



South Carolina House of Representatives

Legislative Update

James H. "Jay" Lucas, Speaker of the House

Vol. 32

March 31, 2015

No. 12

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HOUSE WEEK IN REVIEW

The House of Representatives adopted the conference committee report on [S.196](#), legislation enhancing provisions for **COMBATTING HUMAN TRAFFICKING**. The legislation includes human trafficking offenses within the jurisdiction of the state grand jury. The legislation also includes new requirements for posting National Human Trafficking Resource Center Hotline information that apply to a list of establishments such as adult businesses, massage parlors, hospital emergency rooms, agricultural labor contractors, hotels, motels, airports, train stations, bus stations, rest areas, and truck stops. Penalties are established for failing to comply with these posting requirements.

The House amended, approved, and sent the Senate [H.3119](#), a bill establishing the **FELONY CRIMINAL OFFENSE OF THEFT OF A FIREARM** punishable with a fine of up to five thousand dollars and/or imprisonment for up to ten years.

The House amended, approved, and sent the Senate [H.3116](#), a bill establishing **FRAUDULENT FIREARMS AND AMMUNITION PURCHASE PREVENTION** provisions. The legislation provides that it is unlawful for a person to knowingly solicit, persuade, encourage or entice a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state. Additionally, it is unlawful for a person to knowingly provide to a licensed dealer or private seller of firearms or ammunition materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition. The legislation also prohibits someone from wilfully procuring another person to engage in this unlawful conduct. An exemption is provided to allow law enforcement officers to conduct sting operations and other official investigations. A violator of these provisions is guilty of a felony offense punishable with a fine of up to five thousand dollars and/or imprisonment for up to five years.

The House amended, approved, and sent the Senate [H.3115](#), a bill **PROHIBITING LOCAL GOVERNMENTS FROM REGULATING KNIVES**. The legislation provides that no governing body of any county, municipality, or other political subdivision in the state may enact or promulgate any regulation or ordinance that regulates the transfer, ownership, possession, carrying, or transportation of knives by adding knives to the list of firearms, ammunition, and related items that cannot be regulated by any governing body other than the General Assembly.

The House amended [S.382](#) and returned the legislation to the Senate. This joint resolution provides authority for instituting a **MANDATORY EMPLOYEE FURLOUGH PROGRAM AT SOUTH CAROLINA STATE UNIVERSITY** of not more than twenty working days in Fiscal Year 2014-2015 and in Fiscal Year 2015-2016 as a cost-saving measure.

The House amended, approved, and sent the Senate [H.3583](#), a bill establishing **ANTI-BOYCOTT REQUIREMENTS FOR GOVERNMENT CONTRACTING**. The legislation establishes conditions that prohibit the state government, local governments, school districts, or any other political subdivisions or public bodies from entering into contracts for goods or services with businesses that unfairly discriminate against South Carolina's

free trading partners through boycotts. The legislation establishes requirements that, in order to enter into a government contract with a value of at least ten thousand dollars, a business must certify that it does not, and will not, engage in boycotts against South Carolina's trading partners that are based upon race, color, religion, gender, or national origin. Boycotts specifically do not include such matters as decisions based upon business or economic reasons, or the specific conduct of a targeted person or firm.

The House amended, approved, and sent the Senate **H.3525**, the “**TRANSPORTATION NETWORK COMPANY ACT**” which regulates operations that make use of digital networks and mobile device applications to connect a passenger to a transportation network driver for the purpose of providing transportation for compensation using a vehicle outside the limits of a municipality. The legislation establishes new requirements for transportation network companies to obtain certificates from and be regulated by the Office of Regulatory Staff which, in carrying out its new duties, is charged with balancing the interest of the state in promoting innovative, safe, and cost-effective transportation services with an appropriate level of safety protections for passengers and the general public. The Transportation Network Company Act includes new requirements relating to such matters as insurance coverage, vehicle safety and cleanliness, background checks for drivers, nondiscrimination with respect to passengers, the charging of fares, a prohibition on cash payments, and a prohibition on street hails and other ride arrangements that do not make use of the company's digital network. Assessments are established to address regulatory costs and penalties are provided for violations.

The House amended, approved, and sent the Senate **H.3662**, a bill **PROHIBITING THE ENFORCEMENT OF INTERNATIONAL RESIDENTIAL BUILDING CODE REQUIREMENTS FOR FIREPROOF FLOORING**. This bill provides that Section 501.3 of the 2012 International Residential Code relating to the installation of fireproof flooring must not be enforced.

