



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 returned **S.137** to the Senate with amendments. The bill enacts provisions, designated as "**EMMA'S LAW**", to combat drunk driving through a **MORE EXPANSIVE USE OF IGNITION INTERLOCK DEVICES INSTALLED ON THE VEHICLES OF DRIVING UNDER THE INFLUENCE OFFENDERS** that are designed to prevent a vehicle from being started and operated by someone who has consumed alcohol. The legislation revises current requirements for ignition interlock devices to be installed on the vehicles of repeat DUI offenders and establishes a new requirement for installing an ignition interlock device on the vehicle of someone convicted of a first offense DUI violation who had a breath test that registered an alcohol concentration of 0.15 or higher. Those who refused a breath test and were subsequently convicted of a first offense DUI violation are subject to requirements for enrolling in the Ignition Interlock Device Program in order to be eligible to drive. The legislation imposes new ignition interlock requirements that apply following the release from prison of someone convicted of a DUI offense involving great bodily injury or death of another. Ignition interlock requirements are established for those found guilty of an offense involving the operation of a motor vehicle while under the influence of intoxicants with at least one passenger younger than sixteen. The legislation enhances penalties for those who fail to comply with ignition interlock device requirements.

The House amended, approved, and sent the Senate **H.4803**, a bill addressing **ACCESS TO CANNABIDIOL, A SUBSTANCE DERIVED FROM MARIJUANA, FOR TREATMENT OF SEVERE FORMS OF EPILEPSY**. The legislation enacts "**JULIAN'S LAW**" to provide authorization for the state's academic medical centers to conduct expanded access clinical trials approved by the federal Food and Drug Administration (FDA) to investigate the value of cannabidiol as a treatment for patients suffering from severe forms of epilepsy that are not adequately treated by traditional medical therapies. The legislation establishes certain exemptions for cannabidiol under the definition of "marijuana" in the state laws governing narcotics and controlled substances. An exemption for cannabidiol is established that applies to a person, or the persons' parents, legal guardians, or other caretakers, who has received a written certification from a South Carolina-licensed physician that the person has been medically diagnosed as having Lennox-Gastaut Syndrome, Dravet Syndrome, also known as 'severe myoclonic epilepsy of infancy', or any other severe form of epilepsy that is not adequately treated by traditional medical therapies. A physician is not subject to detrimental action, including arrest, prosecution, penalty, denial of a right or privilege, civil penalty, or disciplinary action by a professional licensing board, for providing this written certification for the medical use of cannabidiol to a patient.

The House approved and sent the Senate **H.4452**, a bill revising campaign finance provisions for candidates and elected officeholders that relate to the **USE OF CAMPAIGN FUNDS**. The legislation provides clarification on what qualifies as reasonable and necessary expenses that may be paid for with campaign funds. Any campaign account payments or reimbursements of mileage for travel associated with the campaign or office must be at the rate established for the year by the Internal Revenue Service. Payment or reimbursement for any lodging, food and beverage, or travel expenses, other than mileage, for the candidate, a member of the candidate's immediate family or staff must be for travel for the purpose of campaigning for office or otherwise a

part of the official responsibilities of an officeholder. Official responsibilities of the officeholder include such things as political party events, official appearances or meetings for which reimbursement is not offered by a governmental entity, and educational forums or conventions to which an officeholder is invited in his official capacity. Communication equipment or other office equipment purchased with campaign funds is considered the sole property of the campaign and must be disclosed as a campaign asset at the time of purchase. This equipment must be accounted for upon the final disbursement of a campaign account. Any payments to campaign or office staff must be made contemporaneously with the work provided. A campaign may not employ an immediate family member of the candidate.

The House approved and sent the Senate **H.4455**, a bill **DISALLOWING CASH PAYMENTS FROM CAMPAIGN ACCOUNTS**. The legislation eliminates petty cash provisions and provides instead that all expenditures, regardless of amount, must be made by: a check signed or authorized by the candidate or duly authorized officer of the committee; a debit or credit card issued in the name of candidate or committee; or an online transfer authorized by the candidate or a duly authorized officer of a committee.

