years old may be a passenger in a registered UTV while operated on a road. Drivers and passengers are required to have helmets and goggles. Registered UTVs must be equipped with Type 2 seat belt assembly (pelvic and upper torso restraints), operable headlights, brake lights, taillights and turn signals. Drivers and passengers of a registered UTV, while being operated on a roadway, must wear a fastened safety belt.

SCDMV must not register or renew the registration of a UTV unless a certificate of title has been issued to owner or application delivered by owner to SCDMV. The SCDMV may require a bill of sale, invoice, or other sales document to properly title. Certificates of titles issued under this subsection must be branded "off road use only." UTVs are exempt from the State Infrastructure Tax, but subject to sales tax.

**H. 4534 Legal Scrap Metal Purchasing and Transportation** was approved and sent to the Senate after receiving three readings in the House.

This proposal would revise the process and restrictions on **nonferrous metal** purchases, transportation, and sales. Nonferrous metals include copper. Secondary metal recyclers would not be able to buy iron or steel manhole covers, drainage gates, evaporation coils, or condensing coils unless the material is from a properly documented replacement, or maintenance project.

It also seeks to update various criminal offenses associated with nonferrous metals, including redefining "intent" and clarifying other aspects of these violations. One important aspect is the presumption created by employees who violate the requirements of this act. They will be considered to have acted outside the scope and course of their employment in committing their violations.

It will also require county sheriffs to issue permits to non-fixed site secondary metal recyclers who meet permit application criteria as specified in this bill. Catalytic converter purchases must be accompanied by a long list of related information in order to be considered to be legal buys. Fixed site secondary metal recyclers will be required to post specified warning signs for viewing by sellers visiting their businesses.

The House approved and sent the Senate **H. 3271 Name Change Residency Prerequisites.** Under this bill, name change petitions could not be filed until a petitioner has resided in South Carolina for at least six months.

The Senate has been sent **H. 3509** after the House amended it further and gave it third reading. Thisproposed legislation could **extend foster care past age eighteen.** Certain children still in SC Department of Social Services custody on their eighteenth birthday could continue to receive these services and support until they turn twenty-one. They include students still pursuing secondary, post-secondary or vocational education. Also included are alternately-abled children, those in vocational rehabilitation, or those working at least eight hours per month. It also expands the definition of what would be considered a “foster family home.”

In order to extend their foster home residency, these children would have to make written application to SC DSS. Children disqualified from receiving services past eighteenth would have to be informed of their right to appeal to the agency, unless they already have a case pending in the family court that can hear this issue. Children without private attorneys could request one from the Commission on Indigent Defense. It was amended further to make its effective date contingent upon funding being budgeted.

The House passed, and sent to the Senate, **H. 3950--Boat and Motor Owners Transfer On Death Designees.** This bill would allow boat and motor purchasers to file transfer on death [TOD] applications to designate who will own them after they die. As appropriate, either the South Carolina Department of Motor Vehicles or the Department of Natural Resources will maintain these records (and receive documents when the owner or owners pass away and the designated beneficiary becomes the owner of these items).

Second reading was given to **H. 4321 Third Party Workers' Compensation Claim Notices.** Any notice requirements for filing these actions against third parties would be permissive rather than mandatory if this bill is enacted. It also would repeal the existing one-year statute of limitations for filing third party actions.

The House amended **S. 947** and sent it to the Senate. The bill exempts the **electric cooperatives** of South Carolina from being regulated as a driving school by exempting an association formed by a group of electric cooperatives pursuant to the extent that it trains member cooperative employees. The House amendment allows that all **driver training schools** licensed as pertaining to this chapter may offer financial assistance to students who attend public South Carolina high schools to cover the fees associated with the business of training or educating persons to drive or operate motor vehicles.

The House non-concurred in Senate amendments to **H. 3590**. The bill would provide that public **school districts may hire noncertified teachers** if a certified teacher is not available (if certain circumstances and requirements are met).

