



South Carolina House of Representatives

# Legislative Update

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

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Vol. 33

May 24, 2016

No. 16

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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 and the Senate voted to override the Governor's veto on **H.4717** to allow the bill to become law. The legislation responds to the unprecedented damage of the October 2015 floods by creating the "**SOUTH CAROLINA FARM AID FUND**" to assist farmers in order to prevent the economic collapse of many of the state's farms which could cause a severe disruption in the state's economy and food supply chain. Established with a \$40 million appropriation from the 2014-2015 Contingency Reserve Fund, the South Carolina Farm Aid Fund is created for making financial awards to farmers who have experienced a verifiable loss of agricultural commodities of at least forty percent as a result of the catastrophic flooding of October 2015. Grant awards must be used for agricultural production expenses and losses due to the flood which demonstrate an intent to continue the agricultural operation, such as purchases of seed and fertilizer. Awards may not be used to purchase new equipment. Grant awards that are falsely obtained or misspent must be refunded. Criminal penalties are provided to address fraud. The legislation makes provisions for each grant to equal up to twenty percent of an individual's verifiable loss of agricultural commodities, and establishes limitations so that grants may not exceed one hundred thousand dollars and may not, when combined with losses covered by insurance, exceed one hundred percent of the actual loss. The grant program is to be administered by the Department of Agriculture in consultation with the Department of Revenue and a Farm Aid Advisory Board composed of: the Commissioner of Agriculture, or his designee, who serves as chairman; the Director of the Department of Revenue, or his designee; the Vice President for Public Service and Agriculture of Clemson Public Service Activities, or his designee, the Vice President for Land Grant Services of South Carolina State Public Service Activities, or his designee; one member representing South Carolina Farm Bureau appointed by the Commissioner of Agriculture; one member representing a farm credit association appointed by the Commissioner of Agriculture; one member representing the crop insurance industry appointed by the Director of the Department of Revenue; and, one member who is an agricultural commodities producer appointed by the Director of the Department of Revenue. Sunset provisions are included so that the Farm Aid Fund and the Advisory Board are dissolved no later than June 30, 2017.

The Senate and the House voted to override the Governor's veto on **S.1016**, the "**EYE CARE CONSUMER PROTECTION LAW**" to allow the bill to become law. The legislation provides that a person in this state may not dispense spectacles or contact lenses to a patient without a valid prescription from an individual licensed by the South Carolina Board of Examiners in Optometry or the South Carolina Board of Medical Examiners. To be valid, a prescription must meet the legislation's requirements for including an expiration date on spectacles or contact lenses of no more than one year from the date of examination and must take into consideration medical findings from the eye examination. A prescription for spectacles or contact lenses may not be based solely on the refractive eye error of the human eye or be generated by an automated kiosk. Violations are subject to penalties established for misconduct by optometrists and physicians.

The House adopted the free conference report on **H.3114**, the "**SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT**", and, the Senate having already adopted the free conference report, the bill was enrolled for ratification. The legislation establishes a prohibition on the performance of abortions beginning at twenty weeks following fertilization. Exceptions are provided to permit these late term abortions in order to prevent the death or serious physical impairment of the mother as well as in instances where a fetal anomaly is present that is likely to prevent a child's life from being sustained after birth. The bill includes legislative findings regarding substantial medical evidence indicating that an unborn child has developed sufficiently to be capable of experiencing pain by twenty weeks after fertilization and the state's interest in protecting the lives of unborn children beginning at the stage at which substantial medical evidence indicates that they are capable of feeling pain. This legislation provides that, except in the case of a medical emergency or fetal anomaly, no abortion must be performed, induced, or attempted unless a physician has first made a determination of the probable post-fertilization age of the unborn child or relied upon such a determination made by another physician. The legislation prohibits abortions from being performed, induced, or attempted when the determination has been made that the probable post-fertilization age is twenty or more weeks except for when there is a profound and irremediable congenital or chromosomal fetal anomaly or when the mother has a condition that so complicates her medical condition as to necessitate the abortion to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. When an abortion must be performed where the probable age of the fetus is twenty or more weeks, the legislation requires the physician to proceed in a manner which provides the best opportunity for the unborn child to survive, unless terminating the pregnancy in this manner would pose a greater risk of either death or substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods. Any physician who intentionally or knowingly fails to conform to these requirements is guilty of a misdemeanor subject to a fine of not less than two thousand dollars nor more than ten thousand dollars and/or imprisonment for not more than three years. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended. Reporting requirements are established for medical facilities that perform abortions at twenty or more weeks under the legislation's medical emergency and fetal anomaly exceptions that require the facilities to report certain information about these abortions, such as the post-fertilization age, method of abortion, and the age of the patient, to the state registrar, Department of Health and Environmental Control. DHEC is charged with producing an annual public report on the statistics compiled. These required reports are subject to confidentiality provisions and restrictions on the use of information identifying individual patients. Late fees and other penalties are included for facilities that fail to submit reports within required timeframes. The intentional or reckless falsification of a required report is a misdemeanor punishable with imprisonment for up to one year.

