



South Carolina House of Representatives

Legislative Update

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

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CONTENTS

| | |
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| HOUSE WEEK IN REVIEW | 02 |
| HOUSE COMMITTEE ACTION | 03 |
| BILLS INTRODUCED IN THE HOUSE THIS WEEK..... | 07 |

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

HOUSE WEEK IN REVIEW

The House of Representatives amended, approved, and sent the Senate **H.3290**, the "**BUSINESS FREEDOM TO CHOOSE ACT**", legislation addressing county flow control ordinances which require waste haulers to deliver the garbage and other solid waste they collect to specific facilities for disposal, processing, and recycling rather than allowing waste haulers to determine which facilities they will use. Under the legislation, an ordinance that requires disposal of waste at one or more designated solid waste management facilities or that requires recovered materials to be processed or recycled at one or more designated facilities is considered inconsistent with the provisions of the South Carolina Solid Waste Policy and Management Act. To the extent that a county ordinance imposes these restrictions on the disposal, processing, or recycling of solid waste, the ordinance is void.

The House approved and sent the Senate **H.3021**, the "**IRAN DIVESTMENT ACT OF 2013**". With limited exceptions, this legislation prohibits persons from signing or renewing contracts with the state of South Carolina or its political subdivisions if they provide goods, services or credit worth \$20 million or more to Iran's energy sector. The Budget and Control Board must develop or contract to develop, using credible information available to the public, a list of persons engaged in these investments activities in Iran and post the list online. With limited exceptions, the legislation further prohibits the Retirement System Investment Commission and the State Treasurer from investing funds with a person that is identified on the list as providing goods, services or credit worth \$20 million or more to Iran's energy sector.

The House and Senate adopted **S.166**, a concurrent resolution **COMMENDING THE NATION OF ISRAEL** for its relations with the United States of America and with the state of South Carolina.

The House approved and sent the Senate **H.3429**, a bill revising statutory language concerning the General Assembly's **LEGISLATIVE ETHICS COMMITTEES** to provide consistency with the Senate's practices and the recent rules changes adopted in the House of Representatives that alter the composition of the body's ethics committee. The legislation removes current references to six-member House and Senate legislative ethics committees and provides instead that such committees are to be composed of ten members, unless otherwise provided by the rules of the respective bodies. The legislation also specifies that the officers of the ethics committee of each house and their selection must be as provided for in the rules of that house.

HOUSE COMMITTEE ACTION

EDUCATION AND PUBLIC WORKS

The full Education and Public Works Committee met on Wednesday, January 30, 2013, and gave consideration to several matters.

H.3121, a bill **PROHIBITING FORMS OF ELECTRONIC MESSAGING WHILE DRIVING**, received a favorable with amendment report from the full committee. The legislation prohibits a person from using an electronic communication device to compose, send, or read an electronic message, such as a text message, electronic mail, instant message, or a command to access an Internet site, while operating a motor vehicle on a roadway. The use of a global positioning system, navigation system or other device that is physically or electronically integrated into the motor vehicle is not a violation. The prohibition does not apply to a person operating a vehicle while: (1) off the traveled portion of the roadway; (2) using an electronic communication device in hands-free, voice-activated, or voice-operated mode that allows the user to review, prepare and transmit an electronic message without the use of either hand except to activate, deactivate, or initiate a feature or function; (3) summoning medical or other emergency assistance; or (4) using a citizens band radio, commercial two-way radio communication device, in-vehicle security, or amateur ham radio device. The legislation creates two new criminal offenses: a misdemeanor offense of distracted driving for violations in which no bodily injury occurs and a felony offense of improper use of an electronic communication device while operating a vehicle for violations in which great bodily injury or death occurs. The Department of Motor Vehicles must suspend the driver's license of a person convicted of the felony offense. Surcharges on these offenses provide funding for the Trauma Care Fund administered by the Department of Health and Environmental Control (DHEC); the legislation directs the use of certain monies received by the Trauma Care Fund such as restricting DHEC from using these funds for the department's administrative or operating expenses or for any other purpose than providing financial aid to participating trauma care providers and grants related to trauma care. The legislation preempts local ordinances, regulations, and resolutions adopted by municipalities, counties, and other local government entities regarding persons using hand-held and hands-free wireless electronic communication devices while operating motor vehicles on the public streets and highways of this state.

