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# House Floor Review

The House concurred in Senate amendments to **H. 3205, Constitutional Convention of the States.** It would authorize making an application to the US Congress to call a convention for proposing constitutional amendments pursuant to the US Constitution, Article V. The scope of this convention would be limited to proposing amendments that 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 Congress. After the House concurred in these Senate amendments, it was enrolled for ratification.

Having sent the Senate **H. 3590** on April 7, 2021, the Senate sent a message back this week insisting on its own amendments, appointing Senators Hutto, Hembree and Turner to the Committee of Conference on the part of the Senate. Chair appointed Reps. Allison, Felder and Alexander to the Committee of Conference on the part of the House. The House 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 Senate amendments to the House bill largely make the program a pilot and only certain districts are eligible.

The House also gave third reading to **H. 4998**, treating **alcoholic consumables the same way 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. This legislation would become effective ninety days after the Governor signs it. It is now in the Senate for its consideration.

The House gave third reading and sent to the Senate **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.

Also given third reading was **H. 5000,** legislation to make **original birth certificates available to all adult adoptees.** The Senate now has it for its consideration. Adult adoptees could get this information by submitting a written request to the records registrar. After doing so, they would be given access to their original birth certificates if this proposal becomes law in our state. This access would be contingent upon the permission of the biological parent, or the certification that their biological parent has died.

The House recalled **H. 3696** from the House Judiciary Committee, then voted to nonconcur in the Senate Amendments that had been made to it, and sent a nonconcurrence message to the Senate. This proposed legislation would establish **additional circuit and family court judges.** The original House version would have added a circuit court judge only in the 9th, 14th, and 15th Judicial Circuits. Also originally proposed were additional family court judges in the 1st and 16th Judicial Circuits. The Senate had amended this legislation to add an additional circuit court judge in the 2nd judicial circuit, and an additional family court judge in the 7th judicial circuit.

The House gave third reading to **H. 4321 Third Party Workers' Compensation Claim Notices**. They then sent it to the Senate for its consideration.Any notice requirements for filing legal 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.

Third reading was also given to **H. 4776** the **"Medical Ethics and Diversity Act."** It has also been sent to the Senate for its consideration. This proposed bill would extend the right of conscience to health care industry professionals, medical students, and payers. With 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 actions and they could not be discriminated against for exercising their rights under this proposed legislation. However, as amended, it does not allow these medical providers to refuse to provide healthcare assistance based on a patient’s race.

The House gave third reading to **H. 5113,** proposed **Probate Court Procedural Reforms.** After major revisions were made to the probate code in 2019 regarding the appointment of guardians and conservators, claims filings, notices given and required, the appointment of physicians’ assistants, psychologists, and nurses in actions in place of medical doctors, among other major reforms, court officials and practitioners in this court recognized further revisions that were needed. These recommended revisions are included in this bill. The Senate now has them for its consideration.

The House adopted the proposed amendment by the committee, gave third reading and sent to the Senate **H. 3775**, a bill dealing with **health benefit plan for stage four advanced, metastatic cancer**. 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 House amended, gave third reading and sent to the Senate **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 proceeded with third reading of **H. 3010 Sentence Credit for GPS Monitoring**, and sent it to the Senate for its consideration**.** This bill would give inmates credit against any sentence for time spent under global positioning system (GPS) monitoring.

The House committed **H. 3682,** legislation that **eliminates the mandated physician supervisory requirement for Certified Registered Nurse Anesthetist (CRNA),** to the Labor, Commerce and Industry Committee. The bill was previously committed to the Medical, Military, Public and Municipal Affairs Committee.

The House amended, approved, and sent the Senate **H. 5036**, a bill addressing a **county’s authority to enforce property maintenance code requirements for commercial and industrial properties** by allowing a county to recoup the costs of demolishing an abandoned, derelict building by imposing a lien on the property owner that may be collected in a manner similar to property taxes. 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 these provisions on farmland or agricultural land, on land containing a residential dwelling, or solely for aesthetic purposes.

The House approved and sent the Senate **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 House amended, approved, and sent the Senate **H. 4220**, a bill establishing a protocol for the **mutual rescission of a life insurance policy** which could, otherwise, only be obtained through a court proceeding. The legislation details how mutual rescission of a life insurance policy may be accomplished through an agreement entered into by the involved parties that rescinds and voids a policy in instances when false statements were made in the application for insurance.

The House read **H. 5139** a third time and sent it to the Senate. The bill eliminates the status offense of playing a **pinball machine** by a minor.

