



South Carolina House of Representatives

Legislative Update

ROBERT W. HARRELL, Jr., Speaker of the House

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HOUSE WEEK IN REVIEW

The House of Representatives amended, approved and sent to the Senate a **H.4620**, a joint resolution proposing an amendment to the South Carolina Constitution that would revise the manner in which certain **CONSTITUTIONAL OFFICERS** are selected. Under the proposal, the Secretary of State and the Superintendent of Education would no longer be selected by popular election, but would instead be appointed by the Governor with the advice and consent of the General Assembly. The proposed amendment also provides for the joint election of the offices of Governor and Lieutenant Governor, whereby an individual nominated for the office of Governor would select a running mate for the office of Lieutenant Governor to run on the same ticket

The House concurred in Senate amendments to **S.453**, the “**FINANCIAL IDENTITY FRAUD AND IDENTITY THEFT PROTECTION ACT,**” and enrolled the bill for ratification. Highlights of the legislation include:

- Creates the Consumer Identity Theft Protection Act;
- Requires address verification for credit card applications;
- Requires local law enforcement to report an identity theft if contacted by a suspected victim;
- Requires the State Law Enforcement Division to maintain an ID theft database;
- Provides that a victim may petition a circuit court for a judicial determination of innocence and expungement of record;
- Allows for a consumer to place a freeze on his credit information;
- Prohibits a person from posting, printing, transmitting, selling, or exchanging a social security number or a portion that consists of six digits or more unless there is written authorization, there is a legitimate business or government purpose that provides a benefit, or for other specifically permitted reasons;
- Restricts a business from printing the last five digits of a credit card number or the card expiration date on a receipt;
- Requires businesses and state agencies that own or license computerized personal identifying information to disclose a breach of the security system should one be suspected;
- Makes it unlawful for a person to obtain another’s ID by rummaging through their personal, household, or commercial garbage;
- Makes it so that a consumer reporting agency cannot charge a fee for invoking a freeze, removing a freeze, temporarily lifting a freeze, or reinstating a freeze;

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- Adds that placing a freeze on a consumer's report does not prevent someone from being able to get information concerning criminal records, fraud prevention or detection, personal loss history, or employment, tenant, or individual background screening;
- Adds that a consumer reporting agency must remove all false information from a credit report if the agency receives notice from the consumer to do so. If an agency violates this section, it is liable for three times the actual damages or \$5,000, whichever is greater. If the agency negligently violates this section, it is liable for actual damages or \$3,000 for each incident, whichever is greater;
- Adds that a person conducting business in this state may notify consumers of a security breach by email or by telephone if those are the person's primary means of communication;
- Changes the definition of "personal identifying information" to make South Carolina's definition the same as the definition used by the majority of other states;
- Removes language that required an issuer of a credit card to get parental consent prior to issuing a card to a person under the age of 21.

The House amended, approved, and sent to the Senate **H.3912**, a bill **REVISING PROVISIONS OF THE PHYSICIAN PRACTICE ACT**. The legislation provides that a physician testifying as an expert medical witness under oath in a civil, criminal, or administrative proceeding in this State is deemed to have submitted to the jurisdiction of the Board of Medical Examiners. Upon receipt of an initial complaint, the board is authorized to conduct an investigation and proceed in the same manner as provided in state law for physicians licensed in this State of any physician who offers opinion testimony or evidence in bad faith or without a reasonable basis in fact or otherwise acts unethically in conjunction with testifying as an expert in a deposition or at trial. Requirements are established for service of any notices or correspondence that must be made on the physician expert witness. The legislation provides that if a physician makes a medical error or knows about or witnesses a medical error committed by another physician that results in great bodily injury or death, the physician shall report the medical error to the board, which shall assess what action, if any, must be taken against the physician committing the medical error. The legislation establishes a procedure under which the Director of the Department of Insurance is authorized to file a complaint about a physician to the South Carolina Board of Medical Examiners if a hearing regarding improper claims practices by a health insurer or health maintenance organization results in a determination that a physician performing medical necessity review services for the insurer has wilfully and knowingly denied claims with no rational basis. This legislation provides that a physician must be immediately, rather than readily, available when delegating a task to an unlicensed person who works for the physician. The legislation provides that a physician is not prohibited from practicing in actual consultation with a physician licensed in this State concerning an opinion for the South Carolina physician's consideration in managing the care or treatment of a patient in this State. The legislation revises the requirements for an applicant who graduated from medical school outside of the United States, who has met all other criteria and wishes to obtain a license to practice in this State. It requires the applicant to have been

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actively licensed in another state for the preceding five years and provides that the practice must have been without significant disciplinary action. The bill also allows a physician who currently is certified by a board-approved national specialty organization that does not require an examination for recertification to become licensed in South Carolina without further examination if the physician has 150 hours of approved continuing medical education in the three years prior to application. Seventy five percent of the hours must be related to the applicant's specialty.