The full Education and Public Works Committee gave a favorable with amendment report to **H.3033**, allowing the **DEPARTMENT OF MOTOR VEHICLES TO ISSUE SPECIAL LICENSE PLATES TO THE RECIPIENTS OF THE DISTINGUISHED FLYING CROSS**.

H.3225 received a favorable with amendment report. This legislation authorizes the **DEPARTMENT OF MOTOR VEHICLES TO ISSUE "SC RIVERKEEPERS" SPECIAL LICENSE PLATES**.

The full committee gave a favorable with amendment report to **H.3360**. This is a bill revising the procedure for **TRANSFER OF ROADS TO AND FROM THE STATE HIGHWAY SYSTEM**. Under the legislation, a county or municipality and the Department of Transportation (DOT) may by mutual consent agree to transfer a road

from the county or municipal road system to the state highway system. The transfer may be of the road 'as is', without further improvement to the road or upon such terms and conditions as the parties mutually agree. Notification of the transfer must be given to the county's legislative delegation. If DOT determines that a road in the county or municipal road system is necessary for the interconnectivity of the state highway system, and the municipality or county does not consent to the transfer, DOT may initiate a condemnation action to acquire the road, or a portion of it, and the county or municipality is not required to make any further improvements to it. The legislation authorizes DOT to transfer from the state highway secondary system any road under its jurisdiction determined to be of low traffic importance to a county or municipality, a school, a governmental agency, a nongovernmental entity, or a person, with mutual consent. A county or municipality shall have first right of refusal to accept roads into their maintenance responsibility when roads are considered for transfer from the secondary highway system to a non-governmental entity or person. In no case may a state road be transferred to a non-governmental entity unless all persons and businesses located on the road are in agreement with the transfer. Notification of the transfer must be given to county's legislative delegation. The legislation includes provisions about when maintenance jurisdiction begins for transferred roads. The legislation also repeals a provision relating to belt lines and spurs.

H.3087, pertaining to **CHARTER SCHOOLS AND ENROLLMENT PREFERENCE AND PRIORITY**, received a favorable with amendment report from the Education and Public Works Committee. The legislation requires a public charter school to give enrollment preference to students enrolled in the public charter school the previous school year; an enrollment preference for returning students excludes those students from entering into a lottery. This legislation further allows a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school, as its principal location, to give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school.

JUDICIARY

The full Judiciary Committee met on Tuesday, January 29, and gave consideration to several matters.

The full Judiciary Committee gave a favorable with amendment report to **H.3298**. This legislation makes various **ELECTION LAW REVISIONS**. Highlights of the legislation include the following.

Statement of Economic Interests

The legislation requires all candidates for public office and individuals who become candidates other than by filing to file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever is last.

This legislation requires all public officials to file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last.

The legislation requires the State Ethics Commission to furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, candidates who are not public officials and incumbents are subject to the same disclosure requirements.

The legislation repeals Section 8-13-1356, relating to filing statements of economic interests by candidates for public office.

Statement of Intention of Candidacy

Relating to qualifications to run as candidate in a general election, the legislation revises the procedure for filing a statement of intention of candidacy. Among other things, the new procedure includes obtaining the signatures of appropriate party officials. However, candidates seeking a statewide, congressional or district office must file the signed statement of intention of candidacy and filing fee with the State Election Commission. Candidates seeking a State Senate or State House of Representatives, a countywide or less than countywide office must file the signed statement of intention of candidacy and filing fee with the county board of registration and elections.

County Boards of Registration and Elections

Every general election year, the legislation requires county boards of registration and elections to designate a specified place, other than a private residence, where a person may file as a candidate. The legislation includes provisions for availability during the filing period by some person authorized by law to be present to accept the filings as well as provisions for newspaper notice of the filing period to the public. Also, the legislation includes similar requirements for a county party chairman relating to accessibility and availability of party officials.

