



South Carolina House of Representatives

Legislative Update

G. Murrell Smith, Speaker of the House

Vol. 41

May 31, 2024

No. 18

Second Regular Session (2024) of the 125th Session, 2023-2024

2024 Passed Legislation

(as of May 9th)

[not including bills currently in conference committee]

(Indexed)

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How this Document is Structured

These act summaries are in **two** similar groups:

- The first group of **abbreviated** summaries may better fit into newsletters, reports and descriptions of the acts for your constituents.
- The second group of **detailed** summaries go into greater depth.

Suggestions Regarding Searches

The best way to search for a bill/act number or topic is to use the **search feature on your computer**.

If you are using a **paper version** that you carry with you to meet constituents or conduct media or business inquiries, please use the **index** in the back which is organized **by bill number and subject**.

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ABBREVIATED SUMMARIES

Budget and Finance

Continuing Resolution [H. 4720, Act number pending]

H. 4720 (Act number pending) is a **continuing resolution** for funding state government into FY 2024-2025.

Economic Development and Taxes

Property Tax Exemption For Disabled Veterans [H. 3116, Act 116]

H. 3116 (Act 116) revises the **property tax exemption process for disabled veterans**, allowing them to immediately claim a full-year exemption in the year their disability occurs, among other details.

Feminine Hygiene Products [H. 3563, Act 131]

H. 3563 (Act 131) relates to sales tax exemptions, providing an exemption for **feminine hygiene products**.

Industry Partnership Fund Tax Credit Increase [H. 3811, Act 134]

H. 3811 (Act 134) provides for an **Industry Partnership Fund tax credit** increase associated with the South Carolina Research Authority (SCRA).

Corporate Income Tax Changes [S. 298, Act 113]

S. 298 (Act 113) amends the corporate tax laws dealing with the apportionment of income and combined reporting.

S. 557 Apprenticeship Income Tax Credit Provisions [S. 557, Act 188]

S. 557 (Act 188) enhances the **apprenticeship income tax credit**. The Act stipulates that the credit equals the greater of the apprenticeship cost or \$1,000 per apprentice, with a cap of \$4,000 per apprentice or \$6,000 for the youth apprenticeship program. If the apprentice completes the program and remains employed by the taxpayer, the taxpayer can claim an additional \$1,000 credit for up to 3 more taxable years. The total credit for all taxpayers is capped at \$5 million per tax year, adjustable by the General Assembly.

Abandoned Buildings Revitalization Act [S. 1021, Act 169]

S. 1021 (Act 169) revises the South Carolina **Abandoned Buildings Revitalization Act**, extending its provisions through 2035 and increasing the maximum

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tax credit from \$500,000 to \$700,000. The legislation also adds **Short Line Railroad Modernization provisions**, offering an income tax credit equal to 50 percent of qualified railroad reconstruction or replacement expenditures to encourage the rehabilitation of **small rail lines**. An annual cap of \$1.5 million is set for these tax credits, which are repealed at the end of 2028.

Perpetual Recreational Trail Easements [H. 3121, Act 125]

H. 3121 (Act 125) establishes an income tax credit for **perpetual recreational trail easements**. The legislation makes provisions for a one-time income tax credit for each square foot of property that a taxpayer encumbers with a perpetual recreational trail easement and right-of-way.

Tax Conformity (H. 4594, Act 175)

H. 4594 (Act 175) is this year's **state and federal income tax conformity Act**. The legislation updates references to the federal Internal Revenue Code in state income tax statutes. It provides for conformity so that any extensions adopted at the federal level are adopted for South Carolina income tax purposes.

South Carolina Ireland Trade Commission [S. 621, Act 121]

S. 621 (Act 121) establishes the "South Carolina Ireland Trade Commission" to advance bilateral trade and investment between South Carolina and Ireland.

General Government

Robert Smalls Monument [H. 5042, Act 183]

H. 5042 (Act 183) establishes the **Robert Smalls Monument and Commission**. Robert Smalls was an escaped enslaved person who became a Civil War hero (Smalls was a ship's pilot who commandeered the Confederate armed steamer, the Planter, and later served as a pilot for the Union), a legislator in the South Carolina General Assembly and a United States Congressman.

Lottery Participant Personal Information Protections [H. 3872, Act 106]

H. 3872 (Act 106) posits that personal data of South Carolina **Lottery players**, including names and contact details, are kept confidential, with only the prize details and retailer location made public.

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Willfully and Criminally Altering Geodetic or other Surveying Monuments [H. 3748, Act 171]

H. 3748 (Act 171) increases criminal penalties for altering, damaging, moving, or removing geodetic, property corner monuments, control monuments, and any other land surveying monuments and markers.

Ending Mandatory County Auditor Deed Endorsements [H. 3608, Act 133]

H. 3608 (Act 133) discontinues mandatory county auditor preapproval of all deeds -- allowing county auditors to opt-out of long-standing procedures for endorsing deeds recorded in a register of deeds or a registrar of mesne conveyances office. Auditor fees for this task would end as well.

Pre-1973 Special Purpose District Property Acquisition and Sales Authority [H. 4563, Act 201]

H. 4563 (Act 201) clarifies the authority of all special purpose districts created before 1973 (pre-Home Rule) to own, acquire, purchase, hold, use, lease, convey, sell, transfer, or dispose of real, personal, or mixed property.

South Carolina Poultry Festival [H. 3960, Act 107]

H. 3960 (Act 107) designates the South Carolina Poultry Festival in Lexington County as the official State Poultry Festival.

Paid Family Leave Insurance Act [H. 4832, Act 206]

H. 4832 (Act 206), the "Paid Family Leave Insurance Act," establishes a framework for optional family leave insurance policies issued to employers that allow them to provide employees with a benefits program that pays for a percentage or portion of the employee's income loss due to significant family events (enumerated).

Florence County [H. 3313, Act 197]

H. 3313 (Act 197). This Act adds Florence County to the list of counties with a Register of Deeds. This list specifies the South Carolina counties who have a Register of Deeds to handle all real estate-related matters.

Fort Eisenhower to the Definition of Federal Military Installations [H. 3934, Act 173]

H. 3934 (Act 173) adds Fort Eisenhower (name change for Fort Gordon) to the definition of Federal Military Installations.

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S. 207 Piedmont Gateway Scenic Byway [S. 207, Act 157]

S. 207 (Act 157) creates the **Piedmont Gateway Scenic Byway** approximately from Ridgeway to White Oak, South Carolina.

Water Professionals Day [H. 3799, Act 105]

H. 3799 (Act 105) designates the first Monday in March of each year as "**Water Professionals Day**" in South Carolina.

Greenville Technical College Area Commission [H. 4349, Act 141]

H. 4349 (Act 141) relates to the **Greenville Technical College Area Commission**. The Act sets out its powers and responsibilities.

Denmark Technical College [S. 1047, Act 124]

S. 1047 (Act 124) relates to **Denmark Technical College area commission members**, providing that how commissioners are appointed shall be by appointment of the governor upon the recommendation of a majority of the members of the General Assembly representing Allendale, Bamberg, and Barnwell Counties.

Business and Commerce

Automatic Renewal Provisions in Service Contracts [S. 434, Act 159]

S. 434 (Act 159) addresses **automatic renewal provisions in service contracts**, providing that no automatic renewal provision in a service contract shall be enforceable against the contract holder unless the contract holder was presented written or electronic notification of that automatic renewal provision not less than 30 days nor more than 60 days before the cancellation deadline required by the automatic renewal provision.

ESG Pension Protection Act [H. 3690, Act 103]

H. 3690 (Act 103), the "**ESG Pension Protection Act**," requires that retirement system investments exclusively consider "**pecuniary**" factors (financial); omitting **ESG (Environmental, Social, and Governance)** considerations. The law discharges financially prudent decisions and secures the Investment Commission's fiduciary duty regarding *shareholder* proxy voting authority.

Pharmacy Service Administrative Organizations [S. 962, Act 166]

S. 962 (Act 166) revises the duties of **pharmacy service administrative organizations** established in Act 30 of 2023 to remove the requirement that pharmacy

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service administrative organizations must Act as “fiduciaries” to pharmacies and “perform its duties to a pharmacy exercising good faith and fair dealing.”

“South Carolina Earned Wage Access Services Act” [S. 700, Act 190]

S. 700 (Act 190) establishes guidelines and requirements governing the provision of **earned wage access services**, which allow consumers to obtain wages they have already earned ahead of their employer’s regularly scheduled pay-day.

Dues Paid to a Golf Club [H. 3880, Act 135]

H. 3880 (Act 135) relates to the admissions tax to provide that **no tax** may be charged or collected **on annual or monthly dues paid to a golf club**.

Delinquent Unemployment Compensation Tax Payments [H. 3992, Act 136]

H. 3992 (Act 136) addresses **delinquent unemployment compensation tax payments**. The legislation provides that an employer with an installment payment agreement approved by the Department of Employment and Workforce shall be permitted to pay its unemployment compensation tax at a reduced rate, prescribed by statute. If the employer does not comply with the installment agreement, the employer’s tax rate shall immediately revert to the tax class twenty rate.

Video Service Definition [H. 3782, Act 104]

H. 3782 (Act 104) revises statutes governing telephone, cable TV, and other telecom utilities, clarifying that **video streaming services** are exempt from local government franchise fees for using public rights of way.

Property and Casualty Insurance Policies [H. 3977, Act 108]

H. 3977 (Act 108) holds that insurers may post standard property and casualty policies **online** instead of mailing them.

Paying Inmates Federal Minimum Wages [S. 1001, Act 192]

S. 1001 (Act 192) requires **inmates** participating in programs established by the Director of the Department of Corrections working in the private sector **be paid the federal minimum wage** for their work.

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Alternative Nicotine Product Sold through a Vending Machine (H. 4817, Act 205]

H. 4817 (Act 205) outlines that it is unlawful to sell an **alternative nicotine or tobacco product** through a vending machine unless the machine is located in an establishment only open to those aged 18 or older.

Real Estate

Real Estate Professionals [H. 4754, Act 204]

H. 4754 (Act 204) makes comprehensive revisions and updates to the provisions governing the licensing and regulation of **real estate brokers, brokers-in-charge, associates, and property managers**.

Real Estate Appraisers [H. 3278, Act 196]

H. 3278 (Act 196) makes comprehensive revisions to qualifications and other provisions governing the licensure and regulation of **real estate appraisers**.

Regulation of Insurers [H. 4869, Act 180]

H. 4869 (Act 180) implements recommendations from the Department of Insurance for revising various provisions relating to procedures and the **regulation of insurers**.

Prohibition of Unfair Real Estate Service Agreements Act [S. 881, Act 165]

S. 881 (Act 165), the "**Prohibition of Unfair Real Estate Service Agreements Act**," prohibits the use of certain real estate service agreements as unfair to an owner of residential real estate or to other persons who may become owners of that real estate in the future.

Energy and Utilities

Gas Utilities [H. 5154, Act 208]

H. 5154 (Act 208) revises provisions setting the **maximum civil penalty imposed on gas utilities** for regulatory violations to align them with federal law.

South Carolina Nexus for Advanced Resilient Energy [S. 912, Act 210]

S. 912 (Act 210) is a joint resolution expressing support for South Carolina as the **nexus for advanced, resilient energy**. The Act encourages continued global leadership to reduce the state's environmental impact while enhancing economic output.