The House did not concur in Senate amendments to **H.3496**, a bill revising South Carolina's **DRIVING UNDER THE INFLUENCE LAWS**. A conference committee was appointed to address differences with the Senate on the legislation.

The House amended, approved, and sent to the Senate **H.4735**, a joint resolution relating to the **USE OF EDUCATIONAL TELEVISION NETWORK LICENSES AND EXCESS BROADCAST SPECTRUM CAPACITY**. The legislation directs the Educational Television Network to make all necessary filings with the Federal Communications Commission as soon as practicable to indicate an intention to retain licenses currently operated by the Educational Television Network and an intention to form a public/private partnership to complete the necessary transition from an analog to digital system. However, Educational Television Network may not sell, lease, or otherwise alienate or obligate telecommunications and information technology infrastructure of the State until provided for by the General Assembly. The legislation directs the Executive Director of the State Budget and Control Board to hire, using funds from approved accounts of the Department of Commerce, a nationally-recognized telecommunications consultant to: provide an estimate of the value of licenses operated by the Educational Television Network; assist with the development of a request for proposal; analyze various business models for the leasing of excess capacity on the spectrum; and, analyze the feasibility of a wireless cloud over all public school facilities. The hiring of the consultant is excepted from the provisions of the South Carolina Consolidated Procurement Code. The consultant must be hired by April 1, 2008, and must make available an official report of its findings to the General Assembly by May 1, 2008.

The House concurred in Senate amendments to **H.3632**, a bill providing that the Department of Labor, Licensing and Regulation may require a **CRIMINAL HISTORY BACKGROUND CHECK OF AN APPLICANT FOR LICENSURE TO PRACTICE NURSING**, and enrolled the bill for ratification. The legislation provides that the department may also require such a background check in connection with an investigation or disciplinary proceeding of a licensee. The legislation also provides that a licensed nurse must clearly identify himself or herself as officially licensed by the board. A licensed nurse is required to wear a clearly legible identification badge or other adornment at least one inch by three inches in size bearing the nurse's name and title as officially licensed

The House approved **S.1005**, relating to **AGE RESTRICTIONS ON BLOOD DONORS**, and enrolled the bill for ratification. The legislation provides that a person sixteen years old may donate blood with written consent of parent or guardian. The bill also outlines that it is unlawful for person under eighteen years old to sell blood.

The House did not concur in Senate amendments to **S.360**, relating to **RENEWABLE ENERGY RESOURCES AND NUCLEAR ENERGY UNDER THE SOUTH CAROLINA**

ENERGY EFFICIENCY ACT. A conference committee was appointed to address differences with the Senate on the legislation.

The House amended, approved, and sent to the Senate **H.3395**, a joint resolution providing for a **REPORT ON NET METERING PROGRAMS AT THE STATE'S ELECTRIC UTILITIES**. Net metering is a means of calculating the energy that is consumed and produced at facilities equipped with renewable energy generators such as solar panels or wind turbines. The legislation provides that the South Carolina Energy Office and the Office of Regulatory Staff, not later than January 1, 2009, shall provide a report to the General Assembly that recommends process and procedures for establishing net metering programs at all distribution electric utilities in South Carolina, including investor-owned electric utilities and the South Carolina Public Service Authority. The report must consider net metering requirements of adjacent states, and make recommendations that facilitate interstate uniformity for utilities that serve both South Carolina and a neighboring state. The report's recommendations must be consistent with requirements of the federal Energy Policy Act. The report must also consider the need to facilitate consistency with Green Power electricity purchase programs operating in South Carolina. In preparing the net metering report, the South Carolina Energy Office and the Office of Regulatory Staff shall consult with all affected electric utilities, the State Consumer Advocate, representatives of environmental interests, and the South Carolina Energy Advisory Committee.

