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##

## House Floor Actions

**(Monday, March 13 - Wednesday, 15, 2023)**

The House concurred in Senate amendments to **H. 3604** (*Scout Motors)*, a joint resolution appropriating $1.2 billion from the Fiscal Year 2021-2022 Contingency Reserve Fund and $86 million from the Fiscal Year 2022-2023 projected general fund surplus for **infrastructure funding to foster economic development** and enrolled the legislation for ratification (R. 0006). The legislation facilitates Project Connect, the construction of a manufacturing facility near Blythewood, in Richland County, by Scout Motors, a subsidiary of Volkswagen Group, to produce electric trucks and sport utility vehicles. The Department of Commerce is appropriated $1 billion to provide funding to Project Connect for: (1) road access and improvements, including a new interchange on Interstate Highway 77; (2) water and wastewater infrastructure; (3) required site improvements and mitigation; (4) a railroad bridge over I-77 to support rail spur construction; (5) a training center run by Midlands Technical College to train workers for the manufacturing facility; (6) land acquisition; (7) soil stabilization; and (8) other necessary purposes as recommended by the Department of Commerce for Project Connect, subject to review and comment by the Joint Bond Review Committee. Provisions are made for a $200 million loan for additional soil stabilization that is not eligible for forgiveness and must be paid back to South Carolina.

**Fiscal Year 2023-2024 State Government Budget**

The House of Representatives amended, approved, and sent the Senate **H. 4300**, the **General Appropriation Bill**, and **H. 4301**, the joint resolution making appropriations from the **Capital Reserve Fund**, which together comprise the $13 billion **Fiscal Year 2023-2024 State Government Budget**. After $796 million is transferred to the Tax Relief Trust Fund that provides for the residential property tax caps, $11.4 billion in recurring revenue is available for appropriation ($1 billion of that is new recurring revenue). The budget’s $1.6 billion in nonrecurring revenue includes $209 million in Capital Reserve Funds.

The Capital Reserve Fund is devoted to capital needs at the state’s colleges, universities, and technical schools with the $209 million in these nonrecurring funds allocated among the institutions for construction, repairs, renovations, and maintenance of various facilities.

The budget funds the enhancements to the state financial reserve accounts, used to cover revenue shortfalls, as provided for in the amendments to the South Carolina Constitution that were approved by voters in the 2022 general election and ratified by the General Assembly. $140 million is used for the first phase of the General Reserve Fund increase. $181 million is used to increase the state’s Capital Reserve Fund from two to three percent of General Fund revenue.

In keeping with the “Comprehensive Tax Cut Act of 2022,” $96.2 million in recurring funds is used for the second year of the tax relief schedule, allowing the highest income tax bracket to be lowered from 6.5 percent to 6.4 percent.

The Department of Transportation is afforded $200 million in nonrecurring funds for repair and maintenance of the state’s bridges.

The County Transportation Committees are allocated $250 million in nonrecurring funds to accelerate projects on the state’s lower volume and secondary roads.

The state’s commercial airports receive $50 million in nonrecurring funds for capital improvements.

State employee pay raises ($124 million): full-time state employees who make no more than $83,000 a year receive a $2,500 increase in base pay and full-time employees making more than $83,000 a year receive a 3 percent salary increase The salary increase is structured so that no state employee will receive less than a 3 percent raise and 86 percent of employees will receive more than a 3 percent raise.

$40 million is used to reduce the unfunded liability of state retirement plans, completing the final year of the pension stabilization commitment adopted in Act 13 of 2017.

The state's health insurance plan

 receives $122 million in recurring funds to cover the increased costs of operating (with no additional monthly premium costs).

The budget invests $590 million new dollars in K-12 public education

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The budget legislation includes the revised educational funding formula

 established last year that consolidates numerous budget lines into the single State Aid to Classrooms. This year, additional lines are consolidated into the simplified funding stream. The funding formula’s weightings continue to apply, including those added last year to emphasize more funding for students in poverty and students with disabilities. After satisfying fundamental requirements, local school districts are afforded greater flexibility in spending State Aid to Classrooms. Districts are subject to accountability and transparency requirements for publishing their expenditures of federal, state, and local funds online.

An average per pupil of $5,377 is provided in State Aid to Classrooms.

The budget provides for a $2,500 teacher pay increase across all salary levels. This allows the state’s starting salary for teachers to increase from $40,000 to $42,500.

Education Improvement Act:

• $3 million in recurring funds is provided to increase the amount that each teacher is provided for purchasing classroom supplies (from $300 to $350).