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Agriculture Environment and Natural Resources

H. 5246 Eastern Brown Pelican [H. 5246, Act 186]

H. 5246 (Act 186) designates the **eastern brown pelican** (*Pelecanus occidentalis*) as the official seabird of South Carolina. This legislative Act by the General Assembly underscores the significance of this species and highlights South Carolina's dedication to preserving its natural habitats and promoting wildlife conservation.

Extending Duck Hunting Season/Taking of Male Wild Turkey [S. 1051, Act 193]

S. 1051 (Act 193) creates a statewide turkey hunting season, which outlines that the **season for hunting and taking of male wild turkey is April 10 through May 10** (no more game zones). The Act also reduces statewide residents' season bag limit from three to two. This provision takes effect in January 2025 and expires in January 2030. After the law sunsets in 5 years, the provision reverts to the existing law of different seasons in game zones 1 and 2 versus game zones 3 and 4 and a limit of three turkeys per season. The Act **extends the duck hunting season for five years, ending 2028-2029 on Lake Blalock**. The Act also includes language dealing with **recreational licenses for the use of set hooks in the Congaree River and the Upper Reach of the Santee River for residents sixty-five years of age or older**. These provisions expire on January 1, 2030.

Working Agricultural Lands Preservation Act [H. 3951, Act 117]

H. 3951 (Act 117) establishes the **Working Agricultural Lands Preservation Program and Fund** to preserve farmland. The program offers landowners an alternative for protecting vital agricultural lands, crucial for the sustainability of South Carolina's agricultural industry.

H. 4617 Xylazine [H. 4617, Act 177]

H. 4617 (Act 177) adds **Xylazine**, a legal tranquilizing drug used on large animals by veterinarians, to the list of Scheduled II Drugs. (Xylazine is being mixed with other illegal street drugs, placing users at a higher risk of fatal drug poisoning). As a result, adding Xylazine to the Scheduled II list allows law enforcement to respond accordingly.

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Farm-Raised Venison [H. 3993, Act 118]

H. 3993 (Act 118) provides an exemption for the **retail sale of white-tailed deer organ meat**, packaged as pet treats, by official, certified establishments.

Landowners' Privacy Regarding Endangered Plant or Animal Species [H. 4047, Act 119]

H. 4047 (Act 119) outlines that the Department of Natural Resources cannot release records of **landowners' addresses** when the occurrence of a rare, threatened, endangered plant or animal species is located on such property.

Transportation of Farm Animals by Motor Vehicle [H. 4871, Act 148]

H. 4871 (Act 148) prohibits a person from interfering with or **harassing a farm animal transported** by a motor vehicle.

Perpetual Recreational Trail Easements [H. 3121, Act 125]

H. 3121 (Act 125) establishes an income tax credit for perpetual recreational trail easements. This Act provides for a one-time income tax credit for each square foot of property that a taxpayer encumbers with a perpetual recreational trail easement and right-of-way.

Striped and Hybrid Bass Limits [H. 4387, Act 143]

H. 4387 (Act 143) relates to **striped and hybrid bass limits** on numerous lakes and rivers.

Taking of Feral Hogs by Helicopter [H. 4612, Act 144]

H. 4612 (Act 144) deals with the **taking of feral hogs by helicopter**. The Act outlines that the Department of Natural Resources may issue permits for the taking of feral hogs on private lands while airborne in a helicopter.

Deer Processors and Donated Tagged Female (Doe) Deer [H. 4875, Act 149]

H. 4875 (Act 149) allows **deer processors to process tagged female (doe) deer** donated by a hunter or crop depredation permittee and, in turn, recover the fee of processing the deer from a person other than the individual who donated the deer. The Act also increases penalties for selling deer or deer parts.

Permitted Hook Size in the Lower Saluda River Regarding Striped Bass [H. 5007, Act 154]

H. 5007 (Act 154) restricts permitted hook size in the Lower Saluda River (on specific dates) regarding striped bass.

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Electronic Dog Control Device [H. 4611, Act 176]

H. 4611 (Act 176) makes it illegal to remove an **electronic dog control device** placed on a dog by its owner. A person who violates this section is guilty of a misdemeanor (the Act provides for penalties).

Law Enforcement and Public Safety

Illegal Immigration Enforcement Unit [H. 4120, Act 109]

H. 4120 (Act 109) places the separately-funded **Illegal Immigration Enforcement Unit** within SLED. The Act also outlines its duties and requires an MOA agreement with ICE.

Firefighter Cancer Health Care Benefit Plan [S. 728, Act 163]

S. 728 (Act 163) revises eligibility criteria for the **Firefighter Cancer Health Care Benefit Plan** to extend eligibility to employees of the State Fire Marshal and allow “benefits to a firefighter only if the firefighter has served in a South Carolina fire department for at least 5 continuous years and been in active service within 10 years of the diagnosis” (effectively allowing plan participation for non-residents of South Carolina).

Ignition Interlock Devices for Temporary License Issuances [H. 3518, Act 130]

H. 3518 (Act 130) changes the 2023 Act, revising the issuance of temporary drivers’ licenses to include **ignition interlock devices** being installed for up to three months on motorists’ vehicles. These temporary licenses are available after their drivers’ licenses have been suspended for offenses, including driving under the influence or driving with an unlawful alcohol concentration, allegedly committed.

Prohibition of Telecommunication Devices for Inmates [H. 4002, Act 137]

H. 4002 (Act 137) **prohibits telecommunication devices for inmates**. Absent preapproval by the Department of Corrections Director, no inmate can possess *any* telecommunications device (including portable two-way pagers, handheld radios, cellular telephones, personal digital assistants, and laptop computers). Violators of the ban face increased penalties (more severe if used in the commission of a subsequent felony).

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Judicial, Court and Legal Matters

Judges' Permissions to Temporarily Leave South Carolina [H. 3776, Act 172]

H. 3776 (Act 172) repeals an old, outdated code section for **state judges** to obtain written permission from the South Carolina Supreme Court Chief Justice before leaving South Carolina.

Incapacitated Individuals Probate Court Protections [H. 4234, Act 200]

H. 4234 (Act 200) revises existing **probate laws** and procedures covering incapacitated people. When more than \$15,000 in net aggregate funds per year will be paid or delivered on behalf of incapacitated people, then protective proceedings must be convened on behalf of these individuals.

Applying Updated Military Codes and Codes of Military Justice Revisions to State Military Entities [H. 4642, Act 145]

H. 4642 (Act 145) is a comprehensive proposal to add Air, Army, and State National Guards as well as any state militias to various sections of the South Carolina Code military provisions and the **Uniform Code of Military Justice**.

"Uniform Child Abduction Prevention Act" [H. 3220, Act 195]

H. 3220 (Act 195) was developed by the national Uniform Law Commission. This effort to conform South Carolina law to a national standard sets out comprehensive criteria for determining a credible threat to a child's safety or likelihood of abduction exists in either child custody or visitation situations. It also sets out countermeasures to these attempts.

Recouping Costs Incurred in Prosecuting Animal Abuse Cases [H. 3682, Act 199]

H. 3682 (Act 199) facilitates **Levying on Seized Animals for Care Costs** in animal abuse criminal cases. With hearing procedures met, defendants could be held responsible for paying costs incurred while their charges are pending.

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Expunging Aged-Out Fraudulent Check Convictions, Mistaken Arrests, and Charges [S. 112]

The Governor vetoed S. 112 on May 20, 2024. The General Assembly's response is pending.

Under **S. 112 checkwriters convicted of** misdemeanor-level criminal offenses, including **multiple misdemeanor check bouncing** offenses within a three-year period, over ten years prior, could seek to **expunge their convictions** after paying full restitution.

Conditional Discharge Orders for Serving Underage Drinkers Alcohol Offenders [H. 4248]

The Governor vetoed H. 4248 May 21, 2024. The General Assembly's response is pending.

H. 4248 permits servers with clean criminal histories who are charged with delivering underage patrons, beer, ale, porter, or wine to participate in solicitor-approved conditional discharge orders after paying appropriate fees set out under this Act. Compliance with these orders dispose of pending criminal charges. While the State Law Enforcement Division [SLED] will retain a non-public record of these offenses. Once violators successfully meet all of their order's conditions and pay all appropriate fees, then no convictions would appear on their records as a result.

"2022 Promise to Address Comprehensive Toxins [PACT] Act" Probate Court Appointments [S. 845, Act 122]

S. 845 (Act 122) extends the appointment deadline in **Probate Court** cases related to claims under the **2022 Sgt. First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxins [PACT] Act**. The PACT Act provides benefits for individuals exposed to deleterious substances and other occupational hazards during their military service. The Act preserves legal protections regarding **veteran's death dates**.

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Law and Civil Society

Antisemitism [H. 4042, Act 138]

H. 4042 (Act 138) codifies **antisemitism as a listed discriminatory act**. It incorporates the International Holocaust Remembrance Alliance definition and examples of *antisemitism* into the South Carolina Code of Laws. Anyone criticizing the country of Israel in the same manner as they criticize other countries will not violate its prohibitions.

“South Carolina Constitutional Carry/Second Amendment Preservation Act of 2024” [H. 3594, Act 111]

The South Carolina **Constitutional Carry Act of 2023, H. 3594 (Act 111)**, is comprehensive legislation that, among other things, declares South Carolina citizens have a constitutional right to carry their firearms anywhere in South Carolina (except in specified locations, and except under certain conditions). Gunowners are also able to store their firearms anywhere within their motor vehicles. Anyone openly carrying their firearm in compliance with this proposed legislation does not give any law enforcement officer or official with arrest powers either a reasonable suspicion, or probable cause, to be searched, detained, or arrested for doing so. Violators still will face criminal charges with punishments based on the severity of their violations. Firearm owners have to report the loss or theft of their guns to an appropriate law enforcement agency within 10 days after discovering they are gone. Owners are encouraged to receive appropriate gun safety training before carrying their firearms. Concealed Weapon Permit holders have to report losing their permits within 48 hours.

Dismissing Qualifying Pending Illegal Firearm Possession Charges [S. 1166]

The Governor vetoed S. 1166 on May 21, 2024. The General Assembly’s response is pending.

S. 1166 holds that 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, will be **dismissed**.

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Only Citizens as Qualified Voters Referendum [S. 1126, Act pending]

S. 1126 (Act pending) calls for holding a **ballot referendum** on the question of amending Sec. 4, of art. II, of the **South Carolina Constitution** to read that **only a** (instead of 'every') **qualified citizen can vote** in elections in South Carolina.

Gender Reassignment Procedures [H. 4624, Act 203]

H. 4624 (Act 203) prohibits healthcare professionals from performing gender transition procedures on individuals under 18. This excludes mental health providers offering mental health services. "Gender transition procedures" include puberty-blocking drugs, cross-sex hormones, and gender reassignment surgeries. For treatments started before August 1, 2024, health care professionals can gradually reduce these treatments by January 31, 2025. However, medical services for minors with medically verifiable disorders of sexual development are still permitted.

No Obscene Material Website Access for Minors [H. 3424, Act 198]

H. 3424 (Act 198). Commercial entities hosting obscene material or content promoting child pornography or sexual exploitation must use reasonable **age verification methods**, such as digital ID cards, third-party verification services, or other commercial data methods. These companies could be held civilly liable if they fail to perform reasonable age verification methods.

Living Donor Protection Act [H. 3255, Act 126]

H. 3255 (Act 126), the **Living Donor Protection Act**, prohibits insurance companies from discriminating against living organ donors regarding coverage and policy conditions. This prohibition includes not being able to decline or limit coverage based solely on someone's status as a living organ donor.