The House amended Senate amendments to **H.3184**, a bill establishing enhancements to ethics laws by providing for **MORE INDEPENDENT MEANS OF INVESTIGATING ALLEGED MISCONDUCT OF PUBLIC OFFICIALS** in the legislative and executive branches of government, and returned the bill to the Senate. The legislation discontinues current practices of the legislative and executive branches of state government each exclusively investigating the alleged ethics violations of their own

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members, and instead provides for allegations of public misconduct to be investigated by a reconstituted State Ethics Commission made up of members selected by both of these branches of government. To that end, the State Ethics Commission is reconstituted from a nine-member body, composed exclusively of gubernatorial appointees, to an eight-member body made up of four selections by the Governor, two selections by the Senate, and two selections by the House of Representatives, with all eight members to be appointed with the advice and consent of the General Assembly. Provisions are included to structure the legislative and gubernatorial selections in a bi-partisan fashion and to exclude from service on the commission certain individuals that could present conflicts of interest such as legislators, recent lobbyists, and family members of legislators and statewide elected officials. A commission member who serves a full term of five years is not eligible for reappointment. Under the legislation, the State Ethics Commission is set up to conduct investigations of alleged ethics violations of those in the executive and legislative branches. The legislation includes provisions that require the agreement of at least six of the eight commission members in order for matters to proceed. If a State Ethics Commission investigation determines that there is probable cause that a legislator has committed an ethics violation, the commission's report is relayed to the appropriate legislative ethics committee to pursue the matter and decide if it is appropriate to take such actions as imposing penalties, issuing reprimands, or recommending that the legislative body expel a member. Complaints involving alleged ethical misconduct by candidates for the General Assembly and staff of the General Assembly and legislative caucuses are also investigated by the State Ethics Commission and, when appropriate, relayed to legislative ethics committees for further action. When the commission finds evidence of a criminal violation in the course of its investigations, the matter may be relayed to the Attorney General or circuit solicitor. The reconstituted Ethics Commission continues to exercise its responsibilities over those in the executive branch of state government and others who are subject to the state's Ethics Act provisions. The investigations of the State Ethics Commission are to be conducted in strict confidentiality, but when, the commission makes a finding of probable cause regarding alleged violations, the complaint and certain other documents and materials become public. Penalties are included for intentionally making groundless complaints.

The House amended Senate amendments to **H.5001**, the General Appropriation Bill, and **H.5002**, the joint resolution making appropriations from the Capital Reserve Fund, which together comprise the proposed **FISCAL YEAR 2016-2017 STATE GOVERNMENT BUDGET**. The budget legislation was returned to the Senate with amendments that, for the most part, reinstate the version of the budget approved by the House earlier in the year with certain exceptions, such as an adjustment of Department of Transportation funding that coordinates with S.1258, the road funding legislation that was recently reported out of the Ways and Means Committee, and revisions to the terms of loan forgiveness and debt service at South Carolina State University.

