



South Carolina House of Representatives

# Legislative Update

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

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# HOUSE WEEK IN REVIEW

The House of Representatives amended, approved, and sent the Senate **H.3827**, legislation providing for an **EXPEDITED APPEAL OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS** that allows someone who has been denied a permit or received another unfavorable decision from agency staff to bypass an appeal of the decision to the DHEC Board and, instead, take their contested case directly to the Administrative Law Court. Under the revised procedure, requests for contested case hearings of agency staff decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other department actions are filed directly with the Administrative Law Court unless the applicant, permittee, or licensee chooses to have the matter reviewed by DHEC's governing board. The legislation provides that someone issued an emergency order by DHEC may apply directly to the Administrative Law Court for relief and must be afforded a hearing within forty-eight hours. Regardless of whether a hearing is held, DHEC must revoke all emergency orders as soon as conditions or operations change to the extent that an emergency no longer exists.

The House concurred in Senate amendments to **H.3061**, legislation establishing a protocol for addressing **STUDENT ATHLETES AND CONCUSSIONS** in K-12 public education, and enrolled the bill for ratification. This legislation requires the Department of Health and Environmental Control, in consultation with the Department of Education to post on its website nationally recognized guidelines and procedures regarding the identification and management of suspected concussions in student athletes and model policies that incorporate best practices guidelines for the identification, management, and return to play decisions for concussions reflective of current scientific and medical literature. These model guidelines and procedures must be used by local school districts to develop guidelines and procedures which apply to South Carolina High School League sanctioned events. Each year, prior to participation in athletics, each school district shall provide to all coaches, volunteers, student athletes, including cheerleaders, and their parents or legal guardians, an information sheet on concussions which informs of the nature and risk of concussion and brain injury, including the risks associated with continuing to play after a concussion or brain injury. Parents or guardians must sign a statement indicating their review before a student is permitted to participate in an athletic competition or practice. If a coach, athletic trainer, official, or physician suspects that a student athlete under his control has sustained a concussion or brain injury in a practice or in an athletic competition, the student athlete must be removed from practice or competition at that time. Athletes may return to play if an athletic trainer, physician, physician's assistant, or nurse practitioner determines in an onsite evaluation using a written protocol that there are no signs or symptoms of a concussion or brain injury. Athletes suspected to have suffered a concussion or brain injury may not return to play until they have received written medical clearance by a physician. Those who perform onsite evaluations on student athletes and allow for their return to play are not liable for civil damages, unless their conduct is considered to be gross negligence or wilful wanton misconduct.

The House insisted upon its amendments to **S.22**, the "**SOUTH CAROLINA RESTRUCTURING ACT OF 2013**", and appointed a conference committee to address differences with the Senate on the legislation. The bill creates a new Department of

Administration within in the executive branch and provides for other comprehensive changes to the organization and oversight of state government.

The House concurred in Senate amendments to **H.3751** and enrolled the bill for ratification. The legislation enhances the state's **UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY** by establishing provisions that authorize the Department of Employment and Workforce to assess a twenty-five percent monetary penalty on improper unemployment compensation payments resulting from false statements or failure to disclose material facts. Penalties collected are to be deposited in the Department of Employment and Workforce integrity fund that is to be used for preserving the integrity of the unemployment compensation fund through such efforts as identifying overpayments, verifying eligibility, determining status, and updating technology and education tools. The legislation directs the Department of Employment and Workforce to implement an on-line, employer pre-filing program that allows employers to address potential claims for benefits by one of the employer's former employees. The legislation revises the South Carolina Employables Program Act by providing that, in order for someone who is rehired or who returns to work to meet the definition of a "new hire" he must have been separated from employment for at least sixty consecutive days.

The House approved **S.117**, relating to **AUTHORIZATION FOR THE DISCLOSURE OF MEDICAL INFORMATION**, and enrolled the bill for ratification. The legislation revises the Adult Health Care Consent Act by requiring a health care provider to include on the patient information form an opportunity for the patient to designate a family member or other individual with whom the provider may discuss the patient's medical condition and treatment. If the patient chooses to take advantage of this option, the legislation allows, but does not require, the health care provider to discuss the patient's medical condition and treatment plan with the designated individual. Patients must also be informed that this authorization may be revoked or modified. A health care provider who discloses information pursuant to a patient authorization is not subject to liability or disciplinary penalties. Nursing homes, dentists, dental hygienists and dental technicians are exempted from the requirements of the bill.