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Education

Reading [S. 418, Act 114]

S. 418 (Act 114) overhauls reading methodologies used in public schools. The Act defines key literacy concepts and mandates the State Department of Education (SDE) to oversee compliance with Read to Succeed mandates, shift from "evidence-based" to "scientifically based" teaching methods, narrow the focus of Read to Succeed to prekindergarten through grade five, bans curricula based on the three-cueing system for word recognition, and mandates foundational literacy, structured literacy, and science of reading coursework for teachers in early childhood, elementary, and special education.

Competency-Based Education (CBE) [H. 3295, Act 127]

H. 3295 (Act 127) allows the State Board of Education to waive certain laws and regulations for districts that successfully apply to operate schools using competency-based education. The legislation outlines core principles for Competency-Based Education, including explicit, measurable, and transferrable competencies, personalized and flexible pathways for students, and meaningful assessments. Competency-Based schools cannot be exempted from anti-discrimination laws or health, safety, civil rights, and disability rights requirements, and state and federal assessment requirements may not be waived.

Scholarship Stipends [S. 125 , Act 156]

S. 125 (Act 156) relates to additional LIFE **scholarship stipends**. The Act extends the stipend to both education (including math and science majors) and accounting majors. Education majors receiving the stipend must, upon graduation, work in a South Carolina public school for one year for every year the stipend is received.

Definitions Regarding Institutions and Scholarships [S. 974, Act 191]

S. 974 (Act 191) relates to the definition of "public or independent institution" for purposes of the Palmetto Fellows, LIFE, and the Hope Scholarships to add institutions accredited by the Accrediting Commission of Career Schools and Colleges (ACCSC) to the definition.

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“Seizure Safe Schools Act” [H. 3309, Act 128]

H. 3309 (Act 128), the **"Seizure Safe Schools Act,"** outlines detailed procedures and requirements for schools to manage and support students with seizure disorders. School districts are required to adopt a "Seizure Action Plan" that addresses the basics regarding epilepsy and its impact on student learning.

Name, Image, or Likeness (NIL) [H. 4957, Act 207]

H. 4957 (Act 207) updates the rules on compensation for intercollegiate athletes' name, image, or likeness (NIL). It allows college sports programs and agents to support NIL activities and protects post-secondary institutions and employees from liability related to athletes' NIL earnings. The Act shields in-state schools from penalties for NIL Activities that breach association rules (such as those of the NCAA). The Act prohibits institutions from receiving fees from NIL deals. NIL agreements are exempt from public records requests unless the institution is a contracting party. Athlete agents must comply with the Uniform Athlete Agents Act of 2018 and related laws. The Act does not prevent common law claims by athletes of fraud or misrepresentation. Athletes cannot earn compensation for endorsements of tobacco, alcohol, illegal substances, banned athletic substances, or gambling, including sports betting. Family members cannot act as agents, and agents cannot receive more than 20 percent of the NIL contract. Institutions may prohibit athlete compensation if it conflicts with institutional values.

Booster Clubs [S. 245, Act 112]

S. 245 (Act 112) outlines new laws for booster clubs and their financial officers, banning those with felonies such as forgery, larceny, or embezzlement from serving in financial roles with the clubs.

Expulsion and Hearings [S. 1188, Act 194]

S. 1188 (Act 194) relates to the student expulsion process and related hearings. The Act amends requirements to be included in written notification to parents or legal guardians of the pupil.

Middle-Level Education Month [H. 4352, Act 110]

H. 4352 (Act 110) designates the month of March of each year as **"Middle-Level Education Month."**

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Health

“South Carolina Telehealth and Telemedicine Modernization Act” [H. 4159, Act 120]

H. 4159 (Act 120), the **"South Carolina Telehealth and Telemedicine Modernization Act,"** broadens telehealth access to all licensed practitioners, setting standards for telehealth care equivalent to in-person care, including for APRNs. It redefines "telehealth" to encompass various electronic and technological means for healthcare delivery.

Telecommunicator CPR Training (T-CPR) [H. 4867, Act 179]

H. 4867 (Act 179) requires all 911 telecommunicators who provide dispatch for emergency medical conditions to be trained annually utilizing the most current nationally recognized high-quality **telecommunicator cardiopulmonary resuscitation (T-CPR)**.

Professional Counseling Compact Act [S. 610, Act 189]

S. 610 (Act 189), the **“Professional Counseling Compact Act,”** authorizes South Carolina to enter into a compact to facilitate the interstate practice of licensed professional counselors to improve public access to professional counseling services.

Compounding Pharmacies [H. 3592, Act 132]

H. 3592 (Act 132) updates the **"Pharmacy Practice Act"** by removing certain definitions related to medication compounding and revising requirements for compounding pharmacies.

Suicide Prevention Training [S. 408, Act 158]

S. 408 (Act 158) requires **suicide prevention training for social workers, therapists, and counselors.**

Bloodborne Diseases [S. 455, Act 161]

S. 455 (Act 161) adds **Hepatitis C** to the list of **bloodborne diseases** and includes dentists in the definition of health care professionals.

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Tuberculosis Testing for Applicants in Nursing Homes [S. 558, Act 162]

S. 558 (Act 162) outlines **procedures for tuberculosis testing** of applicants or newly admitted residents for nursing homes or community residential care facilities.

Ambulance Fee Trust Fund [H. 4113, Act 139]

H. 4113 (Act 139) creates an **ambulance assessment fee** for private ambulance services charged by SC DHHS and deposited in a newly established Ambulance Fee Trust Fund (this funding can be augmented with federal matching dollars).

Medicaid Program Conformity [H. 5235, Act 184]

H. 5235 (Act 184), Medicaid Program conformity, revises provisions relating to insurers providing coverage to persons receiving Medicaid to comport with the federal Consolidated Appropriations Act of 2022.

Medicaid System Procurement [H. 5236, Act 185]

H. 5236 (Act 185) pertains to **Medicaid System Procurement**. The Department of Health and Human Services or a successor agency (for any multi-state solicitation it issues), is authorized to award contracts and procure Medicaid systems and services using competitively solicited NASPO ValuePoint Master Cooperative Purchasing Agreements.

Mobile Optometry Units [H. 4333, Act 140]

H. 4333 (Act 140) allows **mobile optometry units to operate during the summer** when schools are not in session.

Acute Hospital Care at Home Programs/Service Exempted from CON Review [S. 858, Act 164]

S. 858 (Act 164) defines “**acute hospital care at home**” and exempts acute hospital care at home programs and services delivered by a licensed acute care hospital from the certificate of need review (with regulations). The Act also directs licensure considerations for home health agencies.

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Voluntary Certification Program for Recovery Housing [S. 445, Act 160]

S. 445 (Act 160) establishes a voluntary certification program for **recovery housing**. The Department of Alcohol and Other Drug Abuse Services will set protocols and guidance for credentialing entities to certify recovery housing according to national quality standards like those of the National Alliance for Recovery Residences (NARR) or Oxford House.

Revised Certifications for Certified Medical Assistant (CMA) [H. 5183, Act 209]

H. 5183 (Act 209) revises the **certification standards for Certified Medical Assistants** to prevent the lapse of existing standards and to expand the number of approved certification programs. By including provisions for existing CMAs and outlining additional responsibilities for unlicensed assistive personnel, the Act aims to maintain the integrity and effectiveness of the CMA profession.

Children and Family Issues

“Uniform Child Abduction Prevention Act” [H. 3220, Act 195]

H. 3220 (Act 195) was developed by the national Uniform Law Commission. It sets out comprehensive criteria for determining a credible threat to a child’s safety or likelihood of abduction in either child custody or visitation situations.

Genetic Counselors [S. 241, Act 187]

S. 241 (Act 187) seeks to protect the public through the regulation of professionals who educate and communicate with the public regarding genetic disorders by creating the Board of Genetic Counselors to license genetic counselors and further provides for the regulation of **genetic counselors** under the administration of the Department of Labor, Licensing and Regulation (LLR).

Transportation and Vehicles

The Display of License Plates on Motor Vehicles [H. 4674, Act 178]

H. 4674 (Act 178) addresses laws for fastening and displaying license plates, including temporary plates on large commercial vehicles. It also encompasses H. 5024, allowing the retention of plates for the surviving spouse of a National Guard member, and introduces several special license plates: the "Hearing Impaired," the "South Carolina Equine Industry," the "Cherokee Indian Nation," the "Catawba Nation," the "University of South Carolina 2017, 2022, and 2024

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Women's Basketball National Champions,” the “Autistic and Neurodivergent,” the “South Carolina Association for Pupil Transportation,” and the “Navy and Marine Corps Medal” (for valorous awards).

Photograph for Parking Placards [H. 4819, Act 147]

H. 4819 (Act 147) allows applicants (mostly children) for accessible parking placards to provide a **photograph for the placard** subject to the Department of Motor Vehicle's approval.

Towing a Truck with a Fifth Wheel Assembly [H. 3355, Act 129]

H. 3355 (Act 129) provides that a **towing truck with a fifth-wheel assembly** may tow one additional vehicle (it sets a maximum length and weight for the final trailing vehicle, among other rules).

Blood Type on Applications for Driver's Licenses [S. 968, Act 167]

S. 968 (Act 167) allow an applicant for a driver's license to voluntarily disclose his blood type on a driver's license or a beginner's permit.

Emergency Scene Management [H. 4436, Act 174]

H. 4436 (Act 174) seeks to protect emergency scene operations, mandating that drivers maintain control of their vehicles in emergencies, including scenes with stopped vehicles, adding that drivers do not obstruct emergency vehicle operations nor operators of authorized emergency vehicles. (Operators of authorized emergency vehicles [such as tow truck operators] are personnel tasked with assisting emergency services personnel). To expand education about slower traveling zones on the highway, the General Assembly passed the Work Zone Safety Program Course (H. 5023, 182).

Work Zone Safety Program Course [H. 5023, Act 182]

H. 5023 (Act 182) establishes the **work zone safety program** within the Department of Motor Vehicles. The DMV requires all persons obtaining an initial driver's license and who are required to complete a driver's education course to take the work zone safety program course.

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Preventing the Escape of Loose Material and Debris [H. 4601, Act 202]

H. 4601 (Act 202) amends current law to prevent the escape of materials loaded on vehicles. Effectively, no person shall operate any vehicle on a highway with an unsecured load or covering that could become loose, detached, or hazardous to other highway users. Additionally, it does not restrict the transportation of certain **agricultural** products.

Watercraft Motor Restrictions [S. 1005, Act 168]

S. 1005 (Act 168) governs motor and other enumerated restrictions on **Lake Bowen** regarding horsepower, towing, type and place and hours of operation.

Beginner's Permits [H. 4673, Act 146]

H. 4673 (Act 146) amends the law regarding **beginner's permits**, hours and conditions of vehicle operation, renewal and fees, driver's training courses, and eligibility for full licensure; also, providing that persons at least 18 years old may take the driving test after maintaining a beginner's permit for at least 30 days.

Veterans

Property Tax Exemption For Disabled Veterans [H. 3116, Act 116]

H. 3116 (Act 116) revises the **property tax exemption process for disabled veterans**, allowing them to immediately claim a full-year exemption in the year their disability occurs, among other details.

Unclaimed Veterans Remains [H. 4376, Act 142]

H. 4376 (Act 142) requires coroners, as well as funeral home directors, in possession of **unclaimed human remains identified and determined to be unclaimed veteran** remains, be released to a funeral home for an appropriate burial in a national cemetery.