The House adopted **H.4822**, a House Resolution requesting that the Governor apply for an **EXTENSION OF THE DEADLINE TO COMPLY WITH THE FEDERAL REAL ID ACT** before the deadline of March 31, 2008, which will allow South Carolina to analyze the impact of the Real ID Act but which will not require South Carolina to declare its intent to comply with this act thereby allowing the state's current credentials to be recognized and accepted during the extension period by the federal government and the Department of Homeland Security. The House adopted Concurrent Resolution **H.4823** which also requests the application for extension and sent the resolution to the Senate.

The House approved and sent to the Senate **H.3906**, relating to **DENTAL TECHNOLOGICAL WORK**. The legislation requires an out-of-state dental lab to employ a dental technician registered in South Carolina if the lab performs dental technological work prescribed by a dentist licensed in South Carolina. The bill also requires all dental labs to provide certification of the country where the lab work was performed; a list of all materials used to make the device; and the name, address and certificate number of the person or organization authorized to make the device.

The House approved and sent to the Senate **H.4334** regarding **EMERGENCY MEDICAL TECHNICIAN (EMT) CERTIFICATION**. This bill requires a person seeking Emergency Medical Technician (EMT) certification or recertification to undergo a state criminal records check and a national criminal records check. The state and national criminal records checks are not required for an EMT employed as of July 1, 2008, until the EMT applies for recertification. A state criminal records check will cost no more than eight dollars and is the responsibility of the EMT or EMS agency.

The House amended, approved, and sent to the Senate **H.4350**, relating to a **LIEN ON REAL ESTATE TO SECURE PAYMENT OF DEBT TO A LANDSCAPING SERVICE**. This bill provides that a person who provides a landscape service on a parcel or real estate by virtue of an agreement with the owner of the real estate, and to whom a debt is

due for his performance of the landscaping service, has a mechanics' lien on the real estate to secure payment of debt due to him.

The House amended **S.668** and returned the bill to the Senate. This bill provides an **EXEMPTION FROM CONTRACTORS LICENSING ACT PROVISIONS FOR PORTABLE STORAGE BUILDINGS AND METAL FARM BUILDINGS** with less than five thousand square feet of floor space that are owner-constructed and used only for livestock or storage.

The House amended, approved, and sent to the Senate **H.4601**. This bill makes numerous **REVISIONS RELATING TO CRIME VICTIMS**, including but not limited to:

- Allowing the Crime Victim's Advisory Board to authorize additional counseling sessions at various times throughout the criminal justice process for victims based on documented need;
- Allowing crime victims' compensation claims submission via facsimile or other electronic means;
- Restructuring and renaming the Victim/Witness Assistance Program;
- Creating the Victim Services Coordinating Council and providing for its membership,
- Creating the Office of Victim Services Education and Certification within the Office of the Crime Victims' Ombudsman and establishing certification and continuing education requirements for victim service providers; and
- Authorizing the Crime Victims' Ombudsman to promulgate necessary regulations.

The House approved and sent to the Senate **H.4345**. This bill provides that under the **STATE REVENUE APPEALS PROCEDURE**, a taxpayer is considered to have exhausted his prehearing remedy when the Department of Revenue (DOR) fails to issue a proposed assessment or determination within a specified period. This bill provides that the taxpayer must request a contested case hearing before the Administrative Law Court (ALC) within a specified period; further, the ALC may remand the case to DOR for a proposed assessment, determination on a refund claim, or final agency determination, in certain circumstances. A taxpayer may request the ALC place the contested case back on the court's active docket within a specified period. The bill requires DOR to notify a taxpayer who files a written protest of his rights concerning appeals procedures.

The House approved and sent to the Senate **H.4065**, relating to **JURISDICTION OF THE PROBATE COURT**. This bill adds the word "general" before "personal representatives" in connection with formal proceedings for their appointment.

The House amended, approved, and sent to the Senate **H.4348**, pertaining to the **REGULATION OF MANUFACTURERS OF ALCOHOLIC LIQUORS**. This bill provides that a holder of a valid manufacturer's license issued by the State may: (1) manufacture, distill, rectify, blend, brew, ferment, and bottle alcoholic liquors with an alcohol content greater than seventeen percent; (2) sell these alcoholic liquors produced pursuant to item (1) to a wholesaler licensed by the State and transport these alcoholic liquors produced pursuant to item (1) out of state for sale outside of the State; and (3) permit tasting of the alcoholic liquors produced pursuant to item (1) and offered for retail sale at the onsite-licensed premises.

