



South Carolina House of Representatives

Legislative Update

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LEGISLATIVE UPDATE

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House Floor Actions

(for the week of April 23 - 25, 2024)

H. 4042 Antisemitism

The House has concurred in Senate amendments to **H. 4042**, and enrolled the bill for ratification. **H. 4042** would codify **antisemitism as a listed discriminatory act**. As proposed, this bill will incorporate the International Holocaust Remembrance Alliance definition and examples of *antisemitism* into the South Carolina Code of Laws. After that is finalized, incidents of this type of discrimination will be included in efforts to protect South Carolinians' civil rights, as well as for reviewing policies, laws, and regulations prohibiting discriminatory acts to include acts of antisemitism.

However, anyone criticizing the country of Israel in the same manner as they criticize other countries, or otherwise exercising their constitutionally-guaranteed First Amendment rights, will not run afoul of this proposed legislation.

S. 142 Sex Trafficking To Include Sexual Exploitation Of Minors

The House has passed **S. 142**, a bill to **expand the existing definition of sex trafficking to include sexual exploitation of minors** as well as promoting --or participating in-- prostitution of a minor. Sex trafficking victims would be given the right to raise duress and coercion as affirmative defenses to nonviolent offenses committed as a direct result of, or incident to, their being so trafficked. Also, child sex trafficking victims cannot be convicted of nonviolent offenses committed as a direct result, or incident to, their being so trafficked. These minors also cannot be subjected to delinquency enforcement actions, if they can show their conduct was a direct result of their being trafficked in either of these ways.

S. 845 2022 Promise To Address Comprehensive Toxins [Pact] Act

The House has passed **S. 845**, **extending the appointment deadline in Probate Court cases related to claims under the 2022 Promise to Address Comprehensive Toxins [PACT] Act**, regardless of the date any individual died. The PACT Act provides benefits for individuals exposed to burn pits, Agent Orange, radiation, and other toxins --including sand and dust, particulates, oil well or sulfur fires, chemicals, warfare agents, depleted uranium, herbicides, and other occupational hazards-- during their military service. This change will ensure veterans and families can file claims under the PACT Act even if the affected veteran passed away over ten years ago.

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H. 5246 Black Skimmer

The House gave third reading to **H. 5246** and sent the bill to the Senate. H. 5246 would designate the black skimmer as the official seabird of South Carolina. The **black skimmer** is a tern-like seabird, one of three similar bird species in the skimmer genus *Rynchops* in the gull family Laridae, known for its long, lower mandible (beak, bill) used to skim in flight the water's surface for food.



Black Skimmer

H. 4871 Farm Animal Being Transported By Motor Vehicle

The House concurred with Senate amendments and enrolled for ratification **H. 4871**, a bill that **prohibits a person from interfering or harassing a farm animal being transported by a motor vehicle**, unless prior consent of the driver is given. For the purpose of this provision, the bill outlines the definition of "interfere" as being intentional, knowing, or reckless acts that disrupts or otherwise impede the transportation of animals. The definition of "harass" is intentional, knowing, or reckless acts having the

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effect of causing apparent emotional distress or fear. This provision is added to the criminal code and therefore the bill provides for penalties if there is a conviction. Also, the bill outlines that law enforcement or emergency personnel acting within the scope of duties are exempted from this provision.

Committees

Agriculture, Natural Resources, and Environmental Affairs

The Agriculture, Natural Resources and Environmental Affairs Committee met on Thursday, April 25, 2024 and reported out 4 bills.

S. 903 Flounder Catch And Size Limit

The committee gave a favorable with amendment report to **S. 903**, a bill repealing the sunset clause for Section 5, of Act 91 of 2021 which **addresses the catch and size limit of flounder**. The bill adds that the Department of Natural Resources shall furnish a written report to the General Assembly on South Carolina's stock of flounder by December 31, 2028. The committee also included the language outlining that it is **illegal to remove an electronic dog control device placed on a dog by its owner (H. 4611)**.