The House approved **S.530**, relating to **CLOSED PANEL HEALTH INSURANCE PLANS** offered by employers, and enrolled the bill for ratification. This legislation eliminates the requirement that an employer who employs more than fifty eligible employees and who offers to employees major medical, hospitalization, and surgical health insurance coverage only under a closed panel health plan must also offer its employees a point-of-service option for this health insurance coverage. The legislation provides that differences between coinsurance percentages for in-network and out-of-network covered health care services or supplies in a point-of-service option may not exceed a maximum differential of thirty percent.

The House approved **S.635** and enrolled the bill for ratification. The legislation provides that a major facility project requesting third-party certification of energy efficiency and environmental **GREEN BUILDING STANDARDS FOR PUBLIC CONSTRUCTION PROJECTS** shall not be allowed to seek a rating point that would discriminate against wood products of this state derived from forest lands certified by the Sustainable Forestry Initiative or the American Tree Farm System. Only certification from the Forest Stewardship Council is currently being acknowledged.

The House approved **S.620**, legislation relating to **RESEARCH AND DEVELOPMENT LICENSE PLATES**, and enrolled the bill for ratification. Currently, the Department of Motor Vehicles may issue these plates in connection with research and development activities on tires in conjunction with manufacturing activities in this state; this legislation allows these plates to be issued for use in testing and evaluating transmissions on a motor vehicle.

The House concurred in Senate amendments to **H.3762**, a bill dealing with the **UNLAWFUL HUNTING OF WILDLIFE**, and enrolled the bill for ratification. The legislation includes all devices under the provisions that authorize the Department of Natural Resources to seize property that is in the unlawful hunting of deer or bear at night. The legislation provides that when property is seized for a second offense, and the device is of greater value than five thousand dollars, the owner may at any time before sale redeem it by paying to the Department of Natural Resources the sum of five thousand dollars. When the device is of lesser value than five thousand dollars, the owner may at any time before sale redeem it by paying to the department the retail market value. If there is a third or subsequent offense, the device must be forfeited to the state. Upon sale or redemption of a confiscated device, the department shall pay over the net proceeds, after payment of any proper costs and expenses of the seizure, storage, advertisement, and sale to the State Treasurer for deposit in the County Game and Fish Fund. The legislation adds animals, trailers, and other means of conveyance to the list of items seized for unlawful hunting of deer or bear at night that DNR may release to an innocent owner or lien holder of the property. The legislation revises restrictions imposed on night hunting so that these restrictions do not apply to the killing of a coyote, armadillo, or feral hog.

The House approved **S.641** and enrolled the joint resolution for ratification. This legislation makes it lawful to engage in **FALCONRY** in South Carolina from January 1, 2014, through December 31, 2014, and provides for the regulation of falconry. The legislation is offered as a means of bridging a regulatory gap as state regulation takes over from federal regulation of this hunting of wild quarry in its natural state and habitat by means of a trained bird of prey or raptor, so that there will be no interval during which falconry will be unlawful in South Carolina.

The House returned **S.341**, the “**EMERSON ROSE ACT**”, which establishes new provisions for the **DETECTION OF CRITICAL CONGENITAL HEART DEFECTS IN NEWBORNS**, to the Senate with amendments. The legislation directs the Department of Health and Environmental Control to require each licensed birthing facility to perform on every newborn in its care a pulse oximetry or other department-approved screening to detect critical congenital heart defects when the baby is twenty-four to forty-eight hours of age, or as late as possible if the baby is discharged from the hospital before reaching twenty-four hours of age. The legislation directs the Department of Health and Human Services to work with birthing facilities through its partnership with the Birth Outcomes Initiative to recommend policies for critical congenital heart defect screening. The Birth Outcomes Initiative is an effort by DHHS and its partners to improve the health of newborns in the Medicaid program.

