



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 approved and sent to the Senate [H.4627](#), a joint resolution addressing the actions taken by the South Carolina Department of Health and Environmental Control to allow **DREDGING IN THE SAVANNAH RIVER** that would make a portion of the waterway suitable for navigation by large ocean-going container or commerce vessels so that a new maritime port facility may be constructed in Georgia. Through the joint resolution the General Assembly, exercising its exclusive authority to suspend laws granted under Section 7, Article I of the South Carolina Constitution, suspends the authority of the South Carolina Department of Health and Environmental Control for all decisions subsequent to 2007 related to all matters pertaining to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues concerning the South Carolina portion of the Savannah River, in particular the approval by DHEC of the application of the United States Army Corps of Engineers for a Construction in Navigable Waters Permit for the dredging of the South Carolina portion of the Savannah River, because the authority of the Savannah River Maritime Commission superseded DHEC's responsibilities for such approval, as established by Act 56 of 2007, and DHEC's approval could present imminent and irreversible public health and environmental concerns for the South Carolina portion of the Savannah River.

The House approved and sent to the Senate [H.4636](#), a bill establishing the **BLUE ALERT PROGRAM** within the South Carolina Law Enforcement Division (SLED) as a means of rapidly disseminating information to assist in apprehending a suspect who allegedly kills, seriously injures, or abducts a law enforcement officer. The program is designed to make use of the Amber Alert infrastructure established for the rapid recovery of missing and abducted children, including messages to motorists posted on South Carolina Department of Transportation electronic traffic signs and releases to broadcast media, to distribute information that can help locate a fleeing suspect who poses a serious public safety threat.

The House concurred in Senate amendments to [H.3864](#) and enrolled the bill for ratification. The legislation modernizes the state's **FRESHWATER FISH AND GAME** laws, with an emphasis on making the provisions more consistent and user-friendly. These provisions have not undergone a comprehensive update in over thirty years.

The House amended Senate amendments to [H.3124](#), the **OMNIBUS SPECIAL LICENSE PLATE BILL**, and returned the legislation to the Senate. This legislation authorizes the issuance of several new 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 at least 25 years old; '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; 'Eagle Scouts of America' Special License Plates; 'I Support Libraries' Special License Plates; 'South Carolina Educator' Special License Plates; 'Beach Music' Special License Plates; Citadel Alumni Association 'Big Red' Special License Plates; 'Largemouth Bass' Special License Plates; High School Special License Plates; 'South Carolina Wildlife Federation'

Special License Plates; 'Dr. Mary McLeod Bethune' special license plates; Gadsden Flag Special License Plates; 'Active Duty Members of the United States Armed Forces' Special License Plates; 'Combat Related Disabled Veteran' special license plates; and, '2010-11 Baseball National Champions' special license plate. In addition to creating these plates, the legislation adjusts special license plate fees and revises other provisions relating to special license plates.

The House amended, approved, and sent to the Senate **H.4475**, a bill to provide that **TRAIL RIDING IS INCLUDED UNDER EQUINE LIABILITY IMMUNITY PROVISIONS** which afford an equine activity sponsor or an equine professional immunity from certain legal liable for an injury to or the death of a participant resulting from an inherent risk of equine activities, such as steeplechases, rodeos, polo matches, hunter and jumper horse shows, and equestrian competitions.

The House approved and sent to the Senate **H.4434**, a bill that changes the name of the Pendleton District Agricultural Museum to the "**BART GARRISON AGRICULTURAL MUSEUM OF SOUTH CAROLINA**".

HOUSE COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full Agriculture, Natural Resources and Environmental Affairs Committee met on Wednesday, January 25, 2012, and reported out two bills.

The committee gave a favorable recommendation to **H.4434**, regarding the **PENDLETON DISTRICT HISTORICAL AND RECREATIONAL COMMISSION OF ANDERSON, OCONEE, AND PICKENS COUNTIES**. The bill changes the name of the Pendleton District Agricultural Museum to the "Bart Garrison Agricultural Museum of South Carolina". Effective March 1, 2012, the Pendleton District Historical and Recreational Commission shall erect appropriate markers and signs reflecting the change.