The House approved and sent the Senate **H.3547**, a bill that expands provisions establishing **REEMPLOYMENT RIGHTS OF SOUTH CAROLINA NATIONAL GUARD AND STATE GUARD MEMBERS** so that they also apply to someone who is employed in South Carolina but has been a member of another state's national or state guard and honorably released from that duty.

The House approved and sent the Senate **H.3683**, a bill requiring that the **ADJUTANT GENERAL'S ANNUAL REPORT ON THE SOUTH CAROLINA NATIONAL GUARD** be submitted to the General Assembly as well as to the Governor.

The House amended, approved, and sent the Senate **H.3775**, a joint resolution on **FORGIVING SCHOOL DAYS MISSED DUE TO INCLEMENT WEATHER**. The legislation authorizes school districts to waive make-up requirements for up to three full school days that students missed due to inclement weather during the 2014-2015 school year. A district must, however, exhaust all statutorily required make-up days remaining on the 2014-2015 school calendar before granting these waivers.

The House approved and sent the Senate **H.3843**, a joint resolution **EXTENDING THE DEADLINE FOR THE OFFICE OF FIRST STEPS STUDY COMMITTEE TO COMPLETE ITS REVIEW** and present its recommendations to the General Assembly from March 15, 2015, to January 1, 2016.

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The House amended, approved, and sent the Senate **H.3545**, a bill making revisions to **ARSON OFFENSES**. The legislation revises various statutes that provide for the degrees of arson, correcting some changes that were put in place through the adoption of the 2010 Omnibus Crime Act.

The House amended, approved, and sent the Senate **H.3216**, a bill relating to **ANIMAL CONTROL AND LITTER CONTROL OFFICERS**. The legislation equips animal control officers with the same custodial arrest powers that are currently afforded litter control officers. The legislation also specifies that such litter or animal control officers are vested with all the powers and duties according to the officers' corresponding law enforcement officer classification conferred by law and are under the jurisdiction of the appropriate local law enforcement agency.

The House approved and sent the Senate **H.3443**, a bill **AUTHORIZING OPTOMETRISTS TO CONTINUE TO PRESCRIBE HYDROCODONE** which they have not been allowed to do since the medication was reclassified from Schedule III to Schedule II of the federal Controlled Substances Act in October, 2014.

The House approved and sent the Senate **H.3349**, a bill providing for numerous **REVISIONS TO THE PHARMACY PRACTICE ACT**. The legislation includes authority for compounding materials in advance and storing them when a need for the supply can be anticipated.

The House approved and sent the Senate **H.3772**, a bill allowing the **REAPPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION** to successive terms.

The House amended, approved, and sent the Senate **H.3786**, a bill establishing **PROTECTION FOR TIGER SHARKS**. The legislation provides that it is unlawful to take or possess a tiger shark (*Galeocerdo cuvier*). Any tiger shark that is caught must be released immediately and must remain completely in the water at all times while being released. The legislation provides that persons who are in the water for a lawful purpose may take all reasonable measures to defend themselves if attacked by a tiger shark.

The House granted free conference powers to consider compromise provisions with the Senate on **H.3118**, legislation relating to the **HUNTING AND TAKING OF WILD TURKEY**, including conservation measures that may be needed to address observed declines in the state's wild turkey population.

The House approved and sent the Senate **H.3393**. This bill provides that, for the privilege of hunting migratory waterfowl in this state, a hunters must also obtain a **FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP** in addition to the required state hunting license and permits. In order to provide convenience for hunters, the legislation affords the Department of Natural Resources authority to contract with the United States Fish and Wildlife Service to make a Federal Migratory Hunting and Conservation Stamp available through the license sales system of the department.

The House amended, approved, and sent the Senate **H.3668**, relating to **REQUIREMENTS FOR WEARING SAFETY APPAREL IN WILDLIFE MANAGEMENT AREAS**. The legislation requires all non-exempt persons to wear a hat, coat, or vest of

solid international orange while on Wildlife Management Area lands during deer hunting season.