The House approved and sent to the Senate **H.4754**, a bill providing for the **DISSOLUTION OF CERTAIN SPECIAL PURPOSE DISTRICTS**. This bill allows the governing body of a special purpose district created by act of the General Assembly that provides recreational services and has as its boundary the same as the county in which it is located to voluntarily dissolve itself and transfer its assets and liabilities to a county under certain circumstances.

The House amended, approved, and sent to the Senate **H.3803** relating to the **DEFINITION OF THE PROFESSION OF COSMETOLOGY**. This bill allows an individual to shampoo hair without being licensed as a cosmetologist. This individual must be under the direct supervision of a cosmetologist.

HOUSE COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full committee did not meet this week.

EDUCATION AND PUBLIC WORKS

The full committee did not meet this week.

JUDICIARY

The full committee met on Tuesday, March 4, 2008.

The full committee gave a favorable recommendation to **H.4585**. This bill **DELETES THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON STATEWIDE ELECTION DAYS**.

H.4534, relating to **PROCEDURES FOR MAKING ARRESTS, THE USE OF SUMMONS, AND THE RECEIPT OF MONETARY BONDS BY DEPARTMENT OF NATURAL RESOURCES AND CERTAIN OTHER LAW ENFORCEMENT OFFICERS**, received a favorable report. Under this bill, Department of Natural Resources enforcement and deputy enforcement officers and officers authorized to enforce state law under the Catawba Indian Claims Settlement Act may use the official department summons for arrests for violations of laws and regulations of the Department of Natural Resources, and all other misdemeanors within the jurisdiction of the magistrates, municipal, or family court. Service of the summons vests the respective courts with jurisdiction and any person apprehended and served must appear at the time and place designated. The bill further provides that in the discretion of the apprehending officer, the person apprehended may be allowed to post a monetary amount as a bond in lieu of a personal appearance or incarceration. The amount may not be less than the minimum fine nor more than the maximum fine, plus court costs. The summons serves as a receipt for the sum posted with the officer.

H.4754, providing for the **DISSOLUTION OF CERTAIN SPECIAL PURPOSE DISTRICTS**, received a favorable recommendation from the committee. This bill allows the governing body of a special purpose district created by act of the General Assembly that provides recreational services and has as its boundary the same as the county in which it is located to voluntarily dissolve itself and transfer its assets and liabilities to a county under certain circumstances.

H.4243 received a favorable with amendment recommendation from the Judiciary Committee. Notwithstanding another provision of law, this bill provides that a **PERSON WHO POSSESSES A CONCEALED WEAPONS PERMIT MAY POSSESS A FIREARM IN A VEHICLE UPON THE CAPITOL GROUNDS**.

The full committee gave a favorable with amendment report to **H.4348**, pertaining to the **REGULATION OF MANUFACTURERS OF ALCOHOLIC LIQUORS**. This bill provides that a holder of a valid manufacturer's license issued by the State may: (1) manufacture, distill, rectify, blend, brew, ferment, and bottle alcoholic liquors with an alcohol content greater than seventeen percent; (2) sell these alcoholic liquors produced pursuant to item (1) to a wholesaler licensed by the State and transport these alcoholic liquors produced pursuant to item (1) out of state for sale outside of the State; and (3) permit tasting of the alcoholic liquors produced pursuant to item (1) and offered for retail sale at the onsite-licensed premises.

The Judiciary Committee gave a favorable with amendment report to **H.3094**, a bill pertaining to **LOCATIONS IN WHICH A SEX OFFENDER MAY RESIDE**. This bill provides that it is unlawful for sex offenders who have been convicted of certain offenses to reside within 1,000 feet of a school, daycare center, children's recreational facility, park, or public playground. If a person is in violation of this provision, a local law enforcement officer must notify the person of his violation and the person must be given 30 days to vacate his residence. If the person fails to vacate his residence within that time period, the bill includes criminal penalties. There are graduated penalties for subsequent violations. The bill also provides that local school districts must make certain information available to parents and guardians regarding any sex offenders that reside within 1,000 feet of a school bus stop. The bill includes grandfather provisions. Local governments may not enact an ordinance that contains penalties that exceed or are less lenient than the penalties contained in this legislation.