Veterans' Trust Fund [H. 4928, Act 151]

H. 4928 (Act 151) pertains to the **Veterans' Trust Fund** that assists public and private veteran programs throughout the state with only voluntary tax donations. Currently, the fund does not have fundraising as an activity to raise monies to add to the fund. As a result, the Act adds fundraising as an activity.

State Veterans' Cemeteries [H. 4953, Act 153]

H. 4953 (Act 153) removes the **residency requirement to qualify for a plot in a state veterans' cemetery** for an honorably discharged veteran.

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DETAILED SUMMARIES

Budget and Finance

Continuing Resolution [H. 4720, Act number pending]

H. 4720 (Act number pending) is a continuing resolution for funding state government into FY 2024-2025. Should the 2024-2025 state fiscal year begin without an annual General Appropriations Act in effect, the legislation provides **authority for paying recurring state government expenses at the levels set out in the General Appropriations Act for Fiscal Year 2023-2024, Act 84 of 2023.** This protocol for funding state government in the absence of budget legislation also makes provisions for the payments needed for timely debt service on state obligations and the fulfillment of constitutionally required funding, such as appropriations for the Capital Reserve Fund.

Economic Development and Taxes

Property Tax Exemption For Disabled Veterans [H. 3116, Act 116]

H. 3116 (Act 116) revises the **property tax exemption process for disabled veterans.** The legislation provides that a qualified 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 a certificate signed by the county service officer may immediately claim the exemption for the entire year in which the disability occurs. A surviving spouse may immediately claim the exemption for the entire year in the same manner as the veteran, regardless of whether the veteran applied, filed for, or claimed the exemption. Additionally, a veteran who is permanently and totally disabled for any part of the year, or surviving spouse thereof, is entitled to the exemption for the entire year. In a year in which a disabled veteran, or surviving spouse thereof, owns a property for less than a year, any other owner, who is not a disabled veteran, or otherwise entitled to an exemption, is responsible for the property tax accrued on the property for the time in which he owned the property. The legislation also expands the current private passenger vehicle tax exemption for disabled veterans.

Abandoned Buildings Revitalization Act [S. 1021, Act 169]

S. 1021 (Act 169) revises the **South Carolina Abandoned Buildings Revitalization Act.** The revision extends the Act's provisions through 2035 and increase the amount of the maximum tax credit that may be earned from \$500,000

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to \$700,000. The legislation includes **Short Line Railroad Modernization** provisions that allow for an income tax credit equal to 50 percent of an eligible taxpayer's qualified railroad reconstruction or replacement expenditures to encourage the rehabilitation of certain comparatively **small rail lines**. An annual cap of \$1.5 million is established for these tax credits and the provisions are repealed at the end of 2028.

Tax Conformity [H. 4594, Act 175]

H. 4594 (Act 175) is this year's **state and federal income tax conformity** legislation. The Act updates references to the federal Internal Revenue Code in state income tax statutes and provides for conformity so that any extensions adopted at the federal level are adopted for South Carolina income tax purposes.

Industry Partnership Fund Tax Credit [H. 3811, Act 134]

H. 3811 (Act 134) provides for an **Industry Partnership Fund tax credit increase**. The Act revises the tax credit established for contributions to **the Industry Partnership Fund** associated with the South Carolina Research Authority (SCRA) by increasing the aggregate credit from \$9 million to \$12 million for tax years after 2022.

Feminine Hygiene Products [H. 3563, Act 131]

H. 3563 (Act 131) relates to sales tax exemptions to provide an exemption for **feminine hygiene products**. Feminine hygiene products are tampons, sanitary napkins, and other similar personal care items for use in connection with the menstrual cycle.

Corporate Income Tax Clarifications [S. 298, Act 113]

S. 298 (Act 113) provides clarification in **corporate income tax** provisions to address such issues as assessing intercompany transactions in computing the taxpayer's state net income properly attributable to its business activity in South Carolina; determining when a combined tax return that encompasses affiliated groups must be submitted rather than separate filings; the apportionment formula for affiliated groups in combined returns; and, the process for appealing determinations made by the Department of Revenue.

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S. 557 Apprenticeship Income Tax Credit Provisions [S. 557, Act 188]

S. 557 (Act 188) enhances apprenticeship income tax credit provisions. The Act provides that the amount of the credit is equal to the greater of the cost of the apprenticeship or \$1,000 for each apprentice employed, but not to exceed \$4,000 for an apprentice or \$6,000 for the youth apprenticeship program. If the apprentice completes the apprenticeship and remains an employee of the taxpayer, the taxpayer may claim the \$1,000 credit for up to three additional taxable years. The maximum aggregate credit for all taxpayers may not exceed five million dollars in any one tax year. The General Assembly, in the annual general appropriations Act, may increase or decrease this maximum aggregate credit amount. Any unused credit may be carried forward for three years.

General Government

Robert Smalls Monument [H. 5042, Act 183]

H. 5042 (Act 183) establishes the Robert Smalls Monument and Commission. Robert Smalls was an escaped enslaved person who became a Civil War hero (Smalls was a ship's pilot who commandeered the Confederate armed steamer, the Planter, and later served as a pilot for the Union), a legislator in the South Carolina General Assembly and a United States Congressman. As a result, this Act creates the Robert Smalls Monument Commission to determine the design of the monument to Robert Smalls and its location on the State House grounds. This eleven-member commission is directed to raise private funds and receive grants for its purpose. The commission must report the proposed design and location of the monument to the State House Committee for its approval by January 15, 2025. The commission is dissolved on January 15, 2028; however, if the Robert Smalls Monument has not been dedicated by January 15, 2028, the powers, duties, and responsibilities of the commission must be transferred to the State House Committee. The Department of Administration will have a seat on the commission for either the DOA director or his designee. They will serve as the chair of the commission. The commission shall consult with the South Carolina Department of Archives and History to determine and confirm the historical accuracy of the monument's engravings.

Pre-1973 Special Purpose District Property Acquisition and Sales Authority [H. 4563, Act 201]

H. 4563 (Act 201) clarifies the authority of all special purpose districts created before 1973 (pre-Home Rule) to own, acquire, purchase, hold, use, lease, convey, sell, transfer, or dispose of real, personal, or mixed property.

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Florence County [H. 3313, Act 197]

H. 3313 (Act 197). Florence County is on the list of counties with a Register of Deeds. This list specifies the South Carolina counties that have a Register of Deeds to handle all real estate-related matters. In the past, county Clerks of Courts handled these documents.

Fort Eisenhower to the Definition of Federal Military Installations [H. 3934, Act 173]

H. 3934 (Act 173) adds **Fort Eisenhower** (name change for **Fort Gordon**) to the **definition of Federal Military Installations**. The Act also updates name changes for certain bases currently on the list.

Piedmont Gateway Scenic Byway [S. 207, Act 157]

S. 207 (Act 157) creates the **Piedmont Gateway Scenic Byway** approximately from Ridgeway to White Oak, South Carolina.

Water Professionals Day [H. 3799, Act 105]

H. 3799 (Act 105) designates the first Monday in March of each year as "**Water Professionals Day**" in South Carolina.

Greenville Technical College Area Commission (H. 4349, Act 141)

H. 4349 (Act 141) relates to the **Greenville Technical College Area Commission**. The Act sets out its powers and responsibilities. It allows for the Greenville Technical College Commissioners to be able to serve on the board without term limits.

Denmark Technical College (S. 1047, Act 124)

S. 1047 (Act 124) relates to **Denmark Technical College area commission members**, providing that the manner by which commissioners are appointed shall be by appointment of the governor upon the recommendation of a majority of the members of the General Assembly representing Allendale, Bamberg, and Barnwell Counties.

Lottery Participant Personal Information Protections [H. 3872, Act 106]

H. 3872 (Act 106) provides South Carolina Education **Lottery participants personal information protection**. The law will protect, as confidential, a lottery participant's name, address, telephone number, birth date, Social Security number, and form of identification they gave to the commission. Public information is limited to the date of the claim and draw, the game played, the prize amount, and location of the retailer that sold the ticket.

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South Carolina Poultry Festival [H. 3960, Act 107]

H. 3960 (Act 107) designates the **South Carolina Poultry Festival** in Lexington County as the official State Poultry Festival

Paid Family Leave Insurance Act [H. 4832, Act 206]

H. 4832 (Act 206), the "**Paid Family Leave Insurance Act**," establishes a framework for optional family leave insurance policies issued to employers that allow them to provide employees with a benefit program that pays for a percentage or portion of the employee's income loss due to: the birth or adoption of a child; the placement of a child with the employee for foster care; care of a family member who has a serious health condition; or, the status of a family member who is a service member on active duty or who has been notified of an impending call or order to active duty. The Department of Insurance is charged with making an annual report on the utilization of family leave insurance.

Willfully and Criminally Altering Geodetic or Other Surveying Monuments [H. 3748, Act 171]

H. 3748 (Act 171) increases criminal penalties for altering, damaging, moving, or removing geodetic markers, property corner monuments, control monuments, and any **other land surveying monuments and markers**. Someone who inadvertently moves such a monument and then notifies the affected owner of this occurrence will not be subject to prosecution.

Ending Mandatory County Auditor Deed Endorsements [H. 3608, Act 133]

H. 3608 (Act 133) discontinues mandatory county auditor preapproval of all deeds, allowing county auditors to opt-out of long-standing procedures for endorsing deeds recorded in a register of deeds or a registrar of mesne conveyances office. Auditor fees for this task would end as well.

Business and Commerce

ESG Pension Protection Act [H. 3690, Act 103]

H. 3690 (Act 103), the "**ESG Pension Protection Act**," revises provisions governing South Carolina's state retirement system funds to require decisions about investing and managing assets to be based solely on **pecuniary factors** ("Pecuniary factor" means a factor that a prudent person in a like capacity would reasonably believe has a material effect or impact on the financial risk or return on investment) "that a prudent person in a like capacity would reasonably believe has a material effect or impact on the financial risk or return

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on an investment, including factors material to assessing an investment manager's operational capability, based on an appropriate investment horizon consistent with a retirement system's investment objectives and funding policy." Under the new law, investment and management decisions must exclude **non-pecuniary factors** that are collateral to or not reasonably likely to affect or impact the financial risk and return of the investment, such as the promotion, furtherance, or achievement of environmental, social, or political goals, objectives, or outcomes. "ESG" refers to "Environmental, Social, and Governance." To the extent that it is economically practicable, the "commission must retain the authority to exercise **shareholder proxy voting rights** for shares that are owned directly or indirectly on behalf of a system." The Act asserts the Investment Commission's fiduciary duty regarding shareholder proxy voting authority. The legislation includes requirements for the Retirement System Investment Commission to certify compliance. The Attorney General is authorized to bring legal actions to enforce these provisions.

Pharmacy Service Administrative Organizations [S. 962, Act 166]

S. 962 (Act 166) 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 and "perform its duties to a pharmacy exercising good faith and fair dealing."

"South Carolina Earned Wage Access Services Act" [S. 700, Act 190]

S. 700 (Act 190) establishes guidelines and requirements governing the provision of **earned wage access services**, which allow consumers to obtain wages they have already earned ahead of their employer's regularly scheduled pay-day.

Dues Paid to a Golf Club [H. 3880, Act 135]

H. 3880 (Act 135) relates to the admissions tax. It provides that no tax may be charged or collected on annual or monthly dues paid to a **golf club**.