The House amended, approved, and sent the Senate **H. 3859**, a bill addressing the **electronic dissemination of third-party commercial recordings or audiovisual works**. The legislation requires someone who owns or operates a website or online service dealing in the electronic dissemination of third-party commercial recordings or audiovisual works, directly or indirectly, and who electronically disseminates the works to consumers in this state to disclose clearly and conspicuously his correct name, physical address, telephone number, and e-mail address on his website or online service. The legislation establishes a private cause of action for violations, and provides that a violation constitutes an unfair trade practice. The legislation is supplemental to state and federal criminal and civil law.

The House amended, approved, and sent the Senate **H. 4161**, a bill that revises provisions relating to prohibited gaming machines to allow manufacturers to produce **gaming machines and equipment designated for out-of-state use**. The legislation allows for the development, manufacture, processing, selling, possessing, provision of technical aid, or transporting of any printed materials, gaming equipment, devices, or other materials, software, or hardware used or designated for use in out-of-state jurisdictions by a gaming device manufacturer. In order to make use of this authority, a gaming device manufacturer must be in compliance with state and local business requirements and must be registered with the South Carolina Secretary of State’s Office and the United States Department of Justice Gambling Device Registration Unit.

The House amended, approved and sent to the Senate **H. 4866**, a joint resolution to provide for a **three-year pilot program for public school-based canneries**. The resolution outlines that the Department of Education, in conjunction with the Food Systems and Safety Program of the Clemson Extension Service, shall plan, develop, institute, and oversee a pilot program of three public school-based community canning sites where the general public may bring locally grown produce to be canned for their personal use. The purpose of this program is to enable families to safely preserve and store food grown by them for personal consumption through the use of research-based information, procedures and instruction concerning canning food and the use of industrial grade equipment and supplies that allow for faster processing of fruits and vegetables on a larger scale than can be done at home. These public school based community canneries shall provide community training programs for food preservation using canning. Use of the canning facilities and canning supplies must be provided to the community with limits on the amount available per family.

The resolution also outlines that community members using the facilities must sign an agreement not to sell any of the food that is canned at the cannery. The pilot program will run from Year 2023 to 2026. The bill provides for responsibilities of Clemson Extension and the Department of Education. A performance report must be provided before January 1, 2026. The report will address each cannery and make recommendations regarding whether the program should be continued. The provisions of this joint resolution only may be enforced when the General Assembly appropriates the necessary funding.

The House approved **H. 3537**, adopting the proposed amendment by the Committee, giving the bill third reading and sending it to the Senate. This legislation outlines that provisions of any homeowners’ association **(HOA) governing documents may not prohibit the installation of a flagpole for the display of the flag of the United States or South Carolina**. However, the governing documents may include reasonable rules and regulations regarding the location and size of the flagpole.

**S. 628**, a bill that enacts the **“Pharmacy Access Act,”** was recalled and referred to the Medical, Military, Public and Municipal Affairs Committee.

The House amended and gave second reading to **H. 3958**, legislation that outlines that a **coroner is considered a public safety officer if killed in the line of duty** in counties which have both a coroner and a medical examiner.In addition, the bill adds that a coroner or designee may possess and administer an opioid antidote in accordance with the requirements of the “South Carolina Overdose Prevention Act.”

The House also approved **S. 973**, a bill to incorporate all amendments made to code sections in **Volume 21** of our **South Carolina Code** into one volume. After the House adopted this Senate bill, it was enrolled for ratification.

# House Committees

**Agriculture Natural Resources and Environmental Affairs**

The Agriculture, Natural Resources, and Environmental Affairs Committee met on Thursday, March 10, 2022, to recommit **H. 4614** back to the Wildlife Subcommittee. This bill deals with **Sunday hunting**.

**Judiciary**

The Committee issued its favorable report on **H. 3271, name change residency prerequisites.** Under this bill, name change petitions could not be filed until a petitioner has resided in South Carolina for at least six months.

The Committee gave a favorable report, with a proposed amendment, to **H. 3509,** legislation **extending foster care past age eighteen.** Certain children still in SC Department of Social Services custody on their eighteenth birthday could remain eligible to continue to receive these services and support until they turn twenty-one. They include students still pursuing secondary, post-secondary or vocational education. Also included are alternately abled children, those in vocational rehabilitation, or those working at least eighty hours per month. It also expands the definition of what would be considered a “foster family home.”

