



South Carolina House of Representatives

Legislative Update

Robert W. Harrell, Jr., Speaker of the House

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NOTE: THESE SUMMARIES ARE PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ARE NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. THEY ARE STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND ARE NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.

HOUSE WEEK IN REVIEW

The House of Representatives amended Senate amendments to **H.3418** and returned the bill to the Senate. The legislation establishes a **PHOTOGRAPH IDENTIFICATION REQUIREMENT FOR VOTING**. Under the bill, when a person presents himself to vote, he shall produce a valid South Carolina driver's license, other form of identification containing a photograph issued by the Department of Motor Vehicles, a passport, a military photo i.d. issued by the federal government, or a South Carolina voter registration card containing a photograph. The bill requires one of the managers to compare the photograph contained on the required identification with the person presenting himself to vote and verify that the photograph is that of the person seeking to vote. If the elector cannot produce a valid South Carolina driver's license or other approved form of identification, the elector may cast a provisional ballot that is counted only if the elector brings a valid photo identification to the board of voter registration prior to certification by the county board of canvassers. If the manager disputes that the photograph contained on the required identification is the person presenting himself to vote, the legislation establishes a process allowing the elector to cast a provisional ballot. The legislation provides an alternate process of affirming identity through completing an affidavit under penalty of perjury at the polling place and casting a provisional ballot in situations where an elector has a religious objection to being photographed or suffers from a reasonable impediment that prevents the elector from obtaining photograph identification. The legislation provides that the Department of Motor Vehicles shall issue a special identification card to a person who is at least seventeen years old at no charge; currently, there is a fee for the issuance of this special identification card. The State Elections Commission is required to implement a system for issuing voter registration cards with a photograph of the elector and establish an aggressive voter education program concerning the new provisions. The legislation also provides for **EARLY VOTING CENTERS**. Each county board of registration and elections is required to establish one early voting center which must be supervised by election commission employees serving as poll managers where a qualified elector may cast no more than one ballot, without excuse, during an early voting period for all elections. The early voting period begins on the Thursday before a statewide primary or general election and ends the following Saturday. The county board of registration and elections shall open the early voting center from 7:00 a.m. until 7:00 p.m. on Thursday and Friday and 9:00 a.m. to 5:00 p.m. on Saturday. Additionally, the legislation specifies factors to consider in determining a person's intention regarding his domicile for voting purposes.

The House concurred in Senate amendments to **H.4445**, the "**PERMIT EXTENSION JOINT RESOLUTION OF 2010**" and enrolled the legislation for ratification. The joint resolution provides a temporary extension for building permits, air and water quality certifications, and certain other government approvals affecting the development of real property within the state. The measure is offered as a means of preventing the abandonment of development projects in the state during depressed economic conditions. For development approval that is current and valid at any point during the period beginning January 1, 2008, and ending December 31, 2012, the running of the period of the development approval and any associated vested right is suspended during the period beginning January 1, 2008, and ending December 31, 2012.

The House approved **S.1172**, legislation making comprehensive revisions to **DEPARTMENT OF SOCIAL SERVICES' ABUSE AND NEGLECT PROCEEDINGS AND ADOPTIONS PROVISIONS**, and enrolled the bill for ratification. The legislation makes revisions relating to family preservation, termination of parental rights, placement plans, permanency planning and adoption so as to expedite the reunification of families or the placement of children in permanent adoptive homes.

The House concurred in Senate amendments to **H.4093**, the "**MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT**", and enrolled the bill for ratification. The legislation aims to establish a comprehensive and convenient recovery program for televisions, computing, and printing devices based on individual manufacturer responsibility and shared responsibility among consumers, retailers, and government to ensure that end-of-life televisions, computing, and printing devices are retired in a manner that promotes resource conservation through the development of an effective and efficient system for collecting and recycling such products, and to encourage manufacturers to offer such service to consumers conveniently and at no charge. Under the legislation, a manufacturer may sell or offer to sell a covered device in this state only if a manufacturer's brand label is permanently affixed in a readily visible location and only if the manufacturer provides a recovery program at no charge or provides a financial incentive of equal or greater value, such as a coupon. The legislation establishes requirements for these recovery systems. Retailers may only sell products of manufacturers that comply with these product marking and recovery system requirements. This restriction does not, however, apply to a television sold by a retailer for less than one hundred dollars. After July 1, 2011, a consumer must not knowingly place or discard a covered device or any of the components or subassemblies of a covered device in any waste stream that is to be disposed of in a solid waste landfill. An owner or operator of a solid waste landfill must not knowingly accept for disposal loads composed primarily of covered devices. The Department of Health and Environmental Control may propose by regulation, which must be submitted to the General Assembly pursuant to the Administrative Procedures Act, an initial registration fee and/or annual fee on computer or television manufacturers of covered devices, the proceeds of which must be used solely for the purposes of implementing the provisions of this legislation. Any fee proposed by the department for computer manufacturers must be graduated based on volume of sales in this state and any fee for television manufacturers must be based on market share. A manufacturer that sells one thousand or fewer covered devices per year is exempt from any fee. DHEC is required to provide information about recovery programs available in the State on the department's Internet website. The website must include information about collection options available, the definition of covered devices, the proper methods for disposing of covered devices, the proper methods for disposing other non-covered devices, and links to relevant portions of computer or television manufacturer's Internet websites.