S. 1005 Watercraft Motor Restrictions

The committee gave a favorable with amendment approval to **S. 1005**, a dealing with **motor restrictions on Lake Bowen**. The bill states that no boat, watercraft, or any other type of vessel powered by an outdrive or inboard motor having an engine automotive horsepower rating in excess of 200 horsepower is permitted. Also, the bill notes that it is unlawful to operate a personal watercraft, specialty propcraft, or vessel in excess of idle speed within one hundred feet of a wharf, dock, bulkhead, or pier or within 50 feet of a moored or anchored vessel or person on Lake Bowen. In addition, the committee amended this bill to include language from **H. 4874**, requiring DNR to provide for **regulations on possession of all South Carolina native captive wildlife**.

S. 1051 Extending Duck Hunting Season

S. 1051, a bill **extending the duck hunting season for five years ending 2028-2029 on Lake Blalock**, was given a favorable with amendment report by the committee. In addition, the bill includes language for the creation of a **statewide turkey hunting season from April 10 through May 10 (H. 4820)**. Lake Blalock (formally, the H. Taylor Blalock Reservoir) is a reservoir in Spartanburg County, South Carolina, located on the Pacolet River about 5 miles north of Spartanburg.

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S. 955 Blue Crabs

The committee gave a favorable with an amendment report to **S. 955**, a bill that establishes licensure for the **taking of blue crab (*Callinectes sapidus*) by trap for commercial purposes**. The bill outlines that an individual must obtain a limited commercial blue crab license, a commercial saltwater fishing license, and a commercial equipment license for traps for the purpose of taking blue crab by trap. Among many things, the bill establishes the limited commercial blue crab license and the requirements for obtaining the license. The bill states that individuals are eligible to obtain a limited commercial blue crab license if an individual who possessed a valid commercial equipment license for traps during the 2023-2024 license year and who has verifiable documentation of at least 500 pounds of commercial blue crab landings during the first six months of the 2023-2024 license year, the entirety of the 2022-2023 license year, or the entirety of the 2021-2022 license year. An individual with an existing limited commercial blue crab license shall not receive a transfer of another limited commercial blue crab license. The Department of Natural Resources may not exceed one hundred total limited commercial blue crab licenses, via an applicant lottery. A limited commercial blue crab license must be renewed annually. Upon signature of the Governor, a moratorium on the issuance of new commercial equipment licenses to use traps for the taking of blue crab shall take effect at which time the department shall not issue any new commercial equipment licenses to use traps for the taking of blue crab. As a result, the moratorium shall expire on June 15, 2025. For the purpose of this provision, the department shall extend the expiration date for existing commercial equipment licenses for traps until June 30, 2025. This provision takes effect on July 1, 2025.

Education and Public Works

S. 862 Caregiver Requirements

S. 862 relates to caregiver requirements and would provide for educational and pre-service training requirements. The full committee adopted the subcommittee's recommendations: the number of days allowed for training is increased from 5 to 30; self-reported incidents made by a representative of a childcare facility are not considered to be a complaint. Operators of private childcare facilities must complete the following: a minimum of 15 hours of approved training every year for the first 5 years of operation or employment; only 10 annual hours are required for operators and employees with between 5 and 20 years of experience; and operators and employees with more than 20 years' experience do not have to receive training unless it is required for health and safety purposes. (First Steps SDE and DSS may provide up to 5 hours of the training virtually). The bill removes the requirement that an individual must have at least six months experience as a caregiver or be directly supervised - an effort to address labor needs and ac-

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commodate otherwise qualified workers (with an amendment in full committee accommodating high school equivalency (Certificate of Completion) indication with associated training requirements).

S. 946 Regulation of Childcare Facilities

S. 946 relates to the State Advisory Committee on the Regulation of Childcare Facilities and would change the organization and requirements of the members.

The House Education and Public Works Committee adopted the subcommittee's recommendation to add the Executive Director of First Steps and the State Child Advocate to serve as *ex officio* nonvoting members; also, the number of parents on the committee is reduced from 4 to 3 and 2 of the parents instead of 3 must represent for-profit entities; and the number of members representing childcare facilities was reduced from 7 to 6 and the number of for-profit entity representatives is reduced from 5 to 4. The full Committee added an amendment adding that a representative of the private facilities must be from a registered faith based center.