In order to extend their foster home residency, these children would have to make a written application to SC DSS. Children disqualified from receiving services past their eighteenth birthday would have to be informed of their right to appeal to the agency, unless they already have a case pending in the family court that can hear this issue. Children without private attorneys could request one from the Commission on Indigent Defense.

Also receiving a favorable report from the Committee was **H. 3950, boat and motor owners’ transfer on death [TOD] beneficiaries.** This bill would allow boat and motor purchasers to file transfer on death [TOD] applications. Doing so would designate who will own these items after these owners die. As appropriate, either the South Carolina Department of Motor Vehicles or the Department of Natural Resources will maintain these records. They will then receive documents when the original owner or owners pass away, and designate the beneficiaries becoming the new owners of these items.

They gave a favorable report to **H. 4321, third party workers' compensation claim notices.** Any notice requirements for filing these actions against third parties would be permissive rather than mandatory, if this bill is enacted. It also would repeal the existing one-year statute of limitations for filing a third party claim.

A favorable report, with a recommended amendment, was given to **H. 4534, legal scrap metal purchasing and transportation.** This proposal would revise the process and restrictions on **nonferrous metal** purchases, transportation, and sales. Nonferrous metals include copper.

Secondary metal recyclers would not be able to buy iron or steel manhole covers, drainage gates, evaporation coils, or condensing coils unless the material is from a properly documented replacement or maintenance project.

It also seeks to update various criminal offenses associated with nonferrous metals, including redefining "intent" and clarifying other aspects of these violations. One important aspect is the presumption created by employees who violate the proposed restrictions contained in this bill. They will be considered to have acted outside the scope and course of their employment by committing any violations.

It would also require county sheriffs to issue permits to non-fixed site secondary metal recyclers who meet permit application criteria specified in this bill. Catalytic converter purchases must be accompanied by a long list of related information in order to be considered to be legal buys. Fixed-site secondary metal recyclers will be required to post specific warning signs for viewing by sellers visiting their businesses.

The Committee issued a favorable report on **H. 4601**, which is a legislative effort to codify statewide practices regarding county **minimum ambulance service levels.** County councils would need to have at least one licensed ambulance service operating within its county under this proposal. Cities could set up, or contract for, these services as well. They would not necessarily have to fund these services if a private company provides at least a minimum level of service within their county or city limits.

A recommended amendment, and a favorable report, was given to **H. 4776** proposed to be known as the **“Medical Ethics and Diversity Act."** It would extend the right of conscience to health care industry professionals, medical students, and payers. Without impunity, they could elect to not to participate in health care services, or pay for them, when to do so would violate their conscience. In addition, this bill would protect them from civil, criminal, or administrative

liability. It also would create a private right of action for medical practitioners, health care institutions, medical students, and health care payers against anyone trying to make them civilly, criminally, or administratively liable for exercising this proposed right of conscience.

They also gave a favorable report, with a recommended amendment, to **H. 4998, alcoholic consumables as alcoholic beverages.**  This bill seeks to treat alcoholic consumables as alcoholic beverages for all legal intents and purposes. Alcoholic consumables are proposed to be defined as wine, beer, porter, ale, or other malted or fermented beverages in frozen, gum, gelatin, or other non-liquid form. The recommended amendment would make this legislation effective ninety days after the Governor signs it.

A favorable report was given to **S. 973**, a bill to incorporate all amendments made to code sections in **Volume 21** of our **South Carolina Code** into one volume.

**Labor, Commerce and Industry Committee**

The House Labor, Commerce and Industry Committee met on Tuesday, March 8, and reported out several bills.

The Committee gave a favorable report, with recommended amendments, on **H. 3859**, a bill addressing the **electronic dissemination of third-party commercial recordings or audiovisual works**. The legislation requires someone who owns or operates a website or online service dealing in the electronic dissemination of third-party commercial recordings or audiovisual works, directly or indirectly, and who electronically disseminates the works to consumers in South Carolina to disclose clearly and conspicuously his correct name, physical address, telephone number, and e-mail address on his website or online service. The legislation establishes a private cause of action for violations, and provides that a violation constitutes an unfair trade practice. The legislation is supplemental to state and federal criminal and civil law.