The House read **H. 5099** a third time and sent it to the Senate. The bill provides that the county legislative delegation may, by the adoption of a resolution, appoint the members of a **county recreation commission** that was established as a special purpose district prior to the adoption of home rule, and to provide that the members of a county recreation commission who the county delegation appoints pursuant to the provisions of this act serve at the pleasure of the county legislative delegation and may be removed at any time by the county legislative delegation.

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# Committees

**Agriculture, Natural Resources and Environmental Affairs**

The Agriculture, Natural Resources, and Environmental Affairs Committee met on Wednesday, March 30, 2022, and reported out several bills.

The Committee gave a favorable report with a proposed amendment to **H. 4994**, a bill that **adds a** **purchaser responsibility clause to the Residential Property Condition Disclosure Form.** This bill outlines that the purchaser/buyer of property is solely responsible for investigating off site conditions of the property including but not limited to adjacent properties being used for agricultural purposes.

**H. 5074**, legislation that **creates the Child Food and Nutrition Services Study Committee**, was given a favorable recommendation by the committee. This nine-member study committee is to examine the advisability of transferring the administration of certain national food and nutrition programs and initiatives currently administered by the State Department of Education to the State Department of Agriculture. These programs include, but are not limited to, the school lunch program, school breakfast program, afterschool snack program, special milk program, and summer food service programs. In addition, the legislation provides for the membership and outlines that the committee shall make a report of its findings and recommendations to the General Assembly by January 1, 2023, at which time the study committee terminates.

The Committee gave a favorable report with proposed amendment to **H. 4775**, legislation establishing a new statewide **“Manufacturer Electronic Waste Recovery Program”** for covered televisions and computer monitor devices, etc. Due to a decrease in the market for these devices, counties are currently faced with large financial burdens to recycle these items. Under the old program, manufacturers recycled eighty percent of what was sold, leaving counties with the cost of recycling any devices that remained at county recycling centers. The new program would require that all covered television and computer monitor devices be picked up from counties. The bill provides language that protects counties from financial liability once these devices leave a recycling facility. The bill requires all stakeholders to reconvene on June 1, 2026, to assess how the program is working and whether there needs to be changes or updates to the program. There is also a 2029 sunset provision on the program.

**H. 4999**, legislation giving DHEC another method to address **hazardous waste cleanup**, was given a favorable report by the Committee. The legislation introduces the option of doing a site specific cleanup approach using a risk-based methodology, which means that each site would be viewed individually and evaluated with respect to its specific circumstances and risks posed to that site’s air and land, surface and groundwater (including its neighbors). Current and future planned uses would also be taken into account. Current hazardous waste cleanup laws have not been updated in the last forty years, and this legislation takes into account that

incidents do not need the same clean up approach. This, as a result, allows for a faster clean-up process. It is noted that some hazardous waste cannot be cleaned up to a suitable level and would require land use restrictions for the property.

The committee gave a favorable recommendation to **S. 1010**, legislation outlining that an entity that has contracted for the right to **store water in a reservoir** owned by the US Army Corps of Engineers has exclusive rights to any **return flows** generated to that reservoir under the “Water Resources Planning and Coordination Act.” The bill further outlines that the “return flow” means water that is discharged directly or indirectly to a reservoir from a water recovery facility.

The committee gave a favorable with amendment recommendation to **H. 4614**, a bill that allows **Sunday hunting on wildlife management area (WMA) lands** owned by the Department of Natural Resources or leased from the USDA Forest Service. Currently, there is a ban on Sunday hunting. The Department must submit a regulation dealing with Sunday hunting to be filed for General Assembly review no later than December 31, 2022. The bill also includes that prior to final regulation submission, the regulation shall be referred to the House Agriculture, Natural Resources and Environmental Affairs Committee for approval.

The Committee gave a favorable report with proposed amendment to **H. 4986**, a bill that outlines **no trap may be placed in the waters of the General Trawl Zone when these waters are open to trawling for shrimp.** Traps placed in the waters of the General Trawl Zone prior to the opening of trawling must be removed within ten days after the opening of trawling in the General Trawl Zone.

The committee gave a favorable report to **S. 980** a bill that **allows for the catch of Red Snapper in state waters only**. There is still a ban on catching Red Snapper in Federal waters. The catch limit is two fish per person per day, with a minimum size of twenty inches in total length. There is no closed season.

**Education and Public Works**

The House Education and Public Works committee met on Tuesday, March 29. After extensive public hearings on bills **H. 4325, H. 4343, H. 4392, H. 4605** and **H. 4799**, the House Education and Public Works Committee wrote and submitted a “committee bill” to the House (the bill was assigned the bill number **5183**). **H. 5183**, the **Transparency and Integrity in Education Act,** consists of three distinct concepts--a statement of legislative intent, a guide for non-biased instruction citing prohibited concepts that may not be included or promoted in the

course of instruction in curriculum but also encourages a broad scope of history, and lastly, a uniform complaint process.

