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## Committee Actions

**Ways and Means**

The Ways and Means Committee met on Thursday, January 12, and gave a report of favorable with amendments on **H. 3604**, a joint resolution authorizing **Contingency Reserve Fund and American Rescue Plan Act appropriations**. The legislation authorizes the appropriation of $500 million from the Contingency Reserve Fund for infrastructure funding related to economic development projects authorized by the Joint Bond Review Committee and the State Fiscal Accountability Authority. From the funds disbursed to the state under the federal American Rescue Plan Act of 2021, the legislation appropriates $587 million to the Rural Infrastructure Authority ARPA Water and Sewer Infrastructure Account to be used towards fulfilling existing grant applications ($87 million of this amount must be available for projects designated by the Secretary of Commerce as being significant to economic development). The legislation also eliminates language included in Act 244 of 2022 that was more restrictive than the federal enabling language, replacing it with more expansive language regarding the investment of funds from the ARPA Resilience Account.

## Introduced Legislation

**Agriculture Natural Resources and Environmental Affairs**

**H. 3689 Airboats Rep. Rutherford**

The legislation states that it is unlawful to operate an airboat on the waters of the Broad River from one hour before legal sunset to one hour after legal sunrise.

**Education**

**H. 3698 Public School District Interscholastic Activities Rep. Elliott**

This bill relates to home school student participation in public school district interscholastic activities, so as to remove the requirement that such students be home schooled for one full academic year before participating in such activities.

**Judiciary**

**H. 3010 Background Checks at Gun Shows Rep. Cobb-Hunter**

This proposal would extend background checks as a prerequisite to buying firearms at gun shows.

**H. 3025 “Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act”**

**Rep. W. Newton**

Anyone threatening or posting intimate images, as defined in its provisions, of a depicted person who has not consented to their release would face civil liability for doing so under this proposed bill. Medical procedures and information, law enforcement activities, and legal proceedings would be exempt from this bill.

**H. 3026 Revising the Crime of Kidnapping Rep. Pope**

Kidnappings involved in murders would no longer have capped sentences if this bill becomes law. Defendants in these cases would face additional punishment of up to 30 years in jail.

**H. 3027 Updating Criminal Offense Definitions Regarding Victim Services Rep. Pope**

Criminal offenses eligible for victim advocate services would be expanded in this bill. Existing minimums of $1,000 in property damage would no longer apply. Notifications of rights would go to all incident survivors.

**H. 3034 E911 False Reporting Rep. Pope**

This bill adds an additional definition of misusing E911 emergency services: texting 911 in such a volume to disrupt the emergency service.

**H. 3038 Using Another’s Identity Online Rep. Rutherford**

This bill seeks to create the criminal offense of impersonating another online, with fines ranging from $250 to $1,000 and/or up to six months in jail.

**H. 3041 Autopsy Photo and Video Usage Rep. Rutherford**

A bill to limit the use of autopsy photos and videos to official or court purposes.

**H. 3042 Immunity from Prosecution Appeals Rep. Rutherford**

This bill would make orders related to immunity from prosecution immediately appealable. It also would preserve this issue on appeal even after someone is convicted and sentenced.

**H. 3044 Failure to Appear Bench Warrants Rep. Rutherford**

A proposal that a circuit court judge may not issue a general sessions court bench warrant for failure to appear in court (unless the solicitor has conspicuously posted a list of potential bench warrants at the appropriate courthouse and on the solicitor's Internet website at least forty-eight hours before the bench warrant is requested). These defendants’ attorneys of record would have to be notified prior to any of these warrants being issued.

**H. 3133 Offender Management System Act Rep. Wooten**

This bill is legislative effort to repeal the Offender Management System Act (also known as the Classification System and Adult Criminal Offender Management System).

**H. 3188 Inmate Medical Furloughs Rep. Wooten**

If passed, this bill would limit inmate furloughs for medical reasons only.