The House returned to **S.127** to the Senate with amendments. The legislation creates the **SOUTH CAROLINA BRAIN INJURY LEADERSHIP COUNCIL (SCBILC)** within the Department of Disabilities and Special Needs (DSSN) to promote statewide coordination of support services to people who have brain injuries and their caregivers. The Council's

responsibilities include: making recommendations for improving service coordination; encouraging citizen participation; identifying emerging issues and resources to enhance services and serving as the statewide advisory board for implementing the federal Traumatic Brain Injury Act and applying for federal funds. The 14-member council will be comprised of representatives appointed by the state agencies that serve people with brain injuries, the two medical universities, the SC Statewide Independent Living Council, the SC Developmental Disabilities Council; Protection and Advocacy for People with Disabilities, and the Brain Injury Alliance of SC. The Council is to include survivors of traumatic brain injury or their family members and should have statewide geographic and demographic representation. Members and officers of the council are not entitled to mileage, per diem, subsistence, or any other form of compensation.

The House returned **S.75**, a bill relating to **REAL ESTATE COMMISSION OVERSIGHT**, to the Senate with amendments. The legislation revises provisions governing the membership of the South Carolina Real Estate Commission, so as to detail procedures for appointing the seven commissioners who represent the seven congressional districts. The legislation provides for the commission's next administrator to meet professional experience requirements and for the full-time administrator position to be designated by the director, with the advice and consent of the commission. The legislation provides for at least five full-time real estate commission inspector-investigators. The legislation establishes a timeline for prompt investigation of complaints and requires an annual posting of data on the number of complaints received, the number of investigations initiated, and the duration of investigations. State and federal criminal background checks are required for licensure as a real estate salesman, broker, broker-in-charge, property manager, and property manager-in-charge. The legislation revises grounds for the Real Estate Commission to disallow licensure for certain criminal violations so that they apply to someone who is required to register under the sex offender registry or someone who has been convicted of a violent crime, or someone who has been convicted of, or pled no contest to, a felony within the prior five years directly related to the profession, or a felony within the prior seven years, an essential element of which is dishonesty, reasonably related to any aspect of the profession.

The House returned **S.310**, a bill relating to **MANUFACTURED HOUSING BOARD OVERSIGHT**, to the Senate with amendments. The legislation includes new financial responsibility guidelines for retail dealers licensed by the Manufactured Housing Board. Continuing education requirements of at least six hours every two years are established for the renewal of licenses for manufactured home retail dealers, retail salesmen, installers, contractors, and repairers. The legislation establishes requirements for manufactured housing retail dealers to include their license numbers in advertising. Exemptions from manufactured home sales provisions are established for sales and transfers involving repossessed and foreclosed manufactured homes.

The House approved and sent the Senate **H.3987**, legislation establishing provisions for **TRUTH IN MARKETING FOR SEAFOOD**. The legislation includes seafood within the scope of the South Carolina Food and Cosmetic Act and provides criteria for seafood, including a specification that only seafood caught or grown in South Carolina, Georgia, or North Carolina may be considered local seafood. The legislation prohibits a retail or wholesale establishment that sells seafood from knowingly and wilfully misrepresenting the identity of any seafood to its patrons. This may include a misrepresentation about the type of food offered as well as the mislabeling of imports as local seafood.

The House returned **S.348**, relating to **FIRE SAFETY CONSTRUCTION REQUIREMENTS**, to the Senate with amendments. This bill provides that, notwithstanding provisions of the 2009 Edition of the International Energy Conservation Code, new wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air. The legislation also provides that certain provisions of the 2012 International Residential Code must not be enforced at any time before July 1, 2015.

The House approved and sent the Senate **H.3125**, the “**MICROENTERPRISE DEVELOPMENT ACT**”. The legislation provides for the Department of Commerce to establish the Microenterprise Partnership Program to promote and facilitate the development of microenterprises, which are businesses, whether new or existing, including startup, home-based, and self employment, with five or fewer employees. The legislation establishes a procedure for the Department to award grants to community organizations to make loans and develop loan sources. The legislation provides that appropriated funds may be awarded as a grant to microloan delivery organizations and that such grants must be matched by nonstate funds. The legislation establishes the purpose for which grant funds may be expended and specifies certain provisions that must be in a contract between the Department and a statewide microlending support organization. An annual report must be submitted to the Governor and the General Assembly.