Legislative Intent

This section posits that South Carolina should have a fair and open education system where students, parents, educators, and the community are valued and included.

* Students should have a positive learning environment that is welcoming, supportive and respectful.
* South Carolina is fortunate to have teachers and administrators who strive to provide the best educational opportunity possible to students and parents.
* Standards should be fair and well written to ensure a complete history of the state, nation, and world.
* Ideological and viewpoint biases are not appropriate.
* Students, parents, teachers, administrators, and communities should work together to support schools.
* Parents are encouraged, but not required, to sign a “Pledge of Parental Expectations.”

Instruction

Instruction should be non-biased and include a broad scope of history:

* Instructional material and professional development should not promote that one race, sex, ethnicity, religion, color, or national origin is superior, inherently privileged, or determines moral character. Moreover, those traits should not cause the assignment of fault or bias to an individual or group.
* Students and teachers cannot be required to attend gender or sexual diversity training unless it is part of a corrective action plan mandated by the district.
* Districts are clearly allowed to teach state academic standards, including concepts such the history of an ethnic group, the impartial discussion of controversial aspects of history, and the impartial instruction of the historical oppression of a group of people based on race, ethnicity, and other characteristics.
* Subjective language found in considered bills is removed (e.g. “any individual shall *feel* discomfort….”).
* SDE must create and make model lesson plans accessible to districts.

Complaints and Appeals

The State Department of Education must create a complaint policy and process for districts to use.

* Districts must report information regarding complaints to the General Assembly.
* If a complaint cannot be resolved locally, an appeal can be made to the State Board for a final determination. If the district violates the law, it must work with SDE on a corrective action plan.
* The department may withhold funds from a district if it fails to adhere to the corrective action plan.
* Extra time is added for review of instructional materials.
* (The substantial portion of the summary notes and text from House Education).

The House committee on Education and Public Works met Thursday, March 31 and passed **H. 4608,** the “**Save Women’s Sports Act**.” The bill expresses the intent of General Assembly “to maintain opportunities for female athletes...and to provide them with…numerous other long-term benefits that result from participating and competing in athletic endeavors.” Athletic teams and sports must adopt a sex-specific designation in order to “maintain fairness for women’s athletic opportunities.”

The following activities are covered by the bill: interscholastic, intercollegiate, intramural, and club athletic teams sponsored by a public secondary school or public postsecondary institution. Teams or sports must be expressly designated as one of the following: males, men, or boys; females, women, or girls; or, coed or mixed (both males and females). Male sports or teams may allow female participation; however, female sports or teams are not open to males.

For the purposes of the bill, biological sex is determined at a team or sport member’s birth. A birth certificate is considered to correctly state an athlete’s biological sex if it is filed at, or near, the time of their birth. Students subjected to retaliation or other adverse actions by a school, public postsecondary institution, or athletic organization for reporting a violation of the law may file a private cause of action for injunctive relief, damages, and other relief available under law. Schools or public postsecondary institutions that suffer direct or indirect harm as a result of a violation of this section may bring a private cause of action for injunctive relief, damages, and any other relief available under law against the governmental entity, licensing or accrediting organization, or athletic association.

**Judiciary**

The committee issued a favorable report on **H. 3010 Sentence Credit for GPS Monitoring Time.** This bill would give inmates credit against any sentence they are serving for the time they spend under global positioning system (GPS) monitoring.

A favorable report was given to **H. 4568 Chemically Induced Abortion Reversal Medical Information.** If enacted, this proposed legislation would require a medical disclosure of specific effectiveness information to anyone seeking a mifepristone or misoprostol **induced abortion**, including, but not limited to a Plan B or a "morning after pill," with a few stated exceptions.

They also issued a favorable report, with recommended amendment, on **H. 5000 Original Birth Certificates Available to All Adult Adoptees.** All adult adopted persons submitting a written request to the records registrar would be given access to their original birth certificates if this proposal becomes law in our state. This access would be contingent upon the permission of the biological parent, or the certification that the biological parent is deceased.

A final bill receiving a favorable report by the committee was **H. 5113 Probate Court Procedural Reforms.** This bill proposes several updates to **Probate Court** documents, hearings, procedures, notices, and other operations. After the initial reforms were passed by the General

Assembly in 2019, additional updates were identified as needing review and modifications by the General Assembly. Among other things, it changes references from **health care power of attorney** documents to **Advanced Directive and Appointment of Health Care Agent** documents.