**H. 3376 Drug Offenders Conditional Releases Rep. Rutherford**

Certain drug offenders could be conditionally released from confinement after enrolling in chemical dependency programs if this proposal becomes law.

**H. 3379 Causing Great Bodily Injury After Using Electronic Devices While Driving**

**Rep. Rutherford**

Creates a criminal offense of causing great bodily injury after using an electronic device while driving. Fines would be up to $1,000.

**H. 3390 Cell-Site Simulator NDAs Ban Rep. Rutherford**

If passed, this bill would prohibit law enforcement from purchasing cell-site simulator technology from any company that requires a purchaser to sign a non-disclosure agreement (NDA).

**H. 3404 Ending Probation and Parole Community Control Centers and Systems Rep. Wooten**

This bill repeals the department of Probation, Parole and Pardon Services’ comprehensive community control system and community control centers.

**H. 3408 Automatic CWP Issuance to Qualified Retired Law Enforcement Officers Rep. Yow**

When qualified law enforcement officers receive their retired status credentials, they would also receive a concealed weapons permit at no charge if this bill is enacted.

**H. 3440 Abolishing the State Board of Education Rep. Collins**

This joint resolution proposes a ballot referendum on the question of abolishing the State Department of Education.

**H. 3442 Standing Your Ground in Churches or Other Places of Worship Rep. Collins**

If enacted, this bill would expand state statutory *Stand Your Ground* rights to anyone in a church or other place of worship.

**H. 3443 “Address Confidentiality Program” Rep. Garvin**

South Carolina’s Attorney General would become responsible for protecting the confidentiality of personal information about domestic violence, sex crimes, stalking, and human trafficking survivors under this proposal.

**H. 3444 Term Limits Rep. Blackwell**

A joint resolution proposing a ballot referendum on amending South Carolina’s Constitution to limit House members to five consecutive terms and Senate members to three consecutive terms. A term of office in which a House member is elected Speaker of the House of Representatives or in which a member of the Senate is elected President of the Senate or appointed to serve as chairman of either a House or Senate standing committee does not constitute a term for the purposes of calculating the member's term limitation. This would apply to those House and Senate members elected at the 2024 general election or who take office after that date.

**H. 3445 No General Assembly Members’ Family as Judges or Justices Rep. Blackwell**

If passed, this bill would prohibit any family member of a General Assembly member’s family from running for judicial office. This prohibition would last for one year after any General Assembly member leaves office.

**H. 3446 Limiting House Members’ Speaking Time Rep. King**

H. 3446 proposes House Rules changes to House Rule 5.19 and 8.6 so that House members speaking in the well about pending bills or motions would not have time spent on points of order counted against their time to speak.

**H. 3447 JMSC Reporting Out All Qualified Judicial Candidates Rep. Long**

Instead of reporting out up to three qualified candidates for judicial offices, the JMSC would report out all qualified candidates under this pending bill.

**H. 3448 No More TikTok on State-Owned Computers Rep. Bauer**

TikTok and other similar websites and apps that are foreign-owned and have been identified as cybersecurity threats could not be installed on any state-owned computers if this bill is enacted.

**H. 3465 No FOIA for Inmate Conversations Rep. Rutherford**

Inmate telephone conversations that have been recorded would not be subject to SC FOIA disclosure under this proposal.

**H. 3468 Unlawful Sexually Explicit Material Distribution Rep. Garvin**

H. 3468 would criminalize the unauthorized distribution of sexually explicit materials as defined in this bill, if enacted.

**H. 3469 Criminal Littering Rep. J. L. Johnson**

This is a proposal to significantly increase criminal penalties for littering in South Carolina. They include requiring offenders to pick up litter in the community where they committed their offense.

**H. 3470 Criminally Negligent Firearm Storage Rep. J. L. Johnson**

H. 3470 creates criminal penalties for failing to safely store firearms, as set out within this proposal.

**H. 3471 Campaign Sign Time Limits Rep. J. L. Johnson**

Campaign signs could not stay up longer than 21 days under this proposal. After this time elapses, local governments would be permitted to remove them.