The House amended, approved, and sent the Senate **H.4009**, a joint resolution creating a “**FREE HEALTH CARE STUDY COMMITTEE**” charged with reviewing information and issuing a report on: (1) ways in which the medical profession can encourage medical professionals to volunteer at free medical clinics; (2) impacts of medical professionals volunteering at free medical clinics on the extent and quality of healthcare services received by low-income, uninsured citizens and the related benefits on the health, wellbeing, and quality of life of these individuals; (3) barriers to increasing volunteer services and participation by medical professionals at free medical clinics; (4) ways in which to raise public awareness of contributions made by medical professionals at free medical clinics; and (5) roles that the legislative and executive branches should play to help achieve the recommendations of the study committee and to meet the demands for ensuring quality medical services at free medical clinics in communities across the state.

The House amended, approved, and sent the Senate **H.3717**. This legislation includes in the purview of the **HARASSMENT AND STALKING OFFENSES** persons who commit the offenses while subject to the terms of a restraining order issued by the family court and who have been issued a previous warning by a law enforcement officer. The legislation also provides that when a temporary restraining order has been improperly issued, the court may order the temporary restraining order vacated and all records of the order destroyed.

The House gave second reading approval to **S.559**, legislation dealing with **CATCH LIMITS FOR FLOUNDER**. The legislation provides that it is unlawful for a person to take or possess more than fifteen flounder taken in any one day and not to exceed thirty flounder in any one day on any boat.

The House returned **S.590**, a bill dealing with **CATCH LIMITS FOR TARPON**, to the Senate with amendments. The legislation provides that it is unlawful to take or possess a tarpon that is less than seventy-seven inches in fork length. "Fork length" is defined

as the length of a fish laid flat and measured from the tip of the closed mouth (snout) to the center of the fork of the tail. It is a straight line measure, not over the curvature of the body.

The House committed **H.3383** to the Ways and Means Committee. This legislation **DISCONTINUES THE REAL ESTATE OWNERSHIP PROVISION ALLOWING STUDENTS TO ATTEND PUBLIC SCHOOLS.**

# HOUSE COMMITTEE ACTION

## JUDICIARY

The full Judiciary Committee met on Tuesday, May 28, and reported out several bills.

The full committee gave a favorable report to **S.562**. This bill revises **PROVISIONS RELATING TO RECOVERY FOR IMPROVEMENTS MADE TO PROPERTY IN GOOD FAITH, AFTER IT IS JUDICIALLY DETERMINED TO BE OWNED BY SOMEONE ELSE**. Current law allows for recovery of the full value of improvements made to property in good faith after it is judicially determined to be owned by someone else if the defendant to the action has purchased the property; this legislation allows for recovery in situations where no consideration was given for the property, such as inheritance.

The Judiciary Committee gave a favorable recommendation to **H.3174**. This legislation allows the governing body of a county or municipality to **EXEMPT CERTAIN HISTORIC PROPERTIES FROM THE APPLICATION OR ENFORCEMENT OF BUILDING CODES** upon the recommendation of the local historic preservation commission.

**S.405** received a favorable report from the full committee. This legislation provides that the **COMMISSION ON JUDICIAL CONDUCT, UNDER THE AUTHORITY OF THE SUPREME COURT, SHALL HANDLE COMPLAINTS AGAINST ADMINISTRATIVE LAW COURT JUDGES** for possible violations of the Code of Judicial Conduct in the same manner as complaints against other judges. Currently, complaints against Administrative Law Court judges are handled by the State Ethics Commission.