[**Medical, Military, Public and Municipal Affairs**](https://www.scstatehouse.gov/CommitteeInfo/house3M.php)

The Medical, Military, Public and Municipal Affairs met on Thursday, March 31, 2022, and reported out several bills.

**H. 4948**, a bill that **allows coroners the discretion to release photographs, videos, or other visual images and audio recordings related to an autopsy** to family members and personal representatives of the deceased, was given a favorable report, with recommended amendment, by the committee. Currently, these photographs and videos can be viewed and distributed; however, this bill restructures the circumstances of under which photographs and videos may be disseminated.

The committee gave a favorable report to **H. 4982**, a bill allowing state employees an **additional sixty days of sick leave for approved Family Medical Leave Act (FMLA) to care for an immediate family member with a serious health condition**. Currently, an employee earning sick leave cannot use more than ten days of sick leave annually. This additional sixty days of sick leave is in addition to the ten days of family sick leave annually.

The committee gave a favorable report **H. 4541**, a bill which provides for the **treatment of pregnant and postpartum inmates** for prisons, local detention facilities, and prison work camps. Among many things, the legislation outlines that within seven days of arrival at a prison, detention center, or prison work camp, an inmate who is confirmed to be pregnant must be scheduled for a pregnancy examination by a qualified provider. It also states that pregnant inmates must receive a prescribed schedule of prenatal care visits and have access to newborn care and pregnant inmates who have used opioids prior to incarceration must be provided with medication-assisted treatment and information on withdrawal.

The Committee gave a favorable report, with proposed amendment, to **H. 3840**, a bill that establishes the **“Audiology and Speech-Language Interstate Compact Act.”** The purpose of this compact is to facilitate interstate practice of audiology and speech-language pathology with the goal of improving public access to the services. Among many things, this bill sets minimum education and training requirements for audiologist and speech language pathologist in member states. In addition, a participating licensee must have a current unrestricted license to practice in home state and must have no history of disciplinary actions or criminal records that violates the rules of the compact. The bill adds the language requirements for fingerprinting and criminal SLED background checks.

The committee gave a favorable with amendment report to **H. 4519**, allowing a **licensed barber to practice scope of work in a cosmetology salon.**

**Labor, Commerce and Industry Committee**

The House Labor, Commerce and Industry Committee met on Thursday, March 31, and gave a report of favorable with proposed amendments on **H. 3252**, a bill providing for **enhancements to the Volunteer Strategic Assistance and Fire Equipment (V-SAFE) Program** which awards grants to volunteer fire departments for purchasing protective gear, vehicles, and other firefighting equipment and for funding such initiatives as firefighter training and upgrades to fire stations. The V-SAFE Program revisions include changes that allow for more funding that is awarded in grants each year, rather than every three years, to volunteer fire departments and combination departments that employ some firefighters, but are mostly composed of volunteers. The legislation increases, from one percent to four percent, the amount of insurance premium tax revenue that is devoted to the V-SAFE Program. The legislation increases the program’s dedicated revenue stream by directing one percent of manufacturer’s machinery and equipment depreciation reimbursement funding to support the V-SAFE Program.

**Ways and Means**

The Ways and Means Committee met on Thursday, March 31, and reported out several bills.

The Committee gave a favorable report on **H. 4805**, a bill providing for a **corporate license fee exemption** **for investors**. As a means of encouraging investment in the state, the legislation revises provisions governing the imposition of license taxes on corporations to provide that the fee may exclude the first fifty million dollars of equity contributions from paid-in or capital surplus subject to the annual license fee for angel investors, other accredited investors, venture capital funds, and private investment firms.

The Committee gave a report of favorable with proposed amendments on **H. 3340**, a bill providing for **utilities infrastructure project license tax credits** for contributions to qualifying infrastructure and economic development projects.

The Committee gave a report of favorable with proposed amendments on **H. 5075**, a bill revising the **South Carolina housing tax credits** that supplement federal tax incentives for the development of affordable housing. Revisions include setting an annual maximum of fifteen million dollars for all South Carolina housing tax credits and establishing allocation provisions that place greater emphasis on rural areas to allow credits to be more evenly distributed across the state.

The Committee gave a report of favorable with recommended amendments on **H. 5057**, annual **tax conformity** legislation. The legislation updates references to the federal Internal Revenue Code in state income tax law provisions to provide for coordination between state and federal income tax law provisions. For tax year 2021, South Carolina adopts the federal exclusion from

gross income for targeted Economic Injury Disaster Loan advances received from the Small Business Administration (SBA) and the federal exclusion from gross income for restaurant revitalization grant amounts received from the SBA as provided in the American Rescue Plan Act.