**H. 3472 Party Registration Before Voting in Party Primaries Rep. Long**

Voters would have to register with a particular party before they could vote in that party’s primaries under this proposed bill.

**H. 3473 Comprehensive Campaign Reforms Rep. W. Newton**

This bill sets out, among other things, several reforms and updates to existing statutes related to campaigning for public offices in our state. They include fees charged, selecting delegates to state conventions, shortening filing periods, dates when party pledges must be signed, primary protest deadlines, hearings by the state executive committee, requiring bonds to be posted with protests, and spelling out other responsibilities of the state executive committee.

**H. 3474 Increasing Campaign Contribution Limits Rep. B. Newton**

Individual and political party contributions to candidates would be increased under this proposal. Statewide races would allow up to $7,000 individual and up to $50,000 in political party contributions. In other races, the limit would be up to $2,000 individual and up to $10,000 for party donations.

**H. 3476 Fentanyl-Induced Homicide Rep. Gilliam**

A proposal to establish the felony crime of fentanyl-induced murder in our state. Fentanyl-related substances would also fall under this proposed new law.

**H. 3477 Foreign-Issued Subpoenas and Warrants Rep. Pope**

This bill would require any South Carolina businesses served with a valid out-of-state subpoena or warrant to honor it the same way they would honor one issued in South Carolina, if it is enacted.

**H. 3479 Electronic Monitoring Devices in Long-Term Care facilities Rep. Jefferson**

Long-term care facility residents would be entitled to install electronic monitoring devices in their spaces, with the permission of any coinhabitants, if this bill is enacted. SC DHEC would be able to fine any facility preventing a resident from exercising this right.

**H. 3480 “Community Violence Intervention and Prevention Act” Rep. J. L. Johnson**

A proposal to set up an advisory board to a new division in DHEC focused on abating community violence. This board would also have authority over awarding community grants.

**H. 3606 Ending Primary Runoffs Rep. B. Newton**

Candidates receiving the largest number of votes in a primary would be the victors under this proposal. Runoffs would no longer be held.

**H. 3608 Ending County Auditor Endorsements on Deeds Rep. Hixon**

This bill would allow county auditors to opt-out of the long-standing procedure of endorsing recorded deeds, should this bill be enacted. Auditor fees for this task would also cease.

**H. 3611 “Live and Let Live Act” Rep. Beach**

A legislative effort to ban government discrimination against anyone based upon their religious beliefs of who can be legally married, and that the gender of male and female is determined at the time a person is born.

**H. 3612 “South Carolina Constitutional Carry Act of 2023” Rep. Beach**

A proposed comprehensive update of individuals rights to carry guns, whether concealed or not, in South Carolina over and beyond what is permitted under our existing law applicable to concealed weapon permit holders. A list of exceptions to this right, and who is exempt from these exceptions, is also contained in this bill. [Similar to H. 3594]

**H. 3615 Criminal Cyber Harassment Rep. Wooten**

H. 3615 seeks to establish a criminal offense of cyber harassment, with fines of up to $2,500 and/or imprisonment for up to 5 years.

**H. 3616 “Defense of Children’s Innocence Act” Rep. Beach**

If enacted, the “Defense of Children’s Innocence Act” would prohibit any state-supported organization from hosting or sponsoring any so-called ‘drag show’ or similar activity using those funds. Anyone allowing a child to see a drag show could be deemed guilty of disseminating harmful materials to a minor as well.

**H. 3619 Confidential Executions Information Rep. Bustos**

The identity of execution team members, companies supplying chemicals and other substances used in executions by lethal injection, and the identities of any pharmacists compounding any materials so used would all be kept strictly confidential under the terms of this filed bill. Obtaining any of the materials needed to conduct executions in our state would be exempt from our state procurement code.