• $30 million in nonrecurring funds is appropriated for instructional materials.

• $42 million in nonrecurring Education Improvement Act funds is provided for the Literacy Instruction Program to expand training in Language Essentials for Teachers of Reading and Spelling to all K-3 teachers in the state. Teachers who complete this LETRS training in the science of reading are compensated with a $500 stipend.

• $10.2 million in recurring funds is allocated to the Child Early Reading and Developmental Education Program.

• $9.5 million in recurring funds is appropriated for career and technology education.

• $2 million in recurring funds is provided for the Jobs for America’s Graduates program.

• $1.8 million in recurring funds is appropriated for Teach to One math resources and support.

• $3 million in recurring funds is provided for computer science education.

• $2 million in recurring is appropriated for intensive developmental education and therapy services.

• $15 million in nonrecurring is appropriated for high intensity tutoring efforts to recover from the educational losses resulting from the disruptions of the COVID-19 pandemic.

• $10 million in nonrecurring funds is provided for instructional support for school districts.

• The State Department of Education Grants Committee is afforded $14 million in nonrecurring Education Improvement Act funds.

$16.7 million is used to raise state per pupil expenditures from $300 to $5,1000 for SC Department of Education and First Steps full day 4-K.

Capital Funding for Disadvantaged Schools: $120 million (in the allocation of these funds, incentives are provided for school and school district consolidation). $20 million of this funding is devoted to school safety upgrades including new door locks, bulletproof glass, and security measures for school entry points.

School bus drivers: $17.3 million in recurring funds is appropriated to provide a 20 percent salary increase.

School bus purchasing and leasing: $21 million in nonrecurring funds is allocated -- along with $11 million in lottery funds and provisions for spending unclaimed prize money.

Department of Public Safety: $14.9 million in recurring funding is provided for school resource officers (enough to provide an SRO for every school).

A provision is included that prohibits school districts, or any of their schools, from using any funds appropriated or authorized by the budget legislation to offer students any monetary incentive or inducement to receive a COVID-19 vaccination.

The budget continues to include a higher education tuition mitigation initiative in which a total of $69 million in additional recurring funds is distributed among the state’s institutions of higher learning. To retain these appropriations, the institutions must comply with provisions for freezing in-state tuition and mandatory fees during the 2023-2024 academic year for all in-state undergraduate students at all public four-year and two-year University of South Carolina campuses.

As noted earlier, the Capital Reserve Fund is devoted to capital needs at the state’s colleges, universities, and technical schools with the $209 million in these nonrecurring funds allocated among the institutions for construction, repairs, renovations, and maintenance of various facilities.

Full funding is provided in Education Lottery funds for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs.

Tuition grants: $51 million (in lottery funds is provided through CHE and the Board of Technical and Comprehensive Education).

Need-based grants: the Commission on Higher Education is provided $80 million in lottery funds.

The Higher Education Tuition Grant Commission is allocated $20 million in lottery funds.

The Commission on Higher Education College Transition Program Scholarships to assist individuals with disabilities: $4 million in lottery funds.

MUSC receives $5 million in lottery funds for SC First Scholarships that place physicians in rural areas and other underserved communities.

Nursing Initiative (the Commission on Higher Education): $10 million in lottery funds.

The USC system is afforded $3.5 million in lottery funds for its Carolina Internship Program.

The Board of Technical and Comprehensive Education is afforded $100 million in lottery funds for SC Workforce Industry Needs scholarships that help provide full tuition at technical colleges for SC WINS recipients seeking degrees in industry sectors with critical workforce needs.

Ready SC Program: $2 million in lottery funds (to the which provides worker training at the state’s technical colleges that is customized to the needs of new and expanding business and industry).

Tech Board SC Youth and Small Business Grants: $3.5 million in lottery funds.

The Tech Board is afforded $7 million in lottery funds for high demand job skill training equipment.

The Department of Employment and Workforce is afforded $7.4 million for statewide workforce development.

Deal Closing Fund that the Department of Commerce uses to recruit new business to the state: $3.7 million in nonrecurring funds.

The Department of Commerce is afforded $10 million in nonrecurring funds for the Locate SC Site Inventory, $5.5 million for strategic marketing, and $200,000 in recurring funds for SC Manufacturing Extension Partnerships.

The Rural Infrastructure Authority: $5 million in recurring funds for Water Quality Revolving Loan Fund match and $2 million in recurring funds for planning and technical assistance for small and rural utilities.