The Committee gave a report of favorable with recommended amendments on **H. 3709**, a bill expanding eligibility for the one percent **senior sales tax exemption on accommodations**. This bill lowers the age of individuals exempt from paying one percent of the total seven percent sales tax on accommodations from age eighty-five or older to age seventy-eight or older.

The Committee gave a report of favorable with proposed amendments on **H. 4048**, a bill addressing the **duty of the state of South Carolina to provide a legal defense and indemnification for state officials and employees**. The legislation establishes provisions under which the State of South Carolina must defend a state agency, department, or instrumentality, and the members of its governing board against a claim or suit that arises out of or by virtue of the performance of official duties on behalf of the state agency, department, or instrumentality and must indemnify them for a loss or judgment incurred by them as a result of the claim or suit, without regard to whether the claim or suit is brought against them in their individual or official capacities, or both. The State also must defend officers and management employees of the entity, and legislative employees performing duties for the entity against a claim or suit that arises out of or by virtue of the performance of official duties unless the officer, management employee, or legislative employee was acting in bad faith and must indemnify these officers, management employees, and legislative employees for a loss or judgment incurred by them as a result of such claim or suit, without regard to whether the claim or suit is brought against them in their individual or official capacities, or both.

The Committee gave a report of favorable with proposed amendments on **H. 4985**, the **“I-95 Corridor Authority Act.”** The legislation establishes an I-95 Corridor Authority that is charged with carrying out economic development, health, and educational improvement activities to improve the economic conditions of the member counties of Allendale, Bamberg, Barnwell, Clarendon, Colleton, Darlington, Dillon, Hampton, Lee, Marion, Marlboro, Orangeburg, Sumter, and Williamsburg which surround Interstate 95. The legislation provides for the membership and duties of the authority and establishes a separate I-95 Corridor Authority Fund for awarding grants and making loans which is authorized to receive private and public donations, grants, gifts, and federal funds.

The committee gave a favorable report on **H. 3669**, a bill revising the timing of the **real property tax exemption for disabled veterans** to allow the exemption to be received a year earlier. The legislation allows a veteran of the Armed Forces of the United States, who is permanently and totally disabled as a result of a service-connected disability, to claim a property tax exemption for his owner-occupied property immediately upon receiving certification from the Department of Revenue. Currently, this exemption does not take effect until the year following DOR approval.

The Committee gave a report of favorable with recommended amendments on **H. 4243**, a bill providing for **tax value adjustment for property damaged by flooding, hurricane, or wind events**. This bill expands provisions for adjustments in valuation and assessment for purposes of ad valorem property taxation by requiring an adjustment to real property for damages caused by flooding, hurricane, or wind events, in addition to the adjustments currently allowed for property damage caused by fire.

After proposing amendments the Committee gave a report of favorable on **H. 3120**, a bill establishing an **income tax credit for perpetual recreational trail easements**. The legislation makes provisions for a one-time income tax credit equal to ten cents for each square foot of property that a taxpayer encumbers with a perpetual recreational trail easement and right-of-way. To qualify for this tax credit, the trail must provide a connection between a trail within a municipality’s or county’s regional trail system plan and a local or regional attraction or point of interest, such as other trails, parks, waterways, or other recreational and open space attractions, retail centers, arts and cultural facilities, transportation facilities, residential concentrations, or similar destinations. User groups may include equestrians, pedestrians, bicyclists, and other non-motorized users. The maximum amount of tax credits allowed to all qualifying taxpayers under these provisions may not exceed one million dollars for each calendar year. The legislation includes a sunset provision that repeals these tax credits on January 1, 2026.

The Committee gave a report of favorable with recommended amendments on **H. 4918**, a bill establishing conditions under which **retirees returning to covered employment in the South Carolina Retirement System and the South Carolina Police Officers** **Retirement System** are not subject to earnings limitations. In the case SCPORS, employment must be for a critical needs law enforcement position as determined by the Law Enforcement Training Council.

The Committee gave a report of favorable with proposed amendments on **H. 3106**, a bill addressing **employee contributions under the South Carolina Retirement System and the** **South Carolina Police Officers** **Retirement System**. The legislation establishes conditions under which an employer may elect to pay all or a portion of required employee contributions during a fiscal year under the South Carolina Retirement System and the South Carolina Police Officers Retirement System.

The committee gave a favorable report on **H. 4252**, a bill providing **Enterprise Zone Act enhancements** including revisions that allow affiliated businesses to claim job development credits for creating new jobs in the state.

The Committee gave a report of favorable with proposed amendments on **H. 4817**, the **“Short Line Railroad Modernization Act.**” The legislationmakes provisions for an income tax credit equal to fifty percent of an eligible taxpayer’s qualified railroad reconstruction or replacement expenditures as a means of encouraging the rehabilitation of certain comparatively small rail lines.