Legislative Update, February 5, 2013

The legislation requires all counties to have a single board of registration and elections. However, within a limited time frame, the legislation allows a county council the option of not combining its existing board of registration and board of elections. If a county chooses not to combine its existing boards of registration and elections, the existing board of elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county. The legislation allows individual counties by ordinance to alter the number of members serving on their board of registration and elections. Also, the legislation includes specific provisions for creating a single board of registration and elections in the following counties: Cherokee, Dillon, Greenville, Greenwood, Horry, Spartanburg and Williamsburg.

Other Provisions

This legislation revises the procedures for certifying and compiling the names of candidates to be placed on primary ballots.

Relating to convention nomination of candidates, this legislation deletes an exception pertaining to office of state Senator and member of House of Representatives.

The legislation repeals Section 7-11-220, relating to the notice or pledge by candidates for State Senator.

H.3340, a **PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO SESSIONS OF THE GENERAL ASSEMBLY**, received a favorable report from the full committee. This joint resolution proposes to amend the State Constitution relating to sessions of the General Assembly. The legislation provides for annual sessions of the General Assembly beginning on the second Tuesday in February rather than the second Tuesday in January of each year. The legislation requires each annual session of the General Assembly to adjourn sine die not later than the first Thursday in May each year. The legislation further allows the General Assembly to convene in local session and for the purpose of beginning committee meetings or hearings on the second Tuesday of January each year. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

H.3191 relating to **MOPEDS**, received a favorable report. This bill revises the definition of the term "motor vehicle" in Section 56-5-130 so as to include mopeds in the term's definition. The bill also revises the definition of the term "motorcycle" in Section 56-5-140 so as to exclude mopeds in the term's definition.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

EDUCATION AND PUBLIC WORKS

**H.3435 REVISIONS TO THE "COMPREHENSIVE HEALTH EDUCATION ACT"
Rep. Skelton**

This legislation revises the "Comprehensive Health Education Act". Among other things, the legislation specifically provides for pregnancy prevention education, outlines standards for health education instruction, provides educational requirements for instructors responsible for teaching comprehensive health education, and provides for certain assessments of school district's compliance with these provisions.

**H.3445 BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY
Rep. Govan**

Currently, the Board of Trustees of South Carolina State University is composed of thirteen members; this legislation reduces the number of members to eleven. The legislation revises the manner in which they are elected to account for the new seventh congressional district, the elimination of three at-large seats, and the addition of a seat held by an alumni of the university who is elected by the South Carolina State Alumni Association or its Successor. The legislation also makes other revisions relating to the terms of the board members.

**H.3446 PROPOSED CONSTITUTIONAL AMENDMENT RELATING
QUALIFICATIONS FOR OFFICERS SERVING ON THE GOVERNING
BODY OF SOUTH CAROLINA STATE UNIVERSITY Rep. Govan**

This legislation proposes to amend the State Constitution so as to exempt an appointed or elected person serving on the governing body of South Carolina State University from the requirement of being a qualified elector. The proposed amendment also deletes archaic references relating to the qualifications for officers. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

H.3455 CHILD DEVELOPMENT EDUCATION PROGRAM Rep. Stavrinakis

This legislation creates the South Carolina Child Development Education Program which is a full day, four-year old kindergarten program for at-risk children which must be made available to qualified children in all public school districts. The legislation establishes the priority and eligibility for the program; provides standards for the program; sets the funding level for the program; includes provider standards; and provides that the Department of Education and the Office of First Steps to School Readiness act as administrators for the program. The legislation further provides that the permanent program must be available to students for the 2013-2014 school year.

**H.3472 CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL
Rep. Owens**

Relating to the conversion of a private school to a charter school and the requirement that the converted private school not be allowed to open as a charter school for a period of twelve months, this legislation provides that the prohibition against the converted

private school being allowed to open as a charter school for a period of twelve months does not apply under specified conditions if the enrollment of the converted private school for the most recently completed school term before the date of the proposed conversion reflects the racial composition of the local school district in which the converted private school is located.