The House amended, approved, and sent the Senate **H.3762**, a bill relating to **ANIMAL TRAPS**. The legislation allows for a customer number issued by the Department of Natural Resources to be used in order to identify the owner of an animal trap. The legislation also eliminates an outdated protocol for game wardens to inspect skins, furs, pelts or hides of furbearing animals before they may be transported out of state.

The House concurred in Senate amendments to **H.3323** and enrolled the bill for ratification. The legislation transfers authority for managing “**SOUTH CAROLINA NOXIOUS WEED ACT**” responsibilities from the Department of Agriculture to Clemson University’s Division of Regulatory and Public Service Programs which already manages the state’s crop pest program.

The House amended, approved, and sent the Senate **H.3558**. This bill revises provisions that allow **COTTON MODULAR VEHICLES** to travel on the state’s roads to haul cotton from fields to processing facilities.

The House recommitted to the Judiciary Committee **H.3041**, a **PROPOSED AMENDMENT TO THE SOUTH CAROLINA CONSTITUTION FOR THE SUPERINTENDENT OF EDUCATION TO BE APPOINTED BY THE GOVERNOR** rather than elected.

The House recommitted to the Judiciary Committee **H.3099**, a bill revising **CHILD ABUSE AND NEGLECT REPORTING REQUIREMENTS**.

The House recommitted **S.168**, a joint resolution declaring **MESOTHELIOMA AWARENESS DAY**, to the Committee on Invitations and Memorial Resolutions.

HOUSE COMMITTEE ACTION

JUDICIARY

The House Judiciary Committee passed out one bill on Tuesday, March 17, 2015.

The Committee passed H. 3433, the “**DOMESTIC VIOLENCE REFORM ACT**,” as amended. The bill removes references to criminal domestic violence, calling the act “domestic violence”. Instead of the number of convictions, the bill considers the degree of injury as well as other aggravating circumstances: such as, if the violence occurred in the presence of a minor, if the survivor was pregnant, if the violence included strangulation, if the violence was preventing the survivor from calling emergency responders such as 911, if the violence included violation of a protective order, and if there are past convictions of domestic violence.

Domestic Violence High and Aggravated and Domestic Violence 1st Degree (the most serious degree in the bill) would be violent and serious crimes. Also, it increases the

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penalty for 3rd Degree domestic violence, from zero to thirty days, to not more than six months. This removes the crime from Magistrate's Court into General Sessions. The solicitor may transfer the case to Summary Court.

Regarding firearms, using a firearm in *any* manner makes the violence 1st Degree domestic violence. Moreover, the judge setting bond may restrict firearm possession as part of a condition of the bond and then adds judicial discretion to ban gun ownership as a condition of bond for 1st and 2nd degree offenses. There is also a provision added saying that upon a plea or conviction for DV 3rd Degree, the judge shall make a determination as to whether to restore the defendant's civil rights.

Remedies the uniform traffic citation statute to account for the new misdemeanor domestic violence crimes allowing them to be issued on a UTT. The amendment will allow 2nd and 3rd degree domestic violence, both of which are misdemeanors. While PR bonds are still allowed and would be up to the judge, the time for a bond hearing would be extended for a domestic violence charge if the incident report and criminal record are not available or if the arresting officer is not present. The bond hearing still must occur within 24 hours in order not to conflict with other state law.

Strikes the section from the Code which allows solicitors to set up programs to try misdemeanor CDV offenses in General Sessions court. This statute is no longer needed as all offenses must start in General Sessions court. It also provides concurrent jurisdiction between the bonding court and the General Sessions court for 10 days after bond is set for purposes of bond violations.

The bill adds that the judge setting bond shall consider the danger a defendant is to an individual as well as to the community. Community is the current law's consideration. The bill allows a judge to permit the case to proceed when a victim is not present. Regarding Batterer Treatment Program Approval: the bill gives the approval authority to the solicitor in the circuit in which the case is prosecuted rather than having the Department of Social Services approve the treatment program. Moves the "Community Domestic Violence Coordinating Councils" statutory language from the DSS code section to the Domestic Violence code section.

