



South Carolina House of Representatives

Legislative Update

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

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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 completed work on this year's regular legislative session, but **S.744**, a **CONCURRENT RESOLUTION ON ADJOURNMENT OF THE GENERAL ASSEMBLY**, was adopted to allow lawmakers to return later this month, beginning on June 18, to take up a limited list of matters including the state government budget legislation, vetoes issued by the Governor, and the reports of conference committees that have been appointed to address differences between the House and Senate on certain pieces of legislation.

The House amended Senate amendments to **H.3710**, the Fiscal Year 2013-2014 **GENERAL APPROPRIATIONS ACT**, restoring the budget bill to the version of the legislation approved by the House earlier this year with certain exceptions, including: around \$24 million to expand four-year-old kindergarten initiatives in school districts with a poverty index of at least 75% with \$14.9 million of these funds directed to the State Department of Education for the Child Development Education Pilot Program and \$10.8 million directed to the Department of Social Services for the ABC Child Care Voucher program to be used at centers meeting educational standards; a school choice provision is included that allows tax credits for donations to charitable student scholarship organizations that grant scholarships for low-income, disabled, and special needs students to attend independent schools (tax credits may reduce a taxpayer's liability by up to 60% and the program's tax credit total may not exceed \$10 million); a \$21 million increase for K-12 instructional materials; a provision allowing private school teachers to claim up to \$275 in tax credits for classroom supplies purchased with personal funds that matches the tax credit allowed for public school teachers; \$5 million in addition to the \$10.5 million previously approved by the House for purchasing school buses; a provision disallowing the use of a student's exit exam score as criteria for graduation and creating a High School Assessment Study Committee; should the House-approved initiative not be enacted which redirects automobile sales tax revenues to serve as a dedicated funding source for the state's infrastructure needs, a provision is included to allow for the use of \$50 million in annual recurring funds for the issuance of \$500 million in bonds for highway and bridge construction and repair; provisions are included requiring the General Assembly to recognize a deficit at a state agency and impose cost-saving measures; an income tax deduction of up to \$300 for an individual and \$1000 for a joint filing is included for those affected by the 2012 Department of Revenue security breach to purchase consumer protection and identity theft resolution services if they are not utilizing the services offered by the state free of charge; provisions are included for strengthening prompt reporting requirements for state agencies and other public entities that experience a data breach; a requirement for each consumer reporting agency to provide a copy of a credit file each month free of charge upon the request of a consumer affected by the 2012 Department of Revenue security breach. The House amended Senate amendments to **H.3711**, the joint resolution making appropriations from the **CAPITAL RESERVE FUND**, returning the legislation to the version approved by the House earlier this year and also including a requirement that any contract entered into by the state for identity theft services include provisions that prohibit any provider of state-sponsored services from using the information obtained on South Carolinians due to their enrollment to market any other product or services to enrollees or to sell or share information on South Carolinians to a third party. Conference committees were

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appointed to address differences with the Senate on this Fiscal Year 2013-2014 **STATE GOVERNMENT BUDGET** legislation.

The House adopted the conference committee report on **S.2**, a bill providing **ELECTION LAW REFORM** measures, and, the Senate having already adopted the report, enrolled the bill for ratification. The legislation addresses the conflicting assertions about how to satisfy the state's filing requirements for candidates for public office found in the lawsuits at the last general election that resulted in court rulings that removed several challengers from the ballot for filing their statements of economic interests or making other required filings in ways that failed to meet the timeline established in statute. The legislation overhauls statutory filing requirements and other provisions governing the way in which an individual becomes a candidate for public office in the state.

The legislation removes the filing of a statement of economic interests from election law requirements and makes such filings an ethics law matter, exclusively, for candidates and incumbent office-holders, alike. Under the revisions, the failure to make a timely filing of required statements of economic interests would not cause candidates to be removed from the ballot or otherwise impair their status as candidates, but such a failure would be subject to the penalties established for violating the Ethics Act. The legislation establishes deadlines for candidates to file statements of economic interests with the State Ethics Commission electronically. A March 30 deadline is established for public officials to make their required annual filing of statements of economic interest.