**S.8** received a favorable with amendment recommendation. This legislation makes **REVISIONS RELATING TO THE LIABILITY OF OWNER OR PERSON HAVING DOG** in his care or keeping. This legislation provides exceptions to liability if at the time the person is bitten or otherwise attacked: (1) the person who was attacked provoked or harassed the dog and that provocation was the proximate cause of the attack; or (2) the dog is working in a law enforcement capacity with a governmental agency and in the performance of the dog's official duties provided that certain conditions are met. These conditions include the dog's attack was in direct and complete compliance with the lawful command of a duly certified canine officer and that the dog is trained and certified and that the governmental agency has adopted certain written policies and that the actions of the dog's handler or dog do not constitute excessive force or violate written policy and that the attack or bite does not occur on a third-party bystander. Additionally, the legislation makes **REVISIONS PERTAINING TO THE CERTIFICATION OF LAW**

**ENFORCEMENT PATROL CANINE TEAMS.** The term 'patrol canine teams' refers to a certified officer and a specific patrol canine controlled by the handler working together in the performance of law enforcement or correctional duties. The term 'patrol canine teams' does not refer to canines used exclusively for tracking or specific detection. This legislation requires the South Carolina Criminal Justice Academy to verify that patrol canine teams have been certified by a nationally recognized police dog association or similar organization. The legislation further provides that no law enforcement agency may utilize patrol canine teams after July 1, 2014, unless the patrol canine teams have met all certification requirements.

**H.4136** received a favorable with amendment recommendation from the full committee. This legislation allows **WHOLESALERS OF ALCOHOLIC LIQUORS, WINE, AND BEER TO DONATE THESE ITEMS** to certain nonprofit organizations, to political parties, to candidate campaign committees registered with the State Ethics Commission pursuant to applicable contribution limitations, for the sole purpose of consumption at a licensed event. The legislation provides for the acceptance of the donated products, and it further provides that all donated products not consumed at the event must be returned to the wholesalers upon the conclusion of the event.

**S.308**, legislation which relates to **CARRYING A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES**, received a favorable with amendment recommendation from the full Judiciary Committee. The legislation replaces the current prohibition on carrying a pistol or firearm into a business which sells alcoholic liquor, beer, or wine for on-premises consumption with new provisions that afford concealed weapons permit holders some legal authority to carry their firearms into bars, restaurants, and other establishments that serve beer, wine, or alcoholic liquor. The legislation provides that it is unlawful to: (1) carry a firearm into a business which sells alcoholic liquor, beer, or wine for on-premises consumption and refuse to leave or remove the firearm when requested to do so by the business; (2) consume alcohol while carrying a firearm in any such business; or (3) carry a firearm into any such business in violation of the establishment's posted policy of not allowing concealable weapons on the premises. The legislation revises penalties for a violation of these provisions by lowering the term of imprisonment for this misdemeanor offense from three years to two years and increasing the maximum fine from \$2,000 to \$3,000. This legislation further provides that a concealed weapon permit must be revoked for a period of five years if a person violates this provision while carrying a concealed weapon. Violators are also subject to pertinent penalties for certain trespassing provisions as well as penalties for violating posted policies disallowing concealed weapons.

**H.3764**, which enacts the "**NONEMBRYONIC AND NONFETAL CELL THERAPY ACT**", received a favorable with amendment report from the full committee. This legislation creates legal rights within South Carolina regarding the use of embryonic and nonfetal cells; nothing in this legislation indicates whether these activities are authorized under federal law. Under this legislation, a person may be administered nonembryonic and nonfetal cells by himself or by a licensed medical practitioner, as long as the medical practitioner is authorized to deliver the cells in the mode used. A person may import a drug or treatment containing such cells for personal use into this state as long as it was not a violation of the laws of the state in which it was obtained. Additionally, medicines or other health products containing nonembryonic and nonfetal cells may be compounded within the state. Except as otherwise provided, no agency of the state or a local government may regulate activities involving nonembryonic and nonfetal cells nor



may they penalize a person for conducting such activity. However, this legislation does not release a professional licensing board from its duty to oversee procedures for administration of cells or a person of liability for not using reasonable care, skill or knowledge when performing medical services.