Delinquent Unemployment Compensation Tax Payments [H. 3992, Act 136]

H. 3992 (Act 136) addresses **delinquent unemployment compensation tax payments**. The legislation provides that an employer with an installment payment agreement approved by the Department of Employment and Workforce

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shall be permitted to pay its unemployment compensation tax at a reduced rate, prescribed by statute. If the employer does not comply with the installment agreement, the employer's tax rate shall immediately revert to the tax class twenty rate.

Video Service Definition [H. 3782, Act 104]

H. 3782 (Act 104) revises statutes governing telephone, cable television services, and other telecommunications public utilities to specify that **video streaming services** are not subject to the franchise fees that local governments charge for using public rights of way.

Property and Casualty Insurance Policies [H. 3977, Act 108]

H. 3977 (Act 108) facilitates **property and casualty insurance policies** that are posted on a website. The Act establishes conditions under which an insurer may post a standard property and casualty policy or endorsement (that does not contain personally identifiable information) on its website instead of mailing the document to the insured. Should an insurance company exercise its option to post e-policies online, the insured must still be able to obtain, upon request, a paper copy of the policy without charge.

Paying Inmates Federal Minimum Wages [S. 1001, Act 192]

S. 1001 (Act 192) requires that **inmates** participating in programs established by the Director of the Department of Corrections working in the private sector **be paid the federal minimum wage** for their work.

Automatic Renewal Provisions in Service Contracts [S. 434, Act 159]

S. 434 (Act 159) addresses **automatic renewal provisions in service contracts**, providing that no automatic renewal provision in a service contract shall be enforceable against the contract holder unless the contract holder was presented written or electronic notification of that automatic renewal provision not less than 30 days nor more than 60 days before the cancellation deadline required by the automatic renewal provision. This notification shall conspicuously disclose (A) that unless the service contract holder cancels the contract, the contract will automatically renew; (B) the amount that will be charged upon renewal; and (C) methods by which the service contract holder may obtain details of the automatic renewal provision and cancellation procedure, which

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shall include a toll-free telephone number, electronic email address, a postal address if the seller directly bills the consumer, or another cost-effective, timely, and easy-to-use mechanism for cancellation. The Act defines “automatic renewal provision” and “service contract.”

Alternative Nicotine Product Sold through a Vending Machine [H. 4817, Act 205]

H. 4817 (Act 205) outlines that it is unlawful to sell an **alternative nicotine or tobacco product through a vending machine** unless the machine is located in an establishment only open to those aged 18 or older. In addition, the vending machine must be under continuous control by the owner or licensee of the premises or his employees and is not accessible to the public when the establishment is closed. This Act also prohibits the sale of an alternative nicotine product to a person who does not present proof of age.

South Carolina Ireland Trade Commission [S. 621, Act 121]

S. 621 (Act 121) establishes the “**South Carolina Ireland Trade Commission**” to advance bilateral trade and investment between South Carolina and Ireland.

Real Estate

Real Estate Professionals [H. 4754, Act 204]

H. 4754 (Act 204) makes comprehensive revisions and updates to the provisions governing the licensing and regulation of real estate brokers, brokers-in-charge, associates, and property managers. The revisions include prohibiting the practice of “wholesaling,” which involves having a contractual interest in purchasing residential real estate from a property owner, then marketing the property for sale to a different buyer prior to taking legal ownership of the property; enhancing provisions for brokers-in-charge to provide for greater responsibility; updating advertising rules; raising the minimum fine for violations from \$5,000 to \$10,000; establishing criminal background checks for associates; and, specifying that licensees are responsible for all work product generated with the assistance of artificial intelligence, machine learning, or similar programs. Further provisions distinguished the practice of wholesaling from contract assignments and advertising a contractual interest in real property to clarify further that both are permissible practices.

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Real Estate Appraisers [H. 3278, Act 196]

H. 3278 (Act 196) makes comprehensive revisions to qualifications and other provisions governing the licensure and regulation of **real estate appraisers**. The Act brings state provisions into alignment with federal standards. It provides for enhancements to encourage more to enter the profession, addressing the state's shortfall in qualified real estate appraisers.

Regulation of Insurers [H. 4869, Act 180]

H. 4869 (Act 180) relates to **Department of Insurance procedures**. The legislation implements recommendations from the Department of Insurance for revising various provisions relating to the regulation of insurers. These revisions include confidentiality provisions for workpapers, and other materials involved in pending investigations; authority for conducting a market analysis and participating in multistate examinations of market practices; and more expansive provisions clarifying that an insurer or producer, by or through employees, affiliates or third-party representatives, may offer value-added products or services at no or reduced cost. Further provisions clarified the conditions required to sue or recover under the uninsured motorist provision for accidents involving an unknown vehicle.

Prohibition of Unfair Real Estate Service Agreements Act [S. 881, Act 165]

S. 881 (Act 165), the "**Prohibition of Unfair Real Estate Service Agreements Act**," prohibits the use of certain real estate service agreements as unfair to an owner of residential real estate or to other persons who may become owners of that real estate in the future. Under the legislation, a real estate service agreement is considered in violation, unfair, and void if the agreement is to be in effect for more than one year and either expressly or implicitly aims to do any of the following: (1) run with the land or bind future owners of residential real estate identified in the real estate service agreement; (2) allow for the assignment of the right to provide services without notice or consent of the owner or buyer; or, (3) create a lien, encumbrance, or other real property security interest. The legislation also prohibits the recording of such residential real estate service agreements so that they will not cloud the public records and provides remedies for owners who are inconvenienced or damaged by the recording of such agreements. The legislation allows for the recovery of damages, costs, and attorney's fees from service providers who violate the Act's prohibitions and provides for causes of action to be brought under the South Carolina Unfair Trade Practices Act.

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Energy and Utilities

South Carolina Nexus for Advanced Resilient Energy [S. 912, Act 210]

S. 912 (Act 210) is a joint resolution that expresses support for South Carolina as the **nexus for advanced, resilient energy** and encourages the continued global leadership to reduce the state's environmental impact while enhancing the economic output.

Gas Utilities [H. 5154, Act 208]

H. 5154 (Act 208) revises provisions setting the **maximum civil penalty imposed on gas utilities** for regulatory violations to align them with federal law.

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Agriculture, Environment, and Natural Resources

Eastern Brown Pelican [H. 5246, Act 186]

H. 5246 (Act 186) designates the **eastern brown pelican** (*Pelecanus occidentalis*) as the official seabird of South Carolina. The General Assembly designated the eastern brown pelican as the **official state seabird of South Carolina** to highlight the importance of preserving and enhancing the habitat of this species and other seabirds along the South Carolina coastline and to serve as a symbol of South Carolina's commitment to environmental stewardship and wildlife conservation. A close contender for the official seabird of South Carolina was the **black skimmer**.



The Eastern Brown Pelican

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“Working Agricultural Lands Preservation Act” [H. 3951, Act 117]

H. 3951 (Act 117) is the “**Working Agricultural Lands Preservation Act.**” The Act creates, in the State Treasury, the Working Farmland Protection Fund for the purpose of providing permanent protection to working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of that economic sector. The legislation states that balances in the fund must be retained and carried forward annually, and interest earned on balances in the fund must be credited to the fund. The Working Farmland Protection Fund must be used by the South Carolina Conservation Bank only to award grants to eligible trust fund recipients for the purchase of interests in farmland in which a landowner derives at least 50 percent of his income. The legislation further provides particular criteria for evaluating grants applications, where the Bank is tasked with evaluating project applications, determining funding allocations, and ensuring funds are awarded only to projects that guarantee long-term agricultural land preservation. The Act increases the membership for the South Carolina Conservation Bank from 14 to 17 to include the Commissioner of Agriculture, the Secretary of Commerce, and the Secretary of Transportation or their designees.

Xylazine [H. 4617, Act 177]

H. 4617 (Act 177) adds **Xylazine**, a legal tranquilizing drug used on large animals by veterinarians, to the list of Scheduled II Drugs. Xylazine is mixed with other illegal street drugs, placing users at a higher risk of fatal drug poisoning. As a result, adding Xylazine to the Scheduled II list allows law enforcement to respond accordingly. The Act outlines that it is unlawful for any person to knowingly or intentionally produce, manufacture, distribute, or possess with intent to produce, manufacture, or distribute Xylazine for a use other than a nonhuman use. The provision does not apply to the production, manufacturing, distribution or possession of it when used in legitimate veterinary practice. The Act also outlines that a person who violates the provision is guilty of a felony and, upon conviction, must be imprisoned for not more than 10 years, or fined not more than \$15,000, or both.

Farm-Raised Venison [H. 3993, Act 118]

H. 3993 (Act 118) provides for an exemption for the retail sale of **white-tailed deer** organ meat, packaged as pet treats, by official establishments certified by the State Livestock-Poultry Health Division, Clemson University, or USDA. The product must be registered by the South Carolina Department of Agriculture.

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Landowners' Privacy Regarding Endangered Plant or Animal Species [H. 4047, Act 119]

H. 4047 (Act 119) outlines that the Department of Natural Resources cannot release records of **landowners' addresses** when the occurrence of a rare, threatened, endangered plant or animal species is located on such property.

Perpetual Recreational Trail Easements [H. 3121, Act 125]

H. 3121 (Act 125) establishes an income tax credit for **perpetual recreational trail easements**. The Act makes provisions for a one-time income tax credit equal to ten cents for each square foot of property a taxpayer encumbers with a perpetual recreational trail easement and right-of-way. 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, 2029.

Striped and Hybrid Bass Limits [H. 4387, Act 143]

H. 4387 (Act 143) relates to **striped and hybrid bass limits** on numerous lakes and rivers.

Transportation of Farm Animals by Motor Vehicle [H. 4871, Act 148]

H. 4871 (Act 148) prohibits a person from interfering or **harassing a farm animal transported** by a motor vehicle. For the purpose of this provision, the Act outlines the definition of "interfere" as being intentional, knowing, or reckless acts that disrupt or otherwise impede the transportation of animals. The definition of "harass" is intentional, knowing, or reckless acts that have the effect of causing apparent emotional distress or fear. This provision is added to the criminal code; therefore, the Act provides for penalties if there is a conviction. Also, the Act outlines that law enforcement or emergency personnel acting within the scope of duties are exempted from this provision.

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Taking of Feral Hogs by Helicopter [H. 4612, Act 144]

H. 4612 (Act 144) deals with the **taking of feral hogs by helicopter**. The Act outlines that the Department of Natural Resources may issue permits for the taking of feral hogs on private lands while airborne in a helicopter if it is necessary to protect land, water, wildlife, livestock, domesticated animals, human life, crops, or to meet wildlife management objectives. The Act further states that no feral hog may be taken using a helicopter on any parcel or group of parcels consisting of less than 500 contiguous acres. As a result, the permit application must provide for the identification of the specific parcel with sufficient detail and along with other sufficient details. A permit may not be issued for the purpose of sport hunting.

Deer Processors and Donated Tagged Female (Doe) Deer [H. 4875, Act 149]

H. 4875 (Act 149) allows deer processors to process tagged female (doe) deer donated by a hunter or crop depredation permittee and, in turn, recover the fee of processing the deer from a person other than the individual who donated the deer. The Act also increases penalties for selling deer or deer parts.

Permitted Hook Size in the Lower Saluda River Regarding Striped Bass [H. 5007, Act 154]

H. 5007 (Act 154) restricts **permitted hook size** in the Lower Saluda River. The Act outlines that when fishing (regarding **striped bass**) with live or dead bait fish or bait fish parts in the **Lower Saluda River** between June 16th and September 30th, the hook gap (the distance from hook to point to shank), must not exceed three eighths of an inch (#6 hook) for all hook types with exceptions. All sizes of inline, nonoffset, nonstainless steel circle hooks are allowed.