The Committee gave a favorable report, with proposed amendments, on **S. 1090**. The bill explicitly reaffirms the **Department of Employment and Workforce’s authority to set a weekly maximum amount of unemployment benefits** that an individual may receive in a week for the legitimate legislative purpose of ensuring the solvency of the unemployment insurance trust fund and that there are adequate funds to pay unemployment insurance benefits to individuals unemployed through no fault of their own. The maximum weekly benefit amount set each year by DEW within the range established in statute must be published on the Department’s website. The legislation identifies the statutory procedure for reconsideration of benefit determinations as the sole and exclusive procedure and remedy for disputing the Department’s determination of an insured worker’s weekly benefit amount.

The Committee gave a favorable report on **H. 4889**, a bill addressing **alarm system business false alarms**. The legislationrevises the South Carolina Alarm System Business Act to provide that an alarm business or contractor must not be fined or assessed a civil penalty for false alarms which are not attributed to improper installation, defective equipment, or operational error by the alarm business contractor.

The Committee gave a favorable report, with recommended amendment, on **H. 5036**, a bill providing for a **county’s authority to enforce property maintenance code requirements for commercial and industrial properties** with the imposition of a lien that may be collected in a manner similar to property taxes. The county may enforce the lien in any manner provided by law. A protocol is established under which the lien is due in five equal installments over five property tax years. The legislation does not authorize a county to use this authority on farmland or agricultural land, on land containing a residential dwelling, or solely for aesthetic purposes.

The Committee gave a favorable report, with proposed amendment, on **H. 4837**, a bill establishing requirements and authorization that allows a not-for-profit program to operate **optometry mobile units** to visit Title 1 public schools and provide services onsite to their students.

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

The Medical, Military, Public and Municipal Affairs met on Tuesday, March 8, 2022, and reported out four bills.

**H. 3682**, legislation **eliminating the mandated physician supervisory requirement for Certified Registered Nurse Anesthetist (CRNA)**, was given a favorable recommendation by the Committee. This change ensures that each health care facility has the flexibility to use CRNAs in the best way possible in communities. It was noted that this bill does not change the scope of practice for CRNAs.

The Committee gave a favorable recommendation to **H. 4834**, legislation that deals with **certified copies of original birth certificates**. The bill expands the definition of “other legal representative” to include kinship caregivers and verified organizations that work with and advocate for homeless children. The bill allows DHEC to issue a copy of a birth certificate for a child in DSS custody in accordance with a written agreement between the agencies. This change streamlines the process for DSS by removing the documentation requirement, such as a court order, during the request process.

**H. 3775**, a bill dealing with **health benefit plan for stage four advanced, metastatic cancer**, was given a favorable report, with proposed amendment, by the Committee. The bill outlines that no health benefit plan that directly or indirectly covers the treatment of stage four advanced, metastatic cancer may limit or exclude coverage for diagnostic imaging services for the

diagnosis and treatment of the patient’s stage four advanced, metastatic cancer if the National Comprehensive Cancer Network Clinical Practice Guidelines in Oncology provide a consensus that the diagnostic imaging service in question is appropriate and is supported by peer‑reviewed literature.

The Committee gave a favorable recommendation, with a proposed amendment, to **H. 3537**, legislation that states provisions of any homeowners’ association **(HOA) governing documents may not prohibit the installation of a flagpole for the display of the flag of the United States or South Carolina**. However, the governing documents may include reasonable rules and regulations regarding the location and size of the flagpole.

**Ways and Means**

The Ways and Means Committee met on Wednesday, March 9, to present House Members a briefing on the proposed **Fiscal Year 2022-2023 State Government Budget**.

# Introduced Bills

**Education and Public Works**

[**H. 5093**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5093&session=124&summary=B) **Voluntary Termination of Charter Schools Rep. Felder**

This bill provides the means for the **voluntary termination of charter schools** (with guidance to generally revise provisions concerning the sponsorship, oversight, governance, and operation of charter schools). Further language relates to certain evaluations and impact studies of charter schools on pending and future applications for charter schools at the time of the formation of the district.