The procedures for officially becoming a candidate for public office are revised by the legislation so that they no longer depend upon the involvement of political party officials and all necessary filings, attestations, and payments of fees are, instead, conducted in the governmental settings of state or local election commissions. In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office under a revised protocol where candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file the statement of intention of candidacy and party pledge and submit any filing fees with the State Election Commission. Candidates seeking nomination for the state Senate, the state House of Representatives, or a countywide or less than countywide office make their filings and payments of fees with the election commission in the county where they reside. The appropriate election commission must file the signed documents and receipts for payment of fees, all stamped with the date and time of receipt, provide copies of the material to the candidate, and relay copies to the appropriate political party officials along with filing fees. The county chairman of a political party and the chairman of the state executive committee of a political party may designate a person to observe the filings made at the election commission. Political parties continue to be responsible for verifying that candidates meet the qualifications for the offices they are seeking. The legislation specifies that an error or omission in these filing provisions made by a person seeking to qualify as a candidate that is not directly related to a constitutional or statutory qualification for that office must be construed in a manner that favors the person's access to the ballot.

The legislation also establishes a revised mechanism for political parties to follow in order to nominate candidates by conventions.

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The House adopted the conference committee report on **H.3602**, a bill establishing criminal offenses targeting **RETAIL THEFT OPERATIONS**, and, the Senate having already adopted the report, enrolled the bill for ratification. The legislation creates the criminal offenses of committing or conspiring with another to commit retail theft, amounting to more than \$2,000 over a 90-day period, with the intent to sell the stolen property or to place the stolen property in the control of a retail property fence, which is a person or business that buys retail property knowing or believing that it is stolen. The legislation creates criminal offenses relating to stealing from a merchant by affixing a product code created for the purpose of fraudulently obtaining goods or merchandise at less than actual sale price. The legislation creates criminal offenses for using false or altered identification in order to obtain a refund fraudulently. The legislation establishes criminal offenses that apply to those who knowingly accept property represented as stolen by law enforcement officers conducting undercover operations. When a defendant is ordered to make restitution by a magistrate or municipal court, this legislation requires the court, upon a motion, to hold a hearing to require a defendant who is in default to show cause why his default should not be treated as a civil judgment and judgment lien attached. The legislation authorizes the conversion of unpaid restitution, fines, costs, fees, surcharges, and assessments to civil judgments.

The House concurred in Senate amendments to **S.341**, the “**EMERSON ROSE ACT**”, which establishes new provisions for the **DETECTION OF CRITICAL CONGENITAL HEART DEFECTS IN NEWBORNS**, and enrolled the bill for ratification. 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. A department-approved screening must be based on standards set forth by the United States Secretary of Health and Human Services’ Advisory Committee on Heritable Disorders in Newborns and Children, the American Heart Association, and the American Academy of Pediatrics. Newborns are only exempted if a parent objects, in writing, to the screening, for reasons pertaining to religious beliefs. 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 concurred in Senate amendments to **H.3505**, the “**HIGH GROWTH SMALL BUSINESS ACCESS TO CAPITAL ACT OF 2013**”, and enrolled the bill for ratification. The legislation establishes provisions for state nonrefundable income tax credits to encourage those who act as "angel investors" by providing early stage capital for emerging high-growth enterprises in such areas as manufacturing, processing, warehousing, wholesaling, software development, and information technology services. These tax credits are available through 2019.

The House concurred in Senate amendments to **H.3093**, the “**SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT**”. The legislation establishes provisions allowing a taxpayer making qualifying investments in the rehabilitation of an abandoned building to receive income tax credits or credits against property tax liability in an amount comprising up to twenty-five percent of rehabilitation costs. These tax credits are available through 2019.

The House amended Senate amendments to **H.3360**, a bill establishing a revised procedure for **TRANSFERRING ROADS TO AND FROM THE STATE HIGHWAY SYSTEM**. The legislation was amended to include House-approved provisions for redirecting automobile sales tax revenues to serve as a dedicated funding source for the state's infrastructure needs as well as a provision included in budget legislation to allow for the use of \$50 million in annual recurring funds for the issuance of \$500 million in bonds for highway and bridge construction and repair. A conference committee has been appointed to address differences between the House and Senate on the legislation.