The bill creates a Fatality Advisory Committee to study domestic violence cases resulting in death. This committee would make recommendations. The committee is made up of several directors of state agencies and is staffed through the Attorney General's office. The Fatality Advisory Committee would make recommendations for the Batterer's Treatment Program. The AG would approve any recommendations to the Batterer's Treatment Program. Adds that the topic of domestic violence shall be included in 6th to 8th grade comprehensive health classes. And instructs DSS to study its child care voucher system to determine how to better provide child care so a survivor may attend court hearings.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The Medical, Military, Public and Municipal Affairs Committee met on Tuesday, March 24, 2015, at 2:30 p.m., and the following bills were reported out:

H.3443, a bill authorizing **OPTOMETRISTS TO CONTINUE TO PRESCRIBE HYDROCODONE**, was given a favorable recommendation by the full committee. The bill allows optometrists to continue to prescribe hydrocodone which they have not been allowed to do since the medication was reclassified from Schedule III to Schedule II of the federal Controlled Substances Act in October, 2014.

H.3348, legislation revising the permitting and reporting requirements for **OUT-OF-STATE PHARMACEUTICAL FACILITIES**, was given a favorable with amendment recommendation by the committee. It requires out-of-state facilities that do business in South Carolina to notify the SC Board of Pharmacy within 21 days of receiving a disciplinary action by another regulatory agency. If the facility's home state permit or registration is suspended or revoked, then the facility's SC registration would be suspended or revoked for the same time period.

The full committee gave a favorable recommendation to **H.3349**. This bill provides for numerous **REVISIONS TO THE PHARMACY PRACTICE ACT**. This bill incorporates United States Pharmacopeia (USP) safety standards and best practices for pharmacy compounding into the S.C. Pharmacy Practice Act. The changes include new technical definitions; detailed environmental, safety and quality controls; and standards of practice for compounding pharmacies. The bill adds a provision to make clear a physician who administers compounded medications in an office or ambulatory surgical facility can purchase the drugs from a compounding pharmacy and store them for future use but not for resale. In addition, it makes clear that institutional pharmacies may order and store compounded drugs in anticipation of patient needs.

H.3547, a bill regarding **NATIONAL AND STATE GUARD REEMPLOYMENT RIGHTS**, was given a favorable report. Currently, reemployment rights are provided for persons employed in South Carolina who are members of the S.C. National Guard and the S.C. State Guard. This bill will apply to a person who is employed in South Carolina but is a member of another state's national or state guard. The person must have been honorably released from duty.

The full committee gave a favorable report to **H.3683, GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL**. The law requires the Adjutant General to submit an annual report of the operations and conditions of the State National Guard to the Governor. This bill allows the General Assembly to receive the annual report as well. The bill also names the report the "Report of the Adjutant General of the State of South Carolina".

WAYS AND MEANS

The Ways and Means Committee met on March 26 and reported out two bills.

The committee gave a favorable report on **H.3878**, legislation providing **INCOME TAX RELIEF** by adjusting tax brackets so that individual taxpayers will either have an unchanged tax liability or will pay income taxes at a lower rate. The bill phases in an income tax bracket adjustment over the course of two years with an increase of \$140 for each bracket in Tax Year 2016 and another \$140 increase in Tax Year 2017 so that each tax bracket will ultimately be adjusted upward by \$280. When fully phased in,

these individual income tax adjustments are estimated to reduce the state's General Fund by \$48.8 million.

The committee gave a report of favorable with amendment on **H.3579**, the "**SOUTH CAROLINA INFRASTRUCTURE REFORM AND TAX RELIEF ACT**" comprehensive legislation that includes restructuring initiatives, along with funding mechanisms counterbalanced with tax relief, as means of ensuring that the state can construct and maintain the system of roads needed for public safety and economic development.

Department of Transportation Restructuring

The legislation includes a restructuring of the Commission overseeing the South Carolina Department of Transportation that retains the commission's geographical representation, but provides that the General Assembly would no longer elect commissioners and that all commissioners would, instead, be appointed by the Governor. Commissioners are to serve at the pleasure of the Governor and their terms of service are limited to a maximum of twelve years. Under restructuring, the commissioners assume the responsibility of appointing the Secretary of Transportation.

Transportation Infrastructure Bank Restructuring

The minimum project amount set in South Carolina Transportation Infrastructure Bank requirements is lowered from \$100 million to \$25 million. This threshold is lowered to allow more areas to take advantage of the bank's bonding capabilities for financing their transportation projects. The Board of Directors that oversees the Transportation Infrastructure Bank is expanded from seven members to thirteen members so that it is composed of the seven members of the DOT Commission that represent a transportation district, two appointees of the Speaker of the House of Representatives and two appointees of the President Pro Tempore of the Senate. The Governor designates the Board's Chairman and members' terms of service are limited to a maximum of twelve years. The legislation establishes as a statutory requirement the Infrastructure Bank's policy of following the SC Department of Transportation's project priority criteria.