S. 1188 Expulsion and Hearings

S. 1188 relates to expulsion and hearings. **S. 1188** would amend requirements to be included in written notification to parents or legal guardians of the pupil. The bill states: The written notification to the parents or legal guardian of the pupil must include their right to have legal counsel present at the hearing, the right to question all witnesses, and contact information for a legal aid service provider which may determine eligibility for free legal representation. The notification must also include the right to access the investigative file in its entirety, to inspect all documents and videos at least three days prior to the hearing, with appropriate exemptions and redactions as required by the Family Educational Rights and Privacy Act, 20 USC Section 1232g.

S. 124 Hiring Noncertified Teachers

H. 4280 Educator Assistance Act

S. 124 proposes to establish a pilot program that would allow public school districts to hire noncertified teachers. The pilot program would permit districts to hire noncertified teachers of up to ten percent of its entire teaching staff. The bill outlines certain academic, evaluation, and experience requirements that noncertified teachers must meet to be eligible for hire under the pilot program. It further requires annual program reporting and registration and clearance requirements for noncertified teachers participating in the program.

The House Education Committee added **H. 4280** (the Educator Assistance Act) -- exactly as adopted by the House and sent to the Senate *last* year.

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The Committee amended the bill removing references to ratings of “excellent,” “below average,” and “unsatisfactory” -- instead “critical needs certification area” is added as a way for schools to participate in the pilot program. Schools may hire noncertified teachers in a ratio of up to 25 percent of its entire teaching staff instead of 10 percent. The pilot program is considered to be renewed after five years unless ended by the General Assembly. Reporting dismissed noncertified teachers is added and teachers are guaranteed 4 days for professional development at the beginning of the school year and 2 days must be for self-directed work to prepare for the beginning of the school year. Language requested by law enforcement regarding fingerprinting and background checks is added.

S. 305 Work Experience and Teaching Certificates

H. 4280 Educator Assistance Act

S. 305 would provide that an individual's prior work experience may be awarded on an initial teaching certificate if the prior experience is in or related to the content field of the certificate (existing certificate holders may also receive the same credit for prior work experience). The House Education Committee amended the bill so that instead of one year of credit being awarded for every two years of experience, one year of credit will be given for each year of experience. In most instances, “teacher salary schedule” is replaced with “State Minimum Teacher Salary Schedule.” Educators may be entitled to have their pay adjusted in regard to the district salary schedule instead of the change being mandatory and the State Department of Education will have 180 days instead of 90 to have the form developed to determine experience credit.

House Education added H. 4280 – exactly as adopted by the House and sent to the Senate *last* year.

S. 134 Public Access to School Board Meetings

This bill requires public access to school board meetings by requiring school boards to adopt and implement policies that provide live electronic transmission of such meetings (extending applicability of these provisions to the governing bodies of charter schools and special schools).

The House Education and Public Works Committee adopted its subcommittee’s recommendation that a district that does not post recordings to its own website must make them available online through a link displayed on their website. Also, instead of posting

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within two business days the bill requires posting within two calendar days. The structure of the model policy is clarified to specify that the state board must develop specific items that districts must adopt. And finally, the effective date is changed from July 1, 2024 to July 1, 2025.

Judiciary

S. 845 Claims Under the 2022 Pact Act

The committee gave a favorable report to **S. 845, "Honoring our PACT Act of 2022,"** passed by Congress. It would **amend the South Carolina Probate Code to allow appointment proceedings related to any claim under the 2022 PACT Act**, to proceed, regardless of the date of the individual's death. The PACT Act provides benefits for individuals exposed to burn pits, Agent Orange, radiation, and other toxins –including sand and dust, particulates, oil well or sulfur fires, chemicals, warfare agents, depleted uranium, herbicides, and other occupational hazards-- during their military service. This change would ensure veterans and families could file claims under the PACT Act even if the affected veteran passed away over ten years ago.

S. 142 Sexual Exploitation of Minors

Also receiving a favorable report was **S. 142**, which is similar to **H. 4948**, a bill to **expand existing criminal laws covering sexual exploitation of minors** to include identifiable minors, defined as everyone underage when images of them were created, altered, adapted, modified, or were used in the creating, altering, adapting, or modifying images, with recognizable faces, likenesses, or other distinguishing characteristics that are sexually exploitative under this proposed bill. This term could not be construed to require proof of the actual identity of the identifiable minor.

First degree, second degree, and third degree sexual exploitation of minor criminal offenses could be prosecuted when these depicted minors are engaged in sexual activity, in a state of sexually explicit nudity, or are depicted to be engaged in these activities in any photograph, film, video, picture, computer, or computer-generated image or picture.

