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# House Floor Review

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

The House sent [**H. 5215**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5215&session=124&summary=B) to the Senate. The bill authorizes a "University of South Carolina 2017 and 2022 **Women's Basketball National Champions'** Special License Plates."

**H. 3205 Constitutional Convention of the States** was ratified as R. 141, and then sent to the Governor for his signature**.** It authorizes 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 is 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 Congressional members.

The House approved and sent the Senate **H. 5198**, a bill to restructure the **University of South Carolina Board of Trustees**. The legislation provides for the terms of the current elected and appointed trustees to expire on June 30, 2023, and makes provisions for a reconstituted board that is reduced in number from twenty to thirteen voting members (with no holdovers allowed).

Under the revisions, the General Assembly elects one board member from each of the state’s seven congressional districts, rather than from the sixteen judicial circuits. The General Assembly elects four at-large members each of whom must reside in a county in which the

University of South Carolina operates a branch campus. No board member can reside in the same county as another board member. The legislation establishes a two-year term for the Chairman of the Board of Trustees and provides that a Chairman may serve no more than two terms.

The Governor appoints two at-large members. In addition, the Governor cannot preside over any meeting of this board. In addition to these thirteen voting members, the reconstituted board has three nonvoting ex-officio members: the governor, the president of the Greater University of South Carolina Alumni Association, and the president of the student body of the University of South Carolina’s Columbia campus. In any event, the student body president’s term will last while they serve as such, and no longer.

Elections will be held to set up this newly-constituted board, and initial board members’ terms staggered so that all board positions will not expire at the same time again.  Nothing in these revisions prevents current board members from seeking re-election to this board.

The House approved the proposed committee amendment, gave third reading and sent to the Senate **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 that the department shall require a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation.

The House approved the proposed committee amendment, gave second reading, and sent to the Senate **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. This bill outlines that the purchaser/buyer of real property is solely responsible for investigating off site conditions of the property including but not limited to adjacent properties being used for agricultural purposes.

The House amended, approved, and sent the Senate **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.

**H. 3730** was ratified as R. 142, and then sent to the Governor for his signature.This bill would provide the additional circumstance of "other on-track equipment" (e.g., maintenance equipment) that would require a driver of a motor vehicle to stop a vehicle approaching a **railroad grade crossing** in order to obey a signal that indicates an approaching train. The House earlier concurred in the Senate’s amendments to **H. 3730**. The Senate deleted a section that included restrictions and fines on railroad companies for loitering locomotives and tardy trains, believing this to be a federal prerogative.

**H. 4618** was ratified as R. 144, and then sent to the Governor for his signature.The bill regards **bus definitions and stopping requirements at railroad tracks**. The House amendment also clarified stopping requirements involving hazardous materials. These changes conform with federal law.

The House amended, gave third reading and sent to the Senate **H. 4999**, legislation **giving DHEC another method to address hazardous waste cleanup**. 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, its neighbors, air, land, surface, and groundwater. Current and future planned uses would also be taken into account. Current hazardous waste cleanup laws have not been really updated in the last 40 years, and this legislation takes into account that incidents do not need the same clean up approach. This, as a result, allows for a quicker turn around in the cleanup 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 House gave third reading and sent to the Senate **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 House approved the committee amendment, gave third reading, and sent to the Senate **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 80 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 must be picked up by manufacturer 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.

The House approved the proposed committee amendment, gave third reading, and sent to the Senate **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 House approved the proposed committee amendment, gave third reading and sent to the Senate **H. 5074**, legislation that **creates the Child Food and Nutrition Services Study 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 House concurred with Senate amendments to **H. 4177**, a bill that **establishes a waterfowl advisory committee.** Due to a decline in the state’s waterfowl due to destructive storms and financial management issues, the waterfowl advisory committee is created to help direct the manager of the waterfowl program within the Department of Natural Resources. This committee would assist in the management of waterfowl habitats, assist in the development, protection, and propagation of waterfowl, assisting in prioritizing the expenditures of monies. The legislation provides for the membership and terms of this six-member committee.

Also, the bill increases the cost of migratory waterfowl permits (duck stamps) from five to fifteen dollars for five years. The additional revenue from duck stamps will be used to repair the state’s impoundments that have not been addressed over the years. It is noted that none of these funds will be used for operating the program. The committee shall make a report of its findings, activities, and long term plans to the General Assembly by December thirty first of each year.