H.3474 SCHOOL CALENDAR Rep. Erickson

This legislation makes revisions pertaining to the school calendar. This legislation allows a local school district to establish its calendar based on a statutory term of 180 days of instruction or the equivalent number of instructional hours. Other references pertaining to the statutory school term are also updated to reflect not just days but an equivalent number of hours. Among other things, this legislation provides that the statutory school term consists of a minimum of 180 days of instruction or the equivalent of 1,170 instructional hours and ten additional days or the equivalent of 60 hours for secondary schools or 1,080 hours and ten additional days or the equivalent of 60 hours for elementary schools. A local school district shall schedule ten additional days or the equivalent of 60 hours. A local school district may decide how best to structure the instructional day and how many days of instruction comprise the school year, in that the local school district calendar includes instructional days to coincide with official testing dates as set by the South Carolina Department of Education for the administration of the statewide testing program. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among schools in the district. However, the opening date for students may not be before the third Monday in August, except for schools that operate on a year-round modified school calendar.

JUDICIARY

H.3436 SOUTH CAROLINA UNORGANIZED MILITIA Rep. Wood

This legislation provides that an able-bodied citizen of this state who is over seventeen years of age and can legally purchase a firearm is deemed a member of the South Carolina Unorganized Militia, unless he is already a member of the National Guard or the organized militia not in National Guard service. The unorganized militia will be under the supervision of the Governor, as Commander-in-Chief, and the Adjutant General and shall be regulated through the actions of the General Assembly. A militia member, at his own expense, shall have the right to possess and keep all arms that could be legally acquired or possessed by a South Carolina citizen as of December 31, 2012. This includes shouldered rifles and shotguns, handguns, clips, magazines, and all components. The unorganized militia may not fall under any law or regulation or jurisdiction of any person or entity outside of South Carolina. A member may resign at any time from the unorganized militia, at which time he will resume his civilian status.

H.3441 KIDNAPPING Rep. Whipper

This legislation allows a person convicted of the offense of kidnapping prior to June 5, 1991, and sentenced to life imprisonment to petition the court for a reduction in his sentence from life imprisonment to thirty years unless the person was sentenced for murder. The court, in its sole discretion, may reduce the sentence accordingly.

H.3447 JOINT LEGISLATIVE SCREENING COMMITTEE FOR NONJUDICIAL CANDIDATES TO CREATE REGIONAL ADVISORY COUNCILS

Rep. Govan

This legislation requires the Joint Legislative Screening Committee for Nonjudicial Candidates to create three regional advisory councils consisting of ten members each to assist in the performance of its duties regarding the investigation of candidates for nonjudicial offices.

H.3449 SOCIAL MEDIA IDENTIFICATION FRAUD Rep. King

This legislation makes it unlawful for a person, in connection with a social media service, or through other similar means, to acquire and utilize a social media service user's identity, including, but not limited to, a photograph or other similar likeness, to knowingly transmit or post misleading or inaccurate identification or social media information with the intent to: (1) harass, defraud, cause harm, or wrongfully obtain anything of value from another person; or (2) deceive the recipient of the identity of the person. Violations are misdemeanor offenses.

H.3451 OFFENSES CHARGED ON A UNIFORM TRAFFIC TICKET Rep.

Tallon

This legislation requires the offenses of shoplifting and criminal domestic violence to be charged on a uniform traffic ticket.

H.3452 MULTIJURISDICTIONAL TASK FORCES Rep. Tallon

Relating to the temporary transfer or assignment of a law enforcement officer to work within multijurisdictional task forces or in any municipality or county in this state, this legislation deletes the term "concerned municipalities or counties" and replaces it with the term "agencies". The legislation provides that the written agreements that contain the conditions and terms of the employment of officers to be transferred or assigned must be reviewed annually and when one of the agency heads leaves office. The legislation deletes the provision that requires that a county or municipality that sends an officer to another jurisdiction be reimbursed for his services by the county or municipality to which the officer is transferred. The legislation provides that the governing bodies or the political subdivisions wherein each of the law enforcement agencies entering into an agreement is located must be notified by its agencies of the agreement's execution and termination; the notification must be in writing and provide the period in which it must be accomplished. The legislation further provides the limits of authority a law enforcement officer may exercise where exigent circumstances require immediate deployment of a law enforcement officer.