The Department of Agriculture receives $20 million in nonrecurring funds for its Growing Agribusiness Fund, $1.1 million in nonrecurring funds for consumer services equipment replacement, $500,000 in recurring funds for marketing SC agricultural products, $500,000 in recurring funds for agribusiness infrastructure, and $1.9 million in nonrecurring funds for enhancements to local farmers’ markets.

Clemson PSA: $3 million in nonrecurring funds for its poultry research facility, $1 million in nonrecurring funds for statewide program support, and $2.1 million in nonrecurring funds for critical research infrastructure and dam maintenance.

SC State PSA: $2.5 million in nonrecurring funds for agribusiness development and expansion support, $2.5 million in nonrecurring funds for the Camp Daniels Training and Activity Center, and $500,000 in recurring funds for agriculture innovation research.

The Department of Parks, Recreation and Tourism receives $12 million in nonrecurring funds for destination specific tourism marketing grants, $2.5 million for SC Association of Tourism Regions promotions, $25 million in nonrecurring funds for state park development, enhancements, and maintenance, $7.5 million in nonrecurring funds for film incentives, $3 million in nonrecurring funds for its Sports Marketing Program, $250,000 in nonrecurring funds for the Undiscovered SC Grant Program, and $2.1 million in nonrecurring funds for the state’s welcome centers.

The Arts Commission is provided $2.5 million in nonrecurring funds for arts education programs and $450,000 in nonrecurring funds for cultural arts and theater center grants.

The Department of Archives and History receives $100,000 in recurring funds for the SC African American Heritage Commission, $500,000 in nonrecurring funds for Historic Preservation Grants, and $1 million in nonrecurring funds for the commemoration of the 250th anniversary of the American Revolution in South Carolina.

The Department of Natural Resources

 is provided $20 million in nonrecurring funds for habitat protection and land conservation acquisitions and $10 million in nonrecurring funds for marine resources coastal infrastructure maintenance.

The Conservation Bank is provided $18 million in nonrecurring funds for conservation grant funding.

The Department of Health and Environmental Control is afforded $47.5 million in nonrecurring funds for the Dam Safety Emergency Fund, $5.6 million in recurring funds for permitting services, $1 million in recurring funds for the Uncontrolled Hazardous Waste Sites Contingency Fund, $1 million in recurring funds for the air quality program, $753,830 in recurring funds for local community management of coastal resources, $540,125 in recurring funds for the Resource Conservation and Recovery Act Program, $842,192 in recurring funds for obesity prevention, and $100,000 in recurring funds for childhood lead screening.

The Department of Health and Human Services receives $117 million in recurring funds for annualizations for Federal Medical Assistance Percentages state increase and Medicare rate increases, $42 million in recurring funds for Medicaid program maintenance of effort, $36.8 million in recurring funds for Medicaid provider rate adjustments and access to services, $10 million in recurring funds for the BabyNet Program, $2.4 million in recurring funds for pregnancy crisis centers, and $10 million in nonrecurring funds for the Rural Brain Health Program.

The Department of Mental Health is afforded $2.9 million in recurring funds for its suicide prevention hotline, $8.8 million in recurring funds for veterans nursing homes and long-term care facilities, $1.5 million in recurring funds for the sexually violent predator treatment program, and $4 million in nonrecurring funds to expand its alternative transportation program.

The budget emphasizes funding for salary increases and retention programs for nurses and mental health professionals across various agencies.

The Department of Disabilities and Special Needs is allocated $3.7 million in recurring funds for regional center direct support professional career path, $1.4 million in recurring funds for maintenance of effort in quality assurance of waiver services, $4 million in nonrecurring funds for annualizations for Federal Medical Assistance Percentages state increase, $2 million in nonrecurring funds for the Greenwood Genetic Center along with $2 million in nonrecurring funds for its Carroll Campbell Project for conducting genetic research for the treatment of Alzheimer’s Disease.

The Department of Social Services is afforded $13 million in recurring funds for support for South Carolina’s children and adults, $9.5 million for infrastructure integrity and information security, and $3 million in nonrecurring funds for Healthy Bucks to encourage recipients of the Supplemental Nutrition Assistance Program to purchase *additional* fresh fruits and vegetables with their SNAP EBT cards.

The Department of Alcohol and Other Drug Abuse Services receives $2 million in nonrecurring funds for the SC Center for Excellence in Addiction to counter the opioid crisis and other substance abuse issues.

The budget emphasizes funding for salary increases and retention programs for law enforcement and correctional officers.

Provisions are included that allow retirees in the Police Officers Retirement System to be exempt from earnings limitations if they return to work in a critical needs law enforcement position.