H.4622, relating to **PROCEDURES FOR APPROACHING AN EMERGENCY VEHICLE**, received a favorable with amendment report. An emergency scene is any location designated by the potential need to provide fire services, emergency medical care, official law enforcement duties, or rescue, recovery or towing operations. A violation for improper operation of a motor vehicle when approaching a stationary vehicle is a misdemeanor, and upon conviction a person must be fined not more than \$300 dollars and have four points assessed against his driving record for the first offense. The bill includes graduated penalties for subsequent violations within a ten-year period. If a person violates this provision and causes serious injury or death, then he is guilty of a felony, and upon conviction must be fined not more than \$10,000 dollars or imprisoned not more than ten years.

The Judiciary Committee adjourned debate on the following bills:

- [H.3343](#), a bill pertaining to **QUALIFICATIONS FOR REGISTRATION TO VOTE**
- [H.4725](#), a bill relating to **BALLOT STANDARDS AND SPECIFICATIONS**
- [H.4067](#), a bill relating to **DEED RECORDING FEES**
- [S.103](#), providing for **SMOKING PROHIBITIONS**
- [S.741](#), which makes **REVISIONS TO UNCLAIMED PROPERTY ACT**

[H.3548](#), a bill relating to **GROUNDS FOR TERMINATION OF PARENTAL RIGHTS**, was recommitted to the General Laws Subcommittee.

[H.4377](#), a bill which makes **CHILD ABUSE AND NEGLECT REVISIONS**, was committed to the Criminal Laws Subcommittee.

LABOR, COMMERCE AND INDUSTRY

The full committee did not meet this week.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The full committee did not meet this week.

WAYS AND MEANS

The full Ways and Means Committee met on Thursday, March 6, and reported out several bills.

The committee gave a report of favorable with amendment on [H.4549](#), a bill providing for **MOTOR VEHICLE SALES TAX REVENUES DEVOTED TO HIGHWAYS, ROADS, AND BRIDGES**. This bill provides for a phased-in transfer of motor vehicle sales, use, and casual excise tax revenues to the State Non-Federal Highway Fund to be used exclusively for highway, road, and bridge maintenance and to the State Highway Account of the Transportation Infrastructure Bank. The legislation establishes the timeline for the transfer and provides for how the transferred funds are to be divided between the State Non-Federal Highway Fund and the State Highway Account of the Transportation Infrastructure Bank. The legislation establishes a “hold harmless” provision for the Education Improvement Act (EIA) Fund under which income tax revenues are, in each fiscal year, transferred from the state’s general fund to the Education Improvement Fund in an amount sufficient to offset sales tax revenues that are redirected under this legislation.

The committee gave a favorable report on [H.4550](#), a bill providing for an **INCOME TAX RATE REDUCTION FOR MARRIED TAXPAYERS**. This bill establishes a schedule for state income tax rate reductions for married taxpayers who file joint tax returns by annually reducing the current three percent income tax rate over the course of three years so as to ultimately set the rate at two percent.

The committee gave a favorable report on **S.1075**. This joint resolution supplements the **SCHOOL DISTRICTS NEGATIVELY AFFECTED BY THE LACK OF REVISION OF THE 2007 FINAL INDEX OF TAXPAYING ABILITY**. The legislation provides that a school district positively affected by the lack of revision of the 2007 Final Index of Taxpaying Ability shall direct the excess funds toward nonrecurring allowable expenditures.

The committee gave a favorable report on **S.652**, a bill relating to the **APPLICATION FOR THE HOMESTEAD PROPERTY TAX EXEMPTION** for persons who are at least sixty-five years old, permanently and totally disabled, or legally blind. The legislation allows the application for the exemption to be made in person, by mail or by means of the Internet. The legislation provides for the documentation required in order for mail or Internet applications to be processed.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

S.873 STATEWIDE FISHING LICENSES Sen. Knotts

This bill allows for a member of the Armed Forces of the United States who is a resident of South Carolina stationed outside of this State, upon presentation of his official furlough or leave papers, be allowed to fish or hunt in this State without purchasing any type of state fishing or hunting license.