The House concurred in Senate amendments to **H.3464** and enrolled the bill for ratification. The legislation revises provisions relating to Department of Social Services child abuse and neglect removal actions to establish specific **LEGAL RIGHTS FOR GRANDPARENTS UNDER EXPEDITED RELATIVE PLACEMENTS OF CHILDREN AT THE PROBABLE CAUSE HEARING FOR EMERGENCY PROTECTIVE CUSTODY**. If the court finds at the probable cause hearing that the department made reasonable efforts to prevent removal of the child and that continuation of the child in the home would be contrary to the welfare of the child, this legislation provides that the court may order expedited placement of the child with a grandparent or other relative of the first or second degree. In making this expedited placement decision, the legislation requires the court to consider the totality of the circumstances including such factors as the individual's suitability, fitness, and willingness to serve as a placement for the child. A parent who complies with these requirements must be the first relative considered by the court for expedited placement. If the court orders expedited placement of the child with a grandparent or other relative of the first or second degree, the individual may be added as a party to the action for the duration of the case or until further order of the court.

The House concurred in Senate amendments to **H.3472**, a bill revising the process for the **CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL**, and enrolled the legislation for ratification. This legislation allows private schools to convert to public charter schools without having to dissolve and close for a period of twelve months if the private school's student population reflects the racial composition of the local school district in which the private school is located. Private schools that wish to convert without having to dissolve and close must adhere to certain statutory provisions. Private schools that successfully convert to charter schools will be held to the same requirements as all other charter schools. The legislation also provides authorization for a special public school that is funded directly by the State of South Carolina and, therefore, is not associated with a public school district to apply to become a public charter school if it serves as a professional development school for an institution of higher learning's teacher education program.

The House concurred in Senate amendments to **H.3409**, a bill establishing **RESTRICTIONS ON ROOFING WORK ARRANGEMENTS PAID WITH INSURANCE POLICY PROCEEDS**, and enrolled the legislation for ratification. This bill prohibits a builder or contractor from representing or negotiating on behalf of an owner or possessor of residential real estate on any insurance claim in connection with the repair or replacement of roof systems. The legislation prohibits a builder or contractor from advertising or promising to pay or rebate all or any portion of any insurance deductible as an inducement to the sale of goods or services. A violation is a misdemeanor and is

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included among the instances of misconduct that the South Carolina Residential Builders Commission considers in determining whether a license or registration should be revoked, suspended, or restricted. The legislation establishes a procedure allowing a person who enters into a written contract for goods or services related to a roofing system with a party who will be paid from proceeds of a property and casualty insurance policy and who subsequently receives written notice from the insurer that all or part of the claim or contract is not a covered loss under the policy to cancel the contract prior to midnight on the fifth business day after the insured has received the written notice of the denial of coverage.

The House returned **S.8** to the Senate with amendments. The Senate subsequently concurred in these amendments and enrolled to bill for ratification. This legislation **REVISES LEGAL LIABILITY PROVISIONS FOR DOG BITES AND ATTACKS**. 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.

The House concurred in Senate amendments to **H.3451**, relating to **OFFENSES CHARGED ON A UNIFORM TRAFFIC TICKET**, and enrolled the bill for ratification. This legislation addresses issues that arose from a recent Court of Appeals case pertaining to the use of a uniform traffic ticket to begin judicial proceedings in magistrates court. The legislation adds shoplifting and first and second offense criminal domestic violence to the list of offenses that may be charged, in addition to traffic offenses, on a uniform traffic ticket, which allows uniform traffic tickets to be issued for these offenses even if the act did not occur in the officer's presence. Also, the legislation requires an officer who makes a shoplifting arrest using a uniform traffic ticket to immediately file an incident report; this requirement is already in place under current law if a uniform traffic ticket is used for a criminal domestic violence offense. Further, the legislation allows a uniform traffic ticket to be used in an arrest for a misdemeanor offense within the jurisdiction of magistrates court that has been freshly committed or is committed in the presence of a law enforcement officer.