The committee gave a favorable report on **H. 5144**, a bill addressing the **inclusion of mixed-use property under the rural telephone service property tax exemption**. The legislation revises a tax exemption for the property of telephone companies and rural telephone cooperatives operating in this state that is used in providing rural telephone service. The legislation specifies that this exemption applies to mixed-use property, without regard to: (1) the extent to which such property is used in providing services in addition to telephone service in rural areas; and (2) the technology used, such as the provision of broadband over a high-speed Internet connection that allows the customer to access basic voice grade local service from the voice provider of the customer’s choice.

# Introduced Bills

**Agriculture, Natural Resources and Environmental Affairs**

**S. 1117 South Carolina Grain Producers Guaranty Fund Sen. Climer**

This bill expands the fund to include cotton. The fund’s is renamed to South Carolina Grain and Cotton Producers Guaranty Fund. The bill adds an assessment on cotton and to increase the amount the fund must accumulate in order to suspend assessments. There is also the creation of the South Carolina Agricultural Commodities Advisory Commission regarding this fund.

**Education and Public Works**

[**S. 888**](https://www.scstatehouse.gov/billsearch.php?billnumbers=888&session=124&summary=B) **Contractors Sen. M. Johnson**

This bill relates to contractors, to provide for a voluntary contribution to be made upon application for a contractor's license to be applied to accredited public institutions of higher learning offering courses in building science or civil engineering; to provide for distribution; and to impose a reporting requirement.

[**H. 5158**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5158&session=124&summary=B) **South Carolina STEM Opportunity Act Rep. Davis**

This bill would enact the "South Carolina STEM Opportunity Act" so as to establish the Science, Technology, Engineering, and Mathematics (STEM) Coalition within the South Carolina Department of Commerce, the South Carolina Science, Technology, Engineering, and Mathematics (STEM) Education Fund within the state treasury, and the South Carolina STEM Coalition Advisory Council, and to provide their respective purposes and functions.

[**H. 5183**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5183&session=124&summary=B) **South Carolina Transparency and Integrity in Education Act Education and Public Works Committee**

This bill enacts the "South Carolina Transparency and Integrity in Education Act" so as to express related intentions of the General Assembly, to provide necessary definitions, to provide certain concepts are prohibited from being included in public school instruction and professional development, to provide means for addressing violations, and to provide procedures for public review of public school curriculum and instructional materials. This bill was introduced as a committee bill. Please see **H. 5183** above in the Committee section.

[**H. 5186**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5186&session=124&summary=B) **First Steps to School Readiness Rep. Calhoon**

This bill provides for a director to serve as chief executive officer and administrative head of first steps to school readiness. The director may form and contract with a private nonprofit foundation to financially support the efforts of first steps; designate it as an agency instead of an initiative; to eliminate local partnerships; and, to provide additional requirements for the agency and its director.

**Judiciary**

**H. 5143 Valid Driver’s Licenses for Law Enforcement Officers Rep. Pope**

A legislative effort to require our Law Enforcement Training Council and the Director of our Criminal Justice Academy to require candidates for law enforcement officer certification to have a valid South Carolina driver's license, or at least a valid driver’s license from a contiguous state.

**H. 5145 Alcohol and Drug Safety Program Spending Caps Rep. Ott**

Alcohol and Drug Safety Action Program [ADSAP] payment caps of $1,000 for education services and $4,000 for treatment services would be emplaced if this proposed legislation becomes law. In addition, it would waive reimbursements from being required.

**H. 5173 Alimony Reform Rep. Gatch**

This bill would limit alimony awards by Family Court Judges. Alimony amounts could not exceed the difference in earnings between the two formerly married individuals, and could not last any longer than the number of months they were married.

**H. 5175 Limiting Crime Scene Photo Posts on Social Media Rep. King**

If enacted, this legislation would prohibit posting sensitive crime scene images on social media. Sensitive crime images would include decapitations, mutilations, or images that include human genitalia. It also sets out up to $500 in fines or 30 days in jail as maximum penalties for violations.

**H. 5192 Landowner Notice of Zoning Ordinance Revisions Rep. Kirby**

This proposed legislation clarifies and enhances notice requirements for local governments to provide to landowners, and contiguous landowners, whose land is the subject of a proposed zoning ordinance, or its amendment. These contiguous landowners, or their representatives, could apply to a court of competent jurisdiction for injunctive, or other relief, that this court may deem appropriate. These courts would have additional authority to declare zoning ordinances, or amendments, invalid when the governing authority or the planning commission failed to meet these required notice requirements. They also could levy civil fines on local governments, or planning commissions, which fail to give required notices.