The Senate insisted upon its amendments to **H. 3696**, then appointed Sens. Rankin, Hutto, and Talley to a Conference Committee. Upon the receipt of this message from the Senate, the Speaker appointed Reps. G. M. Smith, Rutherford, and W. Newton as the House Conferees on this Conference Committee.

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 approved the proposed committee amendment, gave third reading and sent to the Senate **H. 4519**, allowing a **licensed barber to practice scope of work in a cosmetology salon.**

The House gave third reading and sent to the Senate **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 House approved the proposed committee amendment, gave third reading and sent to the Senate **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. 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 House approved and gave third reading to **S. 1132,** a bill that went without reference dealing with regulations of the Department of Health and Environmental Control relating to **onsite wastewater systems**, designated as Regulation Document Number 5103.

The House voted to continue **H. 3938**, a bill that enacts the **“South Carolina Inclusionary Housing Act.”**

**H. 4904** was ratified as R. 145, and then sent to the Governor for his signature.This legislation allows the Department of Natural Resources to obtain and utilize Schedule III Nonnarcotic and Schedule IV Controlled Substances for the **capture and immobilization of wildlife**.The department must apply for a Controlled Substance Registration Certificate from DEA and a state controlled substances registration from the Department of Health and Environmental Control. Only trained and certified department employees can provide the administration of tranquilizing agents.

**H. 4906** was ratified as R. 146, and then sent to the Governor for his signature. The House gave third reading and sent to Senate [**H. 4906**](http://scstatehouse.gov/billsearch.php?billnumbers=4906&session=124&summary=B). In an effort to prevent the introduction or distribution of a disease, in particular the chronic waste disease, that affects the deer population, the bill outlines that upon declaration of a **wildlife disease emergency** by the Director of the Department of Natural Resources, after consulting with the Director of the Livestock Poultry Health Division (Clemson University), may promulgate regulations, among many things, to delineate disease management zones at any geographic scale; and declare temporary emergency open seasons.

**H. 4907** was ratified as R. 147, and then sent to the Governor for his signature**.** This legislation updates the freshwater game fish laws to include other specifies of bass, such as the **Alabama bass,** and **trout hybrids**. The legislation outlines that it is illegal to sale game fish in this state.

The House amended, approved, and sent the Senate **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 increased 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.

The House amended, approved, and sent the Senate **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. No waiting period is imposed when an SCPORS retiree is returning to covered employment to fill a critical needs law enforcement position as determined by the Law Enforcement Training Council.

The House amended, approved, and sent the Senate **H. 3106**, a bill addressing **employee contributions under the South Carolina Retirement System and the** **South Carolina Police Officers** **Retirement System**. The legislation revises SCRS and SCPORS provisions to establish conditions under which an employer may elect to pay all or a portion of an employee’s required contributions instead of deducting the amount from the employee’s paycheck.

The House approved and sent the Senate **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 House amended, approved, and sent the Senate **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. For each accommodations tax return filed with multiple locations, the filer also must provide electronically the location information by address and the amount of net taxable sales for each location.

The House amended, approved, and sent the Senate **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.

The House amended, approved, and sent the Senate **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, Jasper, 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 House approved and sent the Senate **H. 4805**, a bill providing for a **corporate license fee exemption** **for investors** as a means of keeping South Carolina competitive with other states in attracting investment. 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 House approved and sent the Senate **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 House amended, approved, and sent the Senate **H. 3340**, a bill enhancing **utilities infrastructure project license tax credits** for contributions to qualifying infrastructure and economic development projects. The legislation increases the maximum aggregate credit that may be claimed in any tax year by a single company from four hundred thousand dollars to six hundred thousand dollars. Provisions are included that allow for additional credits above the cap for companies making investments in economically disadvantaged counties.

The House approved and sent the Senate **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.

The House amended, approved, and sent the Senate **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. Each year a taxpayer’s credit may not exceed five thousand dollars multiplied by the number of miles of railroad track. These tax credit provisions are repealed on December 31, 2026.

The House amended, approved, and sent the Senate **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 House amended, approved, and sent the Senate **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 twenty-five 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.

**H. 3889** was ratified as R. 143, and then sent to the Governor for his signature**.** The House gave third reading and sent to the Senate [**H. 3889**](http://scstatehouse.gov/billsearch.php?billnumbers=3889&session=124&summary=B), a bill **restricting the use of airboats during duck season**. This bill reflects current law; however, it changes use of airboat restriction during waterfowl season or duck season.