H.4475, regarding **EQUINE LIABILITY IMMUNITY** to equine sponsors, was given a favorable with amendment recommendation by the committee. The legislation includes that landowners who give permission for the use of their land in an equine activity, either by easement or other means, are considered equine sponsors. The bill adds riding trails as an equine activity and requires warning signs regarding liability to be posted at the primary entrance of riding trails maintained by equine activity sponsors.

JUDICIARY

The full Judiciary Committee met on Tuesday, January 24, and gave consideration to several bills.

H.3793, relating to **BATH SALTS, SPICE, K2, AND OTHER SYNTHETIC DRUGS**, received a favorable with amendment report. This bill adds numerous materials, compounds and mixtures and preparations, including those commonly known as bath salts, spice, and K2, to the list of Schedule I controlled substances.

The Judiciary Committee gave a favorable with amendment recommendation to **H.4571**. This bill makes revisions pertaining to the **REPEAL OF SECTION 56-1-754, WHICH RELATES TO THE SUSPENSION OF A DRIVER'S LICENSE OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION**. This particular code section was repealed by the General Assembly last year by Act 13 of 2011. This legislation enacts language in order to carry out the intentions of the General Assembly when it enacted this legislation to discontinue the suspension of the driver's license of a person who was charged with a controlled substance violation before April 12, 2011, but whose conviction occurred on or after April 12, 2011.

The committee also gave a favorable with amendment recommendation to **H.4463**, pertaining to **TRANSFER COURT**. Relating to the transfer of certain criminal cases from general sessions court to magistrates or municipal court, this legislation clarifies the types of cases that may be transferred includes criminal cases originally charged and those in which the charges are reduced for purposes of a guilty plea. The legislation allows an objection to be made to the chief judge for administrative purposes in the judicial circuit where the charges are pending, and it allows the defendant to waive certain rights. The legislation deletes factors a judge may consider in granting the petition for transfer; it also deletes provisions relating to the chief judge for administrative purposes for the court of general sessions retaining administrative supervision of cases.

H.4549, pertaining to **THIRD-PARTY VOTER REGISTRATION ORGANIZATIONS**, received a favorable with amendment report. This legislation requires a third-party voter registration organization operating in this state to register and file certain information with the State Election Commission. Among other things, the third-party voter registration organization must provide a sworn statement from each registration agent employed by or volunteering for the organization, stating that the agent will obey all state laws and rules regarding the registration of voters. This statement must be on a form containing notice of applicable penalties for false registration. The legislation requires the State Election Commission to make voter registration forms available to third-party voter registration organizations. All of these forms must contain information identifying the organization to which the forms are provided. The commission shall maintain a database of all third-party voter registration organizations and the voter registration forms assigned to the third-party voter registration organization. Each county board of registration shall provide to the commission information on voter registration forms assigned to and received from third-party voter registration organizations. The information must be provided in a format and at times required by the commission. The commission must update information on third-party voter registrations daily and make the information publicly available. A third-party voter registration organization serves as a fiduciary to the applicant and must promptly deliver all collected registration applications to the appropriate registration office after the applicant completes it. The legislation includes fines for not promptly delivering collected registration applications. Fines collected by the commission are remitted to the General Fund of the State. The Executive Director of the State Election Commission may waive fines in certain circumstances, including upon a showing of impossibility of performance. The Executive

Director of the State Election Commission may refer matters to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation or to prevent a violation. An action for relief may include a permanent or temporary injunction, a restraining order, or another appropriate order. The State Election Commission shall designate a form to elicit specific information concerning the facts and circumstances from a person who claims to have been registered to vote by a third-party voter registration organization but who does not appear as an active voter on the voter registration rolls. The commission is authorized to adopt regulations requiring third-party voter registration organizations to account for all state and federal registration forms used by their registration agents. These regulations may require an organization to provide organization and form specific identification information on each form as determined by the commission as needed to assist in the accounting of state and federal registration forms. Failure of a third-party voter registration organization to comply with these requirements within ninety days after the effective date of legislation automatically shall result in the cancellation of the third-party voter registration organization's registration.