The House concurred in Senate amendments to **H.3592**, a bill revising **ENERGY EFFICIENT AND ENVIRONMENTALLY SUSTAINABLE BUILDING STANDARDS FOR STATE CONSTRUCTION**, and enrolled the bill for ratification. The legislation revises the “Energy Independence and Sustainable Construction Act of 2007”, to direct the Fiscal Accountability Authority’s governing board to automatically adopt the most current editions of the rating systems developed by Green Building Initiative and U.S. Green Building Council’s Leadership in Energy and Environmental Design, but to provide for these certification standards to be subject to modifications adopted through state regulations. An Energy Independence and Sustainable Construction Advisory Committee is established to review and analyze rating systems and their updates, including a cost-benefit analysis so that the state may consider the return on its investment for projects, and make recommendations concerning modifications to the board. The rating system utilized by the state must provide certification credits for, preference for, and promotion of such building materials or furnishings as wood grown in this state and masonry, plastics, concrete, steel, textiles, and wood that are manufactured or produced in South Carolina. The standards may not place at a disadvantage building materials or furnishings that are manufactured or produced within the state. A major facility project requesting third-party certification shall not be allowed to seek a rating credit or point for building product disclosure and optimization credit that requires material ingredient reporting.

The House amended, approved, and sent the Senate **H.4371**, a bill addressing **BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT**. The legislation responds to the activities of so-called patent trolls who purchase and enforce various patent rights against accused infringers without actually manufacturing any goods or providing any services that are based on the patent in question. Even when claims of infringement on intellectual property lack merit, those accused of patent infringement may be inclined to pay a license fee that is demanded rather than face the expense and uncertainty of defending the ownership of their intellectual property through litigation. The legislation provides that is an unlawful trade practice to make a bad faith assertion of patent infringement. The legislation establishes criteria for determining which demands for payment of license fees or threats of litigation constitute bad faith assertions of patent infringement, and provides legal remedies for those targeted by such practices. The

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Attorney General is authorized to act upon violations. With regard to patent ownership and potential patent infringement, the legislation prohibits the intentional interference with the existing or prospective contractual relations of another person through a disingenuous claim of ownership of intellectual property. A cause of action is established allowing those aggrieved to seek compensatory damages, injunctive relief and punitive damages.

The House approved and sent the Senate **H.4650**, legislation requiring the State Board of Education to establish before August 1, 2014, a **PROFICIENCY-BASED SYSTEM AS AN ALTERNATIVE TO TRADITIONAL SEAT-TIME REQUIREMENTS** for children not exempt from compulsory school attendance requirements. The system must be optional for school districts. The legislation defines proficiency as the demonstration of competency or advancement, based upon mastery of South Carolina State Subject Standards in any subject without the necessity of satisfying a seat-time requirement. Proficiency course credits may be earned through distance learning, online learning, project and inquiry-based learning, independent study, or a combination of these methodologies.

The House approved and sent the Senate **H.4527**, legislation designating the Friday after Thanksgiving as "**A DAY OF RECOGNITION FOR VETERANS' SPOUSES AND FAMILIES**" to acknowledge the invaluable support and sacrifice of veteran's family members.

The House approved **S.842**, legislation addressing an oversight in provision governing **UNCLAIMED CREMATED REMAINS OF A VETERAN**, and enrolled the bill for ratification. The legislation provides that a coroner may work with a veterans service organization to provide for the disposition of the unclaimed cremated remains of a veteran.

The House approved and sent the Senate **H.4499**, a bill providing for the **REMOVAL OF THE ONE DOLLAR FEE CHARGED BY THE DEPARTMENT OF MOTOR VEHICLES FOR THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE**.

The House approved **S.714**, legislation providing for the "**SOUTH CAROLINA CAPTIVE ALLIGATOR PROPAGATION ACT**", and enrolled the bill for ratification. The legislation allows the Department of Natural Resources to regulate the business of propagating alligators for commercial purposes as well as the hunting, control and management of alligators.

The House approved and sent the Senate to **H.4900**, legislation directing the Department of Transportation to perform a **COST-BENEFIT STUDY TO DETERMINE THE FEASIBILITY OF ERECTING A PEDESTRIAN OVERPASS AT THE INTERSECTION OF THE SEPTIMA P. CLARK PARKWAY AND COMING STREET IN THE CITY OF CHARLESTON**. The legislation requires the Department of Transportation to provide the results of its study to the Governor and the General Assembly by January 1, 2015.

The House amended and gave second reading approval to **H.4383**, a bill authorizing the Department of Motor Vehicles to issue **SOUTH CAROLINA STANDS WITH ISRAEL SPECIAL LICENSE PLATES**.