Department of Corrections and the Department of Juvenile Justice - $50 million in nonrecurring funds is provided for safety upgrades and other critical capital needs.

$3.9 million in recurring funds is provided for the additional Circuit and Family Court Judges approved in Act 233 of 2022 along with their staff. $1.5 million is appropriated for court facilities.

The Prosecution Coordination Commission receives $14.5 million in recurring funds and the Commission on Indigent Defense

 receives $11.2 million in recurring funds for personnel and retention programs to reduce the growing court case backlog which has become particularly severe following the disruptions of the COVID-19 pandemic. The funding is paired with reporting requirements for demonstrating whether progress is being made in reducing court case backlogs.

The Adjutant General receives $3.3 million in nonrecurring funds for armory revitalization.

The Department of Veterans’ Affairs is afforded $255,000 in recurring funds for the Burial Honor Guard Support Fund and $5 million in nonrecurring funds for the Military Enhancement Plan Fund that is used for awarding grants to communities surrounding military installations.

Volunteer Strategic Assistance and Fire Equipment (V-SAFE) Program: $3 million in recurring funds is provided for the grants to volunteer fire departments and combination departments for purchasing protective gear, vehicles, and other firefighting equipment and for funding such initiatives as firefighter training and upgrades to fire stations.

The Forestry Commission receives $2.3 million in nonrecurring funds for emergency operations and equipment.

Disaster Relief and Resilience Reserve Fund: $20 million in nonrecurring funds.

Local Government Fund: $13.2 million in recurring funds is included for full funding of the Local Government Fund that is consistent with the revised approach for sending revenue to political subdivisions established in Act 84 of 2019.

A provision is included that prohibits a political subdivision that receives money in the budget from expending any funds, regardless of their source, to enact or enforce an ordinance that prohibits short-term rentals unless the political subdivision also provides financial incentives for the purchase and rental of affordable housing and zoning allowances in exchange for an affordable covenant of at least twenty years. The State Treasurer is directed to withhold the political subdivision’s portion of the Local Government Fund if a political subdivision violates this provision or enacts any such ordinance.

The budget reduces the Comptroller General’s salary to one dollar.

Department of Motor Vehicles: $35 million in nonrecurring funds is provided for information technology system modernization.

$8 million is provided to the Department of Transportation for litter removal initiatives.

**Other legislation:**

The House gave third reading and sent to the Senate **H. 3433**, legislation that requires the Department of Natural Resources to provide **notice of the suspension of saltwater privileges or hunting and fishing privileges by mail**.  The giving of notice by mail is complete ten days after the deposit of the notice, and ends the same day the following year.  The bill takes away the mail return receipt request requirement.  As a result, the department must certify that the notice has been sent as required and is presumptive proof that the requirements as to notice of suspension have been met even if the notice has not been received by the addressee.  A person may, within thirty days after notice of suspension, request in writing a review.   A person whose privileges have been suspended may appeal the decision of the department under the Administrative Procedures Act.

## Introduced Legislation

**Agriculture, Natural Resources and Environmental Affairs**

**S. 101 Hunting and Fishing Licenses Sen. Campsen**

The bill provides the requirements to obtain a lifetime disability combination license or a lifetime disability fishing license for certified legally blind persons.

**Education and Public Works**

**S. 207 Piedmont Gateway Scenic Byway Sen. Fanning**

This bill creates the Piedmont Gateway Scenic Byway and identifies the three segments that comprise the byway.

**S. 418 Literacy Instruction Sen. Hembree**

This bill outlines a set of guidelines and requirements for improving reading and literacy instruction in South Carolina schools. The key points include: the requirement for a reading/literacy coach in each elementary school to provide job-embedded, ongoing professional development; guidelines and requirements for the qualifications, certification, and endorsement of reading coaches, as well as for professional development, coursework, and certification for teachers and administrators; the requirement for early childhood, elementary, and special education teacher candidates seeking initial certification in South Carolina to pass a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles; the annual publication of guidelines and procedures for evaluating courses and professional development leading to the literacy teacher endorsement; and, the requirement for the Department of Education to conduct an evaluation of approved courses every five years and remove any courses receiving an unsatisfactory evaluation from the list of approved courses and professional development.

**Judiciary**

**H. 4134 Fines and Habitual Offender Status Rep. Pendarvis**

If enacted, licensed motor vehicle drivers could not be designated habitual offenders based upon citations issued to them for failing to pay their traffic tickets.

**H. 4142 Increased Magistrate Court Civil Jurisdiction Rep. Oremus**

This proposal seeks to increase the state magistrate court civil jurisdictional limit from $7,500 to $15,000.