Electronic Dog Control Device [H. 4611, Act 176]

H. 4611 (Act 176) makes it illegal to remove an **electronic dog control device** placed on a dog by its owner. A person who violates this section is guilty of a misdemeanor, and the Act provides for penalties.

Extending Duck Hunting Season/Taking of Male Wild Turkey [S. 1051, Act 193]

S. 1051 (Act 193) creates statewide turkey (*Meleagris gallopavo*) hunting season which outlines that the **season for hunting and taking of male wild turkey is April 10 through May 10** (no more game zones). The Act reduces statewide residents' season bag limit from three to two. This provision takes effect Janu-

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ary 2025 and expires January 2030. After the law sunsets in five years, the provision reverts back to the existing law of different seasons in game zones 1 and 2 versus game zones 3 and 4 and a limit of three turkeys per season. The Act **extends the duck hunting season for five years ending 2028-2029 on Lake Blalock**. The Act includes language dealing with **recreational licenses using set hooks in the Congaree River and the Upper Reach of the Santee River for residents sixty-five years of age or older**. These provisions expire on January 1, 2030.

Law Enforcement and Public Safety

Illegal Immigration Enforcement Unit [H. 4120, Act 109]

H. 4120 (Act 109) places the separately-funded **Illegal Immigration Enforcement Unit** within the South Carolina Law Enforcement Division (SLED). The Act also includes provisions for the administration and duties of the unit, including the requirement for it to negotiate a memorandum of agreement with the United States Immigration and Customs Enforcement (ICE) agency. Other state law enforcement agencies are still able to enforce immigration laws statewide.

Firefighter Cancer Health Care Benefit Plan [S. 728, Act 163]

S. 728 (Act 163) revises eligibility criteria for the **Firefighter Cancer Health Care Benefit Plan** to extend eligibility to employees of the State Fire Marshal and allow "benefits to a firefighter only if the firefighter has served in a South Carolina fire department for at least 5 continuous years and been in active service within 10 years of the diagnosis" (effectively allowing plan participation for non-residents of South Carolina.)

Ignition Interlock Devices for Temporary License Issuances [H. 3518, Act 130]

H. 3518 (Act 130) changes the 2023 Act, revising **the issuance of temporary drivers' licenses to include ignition interlock devices being installed** for up to three months on motorists' vehicles. These temporary licenses are available after their drivers' licenses have been suspended for offenses, including driving under the influence or driving with an unlawful alcohol concentration, allegedly committed.

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Prohibition of Telecommunication Devices for Inmates [H. 4002, Act 137]

H. 4002 (Act 137) prohibits telecommunication devices for inmates. Absent preapproval by the Department of Corrections Director, no inmate can possess any telecommunications device (including, but not limited to, portable two-way pagers, handheld radios, cellular telephones, personal digital assistants, or laptop computers) while incarcerated. If these contraband device bans are violated, violators face penalties ranging from 1 to 5 years in jail depending on the number of the offense. If they are found to have been used in the commission of a subsequent felony, violators face up to an additional 10 years in jail.

Judicial, Court, and Legal Matters

Judges' Permissions to Temporarily Leave South Carolina [H. 3776, Act 172]

H. 3776 (Act 172) repeals an outdated requirement for state judges to obtain written permission from the South Carolina Supreme Court Chief Justice before leaving South Carolina.

"2022 Promise to Address Comprehensive Toxins [PACT] Act" Probate Court Appointments [S. 845, Act 122]

S. 845 (Act 122) extends the appointment deadline in **Probate Court** cases related to claims under the **2022 Sgt. First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxins [PACT] Act**. It does so regardless of the date any military veteran or service member 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 10 years ago.

Expunging Aged-Out Fraudulent Check Convictions, Mistaken Arrests, and Charges [S. 112]

The Governor vetoed S. 112 on May 20, 2024. The General Assembly's response is pending.

S. 112 asserts that **checkwriters convicted of** misdemeanor-level criminal offenses, including **multiple misdemeanor check bouncing** offenses within a three-year period, over 10 years prior, could seek to **expunge their convictions** after paying full restitution. It cannot be used to expunge any felony crimes.

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Anyone arrested as a result of mistaken identity would have their charges expunged within 180 days after this mistake is discovered. In addition, anyone not convicted of legitimate charges made against them could have these arrest records expunged after five years' time.

Incapacitated Individuals Probate Court Protections [H. 4234, Act 200]

H. 4234 (Act 200) revises existing probate laws and procedures covering incapacitated people. When more than \$15,000 per year will be handled on behalf of incapacitated people, then protective proceedings must be convened on behalf of these individuals. In these proceedings, examiner affidavits can be filed by a nurse practitioner, or, in the discretion of the Probate Court, by a physician assistant, nurse practitioner, or psychologist, who could do so in addition to licensed physicians as allowed under current law. Also, the incapacitated persons' Guardians *ad Litem* are required to file their reports 72 hours (increased from 48 hours under current law) prior to any hearing.

Applying Updated Military Codes and Codes of Military Justice Revisions to State Military Entities [H. 4642, Act 145]

H. 4642 (Act 145) is a comprehensive proposal to add Air, Army, and State National Guards, as well as any state militias, to various sections of the South Carolina Code military provisions and the Uniform Code of Military Justice. In addition to adding these soldiers, punishments meted out no longer include military pay forfeitures, but allow imprisonment of up to 5 years. One provision limits a colonel or general officer from assigning their nonjudicial punishment case authority, typically involving diversion cases, to another officer no more than two grades lower in rank. This Act conforms to federal updates.

"Uniform Child Abduction Prevention Act" [H. 3220, Act 195]

H. 3220 (Act 195) was developed by the national Uniform Law Commission. This effort to conform South Carolina law to a national standard sets out comprehensive criteria for determining a credible threat to a child's safety or likelihood of abduction exists in either child custody or visitation situations. It also sets out countermeasures to these attempts. These criteria will be available to judges and parties in these cases to evaluate the seriousness of children's situations and take proactive steps to prevent these incidents from occurring. Both SLED and the FBI can retain fingerprints to solve the identity of latent fingerprints in unsolved crimes. The Uniform Law Commission Reporters Comments are included in this legislation.

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Recouping Costs Incurred in Prosecuting Animal Abuse Cases [H. 3682, Act 199]

H. 3682 (Act 199) facilitates **levying on seized animals for care costs** in ill treatment of animals criminal cases. Defendants can be held responsible for paying costs incurred while their charges were pending, so long as required hearing procedures, with prior notice, have been met. A surety or bond for animal care will be required. The entity housing these seized animals will receive reimbursement for the care they provided while these charges were pending. Unspent bond proceeds will be returned to owners.

Conditional Discharge Orders for Serving Underage Drinkers Alcohol Offenders [H. 4248]

The Governor vetoed H. 4248 May 21, 2024. The General Assembly's response is pending.

H. 4248 permits servers with clean criminal histories who are **charged with delivering underage patrons, beer, ale, porter, or wine** to participate in solicitor-approved conditional discharge orders after paying appropriate fees set out under this Act. Compliance with these orders disposes of pending criminal charges. While the State Law Enforcement Division [SLED] will retain a non-public record of these offenses. Once violators successfully meet all of their order's conditions and pay all appropriate fees, then no convictions would appear on their records as a result.

Law and Civil Society

Antisemitism [H. 4042, Act 138]

H. 4042 (Act 138) codifies **antisemitism** as a listed discriminatory Act. The Act incorporates the International Holocaust Remembrance Alliance definition and examples of antisemitism into the South Carolina Code of Laws. 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.

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“South Carolina Constitutional Carry/Second Amendment Preservation Act of 2024” [H. 3594, Act 111]

H. 3594 (Act 111), the South Carolina **Constitutional Carry Act of 2023**, declares that South Carolina citizens have a constitutional right to carry their firearms anywhere in South Carolina except in law enforcement, detention, or correction facilities; courthouses, courtrooms, or any venue where court is being held; polling places on election day; in business meetings by, or in the offices of, city, county, public school district, or special purpose district facilities; to school or college events unrelated to firearms; in daycare or preschool facilities; anywhere prohibited by federal law; religious sanctuaries including churches; healthcare facilities of any type unless permission is granted to a gun carrier to have that firearm there; anyone else’s residence; and any facility clearly marked with a sign complying with state specifications that disallows firearms on those premises. However, visitors to South Carolina’s state parks are able to have their concealable weapons with them in specified, limited circumstances.

However, these prohibitions do not apply to anyone with permission of a property owner --or other authorized entity-- to carry on those premises, law enforcement officials, military, militia, and reserve officers while on duty; qualified retired law enforcement officers; and anyone with a concealed weapons permit who is listed under state law as having authority to carry pistols anywhere in South Carolina, including justices, judges, solicitors, workers compensation commissioners; as well as the South Carolina Attorney General and his assistants, and active county clerks of court, public defenders, and assistant public defenders. This legislation prohibits public defenders and assistant public defenders from carrying a firearm into any local or state detention facility.

Anyone openly carrying their firearm in compliance with this proposed legislation does not give any law enforcement officer or official with arrest powers either a reasonable suspicion, or probable cause, to be searched, detained, or arrested for doing so.

First-time violators of these prohibitions face up to 5 years in jail, second time violators face a minimum of 5 years up to a maximum of 20 years in jail, and third time, or more, violators face a minimum of 10 years up to a maximum of 30 years in jail. Anyone convicted of a crime punishable by up to 1 year in jail

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will be prohibited from possessing firearms or ammunition. Violators convicted of crimes punishable with up to 1 year in jail who are then convicted of carrying a concealable firearm without a concealed weapon permit face additional criminal penalties.

Firearm owners have to report the loss or theft of their guns to an appropriate law enforcement agency within 10 days after discovering they are gone. They are encouraged to receive appropriate gun safety training before carrying their firearms. Concealed Weapon Permit holders have to report losing their permits within 48 hours. Any pardons that are granted can ban gun possession, transport, or sales as conditions of the pardon being granted.

Dismissing Qualifying Pending Illegal Firearm Possession Charges [S. 1166]

The Governor vetoed S. 1166 on May 21, 2024. The General Assembly's response is pending.

S. 1166 holds that 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 be **dismissed**. This legislation cannot be used to dismiss other crimes related to these handgun charges that arose out of the same incident. As amended, no prosecutor or law enforcement officer could be held civilly liable for making these original charges that were dismissed under this proposal.

Only Citizens as Qualified Voters Referendum [S. 1126, Act pending]

S. 1126 (Act pending) calls for holding a **ballot referendum** on the question of amending Sec. 4, of art. II, of the **South Carolina Constitution** to read that **only a** (instead of "every") **qualified citizen can vote** in elections in South Carolina.

Gender Reassignment Procedures [H. 4624, Act 203]

H. 4624 (Act 203) prohibits a healthcare professional from engaging in **gender transition procedures to a person under the age of 18 years old**. The Act exempts mental health providers from offering mental health services and outlines that "gender transition procedures" means puberty-blocking drugs, cross-sex hormones, or genital or nongenital gender reassignment surgery provided or performed for the purpose of assisting an individual with a physical gender transition. The Act includes that with any initiated treatment provided before August 1, 2024, a healthcare professional may establish, if necessary, a period during which the treatment is systematically reduced (diminished) by

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January 31, 2025. However, a healthcare professional may provide certain appropriate medical services to a person who is under 18 years of age who was born with a medically verifiable disorder of sexual development.