Local Road Assumption Program

The legislation includes a voluntary program for counties to assume control over some of the roughly eighteen thousand miles of smaller, less-traveled, often fragmented stretches of roadways so that this portion of the state's infrastructure, which accounts for only 7% of the traffic volume, could come under local control and leave the major arterial roadways, handling 93% of the traffic volume, in the state system. Counties that choose to participate in the program would assume control of roads identified by the Department of Transportation under a three-year phase-in schedule and would receive increases in their "C" Fund gas tax revenue apportionment to maintain the roads acquired. A participating county would receive \$1 million in the first year and, once the three-year phase-in is complete, their share of "C" Fund revenue would ultimately be increased from four cents to six cents for each gallon of gasoline. Roads acquired would not be subject to the same standards that apply to roads in the state system. Counties are afforded greater flexibility in how they may spend their "C" Fund revenue.

Funding for Roads

The legislation lowers the current motor fuel user fee from sixteen cents to ten cents a gallon and effectively eliminates the current sales tax exemption on motor fuels by establishing a new excise tax on motor fuels that is equal to the sales tax rate (6%) and applied at the wholesale level. Limitations are imposed on excise tax increases and a sixteen cent per gallon maximum is established to limit volatility during dramatic fluctuations in wholesale fuel prices such as when natural disasters disrupt supply. This excise tax revenue is devoted to the State Highway Fund.

The legislation increases from \$300 to \$500 the cap on the tax collected on sales of motor vehicles. Except for holding Education Improvement Act items harmless, the motor vehicle sales tax revenue is transferred to the State Highway Fund to be used exclusively for highway, road, and bridge maintenance, construction, and repair. This transfer is an estimated \$170 million.

The legislation provides for an additional \$50 million from nontax sources in the state general fund to be transferred each year to the Transportation Infrastructure Bank to be used for bridge replacement, resurfacing and rehabilitation projects, and expansion and improvements to existing mainline interstates.

Moratorium on New Road Construction

The legislation provides, with certain exemptions, for a moratorium on new road construction until July 1, 2020, to emphasize the repair and maintenance of existing roads.

Income Tax Relief

The legislation provides income tax relief by adjusting tax brackets so that individual taxpayers will either have an unchanged tax liability or will pay income taxes at a lower rate. The bill phases in an income tax bracket adjustment over the course of two years with an increase of \$140 for each bracket in Tax Year 2016 and another \$140 increase in Tax Year 2017 so that each tax bracket will ultimately be adjusted upward by \$280. When fully phased in, these individual income tax adjustments are estimated to reduce the state's General Fund by \$48.8 million.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS

H.3910 TIDELANDS AND WETLANDS Rep. Duckworth

This bill provides a three-year statute of limitations on enforcement violations relating to minor development activities. This bill also provides exceptions when the alleged violator knowingly or intentionally withholds information relating to the alleged violation.

H.3917 ANIMAL CRUELTY Rep. Atwater

This bill defines the term “companion animal.” This bill prohibits the tattooing or piercing of a companion animal except for specific reasons. This bill provides criminal penalties for a violation which is a misdemeanor.

H.3918 “ALL-TERRAIN VEHICLE AND RECREATIONAL OFF-HIGHWAY VEHICLE ACT” Rep. Ott

The bill renames the “All-Terrain Vehicle Safety Act” to “All-Terrain Vehicle and Recreational Off-Highway Vehicle Act”. The term “recreational off-highway vehicle” means a motorized off highway vehicle designed to travel on four or more tires, intended by the manufacturer for use by one or more persons and originally manufactured with the several components and characteristics. In addition, no person fifteen years of age or younger shall be a passenger in a recreational off-highway vehicle unless the person is wearing eye protection, wearing an approved safety helmet, and is properly secured by a seat belt. It is also unlawful to carry more passengers than recommended by the manufacturer and it is unlawful to operate a recreational off-highway vehicle while carrying a passenger in the bed of the recreational off-highway vehicle.