**S. 133 Convention of States Sen. Massey**

This bill calls for making an application to the Congress of the United States to call a Convention of the States. Its stated purpose is for proposing amendments pursuant to Article V of the United States Constitution that would be limited to proposing amendments that 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 members of Congress. Also contains reservations, understandings, and declarations limiting this application. It spells out proposed selection criteria for delegates to this convention as well as limitations upon their authority.

**S. 230 Presumed Coercion When Sex Trafficking Minors Sen. Shealy**

Trafficking victims, who are minors, and engaged in commercial sexual activity, would be presumed to have been coerced to do so. This presumption remains in place whether the coercion of these minors results from fear of threats, or direct threats. This bill also sets out this presumption as an affirmative defense that these victims can claim. As a final feature, it provides for expungement procedures these victims can use when they were wrongly convicted of sex crimes.

**S. 659 Integrating Sex Offenders into Communities Sen. Shealy**

This bill revisits procedures for handling sex offenders who are determined to be incompetent to stand trial for their offenses, or who, having been committed into the custody of the SC Department of Mental health, may be released back into the civilian population. These revisions include, but are not limited to, involvement of psychologists, psychiatrists, and persons trained by the SCDMH Mental Fellowship in how to evaluate these individuals. Also involved are multidisciplinary team assessments of whether or not there is probable cause to believe that a person satisfies the definition of being a sexually violent predator, and to whom to send their findings, including providing reports to the South Carolina Attorney General. Also included are filing evaluations by court-appointed, qualified evaluators within a set time period.

It covers initial nonjury probable cause hearings, continuations of other trials, the burden of proof at hearings, assistance by an attorney to the accused, access of examiners to them, presences of the accused and her or his qualified evaluator at hearings, and the payment of their expenses.

A final feature of this proposal is the handling of evidentiary records and the court orders required before opening sealed records, to allow release of these records to the attorney general and attorneys of record.

**S. 1025 Legal Representatives Who Can Obtain Birth Certificates Sen. Shealy**

This bill would allow certified copies of birth certificates to be issued to legal representatives, which would include legal custodians, SCDSS, caregivers or kinship caregivers, attorneys, other state agency directors, or school district liaisons to the homeless. It also seeks to modify procedures to get copies of birth certificates.

**S. 1092 Minimum Age for Corrections Officers Sen. Martin**

The Criminal Justice Academy, and the Law Enforcement Training Council, would have to ensure that detention and correctional officer candidates in South Carolina are at least 18 years old, rather than 21 years old, if this bill is enacted.

[**Medical, Military, Public and Municipal Affairs**](https://www.scstatehouse.gov/CommitteeInfo/house3M.php)

**S. 992 Information Obtained from Neonatal Testing Sen. Rice**

The bill outlines that at the same time information is released to a child’s physician, the Department of Environmental Control may refer children with metabolic, genetic or congenital disorders to a qualified specialist for follow up services.

**S. 1011 “Parkinson’s Disease Research Collection Act” Sen. Senn**

This bill provides for the collection of data on the incidence of Parkinson’s disease by the MUSC and to allow for diagnosed patients to participate voluntarily in data collection. The bill also provides for the creation of a Parkinson’s Disease Advisory Board and its roles and responsibilities.

**H. 5161 “Telehealth and Telemedicine Modernization Act” Rep. Herbkersman**

Among, many things, this bill modernizes telehealth services and makes conforming changes relating to the practice of telemedicine.

**Labor, Commerce and Industry Committee**

**S. 460 State Fire Marshall’s Authority Sen. Alexander**

This bill revises provisions relating to the authority and responsibilities of the State Fire Marshall. The legislation includes provisions for the peer-review panel to have the authority to establish funding priorities, by consensus, for each grant cycle, within the Volunteer Strategic Assistance and Fire Equipment (V-SAFE) Program which awards grants to volunteer fire departments for purchasing protective gear, vehicles, and other firefighting equipment.

**S. 812 Certified Public Accountants Sen. Alexander**

This bill revises various provisions governing the practice of certified public accountants.

**H. 5162 “Extreme Weather and Energy Transition Ratepayer Protection Act” Rep. Wetmore**

This bill establishes provisions for electrical utilities to issue ratepayer protection bonds in an alternative financing arrangement offered as a means of protecting ratepayers from costs associated with extreme weather events and with the transition away from uneconomic coal-fired generation units

**H. 5174 Vehicle Rental Companies Rep. Gilliard**

This bill revises provisions governing vehicle rental companies. The legislation establishes requirements for optional automobile insurance coverage for vehicle rentals. Requirements are established for rental vehicle inspections, and penalties are provided for violations.