The House amended, approved, and sent the Senate **H. 4048**, a bill addressing the **duty of the state of South Carolina to provide a legal defense and indemnification for state officials**. The legislation establishes provisions under which the state of South Carolina, by and through its agencies, departments, and instrumentalities, must defend the state agency, department, or instrumentality, and the members of their governing boards against an uninsured claim or suit that arises out of or by virtue of the performance of official duties and must indemnify them for an uninsured 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 legislation also establishes provisions specifying the state’s duty to defend and indemnify legislative employees.

The House approved and sent the Senate **H. 5097**, a bill revising provisions governing the **dissolution of special purpose districts** to allow a hospital district that is undergoing dissolution to transfer its assets to a tax-exempt affiliated organization.

# Committees

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

The Medical, Military, Municipal and Public Affairs Committee met after session on Thursday, April 7, 2022, and gave a favorable recommendation with proposed amendment to **S. 150**, a bill that enacts the **“South Carolina Compassionate Care Act.”** This bill will be submitted to the House for consideration.

The bill legalizes cannabis for medical use only, with a physician specifying the amount of cannabis products that a patient can obtain in a 14-day period. The legislation requires DHEC to create a regulated medical cannabis program to allow seriously ill (chronic/debilitating disease) patients to use medical cannabis recommended by their physician and dispensed by a therapeutic cannabis pharmacy. To qualify, a person must have one qualifying medical condition and written certification issued by a physician. The physician’s certification must include a thorough in-person evaluation including a history of illness, past medical history and any substance abuse history. The qualified patient must apply to DHEC to get a registration card.

Among many things, the bill outlines that the South Carolina Board of Pharmacy and DHEC shall be responsible for licensing and regulating a therapeutic cannabis pharmacy for dispensing of cannabis products by a pharmacist for therapeutic use . A therapeutic cannabis pharmacy shall not dispense any controlled substances other than cannabis products. Pharmacists must complete continuing education on medical cannabis related to dosing.

DHEC will create regulations to include, but not limited to, seed to sale tracking, recordkeeping, security, capital requirements, transportation, advertising, packaging and labeling. Local governments may regulate the locations, hours and numbers of medical cannabis businesses and may prohibit dispensaries from operating in certain locations. The bill requires criminal background checks for distributors and security plans for businesses. The bill outlines provisions for a six percent sales tax on cannabis. Smoking cannabis will remain illegal and patients or caregivers will not be allowed to grow cannabis. Thirty-seven states have passed legislation that allows for medical cannabis. The legislation sunsets in 2028.

# Introduced Bills

**Agriculture, Natural Resources and Environmental Affairs**

**S. 1200 Watercraft Restrictions on Lake William C. Bowen Sen. Kimbrell**

The bill revises the restrictions of the watercraft horsepower on Lake William C. Bowen.

**Education and Public Works**

[**H. 5224**](https://www.scstatehouse.gov/billsearch.php?billnumbers=5224&session=124&summary=B) **Scholarships Rep. Tedder**

This bill relates to **LIFE** and **HOPE** **scholarships** so as to increase the maximum amounts of these scholarships by one thousand dollars.

[**S. 674**](https://www.scstatehouse.gov/billsearch.php?billnumbers=674&session=124&summary=B) **Booster Clubs Sen. Kimbrell**

This bill provides that a person with certain criminal convictions is prohibited from serving as the chief financial officer of a booster club, to provide that each booster club within a school district shall annually register with the school board and to provide that the school board must run a criminal background check to determine if the chief financial officer of a booster club is prohibited from serving in that role due a criminal conviction.

[**S. 945**](https://www.scstatehouse.gov/billsearch.php?billnumbers=945&session=124&summary=B) **Public Access To School Board Meetings Sen. Hembree**

This bill seeks to promote public access to school board meetings by requiring school boards to adopt and implement policies that provide live electronic transmission of such meetings.

[**S. 969**](https://www.scstatehouse.gov/billsearch.php?billnumbers=969&session=124&summary=B) **The Display Of The Official Mottos Sen. Garrett**

Authorize the state board of education to make rules and regulations requiring the display of the official mottos of the United States of America and South Carolina.

[**S. 1103**](https://www.scstatehouse.gov/billsearch.php?billnumbers=1103&session=124&summary=B) **Child Identification Kits Sen. Shealy**

This bill provides for the distribution of child identification kits.