Living Donor Protection Act [H. 3255, Act 126]

H. 3255 (Act 126), the “Living Donor Protection Act,” prohibits issuers of individual life insurance policies, group life insurance policies, disability income insurance policies, and long-term care insurance policies from discriminating against living organ donors. These insurers may not decline or limit coverage based solely upon someone’s status as a living organ donor, preclude an insured from donating all or part of an organ as a condition of continuing to receive insurance coverage or discriminate in the offering, issuance, cancellation, amount of coverage, price, or any other condition of an insurance policy for a person, based solely and without any “additional actuarial risks” upon the individual’s status as a living organ donor.

Education

Reading [S. 418, Act 114]

S. 418 (Act 114) overhauls reading methodologies. The Act:

- Defines “**Science of Reading,**” “**Foundational Literacy Skills,**” “**Structured Literacy,**” and “**Literacy.**”
- Requires SDE to ensure that the requirements of Read to Succeed are followed instead of statutorily naming an office within the Department to perform the duties.
- Removes references to “evidence-based” instruction in favor of “scientifically based.”
- Focuses Read to Succeed efforts to grades pre-K to 5 instead of pre-K through 12. Efforts are also placed in middle schools where 50 percent or more of students score at the lowest achievement level on the state assessment.
- Prohibits curriculum or instructional materials that use the three-cueing system model of reading and visual memory as the basis for teaching word recognition.

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- Requires that teachers certified in early childhood, elementary, or special education must complete coursework in foundational literacy skills, structured literacy, and the science of reading or successfully complete the scientifically research-based reading instruction assessment approved by the board. Classroom teachers must receive pre-service and in-service coursework in foundational literacy skills, structured literacy, and the science of reading.
- Requires that beginning September 1, 2024, early childhood, elementary, and special education teacher candidates seeking initial certification must pass a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles. Colleges must report the success rate of teacher candidates who take the assessment.
- Requires that teachers, administrators, and other certified staff must earn a literacy endorsement to maintain certification unless they are not educating or serving students in a school or other educational setting. Districts must offer
- Professional development, coursework, certification, and endorsements at no charge. Teachers may exempt having to take the literacy endorsement courses if they pass the same literacy assessment given to pre-service educators.
- Requires that districts must show how reading and writing assessments and instruction for all PK-5 students align to the science of reading, structured literacy, and foundational literacy skills and document how interventions are provided to readers who fail to show reading proficiency. Supplemental instruction shall be provided by teachers who have a literacy endorsement and offered during the school day and, as appropriate, before or after school.
- Requires that universal screeners for students that measure early language and literacy development, mathematical thinking, physical well-being, and social-emotional development are to be replaced with screeners that measure only language and literacy. The screener must be aligned with first and second-grade standards for English/language arts.
- Requires that "substantially fails to demonstrate third-grade reading proficiency" means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring Does Not Meet Expectations. Current law sets that at a level equivalent to "Not Met 1" on the Palmetto Assessment of State Standards. Districts must report the number of first and second-grade students who are projected to score "Does Not Meet" on the

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statewide assessment. Students scoring “substantially fails” could no longer be promoted based solely on a reading portfolio; however, district superintendents may allow advancement if the teacher submits documentation showing reading proficiency.

- Means that students in kindergarten through grade 2 who do not demonstrate reading proficiency must be given additional support in foundational literacy skills. Interventions must be at least 30 minutes daily in duration and be in addition to the minimum of 90 minutes of daily reading and writing instruction.
- Require that Summer reading camps must be open to all students in kindergarten through third grade who do not exhibit grade-level reading proficiency. Students at any grade who do not exhibit reading proficiency and do not meet the good cause exemption may be included in the camps.

Competency-Based Education (CBE) [H. 3295, Act 127]

H. 3295 (Act 127) allows the State Board of Education to waive applicable laws and regulations if a district is successful in its application to operate a competency-based school. When applying, districts must ensure **Competency-Based Education (CBE)** for all students in a selected school and show parental consultation regarding implementation. The Act states the following Competency-Based Education core principles: learning outcomes must emphasize competencies identified in the Profile of the Graduate, students must master competencies along a personalized and flexible pathway before advancing, assessments must be meaningful and used to personalize learning experiences; and, students must receive timely and personalized support based on their learning needs. Competencies must be explicit, measurable, and transferrable.

Competency-Based schools cannot be exempted from anti-discrimination laws, or health, safety, civil rights, and disability rights requirements, and state and federal assessment requirements may not be waived. All eligible students must be allowed to attend, and schools may not limit, deny, or show preference in admission. The State Department of Education (SDE) shall create evaluation criteria, and schools must submit data for a biennial review. The State Department of Education shall establish a definition for competency-based education that must be published on the website of each school district that implements this system of education. If a school does not perform as expected, SDE may request revocation of the waiver if concerns are not alleviated. State and federal assessments are still required. CHE and the State Tech Board must establish

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policies providing fair and equitable access to admission, scholarships, and financial aid for students with Competency-Based credit or diplomas.

Students may earn credits for the successful completion of courses through traditional means or a competency assessment that shows mastery of standards. This may include methods and documentation such as tests, interviews, peer evaluations, writing samples, reports, or portfolios. When awarding credit "a greater emphasis shall be placed on a student's mastery of course material rather than completion of predetermined time allotments for courses." Unless waived, schools must still ensure that at least 1,080 instructional hours are completed during the year.

Scholarship Stipends (S. 125, Act 156]

S. 125 (Act 156) relates to additional LIFE scholarship stipends, extending the stipend to both accounting and education majors (including math and science majors). Education majors who are recipients of the stipend must upon graduation work in a South Carolina public school for one year for every year the stipend is received. A person who is a math or science education major and who qualified for the LIFE or Palmetto Fellows Scholarship STEM (Science, Technology, Engineering, and Mathematics) stipend before the 2024-2025 School Year shall remain so qualified and eligible for the STEM stipend and is exempt from the contractual work requirement of education majors. This language grandfathers in the math and science education majors who are already using the STEM stipend. A student who uses a Palmetto Fellows Scholarship to attend an eligible two-year institution shall receive a maximum of four continuous semesters and may continue to use the scholarship to attend an eligible four-year institution, subject to the maximum number of semesters for which the student may be eligible for the scholarship. Other additions allow for modification of the minimum SAT/ACT if, after the 2024-2025 school year, the scoring scale range of the SAT is changed, CHE shall adjust the minimum SAT/ACT score to maintain a minimum scoring requirement that is the functional equivalent of the 2024-2025 standard.

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Definitions Regarding Institutions and Scholarships [S. 974, Act 191]

S. 974 (Act 191) relates to the definition of "public or independent institution" for purposes of the Palmetto Fellows Scholarships, the Legislative Incentives for Future Excellence (LIFE) Scholarships, and the SC Hope Scholarships so as to add an institution accredited by the Accrediting Commission of Career Schools and Colleges (ACCSC) to the definition.

"Seizure Safe Schools Act" [H. 3309 Act 128]

H. 3309 (Act 128), the "Seizure Safe Schools Act," outlines detailed procedures and requirements for schools in managing and supporting students with seizure disorders. School districts are required to adopt a seizure training program that addresses the basics regarding epilepsy and its impact on student learning. Training must address the signs and symptoms of seizures and how to properly respond in the administration of medication and meet guidelines established by qualified non-profit organization that supports the welfare of individuals with epilepsy and seizure disorders. Training may be provided virtually by district or school staff or by trained individuals. The district must document completion of training. A "Seizure Action Plan" is a written, emergency action plan that supplements the Individual Health Plan. The school district and its employees are not liable for injuries arising from the administration of medication authorized by the Individual Health Plan, with parents and guardians indemnifying and holding harmless the district and its employees against a claim arising from the administration of medication authorized by the Individual Health Plan.

Name, Image, or Likeness (NIL) (H. 4957, Act 207)

H. 4957 (Act 207) updates the rules on compensation for intercollegiate athletes' **name, image, or likeness (NIL)**. It allows college sports programs and agents to support NIL activities and protects post-secondary institutions and employees from liability related to athletes' **NIL** earnings. The Act shields in-state schools from penalties for NIL activities that breach association rules, such as those of the NCAA. It prohibits institutions from receiving fees from NIL deals. NIL agreements are exempt from public records requests unless the institution is a contracting party. Athlete agents must comply with the Uniform Athlete Agents Act of 2018 and related laws. The Act does not prevent common law claims by athletes of fraud or misrepresentation. Athletes cannot earn compensation for endorsements of tobacco, alcohol, illegal substances, banned athletic substances, or gambling, including sports betting. Family members cannot

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act as agents, and agents cannot receive more than 20 percent of the NIL contract. Institutions may prohibit athlete compensation if it conflicts with institutional values.

Booster Clubs [S. 245, Act 112]

S. 245 (Act 112) defines **booster clubs** and financial officers. Individuals with felony criminal convictions (i.e., forgery, larceny, embezzlement) are prohibited from serving as financial officers in booster clubs. Any current financial officers with such convictions are required to resign immediately. For oversight, booster clubs must register annually with the school district board of trustees. This registration includes details about the club and its officers. Upon registration, the school district board of trustees may conduct a state criminal records check on the booster club's financial officer. The board must notify the club if the officer is found ineligible due to their criminal record. The school district board of trustees can charge fees to offset the costs associated with these criminal background checks. The school district board may require booster club to submit an accounting compilation or review (an external audit may not be required except for a finding of specific cause). The Act adds charter schools and that a school district board of trustees *may* request a state criminal records check.

Expulsion and Hearings [S. 1188, Act 194]

S. 1188 (Act 194) relates to expulsion and hearings and amends requirements to be included in written notification to parents or legal guardians of the pupil. The Act 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.

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Middle-Level Education Month [H. 4352, Act 110]

H. 4352 (Act 110) designates the month of March of each year as "**Middle-Level Education Month**." "Middle Level" refers to middle school, also known as intermediate school or junior high school.

Health

Telehealth and Telemedicine Modernization Act [H. 4159, Act 120]

H. 4159 (Act 120) "South Carolina Telehealth and Telemedicine Modernization Act" expands telehealth to all licensed practitioners by enacting the "South Carolina Telehealth and Telemedicine Modernization Act." Among many things, the Act provides requirements for regulated healthcare professionals who provide healthcare by means of telehealth. The Act also clarifies that APRN may utilize telemedicine. The Act is updated to remove the in-person requirement. It states healthcare professionals shall adhere to the same standard of care as required for in-person care and must be evaluated according to the standard of care applicable to the licensee's area of specialty. The Act introduces a revised definition of "telehealth" which means the use of electronic communications, information technology, or other means to deliver clinical health care, patient and professional health-related education, public health, or health administration between a licensee in one location and a patient in another location. The Act outlines that licensees need not reside or maintain a physical office to practice telehealth and makes changes for prescribing medications based on physician-patient relationships established solely by telemedicine.

Telecommunicator CPR Training (T-CPR) [H. 4867, Act 179]

H. 4867 (Act 179) requires all 911 telecommunicators that provide dispatch for emergency medical conditions to be trained annually utilizing the most current nationally recognized high-quality **telecommunicator cardiopulmonary resuscitation (T-CPR)**. This provision begins January 1, 2025. "T-CPR" means telecommunicator cardiopulmonary resuscitation, which is the dispatcher-assisted delivery of cardiopulmonary resuscitation (CPR) instruction by trained emergency call takers or public safety dispatchers to callers or bystanders for events requiring CPR, such as out-of-hospital cardiac arrest (OHCA)." The General Assembly included immunity language as it relates to this provision.