The House concurred in Senate amendments to **H.4936**, a bill designating **EDUCATIONAL GOALS FOR ALL SOUTH CAROLINA HIGH SCHOOL GRADUATES** and the standards and areas of learning by which these goals are measured. Through this legislation, the General Assembly declares that the principles outlined in the Profile of the South Carolina Graduate, published by the South Carolina Association of School Administrators and approved by the South Carolina Chamber of Commerce, the South Carolina Council on Competitiveness, the Education Oversight Committee, the State Board of Education and Transform SC schools and districts, are the standards by which

our state's high school graduates should be measured and are this state's achievement goals for all high school students. The state shall make a reasonable and concerted effort to ensure that graduates have world class knowledge based on rigorous standards in language arts and math for college and career readiness. Students should have the opportunity to learn one of a number of foreign languages, and have offerings in science, technology, engineering, mathematics, arts, and social sciences that afford them the knowledge needed to be successful. Students also must be offered the ability to obtain world class skills such as: (1) creativity and innovation; (2) critical thinking and problem solving; (3) collaboration and teamwork; (4) communication, information, media, and technology; and (5) knowing how to learn. Students finally also must be offered reasonable exposure, examples, and information on the state's vision of life and career characteristics such as: (1) integrity; (2) self-direction; (3) global perspective; (4) perseverance; (5) work ethic; and (6) interpersonal skills.

The House concurred in Senate amendments to **H.3848**, the "**SOUTH CAROLINA FOUNDING PRINCIPLES ACT**", and enrolled the bill for ratification. The legislation requires the State Board of Education and Education Oversight Committee to incorporate instruction on the founding principles that shaped the United States into the required study of the United States Constitution and the South Carolina Social Studies Standards upon the next cyclical review. This required instruction must at least include the Federalist Papers, the structure of government and the role of the separation of powers and the freedoms guaranteed by the Bill of Rights to the United States Constitution. A biennial report on implementation must be submitted to the Senate Education Committee and the House Education and Public Works Committee. The State Department of Education must make professional development opportunities on this required instruction available to teachers by physical or electronic means.

The House concurred in Senate amendments to **H.4510**, a bill establishing **LIMITATIONS ON THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME**, and enrolled the legislation for ratification. The legislation allows a foster home to provide full-time care for up to eight children, with up to five of them being foster children. The exceptions to this maximum number include keeping a sibling group together, allowing children to remain in their home community, returning a child to a home that was a previous placement for them, complying with a court order, and any placement in the best interest of the child. Unless one of the exceptions applies, no more than two of the five foster children may be classified as therapeutic foster care placements. If one of the exceptions apply, no more than three of the five foster children may be classified as therapeutic foster care placements.

The House concurred in Senate amendments to **H.3193**, a bill **REVISING CAMPAIGN FINANCE REQUIREMENTS RELATING TO PRIMARY ELECTIONS**, and enrolled the legislation for ratification. The legislation revises the manner in which campaign contributions are attributed to a primary election and to a primary election runoff by providing that, if there is a primary runoff, all contributions made after the day of the primary and continuing through the seventh day after the primary runoff are attributed to the primary runoff for the purposes of applying contribution limits.

The House concurred in Senate amendments to **H.3685** and enrolled the bill for ratification. The legislation makes provisions for the **ELECTRONIC TRANSMISSION OF TRAFFIC TICKETS** to bring South Carolina into compliance with federal electronic ticketing provisions.

The House approved **S.693** and enrolled the bill for ratification. The legislation revises the **INSURERS' REHABILITATION AND LIQUIDATION ACT** to make provisions that are specific to federal home loan banks and insurer-members of those banks in delinquency proceedings.

The House approved **S.978**, a bill addressing **RISK RETENTION GROUPS**, and enrolled the legislation for ratification. The legislation revises provisions for risk-based capital plans, so as to increase the multiplier for a company action level event for a life and health insurer from 2.5 to 3.0. The legislation revises provisions relating to the chartering of a risk retention group, so as to define terms, to provide that a majority of a risk retention groups' directors must be independent directors, to establish the maximum term of any material service provider contract, to require the board of directors to adopt a written policy, to require the board of directors to adopt and disclose its governance standards, to require the board to adopt and disclose a code of business conduct and ethics, to require a risk retention group to comply with applicable regulations, to establish procedures for noncompliance, and to set established dates for compliance. The legislation revises provisions relating to out-of-state risk retention groups, so as to allow an out-of-state risk retention group to submit revisions to its plan of operation within thirty days of approval by the State Insurance Commission or within thirty days if no approval is required. The legislation extends certain provisions to a risk retention group licensed as a captive insurance company.