The House approved and sent the Senate **H.4864**, a bill revising **LABELING AND TAGGING REQUIREMENTS FOR AGRICULTURAL, VEGETABLE, AND FLOWER SEEDS** to include new requirements involving test dates.

The House approved and sent the Senate **H.4993**, a bill designating the fourth Thursday in September of each year as the "**AYNOR HARVEST HOE-DOWN FESTIVAL WEEKEND**".

The House amended, approved, and sent the Senate **H.4945**, a bill **REVISING CATCH LIMITS FOR CERTAIN FISH**. The legislation provides that it is unlawful for a person to take or possess in any one day more than fifty of a combination of the following: spot (*Leiostomus xanthurus*), whiting (*Menticirrhus* spp.), and Atlantic croaker (*Micropogonias undulatus*) taken by hook and line.

The House approved **S.1028** and enrolled to bill for ratification. The legislation increases the horsepower limitation for **WATERCRAFT OPERATED ON TUGALO LAKE**, located in Oconee County, from 20 to 25.

HOUSE COMMITTEE ACTION

EDUCATION AND PUBLIC WORKS

The full Education and Public Works Committee met on Tuesday, April 1, 2014.

The full committee gave a favorable report to **H.4499**, which provides for the **REMOVAL OF THE ONE DOLLAR FEE CHARGED BY THE DEPARTMENT OF MOTOR VEHICLES FOR THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE**.

The full committee gave a favorable recommendation to **H.4900**. This legislation directs the **DEPARTMENT OF TRANSPORTATION TO PERFORM A COST-BENEFIT STUDY TO DETERMINE THE FEASIBILITY OF ERECTING A PEDESTRIAN OVERPASS AT THE INTERSECTION OF THE SEPTIMA P. CLARK PARKWAY AND COMING STREET IN THE CITY OF CHARLESTON**. The legislation requires the Department of Transportation to provide the results of its study to the Governor and the General Assembly by January 1, 2015.

H.4383 received a favorable with amendment report. This legislation authorizes the Department of Motor Vehicles to issue **SOUTH CAROLINA STANDS WITH ISRAEL SPECIAL LICENSE PLATES**.

H.4650 received a favorable with amendment recommendation from the full committee. This legislation requires the State Board of Education to establish before August 1, 2014, a **PROFICIENCY-BASED SYSTEM AS AN ALTERNATIVE TO TRADITIONAL SEAT-TIME REQUIREMENTS FOR CHILDREN NOT EXEMPT FROM COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS**. The system must be optional for school districts. The legislation defines proficiency as the demonstration of competency or advancement, based upon mastery of South Carolina State Subject Standards in any

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subject without the necessity of satisfying a seat-time requirement. Proficiency course credits may be earned through distance learning, online learning, project and inquiry-based learning, independent study, or a combination of these methodologies.

The full Education and Public Works Committee gave a favorable with amendment recommendation to **H.3995**, legislation which makes **REVISIONS PERTAINING TO THE DEPARTMENT OF TRANSPORTATION**. This legislation requires the Department of Transportation to conduct a cost-benefit analysis prior to the inclusion in the State Transportation Improvement Program of certain capacity projects. Additionally, this legislation repeals the provision in law that provides for termination of the Governor's authority to appoint the Secretary of the Department of Transportation effective July 1, 2015.

The full committee gave a favorable with amendment report to **H.3905**, which enacts the "**BACK TO BASICS IN EDUCATION ACT OF 2013**". This legislation adds cursive writing and memorization of multiplication tables to the required subjects of instruction in public schools, and it requires students to demonstrate competence in each subject before completion of the fifth grade. The legislation requires the Department of Education to assist the school districts in identifying the most appropriate means for integrating this requirement into their existing curriculums. Additionally, the legislation requires the department, using procedures followed for other textbook adoptions, to review and recommend cursive writing instructional materials for inclusion on the approved state textbook adoption list. Schools may select these materials in the same manner that other textbooks are selected from the list. These provisions are applicable beginning with the 2013-2014 school year.