The House concurred in Senate amendments to **H.3342**, relating to **BENCH WARRANTS**, and enrolled the bill for ratification. This legislation provides that, after an

initial appearance, a circuit court judge may not issue a general sessions court bench warrant for failure to appear in court upon motion by a solicitor, unless the solicitor has conspicuously posted a list of potential bench warrants at the appropriate courthouse and on the solicitor's Internet website at least forty-eight hours before the bench warrant is requested. These restrictions do not apply if the presiding judge issues the bench warrant for failure to appear, of his own accord, or the person has been personally served with an appearance date.

The House concurred in Senate amendments to **H.3184**, a bill revising eligibility criteria for the **EXPUNGEMENT OF CRIMINAL RECORDS**, and enrolled the legislation for ratification. The legislation provides that a person may be eligible for expungement of a first offense crime which carries a maximum fine of \$1,000, rather than \$500 as current law provides, including a conviction in magistrates or general sessions court. The legislation also includes instances where a person has been issued a courtesy summons within the provisions that require the destruction of arrest and booking records, files, mug shots, and fingerprints and disallow law enforcement from retaining pertinent evidence when proceedings against the person are dismissed, or the person is found not guilty of the charge. The legislation also includes requirements for making expungements from any Internet-based public record within thirty days.

The House concurred in Senate amendments to **H.3974**, relating to **DEPARTMENT OF REVENUE RECORDS**, and enrolled the bill for ratification. Relating to the disclosure of records and returns filed with the Department of Revenue, the legislation allows the disclosure of certain information to the Secretary of State about a taxpayer who filed an initial or final corporate return. The legislation allows the Department of Revenue to expunge the recording of a lien once the lien is fully paid and satisfied.

The House approved **S.562** and enrolled the bill for ratification. 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 House returned **S.484**, a bill relating to **DISABILITY RETIREMENT FOR MEMBERS OF THE POLICE OFFICERS RETIREMENT SYSTEM**, to the Senate with amendments. The Senate subsequently concurred in the amendments and enrolled the bill for ratification. This legislation 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 House returned **S.463**, a bill requiring **CRIMINAL BACKGROUND CHECKS FOR LICENSURE AS A PROFESSIONAL SURETY BONDSMAN OR RUNNER**, to the Senate with amendments. The Senate subsequently concurred in the amendments and enrolled the bill for ratification. The legislation revises the licensure of professional

surety bondsmen and runners at the Department of Insurance by establishing requirements for state and federal criminal background checks. The cost associated with these fingerprint-based criminal history record screenings must be borne by the applicant.

The House concurred in Senate amendments to **H.3632**, a bill relating to **WORKERS' COMPENSATION COMMISSION FUNDING**, and enrolled the legislation for ratification. This bill authorizes the Workers' Compensation Commission to retain a portion of the annual revenue of the maintenance tax imposed on self insurers as well as half of the interest charged on delinquent maintenance tax in order to pay the salaries and expenses of the commission.

The House concurred in Senate amendments to **H.3033**, a bill authorizing the issuance of **SPECIAL LICENSE PLATES**, and enrolled the bill for ratification. The legislation authorizes the issuance of Special License Plates for Recipients of the Distinguished Flying Cross, Autism Awareness Special License Plates, Motorcycle Awareness Alliance Special License Plates, and SC Riverkeepers Special License Plates. The legislation also includes provisions for the Department of Motor Vehicles to develop a basic license plate design that will be used as a template for all special organizational license plates.

The House returned on **S.481** to the Senate with amendments. The Senate subsequently concurred in the amendments and enrolled the bill for ratification. The legislation 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 House approved and enrolled for ratification **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 House returned **S.584**, legislation revising provisions for **HUNTING AND FISHING LICENSES**, to the Senate with amendments. The Senate subsequently concurred in the amendments and enrolled the bill for ratification. Notably, the legislation allows the Department of Natural Resources to implement an annual wildlife fishing license for commercial and recreational purposes. If successful, DNR has the option to implement the annual licenses to other areas. The bill provides that persons who are determined to be disabled must be receiving benefits under the various state and/or federal agencies