S. 915 Reform of Healthcare Services

A favorable report, with amendment, was voted out on **S. 915**, which is similar to **H. 4927**, a bill to **reform healthcare services** in South Carolina. As amended, only the governor could call out sheriffs or constables to assist with a health-related state emergency. In addition, the governor would have to approve any quarantines being put into effect during such and emergency.

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The balance of this bill would reorganize the South Carolina Department of Health and Environmental Control, a new **"Executive Office of Health and Policy"** would be created under this proposal. It would be led by a new Secretary of Health and Policy, who would be appointed by the Governor, with the advice and consent of the Senate, and who would develop a "blueprint" State Health Plan-- after working with an advisory committee-- for public health services. Their proposed plan would address the quality of healthcare South Carolinians receive. It would also include an inventory, projections, and performance standards for its health services, facilities, equipment, and workforce. In addition, and as amended, the existing **Department of Health and Human Services would become the Department of Health Financing**. The South Carolina state code would be revised to set up a **Department of Public Health** with a director selected by the Secretary of Health and Policy, who would also approve all regulations propounded by this new Department. A separate **Department of Intellectual and Related Disabilities** would be established, along with a **new Behavioral Health and Substance Abuse Services entity** to replace the existing Department of Mental Health.

A separate, **new Department of Environmental Services** would undertake duties currently being performed by the environmental branch of SC DHEC. The balance of this bill, as proposed, completes the revision of current code sections referencing SC DHEC to set out a division of responsibilities between the Department of Health and Policy and the Department of Environmental Services.

S. 1126 Ballot Referendum Amending the South Carolina Constitution

The last bill receiving a favorable report was **S. 1126**, which is similar to **H. 5081**, a proposal for holding a **ballot referendum on the question of amending Sec. 4, of art. II, our South Carolina Constitution** to read that **only a --instead of 'every'--qualified citizen could vote** in elections in our state.

Medical, Military, Public and Municipal Affairs

The Medical, Military, Municipal and Public Affairs Committee met on Thursday, April 25, 2024, and reported out several bills.

S. 241 Genetic Counselors

The committee gave a favorable with amendment recommendation to **S. 241**, a bill that provides for the regulation of **genetic counselors** under the administration of the Department of Labor, Licensing and Regulation (LLR). Among many things, the bill creates the South Carolina Board of Genetic Counselors to license genetic counselors. The purpose of this board is to protect the public through the regulation of professionals

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who educate and communicate with the public regarding the human problems associated with the occurrence, or the risk of occurrence, of a genetic disorder in a family, including the provision of services to help an individual or family. The board is comprised of five members appointed by the Governor of which must be a lay member from the state and four practicing genetic counselors. The practice of genetic counseling is, but not limited to, obtaining and evaluating individual, family and medical histories to determine genetic risk for genetic/medical conditions and diseases in a patient, his offsprings and other family members. Nothing in this chapter may be construed to authorize a licensed genetic counselor to practice medicine, surgery, osteopathy, homeopathy, chiropractic, naturopathy, magnetic healing, or another form, branch, or method of healing as authorized by state laws.

S. 445 Voluntary Certification Program For Recovery Housing

In an effort to protect persons who reside in recovery housing, the Committee gave a favorable report to **S. 445**, a bill that **creates a voluntary certification program for recovery housing**. It is unlawful for an owner or operator of recovery housing that is not certified to advertise or otherwise represent that such recovery housing is certified.

Among many things, the bill outlines that the Department of Alcohol and Other Drug Abuse Services shall establish protocols and guidance requiring the credentialing entity (an organization approved to certify recovery housing) to establish recovery housing certification requirements consistent with nationally recognized quality standards such as the standards established by the National Alliance for Recovery Residences (NARR) or Oxford House. The department shall approve one credentialing entity within six months of the effective date of this provision. The credentialing entity shall determine standards for recovery housing in consultation with the department. Different standards for different classifications or categories of recovery housing are permissible; however, at a minimum, standards for all classifications or categories must require recovery housing to include but not limited to having a clear mission and vision, with forthright legal and ethical codes, including the requirement to be financially honest with prospective residents. As a result, the department shall publish a registry of the names of all certified recovery housing on its website. The bill defines "Recovery housing" as recovery residences, recovery homes, sober living homes, work rehab homes, three quarter houses, and other similar dwellings that provide individuals recovering from alcohol and substance use disorders with a living environment free from alcohol and illicit substance use. An owner or operator of recovery housing who violates this section is subject to a civil penalty of not less than one hundred dollars nor more than five hundred dollars per occurrence.