The Judiciary Committee gave a favorable with amendment report to **H.4614**, relating to **COURT-ORDERED CHILD CUSTODY**. This legislation specifies certain procedures and requirements for court-ordered child custody. Among other things, the legislation requires parents to jointly prepare and submit a parenting plan, which the court must consider before issuing temporary and final custody orders; however, the failure by a party to submit a parenting plan to the court does not preclude the court from issuing a temporary or final custody order. The legislation requires the court to make final custody determinations in the best interest of the child based upon the evidence presented. The court may award joint custody to both parents or sole custody to either parent. It requires the court to consider joint custody if custody is contested or if either parent seeks it and to state findings of fact as to why or why not joint custody was awarded. The legislation provides matters that may be included in a custody order, provides factors the court may consider in issuing or modifying a custody order when considering the best interest of the child, and authorizes a parent to seek arbitration of an issue that cannot be resolved between the parents. The family court retains jurisdiction to modify a joint custody order based upon a substantial change of circumstances.

LABOR, COMMERCE AND INDUSTRY

The full Labor, Commerce, and Industry Committee met on Tuesday, January 24, and gave a report of favorable with amendments on **H.4592**, legislation offered as a means of **COMBATING UNEMPLOYMENT COMPENSATION FRAUD** more effectively. The legislation creates a Special Investigations Unit within the Department of Employment and Workforce that is charged with the responsibility of enforcing all laws relating to unemployment insurance fraud in conjunction with the Attorney General's Office. The unit is afforded statewide police powers and is authorized to execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses in the course of its investigations. The legislation revises unemployment insurance fraud provisions for both employers and for those collecting jobless benefits by imposing a new range of criminal penalties for violations. More serious felony offenses are reserved for repeat violations and fraud that involves larger dollar amounts. Offenders are also required to make full restitution to the Department of Employment

and Workforce for any economic advantages or benefits fraudulently obtained. In addition to these criminal penalties, the legislation includes enhanced civil penalties for unemployment insurance fraud that makes a violator subject to a fine of up to five thousand dollars for a first offense, a five thousand to ten thousand dollar fine for a second offense, and a ten thousand to fifteen thousand dollar fine for a third or subsequent offense. Revenue from these civil penalties must be used to provide funds for the costs of enforcing and administering unemployment insurance fraud provisions and the Omnibus Insurance Fraud and Reporting Immunity Act.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.4654 PERMITS FOR DISCHARGE OF WASTE OR AIR CONTAMINANTS Rep. Hardwick

Among many things, the legislation provides for exemptions for permits for discharge of waste contaminants. The legislation also specifies that no private cause of action is created by or exists under the Pollution Control Act.

H.4689 HEALTH AND SANITARY REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS Rep. Hiott

The bill adds health and sanitary requirements for home-based food production operations. A home-based food production operation is an individual, operating out of the individual's dwelling, which prepares, processes, packages, stores, and distributes non-potentially hazardous foods (such as jams, jellies or candy) for sale directly to a person. The bill outlines that these operations are not retail establishments, and it also provides a process whereby the Department of Health and Environmental Control may investigate complaints.

EDUCATION AND PUBLIC WORKS

H.4645 STUDENT BULLYING ADVISORY COUNCIL Rep. Clyburn

This legislation requires the governing body of each school district to create a Student Bullying Advisory Council to be made up of students and parents selected by the governing body to advise the governing body on matters relating to student on student bullying problems, and on such other matters as the governing body shall determine.

H.4671 "SOUTH CAROLINA FOUNDING PRINCIPLES ACT" Rep. Huggins

This legislation includes a stated finding that the survival of the republic requires that our nation's children, the future guardians of its heritage and participants in its governance, have a clear understanding of the founding philosophy and the founding principles of government for a free people, which are found in the Declaration of Independence, the

United States Constitution, the Federalist Papers, and the writings of the founders, and an understanding of their preservation. This legislation provides that the local school boards shall require during the high school years the teaching of a curriculum as part of the required study of the United States Constitution containing specified founding philosophy and principles of this country contained in various documents and publications.

H.4690 "JASON FLATT ACT" (YOUTH SUICIDE AWARENESS AND PREVENTION) Rep. Owens

This legislation provides that the Department of Education shall require two hours of training in youth suicide awareness and prevention as a requirement for the renewal of credentials for individuals employed in middle schools and high schools. The department is required to develop guidelines for training and materials that may be used by schools and school districts; school districts may approve training materials for training their employees. This training requirement may be satisfied through self review of suicide prevention materials. No person shall have a cause of action for any loss or damage caused by any act or omission resulting from the implementation of the provisions or resulting from any training, or lack of training, required by these provisions unless the loss or damage was caused by wilful or wanton misconduct. The training, or lack of training, required by these provisions must not be construed to impose any specific duty of care.