and/or programs in order to obtain a three year disability fishing licenses at no cost. The department may waive the proof of disability benefit requirement for renewals when the resident is at least sixty-five years old. Any person licensed by another state as a resident for any purpose is not eligible to apply for, obtain, or hold any South Carolina resident license, permit, stamp, or tag required by the title. It is unlawful to obtain, attempt to obtain, or possess a license, permit, stamp, or tag required by this title while licensed as a resident of another state for any purpose. Any person who lawfully acquires a resident South Carolina license, permit, stamp, or tag and who during the term of that instrument transfers their domicile outside of this State, may continue the privileges until expiration of that license, permit, stamp or tag. The legislation provides that, if an apprentice hunting license is obtained, the certificate of completion requirement may be waived for one license year. If an apprentice hunting license holder obtains a certificate of completion prior to the expiration date the apprentice hunting license will be used as a statewide hunting license, provided the certificate of completion in possession while hunting.

The House approved **S.551** and ordered the bill enrolled for ratification. The legislation provides that open season for **ANTLERED DEER** in Game Zone 1 with archery equipment and firearms is October 11 through January 1. The legislation provides that on Wildlife Management Area lands, the Department of Natural Resources may promulgate regulations in accordance with the Administrative Procedures Act to establish seasons for the hunting and taking of deer.

The House approved **S.559**, legislation dealing with **CATCH LIMITS FOR FLOUNDER**, and enrolled the bill for ratification. 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 concurred in Senate amendments to **H.3735** and enrolled the bill for ratification. The legislation provides that the lawful **CATCH LIMIT FOR BLACK SEA BASS** (*Centropristis striata*) is five fish per person per day or the same as the federal limit for Black Sea Bass, whichever is higher. The lawful minimum size is thirteen inches total length. Additionally, there is no closed season on the catching of Black Sea Bass.

The House returned **S.308** to the Senate with amendments. The legislation relates to **CARRYING A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES**. 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. Also, the legislation makes revisions pertaining to **THE REQUIREMENTS AND PROCESS TO RECEIVE A CONCEALED WEAPON PERMIT**. Among other things, the legislation provides that the permit is valid for five years rather than four years, allows the State Law Enforcement Division to make all contact with a permit applicant through online communications if an applicant submits his application online, deletes the requirement that an education course must be a minimum of eight hours, and allows individuals with military training as well as retired law enforcement officers to complete only the portion of the class reviewing state law. The legislation provides that a person may not carry a concealed weapon into a place clearly marked with a sign prohibiting the carrying of a concealed weapon on the premises, except that a property owner or an agent acting on his behalf,

may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. Additionally, the legislation provides that a **CONCEALED WEAPON PERMIT HOLDER MAY SECURE HIS WEAPON UNDER A SEAT IN A VEHICLE**, or in any open or closed storage compartment within the vehicle's passenger compartment.

The House did not concur in Senate amendments to **H.3717**, legislation relating to **HARASSMENT AND STALKING OFFENSES**. A conference committee has been appointed to address the differences of the House and Senate on the bill.

The House did not concur in Senate amendments to **S.310**, a bill relating to **MANUFACTURED HOUSING BOARD OVERSIGHT**. A conference committee has been appointed to address the differences of the House and Senate on the bill.

The House did not concur in Senate amendments to **H.3774**, a joint resolution providing for a **TEMPORARY SUSPENSION FOR PERMITS AND GOVERNMENTAL APPROVALS AFFECTING REAL ESTATE DEVELOPMENT**. A conference committee has been appointed to address the differences of the House and Senate on the legislation.

The House did not concur in Senate amendments to **H.3225**, a bill authorizing "**SC RIVERKEEPERS**" **SPECIAL LICENSE PLATES**. A conference committee has been appointed to address the differences of the House and Senate on the legislation.

The House approved and sent the Senate **H.4284**, a bill **EXPANDING THE AUTHORITY FOR ISSUING HIGH SCHOOL DIPLOMAS TO CERTAIN VETERANS OF THE UNITED STATES MILITARY** whose high school careers were interrupted by military service, so that these provisions apply not only to World War II veterans but also include veterans of the era encompassing the Korean War and Vietnam War.