**H.3514**, which pertains to the **OPERATION OF PUBLIC UNMANNED AIRCRAFT SYSTEMS (DRONES) AND THE DISCLOSURE OF PERSONAL INFORMATION ACQUIRED THROUGH THE OPERATION OF PUBLIC UNMANNED AIRCRAFT SYSTEMS**, received a favorable with amendment report. With limited exceptions, this legislation provides that drones may be operated and personal information from the operation disclosed in order to collect personal information only pursuant to a police investigation and a criminal warrant issued by a court of competent jurisdiction. The legislation includes provisions for obtaining the warrant as well as provisions for reporting to the General Assembly and others information about these warrants. It is a misdemeanor offense to disclose, without authorization, information about a search warrant or personal information obtained as a result of the search warrant. Personal information and evidence obtained or collected in violation of these provisions is not admissible as evidence in any trial, hearing, or other proceeding. The legislation requires state agencies and local law enforcement to obtain approval before procuring a drone and requires all operations of a drone or disclosure of personal information about a person acquired through the operation of a drone to be conducted in a manner that minimizes the collection and disclosure of personal information not authorized. The legislation allows the operation of drones by public institutions of higher learning for research or academic purposes. The legislation also makes it unlawful to operate a drone, in whole or in part, as a weapon, or to deliver a weapon against a person or property.

## LABOR, COMMERCE AND INDUSTRY

The Labor, Commerce and Industry Committee met on Tuesday, May 28, and gave a report of favorable with amendments on **S.348**, relating to **FIRE SAFETY CONSTRUCTION REQUIREMENTS**. This bill provides that, notwithstanding provisions of the 2009 Edition of the International Energy Conservation Code, new wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air. The legislation also provides that certain provisions of the 2012 International Residential Code must not be enforced at any time before July 1, 2015.

## WAYS AND MEANS

The Ways and Means Committee met on Tuesday, May 28, and took action on several bills.

The committee gave a report of favorable with amendments on **S.484**, a bill relating to **DISABILITY RETIREMENT FOR MEMBERS OF THE POLICE OFFICERS RETIREMENT SYSTEM**. This bill establishes new eligibility criteria for disability retirement for members of the Police Officers Retirement System, eliminating the requirement that certain members be eligible for, and provide proof of, Social Security benefits to continue to receive a disability benefit. The legislation establishes a medical

board to arrange for and pass upon all required medical examinations and investigate all essential statements and certificates connected with an application for disability retirement.

The committee gave a report of favorable with amendments on **S.481**, a bill that revises **CRITERIA FOR THE ADMISSIONS LICENSE TAX EXEMPTION FOR A MOTORSPORTS ENTERTAINMENT COMPLEX** by establishing the requirement that the complex be a NASCAR sanctioned motor speedway or racetrack that hosted at least one NASCAR Sprint Cup Series race in 2012, and continues to host at least one NASCAR Sprint Cup Series race, or any successor race featuring the same NASCAR Cup series. By replacing the current requirement that the speedway have at least sixty thousand seats for race patrons, the legislation would allow the Darlington Raceway to continue to retain half of its admissions tax funds to be used for promotional expenses even if renovations at the race track should reduce the number of available seats.

The committee gave a favorable report on **S.610**, a bill **REVISING ECONOMIC DEVELOPMENT BOND TERMS FOR CONVENTION AND TRADE SHOW CENTERS AND SPECIAL EVENTS FACILITIES** so as to allow an extension for the multi-sport facility being constructed by Myrtle Beach. The legislation extends from ten years to fifteen years the period in which the facility must be completed. The legislation provides that a convention and trade show center and special events facility authorized under the terms of the State General Obligation Economic Development Bond Act includes an adjacent facility that makes additional time and space available for the major conventions, trade shows, and special events. The Joint Bond Review Committee is required to review and comment on such an adjacent facility.

The committee gave a favorable report on **H.3765**, a bill providing for **CHARITABLE BINGO REVISIONS**. The legislation creates the Charitable Bingo Advisory Committee to address, in an advisory capacity, issues arising in the charitable bingo industry including, modernization of the industry, expansion of products, streamlining the regulatory process, and improvement of communication toward the ends of conformance and compliance with the Bingo Tax Act. The legislation provides for the committee's membership and requires a Department of Revenue employee, who is knowledgeable about the provisions of the Bingo Tax Act, to serve as liaison with the committee. The legislation provides for the establishment of an informational charitable bingo website by the Department of Revenue to serve as a clearinghouse for information and requires the department's response to inquiries as permanently accessible advisory opinions. The legislation provides for various revisions to bingo provisions. Notably, the legislation broadens provisions for a bingo gaming session to include several types of instant bingo games.