The House adopted the conference committee report on **S.328**, regarding **INOCULATING PETS AGAINST RABIES**, and enrolled the bill for ratification. The legislation provides that rabies inoculations must be administered to pets by a licensed veterinarian or by someone under a licensed veterinarian's direct supervision. The bill also increases from three dollars to ten dollars the maximum fee that may be charged for administering the vaccine at annual rabies clinics.

The House approved **S.1097**, the "**FUTURE VOLUNTEER FIREFIGHTERS ACT OF SOUTH CAROLINA**", and enrolled the bill for ratification. The legislation authorizes the

Director of the Department of Labor, Licensing and Regulation, in cooperation with the State Firefighters Association, to establish a junior firefighters program, consistent with all applicable state and federal child labor laws, for the purpose of encouraging, educating, and training qualified youth to enter the fire service as a career. Under the program, young people between the ages of fourteen and eighteen shall be allowed to participate in training activities offered by local fire departments, the Office of the State Fire Marshall, and the Department of Labor, Licensing and Regulation. Participants in the junior firefighters program are not compensated, are not considered employees of the State, and are not considered eligible for unemployment compensation upon termination from the program. Participants are, however, entitled to all other work benefits, including workers' compensation or its equivalent.

The House approved **S.168**, relating to the **LIMITATION OF LEGAL LIABILITY FOR RENDERING VOLUNTEER MEDICAL SERVICES**, and enrolled the bill for ratification. The legislation revises existing medical malpractice insurance provisions so as to provide that a licensed health care provider who renders medical services voluntarily and without compensation, and seeks no reimbursement from charitable and governmental sources, and provides notice to the patient or patient's provider in a non-emergency, is not liable for any civil damages for any act or omission unless the act or omission was the result of the health care provider's gross negligence or willful misconduct.

The House concurred in Senate amendments to **H.3270** and enrolled the bill for ratification. The legislation revises renewal fees for **UNDERGROUND PETROLEUM STORAGE TANKS** under the State Underground Petroleum Environmental Response Bank Act, establishing a schedule of graduated fee increases so as to restore the solvency of the state's SUPERB account that is used for environmental site rehabilitation.

The House approved **S.1131**, a bill authorizing **FEE IN LIEU OF PROPERTY TAXES AGREEMENTS FOR NUCLEAR PLANT FACILITIES**, and enrolled the bill for ratification. This bill revises timeline requirements for industrial development projects under fee in lieu of property taxes agreements, so as to accommodate the extensive lead time required for construction of a qualified nuclear plant facility.

The House approved **S.1024**, a bill **EXPANDING THE PROPERTY TAX EXEMPTION FOR AMBULATORY DIFFICULTIES TO INCLUDE A SURVIVING SPOUSE**, and enrolled the bill for ratification. This bill extends the property tax exemption to include the surviving spouse of a decedent who was eligible for the exemption of the dwelling owned by a person with certain specific illnesses causing the same ambulatory difficulties as persons with paraparesis or hemiparesis.

The House returned **S.728** to the Senate with amendments. This bill revises provisions relating to the entitlement to tax credits under the **TEXTILES COMMUNITIES REVITALIZATION ACT**, so as to accommodate the conversion of abandoned textile mill sites into affordable housing.