H.4691 DEPARTMENT OF TRANSPORTATION SHALL NOT DISCRIMINATE AGAINST MOTORCYCLES, MOTORCYCLE OPERATORS, OR MOTORCYCLE PASSENGERS Rep. Atwater

This legislation provides that in formulating transportation policy, promulgating regulations, allocating funds, and planning, designing, constructing, equipping, operating and maintaining transportation facilities, no action of the South Carolina Transportation Commission, or the South Carolina Department of Transportation shall have the effect of discriminating against motorcycles, motorcycle operators, or motorcycle passengers. No regulation or action of the commission, or department shall have the effect of enacting a prohibition or imposing a requirement that applies only to motorcycles or motorcyclists, and the principal purpose of which is to restrict or inhibit access or motorcycles and motorcyclists to any highway, bridge, tunnel, or other transportation facility. These provisions shall apply also to transportation facilities and projects undertaken or operated by counties, cities, towns, and other political subdivisions of the state where public funds have been used in whole or in part to plan, design, construct, equip, operate, or maintain the facility or project.

JUDICIARY

H.4644 PROHIBITION ON SMOKING WHILE CERTAIN CHILDREN ARE IN A MOTOR VEHICLE Rep. Clyburn

This legislation provides that it is unlawful for a driver or occupant of a private or public passenger motor vehicle to smoke a tobacco product while a child of preschool age is also an occupant of the motor vehicle. Violations are misdemeanors.

H.4649 EXPEDITED EXPUNGEMENT VERIFICATION Rep. Rutherford

Relating to expungement fees and requirements and duties of the solicitor and the State Law Enforcement Division (SLED) regarding the expungement process, this legislation provides for an expedited expungement verification by SLED with the payment of an additional \$50 fee. If the applicant pays this additional fee, the solicitor shall remit \$40 of the payment by certified check or money order to SLED, and the solicitor's office shall retain ten dollars. Upon receipt of the \$40 fee for an expedited verification, SLED shall verify that the charge is statutorily appropriate for expungement and forward the necessary documentation back to the solicitor's office no later than 30 days from the date the check or money order was received.

H.4650 NOTICE OF POSSIBLE ELIGIBILITY FOR A PRETRIAL INTERVENTION PROGRAM TO PERSONS CHARGED WITH A CRIME

Rep. Rutherford

This legislation requires the Office of the Pretrial Intervention Coordinator to develop a written notice for inclusion on, or that must be distributed with, all warrants and courtesy summons which provides notice of possible eligibility for a pretrial intervention program and contact information for the appropriate circuit solicitor with jurisdiction over the offense provided on the warrant or courtesy summons. The legislation further provides that the office shall coordinate with the appropriate law enforcement agencies to ensure the notice required by these provisions is provided to persons charged with a crime.

H.4653 UNLAWFUL TO TRANSPORT A PERSON WHO IS SEVEN YEARS OLD OR YOUNGER ON A MOTORCYCLE Rep. Daning

This legislation provides that it is unlawful to transport a person who is seven years old or younger on a motorcycle.

H.4660 "SOUTH CAROLINA CAMPAIGN FINANCE REFORM ACT OF 2012"
Rep. H. B. Brown

This legislation prohibits a political action committee organized by or on behalf of a statewide constitutional officer, a member of the General Assembly, and certain gubernatorial appointees. This legislation prohibits lobbyists' principals from offering, making, or facilitating a campaign contribution to a member of the General Assembly or a statewide constitutional officer from December thirty-first through July first of the calendar year immediately following. This legislation requires candidates for statewide office or for the General Assembly to report campaign contributions online within five days after receipt. Relating to campaign contribution limits and restrictions, this legislation increases the maximum campaign contribution limits. The legislation also deletes a reference to a committee organized directly or indirectly, established, financed, maintained, or controlled by a candidate or public official.

H.4669 "SOUTH CAROLINA CLEAN ELECTIONS ACT" Rep. J. H. Neal

This legislation takes effect upon ratification of an amendment to the State Constitution authorizing the General Assembly to establish a procedure by which candidates for elective office may use public monies to fund their campaigns. This legislation provides a procedure by which certain candidates for office who agree to limitations on contributions to receive a predetermined amount of public funds for campaigns, and the legislation requires electronic disclosures for all campaign contributions to candidates and political committees.