The House concurred in Senate amendments to **H.3927**, a bill relating to **SPECIAL LICENSE PLATES**, and enrolled the legislation for ratification. The legislation provides authority for the Department of Motor Vehicles to issue special personalized organizational license plates and special organizational souvenir license plates. The legislation provides that there is no fee for the issuance of "Korean War Veterans" special license plates. Provisions are made for "Silver Star" and "Bronze Star" special license plates to be issued for motorcycles. The legislation provides authority for the Department of Motor Vehicles to issue "Chase Away Childhood Cancer Special License Plates" with proceeds to be distributed to Chase After a Cure.

The House concurred in Senate amendments to **H.4932**, a bill making revisions to **SPECIFICATIONS AND LIMITATIONS FOR VEHICLES AND TRAILERS** operated along the state's highways, and enrolled the legislation for ratification. The legislation revises provisions for maximum trailer lengths to provide for a greater maximum length that applies only to trailers or semitrailers used exclusively or primarily to transport vehicles used in connection with motorsports competition events. The legislation makes revisions relating to axle and weight limits for motorhomes and intrastate public agency transit passenger buses. The legislation makes provisions for increased weights associated with idle reduction systems. New provisions are included to allow motor vehicles fueled primarily by natural gas to exceed weight limitations by specified amounts. An exemption from restrictions is included to apply the large dirt-hauling trucks and other vehicles used in connection with the construction, repair, and maintenance of the shipping container terminals of the South Carolina State Ports Authority.

The House returned **S.652** to the Senate with amendments. The legislation provides authority for financial institutions that do business in South Carolina to conduct **SAVINGS PROMOTION CONTESTS** for members and customers which encourage

people to save money by adding a feature to personal savings accounts that include a chance to win prizes.

The House approved and sent the Senate **H.3133**, a bill that establishes a protocol allowing **SOMEONE WHO HAS BEEN PLACED IN THE JUVENILE SEX OFFENDER REGISTRY TO PETITION THE FAMILY COURT TO REMOVE THE PERSON'S REQUIREMENT TO REGISTER AS A SEX OFFENDER** once the individual has reached twenty-one years of age and has been released from the custody of the Department of Juvenile Justice, South Carolina Department of Corrections, or South Carolina Probation, Parole, and Pardon Services.

## HOUSE COMMITTEE ACTION

### EDUCATION AND PUBLIC WORKS

The full House Education and Public Works Committee met Wednesday, May 18th and approved five bills.

The Committee gave a favorable report to a bill that gives a two year extension for high school diploma petitions (**S.933, HIGH SCHOOL DIPLOMA**) for a person who is no longer enrolled in a public school and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit exam requirements.

The Committee gave a favorable report, with an amendment, to **S.484, NUTRITIONAL REQUIREMENTS IN SCHOOLS**, adding to the Senate bill that students determined eligible to receive free and reduced price lunches must be offered the same choice of meals and milk offered to children who pay the full price for their meals or milk, regardless of whether one lunch or type of milk offered meets the requirements prescribed in the National School Lunch Program and that students eligible to receive free or reduced priced lunches may not be denied a meal or provided an alternative meal if they owe the school for meals. Also, the bill provides that all school food service meals and competitive foods provided in kindergarten through twelfth grade during the academic school year must meet or may exceed the nutritional requirements established by the United States Department of Agriculture Food and Nutrition Service. Moreover, a school or district cannot restrict the food that a parent or guardian may provide for student consumption at school. Also, school fundraisers must be exempted from the requirements in this section but that does not restrict the establishment of policies for them.

The Committee reported favorably **S.21, BIOPTIC TELESCOPIC LENSES**. This bill allows certain persons who wear bioptic telescopic lenses for vision assistance to obtain a driver's license. The bill details the forms, proofs and requirements to obtain and maintain the license.