The House returned **S.372** to the Senate with amendments. Relating to the determination of an **ELECTIVE SHARE OF A SPOUSE**, this bill clarifies that a beneficial interest that passes or has passed to a surviving spouse under the decedent's will includes an interest as a beneficiary in a trust created by the decedent's will or an

interest as a beneficiary in property passing under the decedent's will to an inter vivos trust created by the decedent. Relating to creation of a trust, this bill further provides for the inclusion of a surviving spouse's beneficial interests in trust property in calculating the elective share.

The House returned **S.382**, pertaining to **JOINT TENANCY WITH RIGHT OF SURVIVORSHIP**, to the Senate with amendments. This legislation provides a presumption that a decedent and the decedent's spouse held tangible personal property in a joint tenancy with right of survivorship. The legislation includes exceptions to the presumption and provides a standard of proof to overcome the presumption. The legislation also **REDUCES THE TIME FRAME IN WHICH A MEMBER OF THE GENERAL ASSEMBLY IS PROHIBITED FROM BEING ELECTED AN ADMINISTRATIVE LAW JUDGE** from four years to one year after the member ceases to be a member of the General Assembly.

The House returned **S.495**, regarding **FIELD TRIALS PERMITTED BY THE DEPARTMENT OF NATURAL RESOURCES**, to the Senate with amendments. This bill adds that a participant in any field trial permitted by the department is not required to obtain a hunting license or a wildlife management area permit if the participant is not carrying a weapon typically used for hunting and no game is taken. The bill further outlines that no field trials shall be conducted on wildlife management areas outside of the regular season, except as permitted by the department. The legislation also establishes a procedure allowing an individual who has amassed points on his record because of convictions for hunting violations to reduce those points gradually by successfully completing department instructional programs.

The House approved **S.1145** and enrolled the bill for ratification. This bill revises provisions relating to the date upon which an **APPLICATION FOR DISABILITY RETIREMENT** must be filed with the South Carolina Retirement System, to provide that a member is considered to be in service on the date the application is filed if the member is not retired and the last day the member was employed by a covered employer in the system occurred not more than ninety days prior to the date of filing.

The House returned **S.1146** to the Senate with amendments. The Senate subsequently concurred in the House amendments and enrolled the bill for ratification. This bill revises provisions relating to the **PAYMENT OF DEATH BENEFITS IN RETIREMENT PLANS ADMINISTERED BY THE SOUTH CAROLINA RETIREMENT SYSTEMS**, to: repeal certain duties and responsibilities of the board; provide that benefits paid pursuant to the accidental death insurance benefit shall not be treated as a life insurance benefit; and, provide for the manner in which adjustments to benefits shall be made.

HOUSE COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full committee met on Thursday, May 6, 2010. The following matters were reported out:

S.1130, regarding the **ALLIGATOR MANAGEMENT PROGRAM**, was given a favorable recommendation by the full committee. The bill outlines that it is unlawful for a depredation permit holder or his or her designee to sell, barter, or trade or offer to sell, barter, or trade the privilege to take an alligator under the authority of a depredation permit. In addition to a required hunting license, a person must apply to the Department's Alligator Draw Hunt Program. The application fee is ten dollars. Successful selection provides the applicant an opportunity to obtain one alligator tag at a cost of one hundred dollars. There is a ten dollar fee for participation in the Private Lands Alligator Program and the cost for each tag issued under this permit is ten dollars. A nonresident who wants to hunt under the alligator management program must pay a nonresident hunting fee of two hundred dollars. Revenue generated from application and other fees, permits and tags for the privilege of taking alligators must be used by the Department to support the Alligator Management Program.

The full committee gave a favorable with an amendment recommendation to **S.974**, which deals with **HUNTING AND FISHING LICENSES**. The bill provides structure for all existing hunting and fishing licenses fees, with no changes to the fees. It defines licenses, as well as provides the requirements, costs and exemptions. The bill allows for the purchase of a multi-year combination license. Under certain requirements, the bill creates an apprentice license that gives a one-time exemption for the Hunters Education requirement. An apprentice license holder must be accompanied by a licensed hunter.

An active duty member of the armed forces of the United States whose home of record is South Carolina and who is stationed outside of the State, shall, upon presentation of his leave and earnings statement, be allowed to fish and hunt without purchasing a fishing or hunting license.

In addition, a resident who is determined to be totally disabled under a Social Security program, the Civil Service Retirement System, the South Carolina State Retirement System, the Railroad Retirement Board, the Veterans Administration, or Medicaid, or their successor agencies or programs, may obtain a three-year disability combination license or a three year disability fishing license at no cost. The license must be issued by the department from its designated offices and is valid for three years from the date of issue. Disability recertification is required for renewal.