H.3454 RESTITUTION TO CRIME VICTIMS Rep. Murphy

This legislation clarifies that unclaimed restitution funds procedures apply to businesses no longer in existence previously entitled to the payment of restitution under the statute; the legislation also makes conforming changes relating to restitution pursuant to the Pretrial Intervention Program to victims.

H.3457 PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO CHARITABLE RAFFLES Rep. Gilliard

This joint resolution proposes to amend the State Constitution relating to the prohibition on lotteries and the exceptions to this prohibition. The proposed amendment provides that the General Assembly shall enact a general law authorizing a charitable organization to conduct a raffle. The proposed amendment provides that the general law must define the type of charitable organization authorized to conduct the raffle, provide standards for the management and conduct of the raffle, provide penalties for

violations, and ensure the proper functioning, honesty, integrity, and charitable purposes for which the raffle is conducted. A raffle conducted in conformity with these laws is not considered a prohibited lottery. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

H.3464 EXPEDITED RELATIVE PLACEMENTS OF CHILDREN AT THE PROBABLE CAUSE HEARING FOR EMERGENCY

PROTECTIVE

CUSTODY PROCEEDINGS Rep. Allison

Relating to expedited relative placements of children at the probable cause hearing, this legislation encourages placement of the child with a grandparent or other relative of the first or second degree under certain circumstances. The legislation sets forth criteria for the court to consider when deciding whether to place a child with a grandparent or other relative of the first or second degree at the probable cause hearing. If the court places a child with a grandparent or other relative of the first or second degree at the probable cause hearing, the legislation further provides that the individual must be added as a party to the action for the duration of the case or until further order of the court.

H.3465 OUT-OF-HOME PLACEMENT AND ADOPTION PLACEMENTS FOR SIBLING GROUPS Rep. Allison

This legislation defines the term 'siblings' as persons who share a common biological or adoptive birth parent. This legislation establishes a preference for the placement of sibling groups together in the same out-of-home placement absent good cause to the contrary. The legislation further establishes a preference for the placement of sibling groups together in the same adoptive home, creating a rebuttable presumption that these placements are in the children's best interest.

H.3471 EJECTMENT PROCEEDINGS Rep. Hamilton

This legislation relates to ejectment proceedings. The legislation provides a manner for ejecting tenants, reduces the number of days within which a tenant must respond to a rule to vacate, and provides if the tenant fails to appear and show cause within five days after service of the rule the magistrate shall issue a warrant of ejectment and the tenant must be ejected by certain law enforcement officials. Relating to service of the rule to evict, this legislation provides this service only may be made by leaving the rule affixed to the most conspicuous part of the premises. Relating to a trial for an ejectment action, this legislation provides a bench trial rather than a jury trial is available to a tenant. Relating to the designation of parties in an ejectment action, this legislation conforms the provision that a bench trial rather than a jury trial is available. Relating to the effect of a verdict for the plaintiff, this legislation provides a magistrate immediately must issue a writ of ejectment and the tenant must be ejected by a constable or sheriff; the legislation provides a manner in which the ejectment must be executed. Additionally, the legislation repeals Section 27-37-40 relating to the ejectment of a tenant for failure to show cause; Section 27-37-80 relating to the right to a jury trial; and Section 27-37-160 relating to the execution of a writ of ejectment.

H.3473 IMPLEMENTATION OF THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE Act Rep. Delleney

This legislation prohibits the state and other entities from establishing, operating, or purchasing insurance from an American Health Benefit Exchange and to make such health insurance contracts void. This legislation gives an individual a tax credit if taxed under 26 U.S.C. Section 5000A of the Patient Protection and Affordable Care Act. This

legislation allows the State Attorney General to bring an action against a person or entity causing harm when implementing the Patient Protection and Affordable Care Act.