**H. 3676 Endorsing Federal Balanced Budget Amendment Rep. G. M. Smith**

This concurrent resolution seeks to call a federal constitutional convention to implore the United States Congress to pass a balanced budget amendment to the United States Constitution.

**H. 3682 Levying on Seized Animals for Care Costs Rep. Murphy**

Before any defendant could be held responsible for paying the costs of animal care for the period its owner was arrested, required hearing procedures with prior notice would have to be met under this proposed bill.

**H. 3683 Reckless Vehicular Homicide Minor Victim Compensation Responsibilities**

**Rep. J. L. Johnson**

Reckless vehicular homicide defendants who kill the parents of children by driving recklessly would have to pay child support to the surviving children until they reach the age of 18 and graduate from high school, under this proposed bill.

**H. 3684 Criminal Strangulation Rep. Harris**

Criminal offenses of strangulation carrying jail time of three to ten years, and aggravated strangulation with jail time fo ten to twenty years, would be created if this bill is enacted.

**H. 3685 Party Registration Before Party Primary Voting Rep. Harris**

Voters would have to register with a particular party in order to vote in that party’s primaries. Independent voters could also vote if that party sets up a mechanism for them to do so.

**H. 3686 Anti-Semitism Education and Review Rep. Bernstein**

H. 3686 sets up a review of state procedures and policies by defining anti-semitism and ensuring all state personnel will receive anti-bias training and other instruction on recognizing acts of anti-semitism.

**H. 3688 Ending SLED Monitoring of Ephedrine and Pseudoephedrine Sales Rep. Rutherford**

A legislative effort to relieve SLED from the responsibility of monitoring sales of these over-the-counter products.

**H. 3692 Surname Changes Rep. Bauer**

This bill would allow anyone to file for a surname change regardless of whether their spouse has also petitioned for the same change. It also allows anyone filing for this name change within one year of a marriage license issuing to do so at no cost.

**H. 3693 “No Compliance Required Authorization Passport Act” Rep. Beach**

The “No Compliance Required Authorization Passport Act” is an effort to prohibit any attempt to establish so-called ‘vaccine passports’ in South Carolina.

**H. 3695 Party Registration Before Primary Participation Rep. B. Newton**

A bill to require voters to register as a party member or as an unaffiliated voter with a particular party at least 45 days before voting in that party’s primary.

**Labor, Commerce, and Industry Committee**

**H. 3065 Investigations of Professional and Occupational Licensees Rep. G. M. Smith**

This bill revises provisions governing the investigation of professional and occupational licensees. Within 30 days after an investigation is initiated, the Director must send a letter advising the licensee that a complaint has been filed that includes such information as the name of the complainant and details of the allegations along with a request that the licensee respond in writing in fourteen days. Investigations must be completed not less than 15 days prior to any professional or occupational board meeting at which the agency seeks to make recommendations based on the results of the investigation. After an investigation is complete and before the board issues a final order, the legislation allows the licensee to obtain written certification from the Director that all procedural requirements were satisfied.

A professional or occupational board may not solely or in part deny a license to an applicant because of a prior criminal conviction, unless the criminal conviction directly relates to the duties, responsibilities, or fitness of the occupation or profession for which the applicant is seeking a license. Boards 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. An applicant who has submitted a completed application may not be denied a license because of a prior criminal conviction, unless the licensing board has given the applicant an opportunity to appear at a hearing to determine the applicant's fitness for the occupation or profession. When a license is solely or in part denied because of the applicant's prior criminal history, the board must, within 30 days of the hearing, issue a written final order that includes the grounds for denial and notification that appeals are to be made to the Administrative Law Court.