S.876, relating to the **RIVERBANKS PARKS COMMISSION**, was given a favorable recommendation by the full committee. The bill revises the rules and regulations of the Riverbanks Parks Commission so as to prohibit certain activities while on park property.

EDUCATION AND PUBLIC WORKS

The full committee did not meet this week.

JUDICIARY

The Judiciary Committee met on Tuesday, May 4, 2010.

The full committee gave a favorable report to **H.4153**, a bill pertaining to **LOBBYING AND ETHICS**. Relating to the registration and reregistration of lobbyists and lobbyist

principals, this bill requires the payment of all outstanding penalties before a lobbyist or lobbyist principal may resume lobbying activities. The bill amends the definition of "family member" for the purposes of the Ethics, Government Accountability, and Campaign Reform Act of 1991, so as to include brothers-in-law and sisters-in-law. Relating to the use of one's official position for official gain, this bill replaces certain references to "immediate family" with the broader term "family member". Relating to the authority of the State Ethics Commission to enforce filing requirements and assess penalties for failure to file, the bill caps certain fines at \$5,000. The bill provides that first and second offenses may be tried in magistrates court. Relating to penalties for either late filing of or failure to file a report or statement this bill caps certain fines at \$5,000, and it provides that first and second offenses may be tried in magistrates court.

H.4806, pertaining to **TERM LIMITS**, received a favorable with amendment recommendation. The bill allows the governing body of a municipality, county, school district, or board to adopt or abolish a term limit for their respective body or board upon the approval of a two-thirds vote of the members of the body or board.

H.3298, pertaining to **WEAPONS**, received a favorable with amendment report from the full committee. The bill allows a person that has been issued a concealable weapons permit to secure his weapon under a seat in a vehicle. This bill also amends the definition of the term "luggage compartment" as it relates to certain offenses involving weapons. "Luggage compartment" means the trunk of a motor vehicle which has a trunk; however, with respect to a motor vehicle which does not have a trunk, the term "luggage compartment" refers to the area of the motor vehicle in which the manufacturer designed that luggage be carried or to the area of the motor vehicle in which luggage is customarily carried. In a station wagon, van, hatchback vehicle, truck, or sport utility vehicle, the term "luggage compartment" refers to the area behind the rearmost seat.

The Judiciary Committee gave a favorable recommendation to **S.1343**, pertaining to a **FEDERAL MANDATE RELATING TO CONTROLLED SUBSTANCE OFFENSES**. This concurrent resolution provides that South Carolina opposes the federal mandate that a state enact a law to require the revocation, suspension, issuance, or reinstatement delay of a driver's license for all persons who are convicted of controlled substance offenses. The concurrent resolution further provides that South Carolina shall take advantage of provisions which allow the state to opt out of the federal mandate without the loss of federal transportation funds.

S.1154, "**THE OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT OF 2010**," received a favorable with amendment report from the Judiciary Committee. The stated purpose of this comprehensive legislation is to reduce recidivism, provide fair and effective sentencing options, employ evidence-based practices for smarter use of correctional funding, and improve public safety. The stated intent of Part I of this legislation is to provide consistency in sentencing classifications, provide proportional punishments for the offenses committed, and reduce the risk of recidivism. Part I of the bill makes numerous and various revisions to criminal offenses. Many of the changes add levels to the various degrees of an offense, increase maximum penalties, or allow discretion to judges with regards to probation and parole for offenses. The stated intent of Part II of this legislation is to provide cost-effective prison release and community supervision mechanisms and cost-effective and incentive-based strategies for alternatives to incarceration in order to reduce recidivism and improve public safety. Part II of the bill focuses on evidence-based practices in order to use proven methods

that can make smarter use of the Department of Probation, Parole and Pardon Services. Among numerous other things, the bill provides incentives to persons under supervision to comply with conditions. Part III provides oversight revisions to fiscal impact statements and also a committee to continue oversight of the implementations of the Sentencing Reform Commission recommendations.