**H. 5177 “Great Start Act” Rep. Haddon**

This bill establishes provisions requiring the state income taxes withheld from the paycheck of an individual under the age of eighteen to be invested into a 529 account with the South

Carolina College Investment Program in the individual’s name. The State Treasurer shall create a 529 account for each eligible individual and determine the investment strategy that is best suited for the individual.

**Ways and Means**

**S. 2 Health and Environmental State Agency Restructuring Sen. Peeler**

This bill abolishes the South Carolina Department of Health and Environmental Control along with DHEC’S governing board. A new South Carolina **Department of Public and Behavioral Health** is established and DHEC’s divisions, offices, and programs that perform health-related functions are transferred into this new state agency as departmental divisions. The South Carolina Department of Alcohol and Other Drug Abuse Services, the South Carolina Mental Health Commission, and the South Carolina Department of Mental Health are all abolished as freestanding state agencies, and most of their functions and responsibilities are consolidated within the Department of Public and Behavioral Health and established as departmental divisions. The authority of the Department of Mental Health to establish, manage, and operate veteran’s homes is transferred to the Department of Veterans’ Affairs.

A new **Department of Environmental Services** is created and most of DHEC’s divisions, offices, and programs that perform functions related to the regulation and protection of the environment are transferred into this new state agency as departmental divisions. DHEC’s food safety program in the Division of Food and Lead Risk Assessment and the Milk and Dairy Lab shall become a division of the Department of Agriculture. The hydrology and aquatic nuisance species programs of the Land, Water and Conservation Division of the Department of Natural Resources shall become a division of the new Department of Environmental Services. DNR’s flood mitigation program shall become a program of the Office of Resilience. The Governor is authorized to appoint the Directors of the new Department of Public and Behavioral Health and Department of Environmental Services with the advice and consent of the Senate.

**S. 1087 “Comprehensive Tax Cut Act of 2022” Sen. Peeler**

This bill adjusts tax brackets to allow for a **reduction in individual income taxes**, including the reduction of the top marginal rate of 7 percent to 5.7 percent. The legislation allows for all of an individual’s military retirement income to be deducted from South Carolina income taxes regardless of the taxpayer’s age. The legislation increases the tax exemption for manufacturing property from 14.2857 percent to 42.8571 percent of the property tax value of manufacturing property assessed for property tax purposes. From the Contingency Reserve Fund, there is appropriated one billion dollars to a newly-created Taxpayer Rebate Fund which must be used by the Department of Revenue to provide a one-time rebate for taxpayers that filed a return for tax year 2021. Each return filed for 2021 shall receive a rebate equal to the amount of tax liability on the return, except that if a return has one hundred dollars or less of liability, the rebate shall equal one hundred dollars, and if a return has seven hundred dollars or more of

liability, the rebate shall equal seven hundred dollars. However, if the department determines that sufficient funds will exist to increase the maximum rebate of seven hundred dollars, the department shall increase the maximum so that all returns with a tax liability over the increased maximum receive the same rebate.

**S. 1106 Proposed State Constitutional Amendment on Financial Reserve Funds Sen. Peeler**

This joint resolution proposes to **amend the South Carolina Constitution** to increase the state’s General Reserve Fund from five percent of the general fund revenue of the latest completed fiscal year to no less than eight percent of such revenues. The joint resolution proposes to amend the constitution’s Capital Reserve Fund provisions to provide that, if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year’s appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations.

**H. 5144** **Mixed-Use Property under the Rural Telephone Service Property Tax Exemption**

**Rep. G. M. Smith**

The legislation revises a tax exemption for the property of telephone companies and rural telephone cooperatives operating in this state that is used in providing rural telephone service. The legislation specifies that this exemption applies to mixed-use property, without regard to: (1) the extent to which such property is used in providing services in addition to telephone service in rural areas; and (2) the technology used, such as the provision of broadband over a high-speed Internet connection that allows the customer to access basic voice grade local service from the voice provider of the customer’s choice.

**H. 5176 “South Carolina Rent Control Act” Rep. King**

This bill establishes restrictions on raising residential rent.

**H. 5193 Motion Picture Incentives Enhancements Rep. W. Newton**

This bill revises motion picture incentives to provide that any funds committed to film projects must be carried forward from the previous year and used for the same purpose, and that any uncommitted funds must be carried forward and used for wage and supplier rebate funds. The legislation revises tax rebates to a motion picture company to increase the maximum annual amount of rebates from tem million to twenty million dollars. The legislation revises provisions relating to admissions tax collections funding the South Carolina Film Commission to increase the percentage dedicated to the commission twenty-six percent to fifty percent of the general fund portion of the admissions tax.

4/4/2022

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.

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