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Professional Counseling Compact Act [S. 610, Act 189]

S. 610 (Act 189), the "**Professional Counseling Compact Act**," authorizes South Carolina to enter into a compact to facilitate the interstate practice of licensed professional counselors to improve public access to professional counseling services. The compact is designed to achieve an

increase public access to professional counseling services by providing for the mutual recognition of other member-state licenses; enhance the states' ability to protect the public's health and safety; encourage the cooperation of member states in regulating multistate practice for licensed professional counselors; support spouses of relocating active duty military personnel; enhance the exchange of licensure, investigative, and disciplinary information among member states; allow for the use of telehealth technology to facilitate increased access to professional counseling services; support the uniformity of professional counseling licensure requirements throughout the states to promote public safety and public health benefits; invest all member states with the authority to hold a licensed professional counselor accountable for meeting all state practice laws in the state in which the client is located at the time of care is rendered through the mutual recognition of member-state licenses; eliminate the necessity for licenses in multiple states; and provide opportunities for interstate practice by licensed professional counselors who meet uniform licensure requirements.

Compounding Pharmacies [H. 3592, Act 132]

H. 3592 (Act 132), updates the "**Pharmacy Practice Act**" by removing certain definitions related to the **compounding of medications** and revises requirements for **compounding pharmacies**. The Act charges the Board of Pharmacy to develop regulations based on a review of available compendia literature, medical or scientific literature, and/or practical experience in the art of compounding. Until the Board of Pharmacy promulgates regulations, compounding pharmacies shall comply with the compounding standards in the state. A

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pharmacy may acquire and dispense drugs compounded or repackaged by an outsourcing facility. An “outsourcing facility” means a facility registered with the United States Food and Drug Administration to operate under Section 503B of the Federal Food and Cosmetic Act.

Suicide Prevention Training [S. 408, Act 158]

S. 408 (Act 158) requires **suicide prevention training for social workers, therapists, and counselors**. The legislation revises licensure provisions for Social Workers, Psycho-educational Specialists, 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. This training may be completed virtually.

Bloodborne Diseases [S. 455, Act 161]

S. 455 (Act 161) adds **Hepatitis C** to the list of **bloodborne diseases** and includes dentists in the definition of health care professionals.

Tuberculosis Testing for Applicants in Nursing Homes [S. 558, Act 162]

S. 558 (Act 162) outlines **procedures for tuberculosis testing** of applicants or newly admitted residents for nursing homes or community residential care facilities.

Ambulance Fee Trust Fund [H. 4113, Act 139]

H. 4113 (Act 139) creates an **ambulance assessment fee** for private ambulance services charged by the South Carolina Department of Health and Human Services and deposited in a newly established Ambulance Fee Trust Fund (this funding can be augmented with federal matching dollars). The Trust Fund is to be used exclusively to supplement Medicaid reimbursements for ambulance services, making the transportation of Medicaid patients more cost effective.

Medicaid Program Conformity [H. 5235, Act 184]

H. 5235 (Act 184) pertains to **Medicaid Program conformity**, revises provisions relating to insurers providing coverage to persons receiving Medicaid to comport with the federal Consolidated Appropriations Act of 2022.

Medicaid System Procurement [H. 5236, Act 185]

H. 5236 (Act 185), Medicaid System Procurement. Under the legislation, in reliance upon the prior notification published by the National Association of State Procurement Officials (NASPO) for any multi-state solicitation it issues,

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the Department of Health and Human Services or a successor agency is authorized to award contracts and procure Medicaid systems and services using competitively solicited NASPO ValuePoint Master Cooperative Purchasing Agreements.

Mobile Optometry Units [H. 4333, Act 140]

H. 4333 (Act 140) allows **mobile optometry units to operate during the summer** when schools are not in session. Currently, mobile optometry units only operate during the school year. The mobile optometry unit must be at a site of an organization serving children from low-income communities if approved by the local community foundation serving the region. For clarification, a "community foundation" means an organization, lawfully organized and in good standing, that typically focuses on supporting a geographical area by addressing community needs and supporting local nonprofits.

Acute Hospital Care at Home Programs/Service Exempted from CON Review [S. 858, Act 164]

S. 858 (Act 164) defines "**acute hospital care at home**" and exempts acute hospital care at home programs and services delivered by a licensed acute care hospital from the certificate of need review (with regulations). The Act also directs licensure considerations for home health agencies. 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 Act 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.

Voluntary Certification Program for Recovery Housing [S. 445, Act 160]

S. 445 (Act 160) creates a **voluntary certification program for recovery housing**. It is unlawful for an owner or operator of recovery housing not certified to advertise or otherwise represent that such recovery housing is certified. Among many things, the Act 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 Na-

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tional 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 Act 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 \$100 nor more than \$500 per occurrence.

Revised Certifications for Certified Medical Assistant (CMA) [H. 5183, Act 209]

H. 5183 (Act 209) revises certification for Certified Medical Assistant (CMA). Currently, certain CMA certification standards are due to lapse on July 16, 2024. As a result, the Act expands the number of approved certification programs. The Act 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 the 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 Act also provides additional responsibilities for unlicensed assistive personnel.

Children and Family Issues

No Obscene Material Website Access for Minors [H. 3424, Act 198]

H. 3424 (Act 198) This new law adds to the state Consumer Protection Code. Any commercial entity with a site containing a significant percentage of **obscene material, or material that depicts, describes, or promotes child pornography or child sexual exploitation on the internet**, could be held civilly liable

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if they fail to perform **reasonable age verification methods** for those attempting to access their material -- including digitalized identification cards, independent third-party age verification services, or any other commercially reasonable method using public or private transactional data. This commercial entity or third-party using age verification methods cannot retain any individually identifiable information after access to the website has been granted. Failure to properly verify users' ages would allow any harmed individuals to seek nominal, actual, and punitive damages, file class action lawsuits, and recover their costs and attorney fees. In addition, the Attorney General can seek an injunction against commercial entities that fail to comply with reasonable age verification requirements.

Genetic Counselors [S. 241, Act 187]

S. 241 (Act 187) provides for the regulation of **genetic counselors** under the administration of the Department of Labor, Licensing and Regulation (LLR). Among many things, the Act 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 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 who must be lay members from the state and four practicing genetic counselors. The board may issue a limited license to an applicant who meets certain requirements. The Act also outlines that, under certain conditions, the limited license shall expire automatically. 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 offspring 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.

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Transportation and Vehicles

Emergency Scene Management [H. 4436, Act 174]

H. 4436 (Act 174) seeks to protect emergency scene operations; mandating that drivers maintain control of their vehicles in emergencies, including scenes with stopped vehicles, adding that drivers do not obstruct emergency vehicle operations nor operators of authorized emergency vehicles. A person who violates this requirement is guilty of a misdemeanor and, upon conviction, must be fined not less than \$300 nor more than \$500.

The Display of License Plates on Motor Vehicles [H. 4674, Act 178]

H. 4674 (Act 178) regards laws relating to the display and fastening of license plates, holding that license plates must be fastened to vehicles and to provide for the display of temporary license plates on large commercial vehicles (CMV) (in the windshield). In addition, the Act became a vehicle for including H. 5024 regarding the retention of plates for a surviving spouse of a member of the National Guard in addition to several special license plates. Those are motor vehicle special license plates: the "Hearing Impaired," the "South Carolina Equine Industry," the "Cherokee Indian Nation," the "Catawba Nation," the "University of South Carolina 2017, 2022, and 2024 Women's Basketball National Champions," the "Autistic and Neurodivergent," the "South Carolina Association for Pupil Transportation," and the "Navy and Marine Corps Medal" (plates reflective of valorous awards).

Towing a Truck with a Fifth Wheel Assembly [H. 3355, Act 129]

H. 3355 (Act 129) provides that a **towing truck with a fifth-wheel assembly** may tow one additional vehicle. It also sets a maximum length for this combination of vehicles, provides the maximum weight for the final trailing vehicle, and requires that a truck operating a towing combination must include a video system that allows the driver to monitor the final trailing vehicle as it is being towed and be equipped with certain safety devices.

Watercraft Motor Restrictions [S. 1005, Act 168]

S. 1005 (Act 168) deals with motor restrictions on Lake Bowen. 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. This restriction does not apply to towboats with certain characteristics. V-Drive towboats are prohibited. Personal watercraft may not exceed 190 horsepower. Also, the Act notes that it is unlawful to operate a personal

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watercraft, specialty propcraft, or vessel in excess of idle speed within 100 feet of a wharf, dock, bulkhead, or pier or within 50 feet of a moored or anchored vessel or person on Lake Bowen. Other restrictions include provisions regarding waterski and tow rafts, discs, or other similar floating devices in regards to a particular location; pulling more than two persons at one time from any boat or to waterski while carrying one or more persons piggyback; and operating any boat, watercraft, or any other type of a vessel between midnight and one hour before sunrise.

Preventing the Escape of Loose Material and Debris [H. 4601, Act 202]

H. 4601 (Act 202) amends current law relating to **preventing the escape of materials loaded on vehicles** by incorporating that “No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.” The provisions do not apply to and do not restrict the transportation of certain **agricultural** products.

Blood Type on Applications For Driver's Licenses [S. 968, Act 167]

S. 968 (Act 167) allows an applicant for a driver's license to voluntarily disclose his **blood type** on a driver's license or a beginner's permit.

Beginner's Permits [H. 4673, Act 146]

H. 4673 (Act 146) amends the law regarding **beginner's permits**, hours and conditions of vehicle operation, renewal and fees, driver's training courses, and eligibility for full licensure. The Act also provides that persons at least 18 years old may take the driving test after maintaining a beginner's permit for at least 30 days.

Photograph for Parking Placards [H. 4819, Act 147]

H. 4819 (Act 147) allows applicants (mostly children) for accessible **parking placards** to provide a photograph for the placard subject to the Department of Motor Vehicle's approval.

Work Zone Safety Program Course [H. 5023, Act 182]

H. 5023 (Act 182) establishes the **work zone safety program** within the Department of Motor Vehicles. The DMV must require all persons obtaining an initial driver's license, and who are required to complete a driver's education course to take the work zone safety program course.

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Veterans

Property Tax Exemption For Disabled Veterans [H. 3116, Act 116]

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Veterans' Trust Fund [H. 4928, Act 151]

H. 4928 (Act 151) pertains to the **Veterans' Trust Fund** which assists public and private veteran programs throughout the state with only voluntary tax donations. Currently, the fund does not have fundraising as an activity to raise money to add to the fund. As a result, the Act adds fundraising as an activity.

State Veterans' Cemeteries [H. 4953, Act 153]

H. 4953 (Act 153) removes the residency requirement to qualify for a plot in a state veterans' cemetery for an honorably discharged veteran.

Unclaimed Veterans Remains [H. 4376, Act 142]

H. 4376 (Act 142) requires coroners, as well as funeral home directors, in possession of **unclaimed human remains identified and determined to be unclaimed veteran** remains, be released to a funeral home for an appropriate burial in a national cemetery.



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Sources

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South Carolina General Assembly, South Carolina House of Representatives, *Legislative Update*, 2024. <https://www.scstatehouse.gov/hupdate.php>

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- 1) a Word document showing that week's bill activity.
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Style

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Wednesday, June 5, 2024