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S. 455 Bloodborne Diseases

S. 455, a bill adding Hepatitis C to the list of **bloodborne diseases**, was given a favorable recommendation by the committee. In addition, the provision includes dentist in the definition of health care professionals.

S. 558 Tuberculosis Testing For Applicants In Nursing Homes

The committee gave a favorable report to **S. 558**, a bill that outlines **procedures for tuberculosis testing of applicants or newly admitted residents for nursing homes** or community residential care facilities.

S. 858 Acute Hospital Care At Home Programs/Service Exempted from CON Review

The committee gave a favorable with amendment report to **S. 858**, a bill **exempting acute hospital care at home programs and services delivered by a licensed acute care hospital from the certificate of need review**. A home health agency shall obtain a certificate of need before licensure and procedures for applying for a certificate must be in accordance with the "State Certification of Need and Health Facility Licensure Act." No certificate is required for home health agencies providing home health services before July 1, 1980. The bill also adds that patients enrolled in the hospital care at home program shall not be considered within the licensed bed capacity of the hospital participating in the program.

S. 1074 Certified Medical Assistant (CMA)

S. 1074, a bill that would revise certification for **Certified Medical Assistant (CMA)**, was given a favorable recommendation by the committee. Currently certain CMA certification standards are due to lapse on July 16, 2024. As a result, the bill expands the number of approved certification programs. The bill also states that "certified medical assistant," or "CMA," also includes medical assistants who have maintained certification from one of the certifying boards, such as but not limited to Board of Medical Examiners or the Board of Nursing, since January 1, 2020 and individuals employed as certified medical assistants as of the effective date of this provision who do not meet the education or training requirements required, but who meet those requirements no later than July 15, 2026. The bill also provides additional responsibilities for the unlicensed assistive personnel.

Labor, Commerce, and Industry

The House Labor, Commerce and Industry Committee met on Tuesday, April 23, and reported out several bills.

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S. 610 "Professional Counseling Compact Act"

H. 5118 "South Carolina Energy Security Act"

The committee gave a report of favorable with amendments on **S. 610, the "Professional Counseling Compact Act"**. The legislation authorizes South Carolina to enter into a compact is to facilitate interstate practice of licensed professional counselors with the goal of improving public access to professional counseling services. The legislation includes provisions previously approved by the House (H. 5118), the **"South Carolina Energy Security Act"**. Drawing upon the work of the Economic Development and Utility Modernization Ad Hoc Committee established by the Speaker of the House, this legislation includes restructuring initiatives and makes comprehensive provisions as a means of promoting sufficient, reliable, safe, and economical energy crucial to the health, safety, and well-being of the citizens of South Carolina and to the state's economic development and prosperity.

S. 408 Suicide Prevention Training

H. 5118 "South Carolina Energy Security Act"

The committee gave a report of favorable with amendments on **S. 408, a bill requiring suicide prevention training for social workers, therapists, and counselors**. The legislation revises licensure provisions for Social Workers, Psycho-educational Specialists, and Professional Counselors, and Marriage and Family Therapists to require at least one hour of continuing education in suicide assessment, treatment, and management treatment as a portion of the total continuing education requirement for license renewal. The legislation includes provisions previously approved by the House (H. 5118), the **"South Carolina Energy Security Act"**. Drawing upon the work of the Economic Development and Utility Modernization Ad Hoc Committee established by the Speaker of the House, this legislation includes restructuring initiatives and makes comprehensive provisions as a means of promoting sufficient, reliable, safe, and economical energy crucial to the health, safety, and well-being of the citizens of South Carolina and to the state's economic development and prosperity.