[**S. 923**](https://www.scstatehouse.gov/billsearch.php?billnumbers=923&session=124&summary=B) **Youth Patriotic Societies Sen. Turner**

This bill provides that youth patriotic societies may address public school students during Patriot Day, Constitution Day, and Patriotism Week about how involvement in the youth patriotic society may further the educational interest and civic involvement of the students.

The bill also seeks to make observation of Patriot Day, Constitution Day, and Patriotism Week mandatory instead of optional and provides this observation must include time allocated for youth patriotic societies to address students as provided.

**Judiciary**

**H. 5195 Access to Electronic Communications Rep. Wooten**

This legislative effort would authorize a law enforcement officer, a prosecutor, or the attorney general to require the disclosure of electronic communications. These communications, and other related records, held by electronic communication services, or remote computing services, would then have to be produced.

**H. 5196 Adjacent Land Municipal Annexations Rep. Bustos**

This bill would allow a municipality to annex land into its boundaries by ordinance when it is completely surrounded by the municipality.

**H. 5214 PAP Smears for Women Inmates Rep. Matthews**

If enacted, this bill would direct our Department of Corrections to provide regular PAP smear testing for female inmates. These tests would have to be performed under American Cancer Society standards.

**H. 5223 No Confiscation of Lawful Handguns Rep. Rutherford**

Custodial arrests of anyone lawfully possessing a lawful handgun, or confiscations of lawfully held handguns, found under the seat of a motor vehicle will be prohibited if this bill becomes law. Law enforcement will instead be tasked with advising the lawful handgun owner on how to lawfully store the handgun in the vehicle.

**H. 5234 “Owen’s Law” Rep. Howard**

"Owen's Law" would repeal economic damage limits in medical malpractice cases.

**S. 90 New Age Limits for Juvenile Offenders Sen. Malloy**

This bill calls for a referendum question, on amending Section 3, Article XII of the 1895 **Constitution of South Carolina**, to change the age for the separate confinement of juvenile offenders from "under the age of seventeen" to "under the age of eighteen."

**S. 202 Inspector General Reforms and Updates Sen. Hembree**

A proposal to update the definition of “agency” for the State Inspector General. It would be expanded to include public schools, public school districts, public charter schools, public charter school authorizers, and any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in South Carolina. It would not include quasi-judicial bodies or political subdivisions, unless the political subdivisions are specifically enumerated elsewhere in this code section.

**S. 906 Exploitation and Undue Influence per the Omnibus Adult Protection Act Sen. Shealy**

The definition of "exploitation" under the Omnibus Adult Protection Act would include the exercise of extreme undue influence over, coercive persuasion of, or psychologically damaging manipulation of a vulnerable adult, if this proposal is enacted. It would also add a statutory

definition for "undue influence" to cover excessive persuasion that causes a vulnerable adult to act or refrain from acting by overcoming the vulnerable adult's free will, and that results in inequity. This definition would be utilized under a specific set of circumstances set forth in this proposed legislation.

**S. 1031 Minimum Qualifications for Registers of Deeds Sen. Campsen**

This bill sets out qualifications for candidates to be eligible to become a register of deeds, including, but not limited to, being a citizen of the United States and of South Carolina; a qualified elector in the applicable county; and possessing a four-year bachelor's degree from an accredited post-secondary institution, or at least four years’ experience in the fields of law, real estate, or accounting, or as an employee in a register of deeds office in South Carolina, or as a register of deeds in South Carolina, It also amends existing law to require the Register of Deeds to process recorded documents within thirty days of them being filed in their offices.

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

**S. 613 Certified Medical Assistant (CMA) Sen. Davis**

The bill provides for exceptions for CMAs relating to restrictions on the delegation of tasks to unlicensed assistive personnel under the “Nurse Practice Act.”

**S. 697 Jurisdiction of a Coroner Over a Body that is the Subject of an Anatomical Gift Sen. Verdin**

The bill states that a teleconference meeting with the coroner, organ procurement organization, and the forensic pathologist must be on record with the organ procurement organization for the purpose of demonstrating collaborative review of any potential decline of the anatomical gift.

**S. 1136 “Audiology and Speech-Language Pathology Interstate Compact Act” Sen. Loftis**

This compact is to facilitate the interstate practice of audiology and speech language pathology, with the goal of improving public access to audiology and speech language pathology services.

**S. 1179 Behavioral Telehealth Sen. Shealy**

Behavioral telehealth means the practice of professional counseling, addiction counseling, marriage and family therapy, and licensed psycho educational specialty using electronic communications, information technology, or other means between a registrant located outside this State and a client located in South Carolina with or without an intervening practitioner.