[**H. 5095**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5095&session=124&summary=B) **Operating Golf Carts Rep. Hixon**

This bill relates to the issuance of golf cart permits and the **operation of golf carts** along the state's highways, so as to provide permitted golf carts may be operated and parked on public streets and accesses under certain circumstances, and provide golf carts may cross certain highways within four miles of the owner's residential street address or additional operating address under certain circumstances.

[**H. 5111**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5111&session=124&summary=B) **First Steps Partnership Boards Rep. G. M. Smith**

This bill relates to local **First Steps Partnership Boards**, where it revises the composition, manner of appointment, and terms of membership of the boards.

**Judiciary**

**H. 5083 County Recreation Commission Dissolution Rep. Rose**

County legislative delegations could dissolve **county recreation commissions** if this bill becomes law. The delegation effecting these dissolutions would have the authority to transfer all commission powers, duties, and responsibilities to its county council.

**H. 5084 Russian Invasion Condemnation Rep. R. Williams**

This Concurrent Resolution seeks a General Assembly expression of its strong belief that the **Russian invasion of Ukraine** must end. It goes on to also state support of Ukraine for fighting this invasion, and for maintaining Ukrainian independence.

**H. 5085 “South Carolina Equine Gaming Advancement Act” Rep. Ott**

A legislative effort to legalize **pari-mutuel betting** in South Carolina. To administer this system, it would set up an Equine Commission with specified powers, a process for obtaining necessary betting licenses, and create an "Equine Industry Development Fund."

**H. 5094 State Constitutional Right to Refuse Medical Treatment Rep. Trantham**

Legislation proposing a **voter referendum** on the question of whether to add the **right of any person to refuse any medical** procedure, treatment, injection, vaccine, or prophylactic to the South Carolina Constitution. Patients exercising this constitutional right could not be interfered with in any way. It also provides that constitutional equal protections could not be denied to any person exercising their rights under this provision.

**H. 5102 Restarting the Keystone XL Pipeline Rep. Jones**

A proposed Concurrent Resolution to memorialize Congress and President Biden to return to the “America First” energy policy of President Trump. It urges them to reauthorize the **Keystone XL Pipeline Project**, and to utilize all options possible to maximize the domestic production of crude oil.

**H. 5113 Probate Court Procedural Reforms Rep. Cox**

This bill proposes several updates to **Probate Court** documents, hearings, procedures, notices, and other operations. Among other things, it changes references from **health care power of attorney** documents to **Advanced Directive and Appointment of Health Care Agent** documents.

Payments to conservators for minors that exceed $15,000 per year would require a court hearing. Emergency hearing petitions could be made by nurse practitioners, physician assistants, or psychologists in addition to medical doctors, if this bill becomes law. It also modifies how hearing notices, and hearings with notice, are to be performed so that emergency and temporary orders may be issued. It also proposes procedures for making claims against minors with conservators.

Additional statutory provisions would apply to confirmations of foreign guardianships or conservatorships transferred from other states. These reforms would allow probate courts more discretion as to the type of documents they would require to effect any transfers of guardianships or conservatorships from other jurisdictions. In addition, it sets out new scopes of review by probate court judges to acknowledge that in certain other jurisdictions, a guardian may hold the same powers as a conservator.

**H. 5117 “Workplace Violence Prevention Week” Rep. Gilliard**

This bill would designate every April as “Workplace Violence Prevention Month.”

**Labor, Commerce and Industry Committee**

**H. 5110 Financial Institutions Using Environmental, Social, and Governance Criteria Rep. Bustos**

This bill provides that a banking institution or investment or financial firm that adopts any Environmental, Social, and Governance (ESG) factors for evaluating a business must: (1) advise clients that they are being scored using ESG criteria and state who is providing the score; (2) clearly state criteria that is being scored in each area of ESG; (3) offer a written report; and (4) provide a means to appeal each scored area.

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

**H. 5114 Regulation of Hair Braiding Rep. Garvin**

This bill eliminates requirements concerning training, registration duration, and renewal of registration for hair braiding practitioners.