S.288, relating to **VIOLENT CRIMES AND DRIVER'S LICENSES AND SPECIAL IDENTIFICATION CARDS**, received a favorable with amendment report from the full committee. When a person is convicted of or pleads guilty or no contest to certain violent crimes, the person must surrender his license or special identification card to the Department of Motor Vehicles by mail or in person. If the person fails to do so, the driver's license or special identification card is considered cancelled. Under this bill, a person convicted of these crimes must have a special code affixed to the reverse side of his driver's license or special identification card that identifies the person as having been convicted of a violent crime. The bill provides a fee to be charged for affixing the code, and it provides a process for removing the code in the event of reversal of the conviction, a pardon is obtained, or after a certain period of time has elapsed. The presence of a special identifying code on a person's driver's license or special identification card may not be used as a grounds to extend the detention of a person by law enforcement officer or grounds for a search of the person or his vehicle.

The full committee gave a favorable with amendment report to **S.1137**, which makes **REVISIONS TO MONITORING THE SALE OF PRODUCTS CONTAINING EPHEDRINE, PSEUDOEPHEDRINE OR PHENYLPROPANOLAMINE**. This bill regulates nonprescription products whose sole active ingredient is ephedrine, pseudoephedrine or phenylpropanolamine. Among other things, the bill prohibits a retailer from selling to any individual in any single day a nonprescription product or a combination of nonprescription products containing more than 3.6 grams of ephedrine, pseudoephedrine or phenylpropanolamine. During a 30 day period, a retailer may not sell a nonprescription product or a combination of nonprescription products containing more than nine grams of ephedrine, pseudoephedrine, or phenylpropanolamine. These same restrictions are placed on individuals for purchase of these items. Before completing a sale of one of these regulated products, the retailer must transmit certain information to a data collection system provided by the National Association of Drug Diversion Investigators. The system must collect this data in real time and may generate a stop sale alert. Retailers must comply with a stop sale alert. The legislation includes certain exemptions from the electronic log requirements. The legislation also includes provisions pertaining to State Law Enforcement Division's electronic monitoring system of these regulated products. The bill **CONFORMS THE VARIOUS SCHEDULES OF CONTROLLED SUBSTANCES TO FEDERAL LAW**. The bill also changes a statutory reference of ten grains of cocaine to one gram of cocaine.

LABOR, COMMERCE AND INDUSTRY

The full Labor, Commerce and Industry Committee met on Thursday, May 6, and gave a favorable report on **S.1224**, a bill making revisions to **INSURANCE PROVISIONS**. This bill enacts Michelle's Law requiring health insurance issuers to permit a dependent child on a medically necessary leave of absence from a postsecondary educational institution to continue dependent coverage. The legislation revises the definition of "creditable

coverage” for group health insurance coverage and special enrollment in group health insurance coverage, both under the Health Insurance Portability and Accountability Act of 1996, so as to add coverage of an individual under the State Children’s Health Insurance Program and to enact federal requirements set forth in the Children’s Health Insurance Program Reauthorization Act of 2009 to provide for special enrollment of an employee or an employee’s dependent in the case of termination of Medicaid coverage or coverage under a state children’s health insurance program or the individual becoming eligible for assistance in the purchase of employment-based coverage. The legislation revises the definition of “creditable coverage” for the South Carolina Health Insurance Pool, so as to add coverage of an individual under the State Children’s Health Insurance Program. The legislation revises capitalization requirements for captive insurance companies, so as to provide that the Director of Insurance may consider the net amount of risk retained for an individual risk when arriving at a finding relating to additional capital or net assets requirements. The legislation revises requirements for captive insurance companies. The legislation enacts federal requirements set forth in the Genetic Information Nondiscrimination Act of 2008 to prohibit discrimination on the basis of genetic information and provide for the requirements relating to the collection of genetic information.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The full committee met on Tuesday, May 4, 2010, and the following bills were addressed:

H.4802, dealing with **SOUTH CAROLINA AIR NATIONAL GUARD VACANCIES**, was given a favorable report by the full committee. This bill amends the qualifications required to fill the vacancy in the position of chief of staff of the South Carolina Air National Guard by removing the pilot requirement.

The full committee gave a favorable with an amendment report to **S.1078**, regarding **COMMUNITY RESIDENTIAL CARE FACILITIES**. This bill will require an applicant for a license to operate a nursing home or CRCF to undergo a state and national fingerprint-based criminal record check. DHEC may not issue a license if the applicant is required to register as a sex offender or has been convicted of:

- a. An offense against the person (homicide, lynching, dueling, hazing, assault and criminal sexual conduct, sexual performance by children, kidnapping, harassment and stalking);
- b. A felony forgery, larceny, embezzlement, false pretense, and cheats;
- c. Offenses against morality and decency;
- d. Offenses in §16-1-10 (D);
- e. A felony violation operating motor vehicle while under influence of alcohol or drugs or driving with an unlawful alcohol concentration or driving under the influence within 10 years of the licensure application; or
- f. A criminal offense similar to the above crimes committed in another jurisdiction or under federal law.