S. 728 Firefighter Cancer Health Care Benefit Plan

H. 5118 "South Carolina Energy Security Act"

The committee gave a report of favorable with amendments on **S. 728, a bill revising eligibility criteria for the Firefighter Cancer Health Care Benefit Plan** to allow plan participation for non-residents of South Carolina who work in the state and extend eligibility to employees of the State Fire Marshal. The legislation includes provisions previously approved by the House (H. 5118), the **"South Carolina Energy Security Act"**. Drawing upon the work of the Economic Development and Utility Modernization Ad

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S. 962 Pharmacy Service Administrative Organizations

H. 5118 "South Carolina Energy Security Act"

The committee gave a report of favorable with amendments on **S. 962**, a bill revises the duties of **pharmacy service administrative organizations** established in Act 30 of 2023 to remove the requirement that pharmacy service administrative organizations must act as fiduciaries to pharmacies. The legislation includes provisions previously approved by the House (H. 5118), the "**South Carolina Energy Security Act**". Drawing upon the work of the Economic Development and Utility Modernization Ad Hoc Committee established by the Speaker of the House, this legislation includes restructuring initiatives and makes comprehensive provisions as a means of promoting sufficient, reliable, safe, and economical energy crucial to the health, safety, and well-being of the citizens of South Carolina and to the state's economic development and prosperity.

S. 1031 Uniform Money Services Act

H. 5118 "South Carolina Energy Security Act"

The committee gave a report of favorable with amendments on **S. 1031**, a bill establishing the **Uniform Money Services Act**. Substantially adopting provisions of model legislation, the bill revises the state's anti-money laundering provisions as a means of protecting the public from financial crime, standardizing the types of activities that are subject to licensing, and modernizing safety and soundness requirements to ensure funds are protected in an environment that supports innovative and competitive business practices. The legislation includes provisions previously approved by the House (H. 5118), the "**South Carolina Energy Security Act**". Drawing upon the work of the Economic Development and Utility Modernization Ad Hoc Committee established by the Speaker of the House, this legislation includes restructuring initiatives and makes comprehensive provisions as a means of promoting sufficient, reliable, safe, and economical energy crucial to the health, safety, and well-being of the citizens of South Carolina and to the state's economic development and prosperity.

Ways and Means

The Ways and Means Committee met on Thursday, April 25, and reported out several bills.

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S. 621 "South Carolina Ireland Trade Commission

The committee gave a favorable report on **S. 621**, a bill establishing the "**South Carolina Ireland Trade Commission**" to advance bilateral trade and investment between South Carolina and Ireland.

S. 1021 Abandoned Buildings Revitalization Act

H. 3737 "Short Line Railroad Modernization Act

The committee gave a report of favorable with amendments on **S. 1021**, a bill revising the **South Carolina Abandoned Buildings Revitalization Act**. The legislation extends the act's provisions through 2035 and increases the amount of the maximum tax credit that may be earned from five hundred thousand dollars to seven hundred thousand dollars. The legislation includes "**Short Line Railroad Modernization Act**" provisions previously approved by the House (H. 3737). The legislation makes 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.

S. 577 Updating References To The Top Marginal Income Tax Rate

The committee gave a favorable report of favorable with amendments on **S. 577**, a bill **updating references to the top marginal income tax rate** under provisions relating to the withholding of income taxes to bring them into conformity with income tax relief initiatives. The legislation revises state provisions to bring them into compliance with **federal requirements for criminal history background checks for those with access to federal tax information**.

S. 969 Tax Deductions For Law Enforcement Officers, Firefighters, and Emergency Medical Service Personnel

H. 5225 Clinical Preceptor

The committee gave a report of favorable with amendments on **S. 969**, a bill enhancing **tax deductions for law enforcement officers, firefighters, and emergency medical service personnel**. This legislation revises deductions from individual taxable income to increase the subsistence deduction amount for certain paid public servants such as law enforcement officers, firefighters, and emergency medical service personnel. The legislation increases the volunteer exemption amount for unpaid public servants in these positions. The legislation includes provision previously approved by the House (H. 5225) revising the **clinical preceptor income tax credit** afforded physicians, advanced practice nurse practitioners, and physician assistants who provide supervision and instruction during student clinical training experiences for a public teaching institution or independent institution of higher learning. Eligibility is expanded to include training in such specialty care as dermatology, hematology, neurology, and oncology. Under the

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legislation, the credit is equal to \$1,000 dollars for each rotation served, not to exceed \$4,000 dollars a year. The provider must be a Medicaid participating provider and have a minimum of at least 100 Medicaid and Medicare patients combined or be a free clinic. The credit is available through 2029. The legislation includes provisions addressing the **exemption of groceries from Local Option Sales Taxes for transportation facilities**. County governing bodies are afforded the option of exempting unprepared food items eligible for purchase with United States Department of Agriculture food coupons from Local Option Sales Taxes for transportation facilities authorized through a referendum held on or after November 5, 2024.