H.3435, which makes **REVISIONS TO THE "COMPREHENSIVE HEALTH EDUCATION ACT,"** received a favorable with amendment recommendation from the full Education and Public Works Committee. The legislation provides for medically accurate instruction in comprehensive health education. The legislation defines medically accurate information as supported by peer-reviewed research that complies with accepted scientific methods, published in or by medical, scientific, psychological, sociological, government, or public health publications, organizations, or agencies such as the United States Centers for Disease Control and Prevention or the United States Health and Human Services Office of Health Administration. No later than August 1, 2020, the legislation requires school district employees responsible for teaching comprehensive health education to hold current certification in health education that is issued by the Department of Education. Additionally, the legislation requires school districts to report on their curriculum or lose one percent of funding until the report is filed. The legislation requires each local district to publish on its website the title and publisher of any and all health education materials they have approved, adopted and use in the classroom.

JUDICIARY

The full Judiciary Committee met of Tuesday, April 1, 2014.

H.4348 received a favorable recommendation. This legislation relates to the **JURISDICTION OF THE FAMILY COURT TO ORDER VISITATION FOR**

GRANDPARENTS OF MINOR CHILDREN. The legislation eliminates the prerequisite to ordering visitation that the grandparent have maintained a relationship similar to a parent-child relationship with the minor child.

S.1034 received a favorable report. This legislation adopts **REVISED CODE VOLUMES 5 AND 8 OF THE CODE OF LAWS OF SOUTH CAROLINA**, 1976, to the extent of their contents, as the only general permanent statutory law of the state as of January 1, 2014.

The Judiciary Committee gave a favorable with amendment report to **H.4673**. Relating to **DEFINITIONS REGARDING THE LIMITATION ON LIABILITY OF LANDOWNERS**, this legislation includes aviation activities within the definition of 'recreational purpose'.

The Judiciary Committee gave **H.3722** a favorable with amendment recommendation. This legislation updates laws pertaining to **NOTARIES PUBLIC**, many of which have not been revised in decades. Highlights of this legislation include the following. The legislation provides definitions for the notarial acts and procedures which are not present in current law. The legislation provides misdemeanor criminal penalties for various offenses relating to notarial acts, including the act of holding one's self out as a notary without a valid notary commission. This legislation provides qualifications for a commission, including being registered to vote and able to read and write in the English language. This legislation authorizes as well as prohibits certain acts of a notary public, including prohibiting a notary from using the term "notario publico" or any equivalent non-English term in any business card, advertisement, notice, or sign; in Mexico a "notario publico" is responsible for the legality of the content of a document. Also, the legislation prohibits a notary from claiming to have powers, qualifications, rights, or privileges that the office of notary does not provide including the power to counsel on immigration matters. The legislation requires a notary public who is not an attorney licensed to practice law in this state and who advertises his services as a notary public in a language other than English to post or otherwise include with the advertisement in English and in the language used for the advertisement that the notary is not an attorney licensed in South Carolina and may not give legal advice or accept fees for legal advice. The legislation provides maximum fees a notary may charge and includes disclosure requirements for travel fees; however, fees are not required for services. The legislation specifies changes for which a notary must notify the Secretary of State such as a change of legal name, change of county or change of address.

H.4354, relating to **PATIENT'S MEDICAL RECORDS**, received a favorable with amendment recommendation. This legislation clarifies that a patient or his legal representative is entitled to receive his medical records in an electronic format or as a photocopied reproduction in the format requested by the patient; however if the physician or other owner of the records does not possess an electronic version of the record, it may satisfy the request by providing a photocopied reproduction. This legislation places limits on fees for medical records. The legislation provides for sixty-five cents per page for the first thirty printed pages and fifty cents per page for all other pages plus a clerical fee not to exceed twenty dollars for searching and handling, which combined with the per page print cost may not exceed \$200 per request, and to which may be added actual postage and applicable sales tax. The legislation provides for sixty-five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty dollars for searching and handling, which combined with the per page costs may not exceed \$15, but to which may be added actual postage and applicable

sales tax. This does not change the current provisions in law that no fee may be charged for records copied at the request of a health care provider or for records sent to a health care provider at the request of the patient for the purpose of continuing medical care.