H.4670 PROPOSED AMENDMENT TO THE STATE CONSTITUTION TO AUTHORIZE A PROCEDURE BY WHICH A CANDIDATE FOR

ELECTIVE OFFICE MAY FINANCE HIS CAMPAIGN WITH PUBLIC FUNDS AS THE GENERAL ASSEMBLY MAY DETERMINE

Rep. J. H. Neal

This legislation proposes to amend the State Constitution so as to authorize a procedure by which a candidate for elective office may finance his campaign with public funds as the General Assembly may determine. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

**H.4672 PROPOSED AMENDMENT TO THE STATE CONSTITUTION
RELATING TO THE ELIGIBILITY TO HOLD A POPULARLY ELECTED
OFFICE IN THIS STATE** **Rep. H. B. Brown**

This legislation proposes to amend the State Constitution relating to the eligibility to hold a popularly elected office in this state, specifically so as to eliminate the exception that allows a person to hold elective office if a person's conviction has been pardoned under state or federal law, or if it has been fifteen or more years after the completion date of the person's sentence, including probation and parole time. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

H.4673 ETHICS REVISIONS **Rep. H. B. Brown**

Relating to reporting particular gifts received by a public official or member on the statement of economic interests, this legislation requires the reporting of free private air transportation. Relating to the restrictions on former public officials, members, or employees serving as a lobbyist or accepting employment in a field of former service, this legislation increases the durational limitation from one to three years. Relating to unlawful contributions and expenditures, this legislation prohibits contributions from appointed public officials and public members to certain elected officials. Relating to the penalty for late filing of, or failure to file a report or statement, this legislation increases the applicable daily and maximum civil penalties.

**H.4674 PROHIBITION ON A LAW ENFORCEMENT OFFICER FROM
CONFISCATING OR SEIZING A CELL PHONE, VIDEO RECORDER,
OR OTHER ELECTRONIC RECORDING DEVICE AT THE SCENE OF A
LAW ENFORCEMENT INVESTIGATION OR LAWFUL ARREST**
Rep. Rutherford

This legislation provides that it is unlawful for a law enforcement officer to confiscate or seize a cell phone, video recorder, or other electronic recording device at the scene of a law enforcement investigation or lawful arrest unless the use of the device substantially impedes or interferes with the law enforcement investigation or lawful arrest. Violations by law enforcement are misdemeanors. If a device, is lawfully seized, the device must be returned to the owner upon payment by the owner of a fee of not more than \$25 within 30 days of the confiscation or seizure of the device. The owner of the device may not be charged a fee for its return if the law enforcement officer confiscated or seized the device in violation of these provisions.

H.4675 PROHIBITED GAMBLING DEVICES **Rep. Henderson**

This legislation clarifies that certain gambling devices prohibited by Section 12-21-2710 are still prohibited even if a person holds a bingo license. Also, the legislation clarifies that these gambling devices are still prohibited in game promotions allowed by holders of permits authorizing the sale of beer or wine.

H.4678 SATISFACTION OF MORTGAGE Rep. Nanney

Relating to methods of entering a satisfaction of mortgage in the public records, this legislation provides that the mortgagee of record, the owner or holder of the debt instrument secured by the mortgage, the trustee or beneficiary of a deed of trust, or the legal representative or attorney-in-fact of any of those parties may execute a mortgage satisfaction or deed of trust release. The legislation provides a procedure and form for use in this execution.

**H.4680 REDUCTION OF A SENTENCE WHEN A DEFENDANT PROVIDES
SUBSTANTIAL ASSISTANCE IN INVESTIGATING OR
PROSECUTING ANOTHER PERSON Rep. Bannister**

Relating to reduction of a sentence when a defendant provides substantial assistance in investigating or prosecuting another person, this legislation deletes the requirement that the assistance be provided after sentencing and clarifies that a defendant's sentence may be reduced below the minimum term of imprisonment provided by law under certain circumstances.

LABOR, COMMERCE AND INDUSTRY

**H.4651 SOUTH CAROLINA REAL ESTATE COMMISSION MEMBERSHIP
Rep. Hamilton**

This bill revises provisions relating to membership of the South Carolina Real Estate Commission. The legislation establishes qualifications for service and provides requirements for candidates to be screened and found qualified before they may serve on the commission. The legislation increases commission membership to reflect changes in the state's congressional districts.