**Labor, Commerce and Industry Committee**

**S. 295 Denial of Occupational or Professional Licensure Due to Prior Criminal Convictions/ “Earn and Learn Act of 2022” Sen. Climer**

This bill provides that a regulatory board or commission may not solely or in part deny an occupational or professional license to an applicant because of a prior criminal conviction, unless the criminal conviction directly relates to the duties and responsibilities of the occupation or profession for which the applicant is seeking a license. The legislation establishes criteria for when prior criminal convictions may be considered disqualifying. Regulatory boards and commissions are prohibited from using vague or generic terms, such as “moral turpitude” or “good character,” and from considering charges that have been dismissed*, nol prossed*, or adjudicated with a finding of not guilty as a justification for denying an applicant a license. The legislation also enacts the “Earn and Learn Act of 2022” to expand economic opportunities and build a skilled workforce according to industry standards by allowing a worker to earn a paycheck while he fulfills applicable licensing requirements.

**S. 1045 Motor Vehicle Common Carriers Sen. Alexander**

This bill revises provisions governing the certification of motor vehicle common carriers by the Office of Regulatory Staff.

**S. 1178 Sale of Self-Service Storage Facility Property Sen. Climer**

This bill revises provisions relating to self-service storage facilities written rental agreements to allow online sales in instances when no one has purchased the property at the required public sale.

**H. 5213 Warranty Claims on Farm Implements Rep. Sandifer**

This bill revises provisions relating to warranty claims on farm implements, so as to set forth the requirements to disapprove warranty claims, and to specify the manner in which retailers must be compensated for performing warranty work.

**Ways and Means**

**S. 11 Paid Parental Leave for State Employees Sen. Jackson**

This bill establishes provisions for paid parental leave for state employees because of the birth, adoption, or foster care of a son or daughter. The legislation provides that eligible state employees who are primarily responsible for furnishing the care and nurture of the child, are entitled to six weeks of paid parental leave. Eligible state employees who are not primarily responsible for furnishing the care and nurture of the child are entitled to two weeks of paid parental leave.

**S. 935 “Put Parents in Charge Act” Sen. Grooms**

This bill establishes an Education Scholarship Account as a means of further enhancing educational opportunity for all South Carolinians by providing parents with state funds that will allow them to access the K-12 education that works best for their child. The legislation allows for the issuance of six thousand dollar scholarships to elementary school aged children of Medicaid eligible families, or students with Individualized Education Plans, along with the siblings of scholarship recipients, that are to be used towards meeting expenses of educational services at private schools or contract services from a public school district, including individual classes, after school tutoring services, transportation, or fees or costs associated with participation in extracurricular activities. The legislation limits the program to five thousand scholarship students in school year 2023-2024; ten thousand scholarship students in school year 2024-2025; and, fifteen thousand scholarship students in school year 2025-2026, and for all subsequent school years.

**S. 1095 Division of Regulatory and Public Service Programs at Clemson University Sen. Climer**

This bill provides that all new regulations and amendments to existing regulations promulgated by the Division of Regulatory and Public Service Programs at Clemson University must be promulgated in accordance with the Administrative Procedures Act.

**S. 1120 South Carolina Housing Tax Credits Sen. Peeler**

This bill revises provisions governing the South Carolina housing tax credits that supplement federal tax incentives for the development of affordable housing, which include the setting an annual maximum of fifteen million dollars for all South Carolina housing tax credits. The legislation also makes revisions relating to the State Ceiling Allocation Plan adopted for private activity bonds.

**H. 5194 Local Government Lobbying Activities Rep. Rose**

This bill makes provisions governing the regulation, registration, and reporting of lobbying, lobbyists, and lobbyists’ principals applicable to public officials and public employees of counties, municipalities, and other local governmental entities, as well as to those individuals or entities who are employed, appointed, or retained by another person to influence covered local governmental actions by direct communication with local public officials or public employees.

**H. 5233 “Agribusiness, Rural, and Opportunity Zone Jobs Act” Rep. Pendarvis**

This bill establishes tax credits for business investments that create jobs in rural counties.

**H. 5235 Increased Hotel Rates Prohibited during the Masters Golf Tournament Rep. Gilliard**

This bill provides that a hotel may not post or charge increased rates for rooms or other related charges, as compared to rates and charges for the previous week, for any period of time during the week of the Masters Golf Tournament, including any practice rounds.

4/13/2022

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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