EDUCATION AND PUBLIC WORKS

H.4794 INSTANT REPLAY FOR CERTAIN HIGH SCHOOL PLAYOFF GAMES Rep. W.D. Smith

Beginning with the 2008-2009 school year, this bill requires the South Carolina High School League or any other organization which governs high school athletic competition to provide or cause to be provided video equipment at basketball and football playoff or championship game locations capable of replaying portions of games for the purpose of reviewing and assisting referees in making calls during these contests.

JUDICIARY

S.979 COMPENSATION FOR WRONGFUL CONVICTIONS Sen. Anderson

If a person is wrongfully convicted and imprisoned by the State, and the conviction is reversed or vacated and a final judgment has been rendered, then in certain circumstances this bill allows the person to petition the court of general sessions to recover the monetary value of the loss the person sustained through the wrongful

conviction and imprisonment. The bill includes time limits for filing the petition and sets timeframes for hearings. The bill outlines provisions for awarding monetary compensation and sets a maximum amount for compensation at \$50,000 dollars. The bill includes provisions for appeal of decisions. The State Treasurer shall pay the amount of the award to the claimant out of funds appropriated by the General Assembly for this purpose. A person awarded compensation and who is subsequently convicted of a crime will not be eligible to receive any unpaid amounts from any compensation authorized.

**S.1053 FACTORS TO BE CONSIDERED WHEN DETERMINING BOND
Sen. McConnell**

Relating to matters to be considered in determining conditions of release, this bill provides that it must also be considered whether the release would constitute an unreasonable danger to any other person. Other factors to be considered under the bill include: any charges pending against the accused at the time release is requested, whether or not the person is lawfully present in the United States; or if the person who is released on bail pending trial and during his release is charged with a violent offense.

H.4814 ELECTIONS CONDUCTED ON THE SAME DAY Rep. Vick

When more than one election is conducted on the same day, this bill provides that the entity charged by law with conducting the elections shall prepare one ballot for all elections conducted on that day.

**H.4819 PROCEDURE FOR LOCAL GOVERNMENT TO COLLECT FINES
ASSOCIATED WITH PARKING CITATIONS Rep. Cotty**

This bill provides a procedure whereby a local governing authority may collect fines associated with parking citations issued to vehicle owners.

**H.4820 PROCEDURE FOR LOCAL GOVERNMENT TO COLLECT FINES
ASSOCIATED WITH PARKING CITATIONS Rep. Cotty**

This bill provides a procedure whereby a governing authority may collect fines associated with parking citations issued to owners of rental automobiles and vehicles.

**H.4824 REVISIONS PERTAINING TO VULNERABLE ADULT ABUSE AND
NEGLECT Rep. Harrison**

Among other things, this bill revises definitions used in the Omnibus Adult Protection Act. The bill clarifies procedures for reporting cases in which there is a reasonable suspicion of criminal conduct. The bill establishes criminal penalties if a caregiver, due to reckless disregard for the health or safety of a vulnerable adult, neglects or causes great bodily injury or death to a vulnerable adult.

LABOR, COMMERCE AND INDUSTRY

**S.669 PAYMENT OF STATE HEALTH INSURANCE PLAN CLAIMS
Sen. Alexander**

This bill provides that all insurers that are responsible for payment of a claim for a health care item or service as a condition of doing business in this State shall provide information to the Department of Health and Human Services on individuals who receive medical assistance under the state plan. These insurers shall accept the State's right of

recovery of certain payments made under the state plan, shall respond to claims, and shall agree not to deny claims on the basis of the time the claim was filed, if timely filed, the format of the claim form, or failure to present documentation at the point of sale that is the basis of the claim.

WAYS AND MEANS

S.874 STATE INCOME TAX DEDUCTION FOR VOLUNTEER ADVANCED STATE CONSTABLES Sen. Knotts

This bill provides a maximum three thousand dollars annual state income tax deduction for volunteer state constables designated by the State Law Enforcement Division as advanced state constables.

H.4797 LOCAL GOVERNMENTS PROHIBITED FROM CHARGING FEES FOR RESPONDING TO TRAFFIC ACCIDENTS Rep. Scarborough

This bill provides that a municipality or county, or unit or agency of it, may not impose a fee or seek reimbursement of costs or expenses incurred as a result of responding to a motor vehicle accident.