The House approved and sent the Senate on **H.3089**, a bill to provide for a maximum three thousand dollar a year **INDIVIDUAL INCOME TAX DEDUCTION FOR VOLUNTEER STATE CONSTABLES**.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

S.699 INSPECTION FEE ON THE DISTRIBUTION OR SALE OF COMMERCIAL

FERTILIZER Sen. Verdin

In addition to the inspection tax on the distribution or sale of commercial fertilizer, this bill imposes an inspection fee of one dollar a ton on the distribution or sale of commercial fertilizer. All revenues of the fee imposed must be retained and expended by the

Division of Regulatory and Public Service Programs of Clemson University (Clemson PSA) for Clemson PSA's programs.

H.4290 FEES RELATING TO MINING PERMITS Rep. Hiott

This bill sets a schedule of fees that must be assessed and collected relating to certain mining activities by the South Carolina Department of Health and Environmental Control.

EDUCATION AND PUBLIC WORKS

S.160 CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) INSTRUCTION Sen. Malloy

Beginning with the 2015-16 school year, this legislation provides that at least one time during the four years of grades nine through twelve, each student shall receive instruction in cardiopulmonary resuscitation (CPR), which must include, but is not limited to, hands-only CPR and the use of an automated external defibrillator (AED). Each school district shall use a program that incorporates the instruction of the psychomotor skills necessary to perform CPR developed by the American Heart Association, American Red Cross, or an instructional program which is nationally recognized and based on the most current national evidence-based Emergency Cardiovascular Care guidelines for CPR and the use of an AED. The legislation requires a school district to adopt a policy providing a waiver for this requirement for a student absent on the day the instruction occurred, a student with a disability whose individualized education program indicates such student is unable to complete all or a portion of the hands-only CPR requirement, or a student whose parent or guardian completes, in writing, a form approved by the school district opting-out of hands-only CPR and AED instruction. The legislation further requires the State Board of Education to incorporate CPR and AED instruction into the South Carolina Health and Safety Education Curriculum Standards and promulgate regulations to implement these provisions.

H.4302 ALTERNATE CREDENTIALS THAT THE DEPARTMENT OF EDUCATION SHALL CONSIDER ACCEPTABLE TO QUALIFY A PERSON TO SERVE AS A TEACHER IN A PAROCHIAL OR PRIVATE SCHOOL PROGRAM Rep. Robinson-Simpson

This legislation requires the Department of Education to consider a person qualified to serve as a teacher in a parochial school or other private school program that depends to any extent on private grants, public grants, or federal funding if he has: (1) received a four-year degree with a major in elementary or early childhood education from an accredited college or university; or (2) satisfactorily completed a practicum in early childhood education or elementary education required for certification in those fields; or (3) satisfactorily completed the PRAXIS-II subject area exam; or (4) satisfied any other criteria the department considers appropriate. This qualifying method is an alternative to any other requirement or option for qualification. A person must be considered fully qualified upon presentation of the credential listed in these provisions on which qualification is based and must not be required to seek or receive any waiver of other qualification required by statute, regulation, budget proviso, or department rule or policy.

JUDICIARY

H.4275 COUNTY BOARDS OF ELECTIONS AND VOTER REGISTRATION AND THE STATE ELECTION COMMISSION Rep. Quinn

This legislation provides that all county boards of elections and voter registration are under the direct supervision and control of the State Election Commission acting through its executive director. The legislation provides for removal of certain officials and dismissal of certain employees who wilfully fail to follow the recommendation of the State Election Commission. The legislation further devolves responsibility to the State Election Commission for certifying an election when a county board of elections and voter registration does not or cannot certify the results within twenty-four hours after the polls have closed.

H.4283 PROHIBITION ON A PERSON CONVICTED WITH CERTAIN CRIMINAL DOMESTIC VIOLENCE OFFENSES FROM RECEIVING OR CONTINUING TO RECEIVE ALIMONY FROM THE VICTIM OF THE CRIMINAL DOMESTIC VIOLENCE OFFENSE Rep. Long

This legislation provides that a person convicted of criminal domestic violence or criminal domestic violence of a high and aggravated nature is not eligible to receive or continue to receive alimony from the victim of the offense. The legislation provides that a victim of criminal domestic violence or criminal domestic violence of a high and aggravated nature may petition the family court with jurisdiction over the matter for termination of alimony which must be considered a substantial change in circumstances, and the court shall order the termination of alimony.