The bill would not prohibit DHEC from issuing a license to operate a nursing home or CRCF when a conviction or plea of guilty or nolo contendere for one of these crimes has been pardoned. However, DHEC will be allowed to consider all that information to

determine whether the applicant is unfit for licensure. The cost of obtaining the state and national criminal records checks by SLED and the FBI must be paid by the licensure applicant.

The bill also amends the definition of the term, "Direct care entity" to include residential treatment facilities for children and adolescents and hospice programs.

WAYS AND MEANS

The full committee did not meet this week.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

S.1051 PRIVATE ISLANDS Sen. Davis

This bill revises the description of a private island with an Atlantic shoreline that is exempt from erosion control devices.

S.1296 COYOTES Sen. Shane Martin

This bill provides that coyotes and armadillos may be hunted at night. It provides for the type of weaponry that can be used as well as provides for exceptions and penalties.

EDUCATION AND PUBLIC WORKS

S.1392 LICENSE PLATES Senate Transportation Committee

This legislation provides for the issuance of various special license plates: 'Distinguished Service Medal' Special License Plate; 'Second Amendment' Special License Plate; 'Historic' automobile special motor vehicle license plate for use on a private passenger motor vehicle or a motorcycle that is 25 years or older; 'Distinguished Service Cross' Special License Plate; 'Department of the Navy' Special License Plate; 'Parents and Spouses of Active Duty Overseas Veterans' Special License Plates; 'State Flag' Special License Plates; 'South Carolina Highway Patrol-Retired' Special License Plates; 'Boy Scouts of America' Special License Plates; 'I Support Libraries' Special License Plates; 'South Carolina Educator' Special License Plates; 'Coon Hunters' Special License Plates; 'Beach Music' Special License Plates; Citadel Alumni Association 'Big Red' Special License Plates; 'Large Mouth Bass' Special License Plates; High School Special License Plates; and 'South Carolina Wildlife Federation' Special License Plates. The legislation allows a coroner to be issued two special license plates. The legislation allows frames for license plates. With regards to the existing Veteran's special license plate, this bill allows qualified persons to have the wheelchair symbol placed on this plate as well as allows qualified individuals to have the word 'disabled' placed on this plate.

JUDICIARY

S.958 CRUEL RESTRAINT OF ANIMALS Sen. Knotts

This bill makes it unlawful to knowingly or intentionally confine or restrain an animal in such a cruel manner or knowingly or intentionally cause cruel confinement or restraining of an animal. The legislation includes criminal penalties for violations. These provisions do not pertain to fowl or other accepted animal husbandry practices. Also, the stated intent of the legislation is for the General Assembly to occupy the field of regulation of cruel restraint of animals.

S.1243 RELEASE OF ETHICS INFORMATION Sen. Knotts

The bill deletes the current prohibition of the release of information by the State Ethics Commission until final disposition of an ethics investigation. This bill authorizes the release of information regarding an ethics investigation once a finding of probable cause or dismissal has been made. With regards to Senate and House of Representatives Ethics Committees, this bill deletes a provision which provides that all ethics committee investigations and records relating to the preliminary investigation are confidential. The bill requires all hearings to be conducted in open session. The bill further provides that all investigations, inquiries, hearings and accompanying documents must remain confidential until a finding of probable cause or dismissal, unless the respondent waives the right to confidentiality.

S.1367 CRIMINAL AND CIVIL PENALTIES FOR SELLING WATERCRAFT WITH OUTSTANDING PROPERTY TAXES OR A PROPERTY LIEN Sen. Cromer

This bill provides that a person who knowingly sells a watercraft on which he owes unpaid and outstanding property taxes, or on which he knows there is a property tax lien, is guilty of a misdemeanor and, upon conviction, must be fined not more than \$1,000 or imprisoned not more than 30 days. In addition to any applicable criminal penalties, a seller who falsely signs the certification that property taxes are current and paid on a watercraft transferred to the buyer is liable to the buyer for three times the amount of damages directly associated with the false certification, as well as applicable costs and reasonable attorney's fees.