H.4798 HOMESTEAD EXEMPTION FUND REIMBURSEMENTS TO SCHOOL DISTRICTS Rep. E. H. Pitts

This bill revises the manner in which the school districts of the State receive reimbursements from the Homestead Exemption Fund, so as to provide that from the total Tier Three reimbursement increases attributable to population increases, a school district must receive an amount reflecting the proportion that the population increase of that particular school district is of statewide population growth but not less than the amount it received according to this calculation for the prior year.

H.4799 PROPOSED STATE CONSTITUTIONAL AMENDMENT ON BONDED INDEBTEDNESS OF POLITICAL SUBDIVISIONS FOR AFFORDABLE HOUSING INITIATIVES Rep. Mitchell

This joint resolution proposes an amendment to the South Carolina Constitution relating to bonded indebtedness of political subdivisions, so as to provide that added incremental tax revenues resulting from redevelopment projects together with other public source funds may be pledged by a county or municipality to incur and service indebtedness to provide direct funding to private individuals, corporations, and entities as an incentive to develop or improve affordable housing in that jurisdiction as defined by law.

H.4815 "SOUTH CAROLINA MOTION PICTURE INCENTIVE ACT OF 2008" Rep. Harrell

This bill enacts the "South Carolina Motion Picture Incentive Act of 2008", to revise and update tax incentives for motion picture productions in this State by adding and modernizing definitions, eliminating the rebate of state and local sales taxes provided under former law, providing for the carry forward of rebate funds to avoid multiple applications, clarifying the wage incentive and resident hiring bonus, establishing a five-year apprenticeship program, increasing the number of days state property may be used without fee from seven to ten days, and providing additional requirements for film credits for this State.

H.4817 TAX CREDITS AND USE OF HOUSING TRUST FUND FOR SECURITY MEASURES AT LOW INCOME HOUSING PROJECTS IN HIGH CRIME AREAS Rep. Scott

This bill provides for a state income tax credit for certain expenses incurred by a taxpayer in the purchase and installation of security monitoring equipment, fencing and other physical security measures, and employment of security personnel at an eligible multifamily housing project in a recognized high crime area and in which units are owned or rented by very low and lower income individuals and households. The legislation revises provisions governing the use of monies in the South Carolina Housing Trust Fund, so as to provide that these monies be used to require security measures, and to assist in financing the establishment and implementation of those security requirements, at such eligible low income multifamily housing projects in recognized high crime areas.

H.4818 SCHOOL DISTRICTS NEGATIVELY AFFECTED BY THE LACK OF REVISION OF THE 2007 FINAL INDEX OF TAXPAYING ABILITY Rep. Herbkersman

This joint resolution supplements with unclaimed Education Lottery prize money the school districts negatively affected by the lack of revision of the 2007 Final Index of Taxpaying Ability. The joint resolution suspends fiscal year 2007-2008 allocations of the unclaimed prize money and provides for the use of Education Finance Act reserve funds after that. School districts positively affected by the lack of revision of the 2007 Final Index of Taxpaying Ability are required to direct the excess funds toward nonrecurring allowable expenditures.

H.4821 LIMITATIONS ON STATE APPROPRIATIONS Rep. G. R. Smith

This bill provides that the limit on general fund appropriations for a fiscal year is the total amount of the general fund revenue estimate as of February fifteenth for fiscal year 2008-2009, increased annually and cumulatively by the lesser of: six percent, or a percentage determined by population increases and increases in the Consumer Price Index. The legislation provides for the limitation to be suspended for a fiscal year for a specific amount upon a special vote of the General Assembly. The legislation establishes the Spending Limit Reserve Fund to which all surplus general fund revenues must be credited. The legislation establishes the priority uses of the revenues of this fund and provides for the appropriation of fund revenues after these priorities are met. Appropriation of Spending Limit Reserve Fund revenues must be made by joint resolution originating in the House of Representatives.

**H.4829 STATE SALES TAX EXEMPTION FOR TANGIBLE PERSONAL
PROPERTY SOLD OR LEASED TO PUBLIC SCHOOLS Rep. Edge**

This bill provides an exemption from state-imposed sales and use tax for tangible personal property sold or leased to public schools and public school districts in this State. This exemption does not apply for any local sales and use tax administered by the Department of Revenue.

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