H.4652 RIGHT TO WORK LAW ENHANCEMENTS Rep. Sandifer

This bill requires an employer to post notice concerning the rights of an employee to remain unaffiliated with a labor union. The legislation revises government contract provisions by providing that adherence to a collective bargaining agreement may not be a condition for awarding a construction contract. The legislation establishes requirements for a labor organization to file reports with the Department of Labor, Licensing and Regulation concerning its finances and governance. The legislation revises provisions relating to the deduction of labor organization membership dues from employee wages, so as to provide the manner in which an employee must authorize this deduction, and to clarify that otherwise legal political contributions are not prohibited. The legislation revises penalties for a violation of right to work laws, so as to limit the applicable fine to a maximum of ten thousand dollars. The legislation authorizes treble damages as a remedy available to a worker for a violation of his right to work and requires a person seeking this relief to demonstrate a factual basis for a claim. The legislation revises civil penalties the department may assess for a violation and related appeals, so as to provide a civil penalty may not exceed ten thousand dollars.

**H.4668 SALES AND ADVERTISING LITERATURE REGARDING SECURITIES
Rep. Simrill**

This bill provides that upon filing, the prospectus, pamphlet, circular, form letter, advertisement, sales literature, or other advertising record relating to a security or investment advice regarding securities, may be distributed to prospective investors.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H.4648 COUNTY CITIZENS RELATIONS COMMITTEE Rep. Clyburn

This bill creates a County Citizen Relations Committee within each county to be appointed by the governing body of the county. The committee is to study, evaluate, and recommend county plans and programs to eliminate prejudice and discrimination, as well as to promote and safeguard the equal rights of, and respect for all people within the county in the areas of employment, education, and social and economic justice. The bill outlines the committee's membership. In addition, the bill authorizes the continuation of current County Citizen Relations Committees established before January 1, 2012.

H.4663 RENTAL OF PRIVATE PASSENGER AUTOMOBILES Rep. Howard

A car rental company must rent a private passenger vehicle at its standard rates to any person who is at least eighteen years of age, who is on active duty in the uniformed services of the United States with a valid military identification, or who has a valid driver's license issued by this State, any other state, and who is otherwise qualified to rent a motor vehicle under the laws of this State and the rules and policies of a car rental company, except for any age restrictions.

H.4687 ELECTRONIC TRANSMITTAL OF DEATH CERTIFICATES Rep. King

The legislation states that death certificates must be transmitted electronically among all parties required to complete death certificate information, including but not limited to, funeral home directors, licensed embalmers, physicians, coroners, and medical examiners, and must be transmitted electronically for filing with the Department of Health and Environmental Control, Bureau of Vital Statistics. Required signatures on death certificates must be provided by electronic signature. An electronic signature means a method of signing an electronic message that identifies and authenticates a particular person as the source of the electronic message; and indicates such person's approval of the information contained in the electronic message.

WAYS AND MEANS

H.4676 COMMERCIAL PROPERTY TAX ASSESSMENT RATIO REDUCTION Rep. Lowe

This bill reduces the tax assessment ratio on commercial and other applicable real property from six percent of value to five percent of value, phasing in this reduction over the course of two property tax years. The legislation provides for the reimbursement to political subdivisions and school districts for property tax not collected because of this reduction and revises Trust Fund for Tax Relief provisions so as to include revenues to make the reimbursements required for the assessment ratio reduction provided in this legislation.

H.4688 "INCOME TAX CREDIT FOR PROPERTY TAX RELIEF ACT"

Rep. Bowen

This bill enacts the "Income Tax Credit for Property Tax Relief Act", to provide income tax credits for taxpayers at least sixty-five years of age in an amount by which the property tax on the taxpayer's principal residence exceeds three percent of the taxpayer's adjusted gross income. The legislation provides that the principal residence of a taxpayer who qualifies for this income tax credit against the ad valorem property tax liability is exempt from attachment, levy, and sale for nonpayment of county or municipal property taxes for a period of two years after such taxes have become delinquent. The legislation provides that the principal residence of a taxpayer who qualifies for this income tax credit against the ad valorem property taxes and is at least seventy years of age may have a lien filed against it for nonpayment of these taxes, but is exempt from attachment, levy, and sale for the nonpayment until such time as the property is sold or undergoes another assessable transfer of interest.

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