S. 1017 Property Tax Exemption

The committee gave a report of favorable with amendments on **S. 1017**, a bill revising criteria for the **property tax exemption for nonprofit housing corporations**.

S. 314 Higher Education Permanent Improvement Projects

The committee gave a report of favorable with amendments on **S. 314**, a bill revising provisions for the **review of major higher education permanent improvement projects** as a means of streamlining the approval process. Notably, the legislation removes the Commission on Higher Education from the approval process, increases the threshold amounts for projects, and ties these amounts to inflation.

Introductions

Judiciary

S. 1166 Dismissal of Previous Handgun Charges Sen. Tedder

Under this bill, all charges pending against a person for unlawful possession of a handgun, that were nullified by the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024, would have to be dismissed. This bill could not be used in regard to other crimes related to these handgun charges that arose out of the same incident.

H. 5454 Court Costs in Cases of Defamation, Slander, or Libel Rep. Gatch

This bill would require plaintiffs to pay all court costs and reasonable attorney fees to prevailing parties in defamation, slander, or libel Common Pleas Court lawsuits, when these plaintiffs are not successful in court.

H. 5468 Removal of Unauthorized Persons Rep. Hardee

This bill outlines a proposed process for landowners to have their local sheriff remove any unauthorized people, including squatters, from that landowner's property. The bill

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also outlines the form that the request must follow and the process by which it must be executed. The bill further amends the SC Code to include penalties for illegally residing on a property, and causing over \$1,000 worth of damage to it, to have committed a felony offense. Anyone who willfully presents a false document purporting to be a valid lease agreement could also be charged with a misdemeanor offense. Furthermore, anyone who lists or advertises residential property for sale or lease knowing that the seller or lessor has no legal claim to it would be committing a felony level offense.

H. 5469 Adverse Possession Abolished Rep. Hardee

Should this bill become law, the common law doctrine of “adverse possession” (often called “squatters rights”) would be abolished as a means of obtaining title to real property.

H. 5470 Criminally Intentional Fentanyl Exposure Rep. Pope

This bill would make it a felony to expose a first responder to fentanyl or any fentanyl-related substance, should that exposure result in an overdose or serious bodily injury to the first responder.

H. 5471 Immigration Rep. Beach

If enacted, this bill would allow state and local law enforcement agencies to enter into memorandums of understanding and agreements with the DOJ, DHS, and any other federal agency for the purpose of enforcing federal immigration and customs laws. A law enforcement officer acting under the scope of his authority granted by these agreements must arrest, with probable cause, anyone suspected of being an illegal alien. This bill also requires that when a person is placed in a detention facility, a reasonable effort must be made to determine their nationality. Furthermore, prisons would be required to comply with ICE immigration detainers and must publish information on foreign nationals held in their custody in their annual report.

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Note to the reader regarding these Legislative Summaries

Sources

The versions of bills and acts that these summaries are based on can be found in the House and Senate Journals of the 125th Session (First and Second Sessions, 2023-2024) and other webpage resources: (<https://www.scstatehouse.gov>).

Citation Style (Chicago Manual of Style) for Students/Researchers

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Online Resources

These summaries are on the South Carolina General Assembly homepage (<http://www.scstatehouse.gov>). Go to "Publications" and then "*Legislative Updates*" (<https://www.scstatehouse.gov/publications.php>). This lists all the *Legislative Updates*.

- 1) a Word document showing that week's bill activity.
- 2) a Webpage (the Bill Summary Index) with hypertext links to the bills (by bill number, date, and the different stages in the legislative process).
- 3) the end of session summaries (with index).

Style

The House Research Office uses the 17th edition of the Chicago Manual of Style (with in-house style modifications, esp. regarding numbers/numerals).

NOTE: In the Word file *within* the Table of Contents, you can go directly to the act or bill summary by pointing the cursor at the line, pressing the Ctrl key + left click the mouse.]

Use

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