**S.689, BEGINNER'S PERMIT**, was reported by the Committee with an amendment. This bill relates to motorcycle and moped beginner's permits, to provide that a permittee may not operate a motorcycle at any unpermitted time unless supervised by a licensed motorcycle operator 21 years old and with one year of experience. The moped requirement notes a permittee may not operate a moped at any other time unless accompanied by a licensed driver twenty-one years of age or older who has at least one year of driving experience. It removes the parental or guardian requirement and provides that the accompanying driver must be within a safe viewing distance of the permittee when the permittee is operating a motorcycle or moped. The Committee amended the bill to include the requirement that no person shall ride upon a motorcycle as a passenger unless, when sitting astride the seat, the person can reach the footrests with both feet. Provided, the provisions of this section shall not apply to persons riding in a motorcycle sidecar.

The Committee gave a favorable report to **S.1111, MANUFACTURERS' LICENSE PLATES**. This bill relates to license plates for certain manufacturers, so as to revise the method by which the license plate fee is calculated and credited. The bill requires that the annual fee to register a manufacturer license plate be computed by using the average price of the vehicle manufacturer's fleet times the property tax rates times the average millage for all purposes statewide for the preceding calendar year. This sets the license plate fee for 2017 and 2018.

## JUDICIARY

The House Judiciary Committee met on May 19, 2016, and favorably reported out thirteen bills:

**S.139 EMERGENCY BEACH EROSION CONTROL MEASURES** amends SC Code Section 48-39-130 to allow additional technologies, methodologies, or structures to be deployed to protect coastal beaches and dunes critical areas when an emergency order is issued by public officials. Also amends Section 48-39-280 to prohibit the seaward movement of any baselines after July 1, 2015. Eliminates any right of local governments or landowners to petition the administrative law court, and seek movement of any baseline seaward after completion of beach renourishment projects. Section 48-39-290(A) narrows the exceptions golf course owners had from permit requirements to repair and maintain their existing golf courses. Exemption would only be allowed for sandfencing, revegetation of dunes, minor beach renourishment, or dune construction. SCDHEC could approve repairs regarding erosion control that would normally be prohibited under specified circumstances. Replaces "department's Permitting Committee" with "department's Permitting Committee Coastal Division" as the entity that will consider these special permit applications. Adds, to Section 48-39-320, a subsection that allows SCDHEC approval authority for unlisted erosion control devices when their board determines these devices will provide successful erosion control.

**S.221 SENTENCING REFORM OVERSIGHT COMMITTEE** by Joint Resolution, extends operations of the “Sentencing Reform Oversight Committee” to December 31, 2020.

**S.233 PUBLIC INVOCATIONS** defines “public invocation” as a public prayer or invocation. Applies current constitutional law to public invocation. They may not “coerce participation by observers of the invocation.” Expands the definition of “Deliberative public body” to include school boards.

A deliberative public body may adopt a policy to permit a public invocation so long as objectivity is used in the selection of invocation speakers. The deliberative public body is permitted to invite area religious leaders from each congregation and assembly to give public invocations, on a first-come, first-served basis. Invited religious leaders may not proselytize or coerce participation by observers of the invocation.

With amendments, **S.267 SHORTENED GENERAL ASSEMBLY SESSIONS** changes the mandatory adjournment date for the South Carolina General Assembly from the first Thursday in June to the second Thursday in May. Extensions of the adjournment date can happen if the April 10th economic forecast includes a projected revenue reduction or if the House has failed to pass their version of the Annual Appropriations Act by March 1.

**S.777 VETERANS BENEFITS PROTECTIVE ORDERS** adds requirements for protective order petitions on behalf of veterans. If the purpose of the protection order is for a veteran to receive VA benefits, and the action has not been brought by the VA, then the VA must be served with the petition and be given notice of any hearings.

**S.778 UNIFORM POWER OF ATTORNEY ACT** establishes uniform definitions and procedures for signing these documents. Sets out the duties and requirements for valid durable powers of attorney in South Carolina.