H.3475 PROHIBITING ADMINISTRATIVE FEE AND FINE INCREASES THAT ARE NOT AUTHORIZED BY THE GENERAL ASSEMBLY Rep.

Erickson

This is a joint resolution prohibiting administrative fee and fine increases that are not authorized by the General Assembly. The legislation provides that no state agency, department, or entity by regulation may administratively increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction without the specific approval of the General Assembly by joint resolution on a recorded roll call vote. The restriction expires on July 1, 2014, unless reauthorized by the General Assembly. Exemptions are provided including fees and fines imposed by higher education institutions, the Department of Parks, Recreation, and Tourism, and federal mandates.

LABOR, COMMERCE AND INDUSTRY

**H.3437 JOINT LEGISLATIVE COMMITTEE ON ECONOMIC DEVELOPMENT
Rep. Toole**

This bill creates a permanent joint legislative committee to conduct a continuing study of the laws, policies, and procedures of this state affecting economic development.

H.3439 AUTOMATED TELLER MACHINE ERRORS Rep. Rutherford

This bill provides that if a person deposits cash in an automated teller machine, and the money is not credited to the person's account due to an ATM error, the bank that maintains the account must issue the person a provisional credit upon notification of the error. The bank must investigate and determine whether an error was made within three calendar days of notification. If the bank does not investigate the error or revoke the provisional credit within three days of notification, the provisional credit becomes final.

H.3459 SOUTH CAROLINA BOARD OF ACCOUNTANCY Rep. Sandifer

This bill requires the Department of Labor, Licensing and Regulation to designate certain personnel for the exclusive use of the South Carolina Board of Accountancy and prohibits the department from assigning other work to these personnel without board approval. The legislation provides that these personnel may be terminated by the director or a majority of the board. The legislation provides that the board may conduct periodic inspections of licensees or firms and requires the department to direct the investigator assigned to the board to investigate an alleged violation to determine the existence of probable cause meriting further proceedings. The legislation provides that a certified public accountant licensed by the board is exempt from licensure requirements of private security and investigation agencies.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H.3444 IN-STATE/OUT-OF-STATE FACILITIES DEALING WITH

PRESCRIPTION DRUGS Rep. Sandifer

The legislation states that all facilities permitted by this state shall notify the Board of Pharmacy within five days of receipt of any order or decision by a regulatory agency imposing disciplinary action on the pharmacy. In addition, a facility located outside of the state but permitted by the state shall pay, in addition to permit and renewal fees, the actual costs of the out-of-state inspection of the facility as required by the board, including the transportation, lodging and related expenses of the board's inspector.

H.3456 *MOBILE BARBER SHOP PERMITS Rep. Stavrinakis*

The bill authorizes the State Board of Barber Examiners to issue mobile barbershop permits and establish permit requirements. "Mobile barbershop" means a self-contained unit in which the practice of barbering is conducted, which may be moved, towed, or transported from one location to another. A 'mobile barbershop' includes a portable barber operation.

WAYS AND MEANS

**H.3463 *NO ADDITIONAL PROPERTY TAX DUE FOR MISCLASSIFICATION OF LAND THAT IS NOT THE FAULT OF THE CURRENT OWNER*
Rep. Hamilton**

This bill provides that no additional property tax is due for any prior property tax year on a parcel of real property because of an erroneous classification of the parcel when that error was not the result of any act or omission of the current owner of the parcel.

H.3476 *TRANSPORTATION INFRASTRUCTURE BANK GOVERNANCE AND OPERATION* Rep. Norman

This bill revises the governance of the Transportation Infrastructure Bank by eliminating its board of directors and providing instead that the bank is administered by the Commission of the Department of Transportation. The legislation revises provisions governing the duties and operation of the Transportation Infrastructure Bank by revising the definition of the term "qualified project", by providing that a project may not be designated as an eligible project for purposes of bank funding in advance of the current availability of funding for the completion of that specific project, and by revising the criteria that must be used in making a determination whether an eligible project is a qualified project.

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