EDUCATION AND PUBLIC WORKS

H.3887 COMPETITION WITH A PRIVATE BUSINESS Rep. Toole

This bill prohibits public K-12 schools from competing with private businesses in providing a catering service or a food or beverage vending service to the public from a nonacademic food service of the school (or through a culinary arts program or similar academic program offered by the school). This bill also provides limited exceptions for food and beverages sold as fundraisers for school organizations and at interscholastic activities.

**H.3909 “THE BICYCLE AND PEDESTRIAN SAFETY ACT”
Rep. Herbkersman**

This bill enacts “The Bicycle and Pedestrian Safety Act” to provide that bicycles with helper motors shall be subject to all the rights and duties of bicycles. This bill also amends the portion of the law relating to the term “moped” and its definition, so as to not apply the definition to motorcycles or bicycles. In regards to pedestrian safety, a pedestrian may cross the roadway equipped with countdown indicators if they can complete the crossing during the remaining time shown. This bill also provides consequences for drivers who fail to exercise due care and cause serious physical injury or death to persons operating an electric personal assistive mobility device, wheelchair, farm tractor or similar vehicle designed primarily for farm use. This bill also adds to the definition of the term “bicycle lane” to also include a portion of the roadway or a paved lane separated from the roadway at least four feet in width with uninterrupted pavement excluding curbs, gutters and sidewalks.

H.3911 LICENSE PLATES Rep. Willis

This bill revises the interval in which the Department Of Motor Vehicles must reissue a license plate from six years to ten years.

H.3926 STATE SALES TAX EXEMPTIONS Rep. Willis

This bill adds legal manuals and educational materials generated by the Department of Motor Vehicles to the list of publications exempt from the state sales tax.

H.3927 PERSONALIZED LICENSE PLATES Rep. Willis

This bill deletes the provision that provides that it is unlawful to display a sample license plate on a motor vehicle and it deletes the penalty associated with the crime. However, the license plate must be displayed on the front of the motor vehicle, otherwise a penalty for violation will be administered. This bill also provides that the department may retain the ten dollar fee that is charged for the issuance of the license plate.

S.391 VETERANS Sen. Young

This bill revises the tuition criteria for veterans who are honorably discharged and their dependents. Under this bill, active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents regardless of residency. This bill defines a covered individual as a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard. They must enroll within three years of discharge and live in South Carolina while enrolled at the in-state institution. A covered individual shall remain eligible for in-state rates as long as they remain continuously enrolled in an in-state institution or transfers to another in-state institution.

JUDICIARY

H. 3898 VOTING AND EMERGENCY WORKERS Rep. Funderburk

This bill allows South Carolina emergency responders (including firefighters, public utility workers, law enforcement personnel, emergency medical personnel, insurance company catastrophe response personnel, or skilled volunteers) who are dispatched to assist with disaster relief or recovery efforts outside their county of residence to have the opportunity to receive and cast any ballot they would have been eligible to cast had they remained within their county of residence.

H. 3899 BARNWELL SITE Rep. Limehouse

This bill provides that the Barnwell site must not accept any additional low-level radioactive waste other than what was provided for in the Atlantic Compact and to establish a water testing requirement to be performed by the Department of Health And Environmental Control.

**H. 3907 ELECTRONIC COMMUNICATION SERVICES AND ESTATES
Rep. McKnight**

This bill provides that the probate court shall order a provider of electronic communication services to disclose to a personal representative of an estate certain information regarding electronic communications.

H. 3916 IGNITION INTERLOCK DEVICE Rep. Long

This bill deletes the provision that allows a person whose employment requires him to drive a vehicle that is not required to be equipped with an ignition interlock device to obtain a waiver from having the device installed in the vehicle.

H. 3930 *TRAFFICKING IN PERSONS* Rep. Weeks

This bill relates to crimes involving trafficking in persons and provides circumstances when a person is considered a trafficker in persons (and provides and amends law regarding prostitution, victim sexual history or history of commercial sexual activity regarding admissibility, criminal liability of principal owners of a business, restitution for victims of trafficking in persons).

H. 3931 *CELL-SITE SIMULATOR TECHNOLOGY* Rep. Rutherford

This bill provides that a law enforcement agency shall not purchase cell-site simulator technology from a company that requires the purchaser of this equipment to enter into a nondisclosure agreement.

S. 357 *IMMUNITY FROM LIABILITY* Sen. Cleary

This bill provides "Immunity From Liability For Providing Free Health Care Services" -- that the services of a health care provider treating a patient free of charge are deemed to be within the scope of the Good Samaritan statute.