**H. 4143 Demoting the Comptroller General Rep. Cobb-Hunter**

This Joint Resolution proposes a ballot referendum to the South Carolina Constitution on the question of deleting the Comptroller General’s designation as a state constitutional officer;

instead, designating him as a gubernatorial appointee, with advice and consent of the Senate. If approved, this office would lose any existing protections extended to listed state constitutional officers. If approved, the General Assembly would then have authority to enact legislation covering the duties, compensation, qualifications, and procedures for removing the Comptroller General.

**H. 4158 Domestic Violence Survivor Rental Termination Rights Rep. Pendarvis**

If enacted, this bill would allow documented domestic violence, dating violence, sexual assault, stalking, or other criminal sexual assault survivors to terminate any rental agreements they are listed in, and to remain in the leased premises for up to 60 days after giving notice to their landlords. Landlords could not charge any rental termination fees, or other such costs, to these tenants. Tenants would have to pay any rents owed.

**H. 4160 Motor Vehicle Location Emergency Information Rep. Hardee**

This bill would require vehicle location information, held by OnStar or other such entities, to be made available to law enforcement entities in emergencies (without any need for a court order to first be obtained).

**S. 145 Updating State Prostitution Criminal Codes Sen. Shealy**

This bill would increase criminal penalties on any person offering to perform acts of prostitution or soliciting or inducing anyone to perform acts of prostitution or lewdness. These violators would face fines of up to $3,000 and/or incarceration for up to one year in jail. Anyone running a prostitution operation would face fines ranging from $250 to $5,000 and/or incarceration of up to one year in jail. Survivors of human trafficking would be extended an affirmative defense of their status for use in any prostitution prosecutions should the Governor sign this bill.

**Labor, Commerce and Industry**

**H. 4144 Warranty Claims on Farm Implements Rep. Ligon**

This bill revises provisions relating to warranty claims on farm implements to set forth the requirements to disapprove warranty claims and to specify the way retailers must be compensated for performing warranty work.

**H. 4157 Direct Primary Care Agreements Rep. Thayer**

This bill adds a provision to establish that a direct primary care agreement is not a contract of insurance in South Carolina and is not subject to regulation by the Department of Insurance.

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

**S. 343 Crisis Stabilization Units Sen. Shealy**

The bill expands the definition of Crisis Stabilization Unit Facilities to include all short-term residential stabilization and intensive crisis services. The bill also changes the age of individuals to be served from 18 and older to five and older.

**S. 397 Athletic Trainers (AT) Act Sen. Shealy**

The bill repeals a section of the SC Code relating to the Regulation of Athletic Trainers by the Department of Health and Environmental Control and transfers the Regulatory Authority of Athletic Trainers to the Board of Medical Examiners. The bill also outlines Athletic Trainers responsibilities, as well as creates a nine-member Athletic Trainers' Advisory Committee.

**S. 455 Bloodborne Disease Sen. Verdin**

The bill adds Hepatitis C to the list of bloodborne diseases. The bill also includes dentist in the definition of health care professionals.

**Ways and Means**

**H. 4135 South Carolina Ireland Trade Commission Rep. Bauer**

This bill creates the South Carolina Ireland Trade Commission to advance bilateral trade and investment between South Carolina and Ireland. The legislation provides for the membership of the commission and establishes its duties.

**H. 4136 Eligibility for In-State Tuition Rep. Burns**

This bill revises provisions for in-state tuition rates for public colleges, universities, and technical colleges in South Carolina to provide that all out-of-state students are ineligible for in-state tuition rates unless they live in counties abutting the county in South Carolina in which the institution they want to attend is located and the state in which they live reciprocates.

**H. 4145 Redevelopment Fees Rep. Murphy**

This bill revises provisions for redevelopment fees remitted by the Department of Revenue to remove an annual maximum and to remove a sunset provision. The legislation amends Act 356 of 2002, relating to the Charleston Naval Complex Redevelopment Authority, to eliminate a provision requiring the sharing of certain revenue.

Monday, June 19, 2023

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

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 for the use of members of the House of Representatives and are not to be construed by a court of law as an expression of legislative intent. These Legislative Updates are on the South Carolina General Assembly home page (<http://www.scstatehouse.gov>). Go to Publications, then Legislative Updates. This lists all the Legislative Updates by date as a Word document and a document with hypertext links to the bills. Also available under Publications is a Bill Summary Index to the Legislative Updates (bills are listed in numeric order and provide the different summary versions at the different stages and dates in the process).