With amendments, **S.868 FOR-PROFIT PETROLEUM PIPELINE COMPANIES EMINENT DOMAIN MORATORIUM** enacts a ban on private, for-profit pipeline companies using any statutorily-listed eminent domain authority for up to five (5) years. At the end of this time, the ban expires unless this final deadline is extended or the relevant code sections are amended in any way by legislation.

**S.908 DIGITAL ASSETS DISPOSITION ACT** covers the management and disposition of digital assets after the death or incapacitation of their user. The scope of this legislation includes fiduciaries, personal representatives, conservators, custodians, and trustees. A user’s testamentary documents will control the access of their online information, even when the terms of the user agreement, that they signed when opening the account, are conflicting, if the procedures in this bill are followed.

Unless a user has prohibited disclosure--- or a court has issued a contrary directive--- a digital assets custodian would be permitted to disclose to the user’s trustee, attorney-in-fact, agent, personal representative, or conservator when proper documents have been utilized for the information request. The legal duties imposed upon fiduciaries managing tangible property will also apply to their management of digital assets as well.

With amendments, **S.913 SCFOIA: OFFICE OF FREEDOM OF INFORMATION ACT REVIEW** establishes an Office of Freedom of Information Act Review to be overseen by the Chief Judge of the Administrative Law Court. Prohibits prisoners from exercising any right of inspection of public documents or receiving transmissions of public documents in

electronic form. Modifies the fees charged for retrieving documents, and caps the maximum fee at the prorata portion of the salary/wages paid to the lowest compensated employee of the public agency to whom the request is sent. Allows a fee for converting printed documents to electronic format. Shortens to ten (10) days public entity response time for requests, exclusive of Saturday, Sunday, or legal public holidays.

With amendments, **S.1015 COUNTERFEIT MOTOR VEHICLE AIRBAGS** would make it unlawful for a person or business to knowingly and intentionally sell any motor vehicle with a nonfunctional or counterfeit airbag. A person or business that installs a nonfunctional or counterfeit airbag will be guilty of a misdemeanor for a first offense and a felony for any subsequent offenses. Any person or business that knowingly and intentionally imports, sells, or manufacturers an airbag that is nonfunctional or counterfeit will also be guilty of a felony. In addition, any person or business who violates this law, and great bodily injury or death occurs, then that person or business will be guilty of a felony and can be fined up to \$25,000.00 or face up to 10 years in prison, or suffer both penalties.

**S.1064 WORKERS COMPENSATION INSURANCE UNDERWRITERS** updates, to reflect current practices, SC Code Section 38-73-525 regarding the 'lost cost' figures that must be used, as well as the procedures to be followed, by workers compensation insurance writers seeking rate adjustments.

**S.1065 PETROLEUM PIPELINE EMINENT DOMAIN STUDY COMMITTEE** is a joint resolution to create a study committee to investigate petroleum pipelines, their regulations and monitoring, environmental and economic implications, and whether other states allow private, for-profit pipeline companies to exercise governmental eminent domain authority.

**S.1182 CHILD FATALITY REVIEW TEAMS** requires county coroners, within seven (7) business days after the death of a minor (under 18 years old), to schedule a Child Fatality Review Team meeting to perform a case review. Lists potential members for these teams. If funding is appropriated, designates funds to cover team expenses, to pay coroner salaries, or pay for coroner staffers.

## LABOR, COMMERCE AND INDUSTRY

The House Labor, Commerce and Industry Committee met on May 19 and reported out several bills.

The committee gave a report of favorable with amendments on **S.685**, a bill revising provisions governing the licensure and regulation of **ENGINEERS AND SURVEYORS**, including revisions to training requirements, provisions governing the operation of branch offices, and provisions for designating certain employees of general contractors, licensed contractors, mechanical contractors, or subcontractors as project engineers and field engineers who are not subject to the requirements governing the licensure and regulation of engineers and surveyors.

The committee gave a favorable report on **S.1177**, legislation that revises provisions for the professional licensure of architects by replacing provisions for the "Intern

Development Program” with provisions for the “**ARCHITECTURAL EXPERIENCE PROGRAM**”. The program allows students to receive academic credit for internship experience as a means of facilitating entry into the field of architecture.