**H. 3607 Building Code Adoption Procedures Rep. Sandifer**

This bill provides time frames for the South Carolina Building Codes Council’s review, modification, and adoption process, establishing an effective date of no earlier than five years but no later than six years from the date of the previously adopted residential building codes and an effective date of no earlier than two years but no later than three years from the date of the previously adopted commercial building codes. The council may begin these processes sooner so long as notification requirements and other criteria are met. Provisions are made for the Council to modify, deny, or amend the code committee's report of recommendations with at least a two-thirds vote. All codes and reference standards referred to in the International Residential Code remain in effect with the adopted version of the IRC.

**H. 3614 "Rate Payer Protection Act" Rep. Ott**

The “Rate Payer Protection Act” prohibits a public utility from taking adverse employment action against an employee who has reported wrongdoing by the public utility to the Office of Regulatory Staff. Remedies are established for instances when a public utility retaliates against an employee who acts as a whistleblower.

**H. 3617 State Employee Paid Parental Leave Rep. Bernstein**

This bill makes provisions for more extensive paid parental leave for eligible state employees in the event of the birth or adoption of a child by increasing the amounts of paid leave from six weeks to twelve weeks and from two weeks to four weeks. The legislation provides that an eligible state employee includes anyone employed full-time by a four-year or postgraduate institution of higher education under the control of the state or a technical college supported and under the control of the state.

**H. 3618 Health Insurer and Pharmacy Benefit Manager Cost-Sharing Rep. Henegan**

This bill establishes requirements for health insurers and pharmacy benefit managers outlining how they are to take into account cost-sharing that includes required copayments, coinsurance, deductibles, or other similar charges.

**H. 3687 Physical Therapy Absent Health Care Provider Referral Rep. Lowe**

This bill revises provisions relating to the licensure of physical therapists and grounds for sanctioning licensees and eliminates the 30 day limit on providing physical therapy absent health care provider referral.

**H. 3690 "ESG Pension Protection Act" Rep. Taylor**

This bill revises provisions governing the state’s retirement system funds to require decisions about investing and managing assets to be based on pecuniary factors reasonably believed to have a material effect or impact on the financial risk or return on an investment based on an appropriate investment horizon consistent with a retirement system's investment objectives and funding policy. Under the legislation, investment and management decisions must exclude nonpecuniary factors that are collateral to or not reasonably likely to effect or impact the financial risk and return of the investment, such as the promotion, furtherance, or achievement of environmental, social, governance, or political goals, objectives, or outcomes. The Attorney General is authorized to bring legal actions to enforce these provisions.

**H. 3694 Acceptance of Cash Payments Rep. Burns**

This bill provides that any establishment that holds a retail license to do business in South Carolina must accept cash payments for transactions.

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

**H. 3681 Nicotine Products Rep. West**

Political subdivisions may not enact any laws, ordinances, or rules pertaining to ingredients, flavors, or licensing, beyond a general business license for the sale relating to cigarettes, electronic smoking devices, vapor products, etc., and any other product containing nicotine that can be ingested into the body.

**H. 3691 Opioid Antidotes by Coroners Rep. West**

The legislation provides procedures for the administration of opioid antidotes by coroners and the reporting of use.

**Ways and Means**

**H. 3064 Contingency Reserve Fund and American Rescue Plan Act Appropriations**

**Rep. Bannister**

This joint resolution makes provisions for appropriations from the contingency reserve fund and from funds disbursed to the state in the federal American Rescue Plan Act of 2021.

**H. 3609 Tax Exemption for Heirs' Property Owned by Disabled Veterans Rep. Jefferson**

This bill establishes a property tax exemption for heirs' property owned by a veteran of the Armed Forces of the United States who is permanently and totally disabled as a result of a service-connected disability and who files with the Department of Revenue a certificate signed by the county service officer certifying this disability.

**H. 3613 Small Employers Not Required to Withhold Income Tax Rep. Beach**

This bill provides that a person located, doing business, or having gross income in South Carolina who employs less than 50 employees is not required to withhold income tax.

The House Research Office uses the 17th edition of the Chicago Manual of Style (with practical modifications, esp. regarding numbers).

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