LABOR, COMMERCE AND INDUSTRY

S.407 *CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS* Sen. Bryant

This bill revises the corporate officers exemption from unemployment benefits to provide that corporate officers are eligible for unemployment benefits unless the corporation elects to opt out of the coverage. The legislation applies this exemption to individuals who own twenty-five percent or more stock in a corporation or otherwise exercise an ownership interest in a corporation. The legislation also increases penalties for employment and workforce offenses.

H.3891 *MOTOR VEHICLE RENTAL COMPANY FEES* Rep. Toole

This bill revises provisions relating to surcharges on rental or private passenger motor vehicles for thirty-one days or less, so as to eliminate existing surcharge provisions, and instead to provide rental companies engaged in the business of renting vehicles for periods of ninety days or less may charge separately stated fees which may include certain fees and taxes. The legislation provides that the amount of the charge must represent the good faith estimate by the motor vehicle rental company of its daily charge calculated to recover its actual total annual recoverable costs. The legislation establishes requirements for when the total amount of the vehicle license fees collected by a motor vehicle rental company in any calendar year exceeds the actual costs of the car rental company during that period. The legislation requires a certain description of vehicle license fees in the vehicle rental agreements, and provides that vehicle license fees are subject to certain sales and use taxes.

H.3920 *MUNICIPAL INSURANCE PREMIUM TAXES* Rep. Loftis

This bill establishes provisions under which a municipality is allowed to tax insurance premiums. The tax may not exceed two percent of the premiums realized from risks

located in the municipality, except in cities of fifty thousand inhabitants or more, where the tax may not exceed five percent.

H.3928 REGULATION OF ENGINEERS AND SURVEYORS Rep. Ryhal

This bill revises the state law provisions governing the practice of the profession of engineering and surveying.

WAYS AND MEANS

S.381 SERVICE CREDIT PURCHASES FOR THOSE TERMINATED JUST BEFORE ATTAINING RETIREMENT ELIGIBILITY Sen. Shealy

This bill revises provisions in South Carolina's public pension systems to provide that an active member of the retirement system who is terminated within one year of retirement eligibility shall have five business days after the date of termination to purchase any service credit that the member is otherwise eligible to purchase in order to attain retirement eligibility.

H.3906 DELINQUENT PROPERTY TAXES AND PENALTIES RESULTING FROM IMPROPER CLASSIFICATION AS OWNER-OCCUPIED RESIDENTIAL PROPERTY Rep. Toole

This bill revises provisions relating to the four percent special assessment ratio, so as to provide that, in certain situations, if a person receives the four percent assessment ratio when the person was not eligible, any payment in error is considered partial payment and the person owes the balance at the correct assessment ratio plus a penalty on the balance. The legislation provides that after a parcel of real property has undergone an assessable transfer of interest, delinquent property tax and penalties assessed because the property was improperly classified as owner-occupied residential property while owned by the transferor are solely a personal liability of the transferor and do not constitute a lien on the property and are not enforceable against the property after the assessable transfer of interest if the transferee is a bona fide purchaser for value without notice. The legislation revises the time limitation on the assessment of taxes and fees, so as to disallow assessments after thirty-six months, and to provide that a taxpayer may make a claim for a refund on real property within thirty-six months of payment instead of twenty-four months.

H.3908 TAX CREDITS FOR REHABILITATING A STATE-OWNED ABANDONED BUILDING Rep. Lowe

This bill establishes conditions for a new twenty-five percent tax credit for rehabilitation expenditures on a state-owned abandoned building. The legislation provides that these tax credit provisions are to terminate after December 31, 2019, and provides that credit earned before termination may continue to be claimed. The legislation revises provisions relating to tax credits for making qualified rehabilitation expenditures for certified historic structures, so as to clarify the taxes and license fees against which the tax credit may be taken.

H.3919 INCENTIVES FOR CONVERTING AN INDUSTRIAL FREIGHT RAILROAD INTO AN INDUSTRIAL PARK Rep. Rivers

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This bill authorizes the Department of Revenue to enter into an agreement establishing the allocation and apportionment of the income of a taxpayer that builds or expands an industrial freight railroad into an industrial park and invests at least two million dollars. The legislation establishes a state sales tax exemption for building materials necessary to build or expand industrial freight railroads into an industrial park in this state.

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