The committee gave a favorable report on **S.1252**, a bill establishing provisions that require the State Fire Marshal to issue a license for a **COMMUNITY FIREWORKS DISPLAY** if certain safety conditions and other requirements are met.

The committee gave a report of favorable with amendments on **S.280**. This bill revises provisions relating to financial statements and net worth requirements for **GENERAL CONTRACTORS AND MECHANICAL CONTRACTORS**, so as to adjust and update the net worth requirements for licensure and license renewal. The legislation includes a provision to specify that a contractor’s license is not required for certain installation, repair, or maintenance of a sign or billboard.

## WAYS AND MEANS

The Ways and Means Committee met on May 18 and reported out several bills.

The committee gave a report of favorable with amendments on **S.1122**, a bill that makes provisions for the **REIMPOSITION OF A LOCAL OPTION TOURISM DEVELOPMENT FEE** that allow for a municipality’s use of a portion of the fee for tax relief to continue without interruption.

The committee gave a favorable report on **S.381**, a bill addressing **SERVICE CREDIT PURCHASES IN STATE RETIREMENT SYSTEMS FOR THOSE TERMINATED JUST BEFORE ATTAINING RETIREMENT ELIGIBILITY**. The legislation provides that an active member of the South Carolina Retirement System or South Carolina Police Officers 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 eligible to purchase as provided in order to attain retirement eligibility.

The committee gave a report of favorable with amendments on **S.460**, revising **PROPERTY TAX** provisions. The legislation establishes a protocol authorizing a county to allow a taxpayer the option of receiving certain property tax bills and receipts in electronic form. This legislation provides authorization for the Department of Revenue to file tax liens validly by implementing an Internet accessible notice system. The legislation provides that, if real property being assessed agricultural for property tax purposes, is transferred to another person, and the new owner certifies that the use of the property will not change, then the certification is considered to be an application for the agricultural real property tax assessment.

The committee gave a favorable report on **S.932**, a bill providing a **DEADLINE EXTENSION FOR RECEIVING CERTAIN ARMED FORCES PROPERTY TAX ASSESSMENT RATIOS**.

This bill revises provisions relating to property tax assessment ratios, so as to revise an application deadline for certain property owned by certain members of the armed forces.

The committee gave a report of favorable with amendments on **S.427**, a bill authorizing **JOB TAX CREDITS FOR COMMERCIAL AVIATION REPAIR AND REFURBISHMENT SERVICES**.

The committee gave a report of favorable with amendments on **S.973**, a bill extending and revising provisions for **DEVOTING A PORTION OF INSURANCE PREMIUM TAX REVENUES TO THE FUNDING OF FIREFIGHTING NEEDS AND EMERGENCY MEDICAL SERVICES TRAINING**. The legislation extends until June 30, 2030, the requirement for using two and one-quarter percent of each year's insurance premium tax revenues to fund emergency response needs and redistributes the revenue so that one percent is transferred to the South Carolina Forestry Commission to be used for firefighting and firefighting equipment replacement, one percent is transferred to the aid to fire districts account within the State Treasury to be distributed to local fire departments for firefighting equipment replacement, and one quarter of one percent is transferred to the aid to emergency medical services regional councils within the Department of Health and Environmental Control to be used for grants to fund emergency medical technician and paramedic training.