S.1390 CAMPAIGN EXPENDITURES Sen. Peeler

Regarding expenditures that must be contained in a certified campaign report, this bill deletes a reference to campaign funds and requires that all expenditures be listed in the report. This bill prohibits political action committees organized by or on behalf of the Governor, the Lieutenant Governor, any other statewide constitutional officer, a member of the General Assembly, a director or deputy director of a state department appointed by the Governor is prohibited. Any political action committee prohibited by this legislation in existence on the effective date of this legislation must distribute all unexpended contributions. A political action committee does not include a candidate committee. The bill also deletes provisions defining a committee directly or indirectly established, financed, maintained or controlled by a candidate or public official.

LABOR, COMMERCE AND INDUSTRY

S.1025 DRIVER TRAINING COURSE CREDITS ON AUTOMOBILE INSURANCE PREMIUMS Sen. Cromer

This bill revises provisions governing credits allowing for the reduction of premium rates charged for liability coverage and collision coverage under private passenger automobile insurance policies that are awarded upon the successful completion of driver training courses.

S.1149 LICENSURE AND REGULATION OF LANDSCAPE ARCHITECTS Sen. Cleary

This bill revises provisions governing the licensure and regulation of landscape architects, so as to conform them to the statutory organizational framework established for boards under the administration of the Department of Labor, Licensing and Regulation and to further provide for the licensure and regulation of landscape architects.

H.4949 ELECTRICITY AND NATURAL GAS SPECIAL NEEDS ACCOUNT CUSTOMERS Rep. Allen

This bill requires a municipality, special purpose district or public service district, electric cooperative, public utility, public service authority, or electric utility furnishing electricity or natural gas to its citizens to include in the customers bills once annually a form that may be returned with payment that informs the municipality, special purpose district or public service district, electric cooperative, public utility, public service authority, or electric utility that the customer is a "special needs account customer". The legislation revises the definition of "special needs account customer" in procedures governing the termination of electric and natural gas service under certain circumstances furnished by a municipality, special purpose district or public service district, electric cooperative, public utility, public service authority, or electric utility.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

S.1088 DISPENSING OF CERTAIN DRUGS AT A FEDERALLY QUALIFIED HEALTH CENTER Sen. Matthews

This bill provides for the dispensing of certain drugs or devices at a Federally Qualified Health Center. A Federally Qualified Health Center or FQHC means an entity funded by the Bureau of Primary Health Care. This provision does not prevent a licensed practitioner from dispensing a drug or device for a patient of a FQHC. Drugs dispensed by the FQHC must be properly labeled in accordance with state and federal law and the patient must be given a choice of receiving the drug or device from the FQHC or another provider. The bill also outlines permit requirements as well as requirements to operate a FQHC without a retail pharmacy.

WAYS AND MEANS

S.1323 “I-95 CORRIDOR AUTHORITY ACT” Sen. Matthews

This bill establishes the I-95 Corridor Authority and provides for the authority’s composition, duties, and powers to carry out economic development and educational improvement activities to improve economic conditions in its member counties. The member counties of the authority consist of all counties that: (1) are contiguous with Interstate Highway 95; or (2)(a) have some point which is located within thirty miles of I-95, and (b) had total population of under forty thousand as calculated by the 2000 Census.

H.4934 PROPOSED STATE CONSTITUTIONAL AMENDMENT ON THE TAXATION OF REAL PROPERTY Rep. Hart

This joint resolution proposes to amend the South Carolina Constitution so as to: require the General Assembly to provide by law a definition of “fair market value” for real property for purposes of the property tax; eliminate the fifteen percent limit on increases in the value of real property over five years; and, eliminate an assessable transfer of interest as an event which may change the value of the real property.

H.4935 TAXATION OF REAL PROPERTY Rep. Hart

This bill repeals the provisions of the South Carolina Real Property Valuation Reform Act and establishes an alternative method for the taxation of real property.

H.4936 “MUNICIPAL ECONOMIC DEVELOPMENT SALES AND USE TAX ACT” Rep. Brantley

This bill enacts the “Municipal Economic Development Sales and Use Tax Act” so as to allow a municipality located in a county classified for purposes of the targeted jobs tax credit as distressed, least developed, or underdeveloped to impose a sales and use tax not to exceed one percent of amounts subject to the South Carolina Sales and Use Tax Act, for not more than ten years. The legislation provides that a municipality may impose the tax by ordinance, provides for the administration of the tax, and provides that the tax revenue must be used exclusively for promoting economic development in the municipality.

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