**Ways and Means**

**H. 5096 Sales Tax Cap for Livestock Trailers Rep. Ott**

This bill includes livestock trailers among the items that are subject to the $300 maximum sales tax.

**H. 5097 Dissolution of a Hospital District Rep. Kirby**

This bill revises provisions governing the dissolution of special purpose districts, so as to allow a hospital district that is undergoing dissolution to transfer its assets to a tax exempt affiliated organization.

**H. 5103 One Year Gas Tax Suspension Rep. Jones**

This joint resolution provides that the imposition of the user fee on gasoline and diesel fuel and the imposition of the road tax are suspended for one year. Upon the conclusion of one year, the impositions are reinstated at the fully phased-in rates set by law.

**H. 5112 Gas Tax Suspension Rep. Pendarvis**

This joint resolution provides that the imposition of the user fee on gasoline and diesel fuel and the imposition of the road tax are suspended until the imposition does not cause the average retail price of regular grade gasoline in South Carolina, taxes and fees included, to exceed $3.25 per gallon. However, once some of the fee and tax can be imposed without causing such price to exceed $3.25 per gallon, then so much of the fee and tax may be imposed so as to cause the average price to equal $3.25. Once the entire fee and tax can be imposed without causing such price to exceed $3.25 per gallon, then the suspension provisions no longer apply.

**H. 5116 Deduction of All Retirement Income from State Income Tax Rep. J. E. Johnson**

This bill eliminates current limitations to provide that an individual taxpayer who is the original owner of a qualified retirement account may deduct the entire amount of retirement income received from South Carolina taxable income.

**H. 5118 Free College Tuition for Children of Wartime Veterans Rep. J Moore**

This bill provides for more expansive eligibility criteria for free tuition so that up to four children of a wartime veteran, upon application to and approval by the South Carolina Department of Veterans Affairs, may be admitted to any state supported college, university, or post high school technical education institution free of tuition.

**S. 17 “Permit Extension Joint Resolution of 2022” Sen. Rankin**

This joint resolution provides for the **extension of valid permits issued for construction, reconstruction, and other development of land** for a period beginning January 1, 2020, and ending December 31, 2023. These developmental permits include: an approval of an erosion and sedimentation control plan, land disturbance permit application, or stormwater management plan granted by a local government or by the Department of Health and Environmental Control; a coastal zone consistency certification issued by DHEC’s Office of Ocean and Coastal Resource Management; a water or wastewater permit issued by DHEC, including authorization for construction and installation of lines and infrastructure extending water and sewer service and authorization to connect to available or proposed lines and infrastructure; a National Pollutant Discharge Elimination System permit issued by DHEC for the construction, operation, and expansion of a publicly-owned treatment works; a 401 water quality certification issued by DHEC; a critical area permit issued by DHEC’s Office of Ocean and Coastal Resource Management; and, an air quality permit issued by DHEC.

**S. 233 Real Property Tax Exemption Extension Sen. Turner**

This bill revises a real property tax exemption provision to provide that a qualified surviving spouse may qualify for an exemption if the qualified surviving spouse owns the house. The legislation also revises eligibility criteria to allow for an exemption when the county assessor certifies to the Department of Revenue that the house is located on heirs’ property and the person is the owner-occupied resident of the house.

**S. 901 Solar Energy Income Tax Credit Sen. Verdin**

This bill makes provisions for a revised income tax credit for an individual or business who constructs, purchases, or leases certain solar energy property and that places it in service in this state.

###

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) nor 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.

The Legislative Update is on the internet. Visit the South Carolina General Assembly home page (<http://www.scstatehouse.gov>) and click on publications, then click on Legislative Updates. This will list all of The Legislative Updates by date in two forms: word documents and hypertext links. Click on the date you need. Also available under Publications is a bill summary index, where bills referenced in the Legislative Updates are listed in numeric order. Links to the Legislative Update issue are provided in the bill summary index.

Note: the Legislative Update is available to everyone via Legislative Tracking. You may register for this free service on the South Carolina General Assembly home page by clicking on track legislation (on the left-side vertical menu bar).