The committee submitted a favorable report on **H.3089**, a bill to provide for a maximum three thousand dollar a year **INDIVIDUAL INCOME TAX DEDUCTION FOR VOLUNTEER STATE CONSTABLES**.

The committee tabled **S.503**, a bill relating to **FUNDING FOR BEACH RENOURISHMENT**.



# BILLS INTRODUCED IN THE HOUSE THIS WEEK

## EDUCATION AND PUBLIC WORKS

**H.4261 DEFINITION OF THE TERM "INSTRUCTION/INSTRUCTIONAL SERVICES" FOR PURPOSES OF TITLE 59 (EDUCATION)**

**Rep. Atwater**

Beginning with the 2016-2017 school year, this legislation defines the term "instruction/instructional services" for purposes of Title 59 (Education) to mean those services comprised of any of the following or any combination of the following: (1) teachers; (2) substitute teachers; (3) teacher assistants; (4) school-based instructional paraprofessionals; (5) pupil use technology; (6) instructional materials; (7) supplies; (8) guidance; (9) media; (10) extracurricular; (11) therapists; (12) psychologists; (13) principals; and (14) assistant principals.

## JUDICIARY

**S.657 MAGISTRATE JURY AREAS Sen. L. Martin**

This legislation makes revisions to magistrate jury areas.

**H.4231 UNIFORM STANDARDS FOR FORMATTING DOCUMENTS SUBMITTED TO A CLERK OF COURT OR REGISTER OF DEEDS**

**FOR RECORDING Rep. Nanney**

This legislation provides uniform standards for formatting documents submitted to a clerk of court or register of deeds for recording. The legislation further provides a six-month grace period, and after the grace period a nonconforming document must be accepted for recording with the imposition of a nonrefundable fine to be deposited in the county general fund or must be refused for recording. The legislation provides an exemption for documents filed electronically pursuant to the Uniform Real Property Electronic Recording Act.

**H.4265 PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS Rep. McCoy**

This legislation relates to the procedure for annexation of special purpose districts; the legislation provides an additional method of annexation by resolution of a special purpose district when a preexisting municipality annexes a majority of the population of the district or when a municipality incorporates a majority of the population of a district.

## MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

**H.4260 CERTAIN EXEMPTIONS FROM CERTIFICATE OF NEED REVIEW FOR MENTAL HEALTH SERVICES Rep. Horne**

This bill exempts the requirement of a certificate of need review for a hospital to add new beds and to change classification of general beds, as long as the new beds and reclassified beds are beds to be used exclusively for mental health services.

## WAYS AND MEANS

### **S.705 CONTINUING RESOLUTION ON STATE GOVERNMENT EXPENSES**

**Sen. Leatherman**

This joint resolution provides that If the 2013-2014 state fiscal year begins with no annual general appropriations act in effect for that year, the authority to pay the recurring expenses of state government continues at the level of amounts appropriated in Act 288 of 2012 for the recurring expenses of state government for Fiscal Year 2013-2014 with certain exceptions.

### **H.4262 INDIVIDUAL INCOME TAX CREDIT FOR INSTALLING A SAFE ROOM IN A RESIDENCE** Rep. Limehouse

This bill provides for a nonrefundable individual income tax credit for a portion of the expenses incurred in constructing or installing a "safe room" in a residential structure located in this state.

### **H.4263 HOMESTEAD PROPERTY TAX EXEMPTION ENHANCEMENTS**

**Rep. Bowen**

This bill revises homestead property tax exemption provisions, so as to provide an exemption sufficient to keep the property tax value of a homestead from increasing once the owner attains the age of seventy years. The legislation provides for an additional twenty-five percent exemption when a person attains the age of seventy-five years and increases the exemption by an additional twenty-five percent every five years thereafter. The legislation provides that a tax execution may not be issued on the homestead of an individual receiving the homestead exemption if the person has attained the age of eighty years. This provision applies so long as the person continues to occupy the homestead.

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