The committee gave a report of favorable with amendments on **S.1258**, a bill addressing **ROAD FUNDING AND DEPARTMENT OF TRANSPORTATION RESTRUCTURING**. The legislation allows for an estimated total of up to \$4.5 billion to be devoted to the state's roads over the next ten years. This includes: \$950 million to address all structurally-deficient bridges on Interstate and national highways; \$2 billion in widenings and improvements to existing Interstates; and, over \$1.4 billion in pavement resurfacing. The legislation transfers motor vehicle sales tax revenue and the revenue from various Department of Motor Vehicles fines and fees to the Department of Transportation's State Highway Fund. A portion of these transferred funds may be used for the issuance of South Carolina Transportation Infrastructure Bank bonds. The Infrastructure Bank projects that are financed utilizing these transferred funds do not require a local match. The legislation's revenue revisions also allow for existing Department of Transportation funds to be redirected. Under the legislation, the Department of Transportation is charged with developing and implementing a needs-based weighting methodology to allocate funding within the state funded road resurfacing program, which must include consideration on a county-by-county basis, to ensure that each county in the state is guaranteed funding. 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 legislators would no longer elect commissioners and that all commissioners would, instead, be appointed by the Governor, upon the advice and consent of the General Assembly. 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 DOT Commission assumes the responsibility of appointing the Secretary of Transportation, upon the advice and consent of the General Assembly. In order to afford the chief internal auditor of the Department of Transportation greater independence, the legislation provides for the department's chief internal auditor to be appointed and overseen by the State Auditor rather than the DOT Commission. The legislation also provides for revisions to the South Carolina Transportation Infrastructure Bank. Before providing a loan or other financial assistance, the Board of Directors that oversees the Infrastructure Bank must, under the legislation, submit its decision to the Department of Transportation Commission for its consideration. The DOT Commission can, in turn, approve or reject the decision or request additional information from the bank's board of directors. The Infrastructure

Bank's policy of following the SC Department of Transportation's project priority criteria is established as a statutory requirement. The General Assembly may, however, enact a joint resolution specifically allowing the bank to fund a project without using DOT's prioritization criteria. The minimum project amount set in Transportation Infrastructure Bank requirements is lowered from \$100 million to \$25 million. This threshold is lowered to allow more areas to be able to afford local match requirements and take advantage of the bank's bonding capabilities for financing their transportation projects.

The committee gave a report of favorable with amendments on **S.626**, a bill providing for **RENEWABLE ENERGY TAX EXEMPTIONS AND CREDITS**. The legislation provides for a ten-year eighty percent property tax exemption for renewable energy generation property. A property tax exemption is established for certain solar panels and other distributed renewable energy generation property for residential use. The legislation includes property owned by the Pinewood Site Custodial Trust within the provisions for an income tax credit for a taxpayer who constructs, purchases, or leases and places into service large-scale nonresidential solar energy equipment located on property in South Carolina that is included on the Environmental Protection Agency's National Priority List, National Priority List Equivalent Sites, or on a list of related removal actions, as certified by the Department of Health and Environmental Control.

## **BILLS INTRODUCED IN THE HOUSE THIS WEEK**

### **AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS**

#### **H.5366 SAMWORTH WILDLIFE MANAGEMENT AREA Rep. Goldfinch**

This Joint Resolution creates a committee to study and determine whether the Samworth Wildlife Management Area, which is designated as a Category 1 Waterfowl Area, shall be re-designated as a Category 2 Waterfowl Area. The five-member study committee must be appointed by the members of the Georgetown County Legislative Delegation. The study committee shall prepare a report for the General Assembly and provide the report to the General Assembly by December 31, 2017, at which time the study committee is dissolved. The members of the study committee shall serve without compensation.

### **EDUCATION AND PUBLIC WORKS**

#### **S.936 SUPERVISION OF BEGINNER'S PERMIT, INSTRUCTION PERMIT, OR DRIVER'S LICENSE TRAINING Sen. Shealy**

This bill revises provisions that allow minors to be able to apply for a beginner's permit, instruction permit, or driver's license under the authorization of a responsible adult willing to assume the obligation imposed by providing that, in the absence of a father, mother, or guardian, the responsible willing adult is appointed by the South Carolina Department of Social Services or the court.

**S.1243 "CHASE AWAY CHILDHOOD CANCER SPECIAL LICENSE PLATES"  
Sen. Bennett**

This bill provides authority for the Department of Motor Vehicles to issue "Chase Away Childhood Cancer Special License Plates" with proceeds to be distributed to Chase After a Cure.

## JUDICIARY

**S.923 INJURING OR KILLING POLICE HORSES OR DOGS Sen. Bryant**

Increases the penalties that General Sessions courts can impose against criminals who kill, mutilate, injure, or torture police horses or dogs. Fines are increased to \$10,000 (up from \$5,000) and incarceration can be for up to 10 years (former maximum term was 5 years). Restitution for the full cost of replacing the horse or dog can be ordered as well. In addition, a court can impose community service hours with an animal-related organization for up to 500 hours.

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