LABOR, COMMERCE AND INDUSTRY

H.4285 EDUCATIONAL REQUIREMENTS FOR LICENSURE AS A FUNERAL DIRECTOR Rep. King

This bill revises the educational requirements for licensure as a funeral director to include an associate's degree in mortuary science from an accredited program and a bachelor's degree from an accredited college or university for a person seeking initial licensure after December 31, 2013.

WAYS AND MEANS

S.234 "SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT" Sen. Coleman

This bill enacts the "South Carolina Abandoned Buildings Revitalization Act" which provides that a taxpayer making investments of a certain size in rehabilitating an abandoned building may at his option receive specified income tax credits or credits against the property tax liability.

S.387 ECONOMIC DEVELOPMENT TAX CREDITS Sen. O'Dell

This bill revises the credit against withholding for worker retraining by increasing the credit for the retraining of current employees on newly installed equipment and newly

implemented technology and similar instruction. The legislation provides that a business may not claim the credit if the employee is required to reimburse or pay for the costs of the retraining. The legislation increases the match amount for the business and makes the programs subject to periodic review by the Department of Revenue and the State Board of Technical and Comprehensive Education. The legislation revises provisions relating to the credit against the license tax for certain infrastructure expenses, so as to provide that an eligible project may be owned or constructed by a governmental entity if the project is expected to contribute to the economic development of the governmental entity. The legislation provides that a governmental entity may sell the project after the company pays for the infrastructure. The legislation includes expenditures relating to compliance with the site certification requirements of the South Carolina Department of Commerce, such as a Phase I environmental study, wetlands delineation, endangered plant or animal species study, an archeological, historic, and cultural study, geotechnical study, topographic survey with two foot contours, and an engineering estimate for clearing, grubbing, and grading. In a county in which at least five million dollars in state accommodations tax has been collected in at least one fiscal year, a county or municipality owned multiuse sports and recreational complex is considered an 'eligible project' promoting economic development for tax credit purposes.

**S.437 OWNER-OCCUPIED RESIDENTIAL PROPERTY TAX ASSESSMENT RATIO ALLOWED FOR OCCASIONALLY RENTED RESIDENCES
Sen. Cleary**

This bill provides that the owner-occupant of residential property qualifies for the four percent assessment ratio allowed owner-occupied residential property, if the owner is otherwise qualified and if the residence that is the subject of the application is not rented for more than seventy-two days in a calendar year. For purposes of determining eligibility, rental income, and residency, the assessor annually may require a copy of applicable portions of the owner's federal and state tax returns, as well as the Schedule E from the applicant's federal return for the applicable tax year.

**S.474 STATE MUSEUM ADMISSIONS EXEMPTED FROM THE ADMISSIONS LICENSE TAX
Sen. Setzler**

This bill exempts admissions charged by the State Museum from the Admissions License Tax.

**H.4301 CORPORATE LICENSE TAX CREDIT ALLOWED FOR A MUNICIPAL OR COUNTY-OWNED, MULTIUSE SPORTS AND RECREATIONAL COMPLEX
Rep. Hardee**

This bill revises the corporate license tax credit allowed for cash contributions to provide infrastructure for eligible projects, so as to include in the definition of "eligible project" a municipal or county-owned, multiuse sports and recreational complex located in a county in which has been collected at least five million dollars in a fiscal year in state imposed accommodations tax.

**H.4306 PROPERTY TAX EXEMPTION FOR RENOVATING A STRUCTURE
ON
THE NATIONAL REGISTER OF HISTORIC PLACES
Rep. Finlay**

This bill provides for the exemption of one third of the property tax value of improved real property, if the improvement: is a structure listed on the National Register of Historic Places; has been fully renovated; and, for that renovation, at least three hundred thousand dollars was expended within a twelve-month period. This exemption does not

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apply to an owner-occupied residential property qualifying for the special four percent property tax assessment ratio.

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