H.4791, which enacts the "**ELECTRONIC DATA PRIVACY PROTECTION ACT**," received a favorable with amendment report from the full Judiciary Committee. The stated purpose of this legislation is to clarify requirement for searches of electronic messages, mobile devices incident to arrest, and obtaining geolocation information. Highlights of the legislation include the following. Generally this legislation provides that a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest with a valid search warrant issued by a duly authorized judge or justice using state warrant procedures or by order from a court of record. Exceptions include: consent of the owner, operator or subscriber of the electronic device; exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect; or when the electronic device has been abandoned by the owner, operator or subscriber. If a search is conducted under an exception, the law enforcement agency must notify a court record with a certain timeframe. With certain exceptions, a governmental entity may not obtain geolocation information revealing the past, present or future location of an electronic device. The legislation includes necessary definitions, provisions relating to search warrants, and provisions for notice to be given to the owner or subscriber whose electronic device was searched or whose geolocation information or electronic data was obtained by a governmental entity. Also, there are provisions allowing for a law enforcement officer or prosecutor to seek not to disclose to any person the existence of a warrant subpoena or court order; the court shall enter such an order if the court determines there is reason to believe the notification will have an adverse result. Adverse result means: endangering the life or physical safety of an individual; flight from prosecution; destruction or tampering with evidence; intimidation of a potential witness; or otherwise seriously jeopardizing an investigation or unduly delaying a trial. This legislation allow for various providers to divulge geolocation information pertaining to the owner, operator or subscriber of such a service if the provider, in good faith, believes that an emergency requires disclosure to a governmental entity. Within a certain timeframe after disclosure the governmental entity seeking to conduct the search or obtain the geolocation information shall file with the appropriate court a written statement setting forth the facts giving rise to the emergency and the facts as to why the information sought is believed to be important in addressing the emergency. The legislation includes protections for providers for compliance.

LABOR, COMMERCE AND INDUSTRY

The House Labor, Commerce and Industry Committee met on April 3, 2014, and reported out several bills.

The committee gave a favorable report on **S.908**, a bill providing for **REVISIONS RELATING TO THE REGULATION OF HEALTH INSURERS** that are needed for the state's Department of Insurance to maintain accreditation with the National Association of Insurance Commissioners. The legislation revises insurance law provisions that

relate to risk-based capital requirements for health insurers and the protocol for regulatory intervention to prevent a health organization from approaching financial insolvency.

The committee gave a favorable report on **H.4927**, a bill establishing **DISCLOSURE REQUIREMENTS INVOLVING THE LIFE INSURANCE POLICY OF A DECEASED INDIVIDUAL**. The legislation establishes a protocol under which life insurance companies are required to disclose certain information about a deceased insured's life insurance upon the request of licensed funeral directors or their employees. Funeral directors who do not receive a timely response from insurers may refer the request to the Department of Consumer Affairs, which shall treat the referral as a consumer complaint. Funeral directors are subject to requirements to make reasonable efforts to locate beneficiaries in a timely manner, relay information obtained from the insurance carrier regarding any life insurance contracts, and provide notice that the beneficiary of a life insurance policy has no legal duty or obligation to spend any of that money on the funeral, debts, or obligations of the deceased. Penalties are established for violations.

The committee gave a favorable report on **H.4911**, a bill providing for the **ELIMINATION OF THE SMALL EMPLOYER INSURER REINSURANCE PROGRAM**. The legislation provides for the board of directors of the South Carolina Small Employer Insurer Reinsurance Program to develop a plan to phase out and terminate the program and the coverage it offers before January 1, 2015. The legislation revises provisions of the Small Employer Health Insurance Availability Act to reflect the elimination of the South Carolina Small Employer Insurer Reinsurance Program.

The committee gave a report of favorable with amendments on **H.4916**, a bill establishing **SAFEGUARDS AGAINST AN UNINTENTIONAL LAPSE IN A LONG-TERM CARE INSURANCE POLICY**. As a protection against unintentional lapse, the legislation establishes notification requirements for an insurer before it may consider a long-term care insurance policy that it has written to be terminated at the request of the policyholder or certificate holder or lapsed or terminated for nonpayment of premium. The legislation establishes a protocol requiring the reinstatement of coverage in the event of lapse or termination if the insurer is provided proof that the policyholder or certificate holder was cognitively impaired or had a loss of functional capacity before the policy's grace period expired.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.5052 COASTAL ZONE CRITICAL AREAS Rep. Vick

Under current law, techniques used for beach and dune critical areas are sandbags, sand scrapping and renourishment. This bill adds the use of temporary qualified wave dissipation devices as a technique for these areas. The bill also prohibits the seaward

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movement of the baseline after July 1, 2014, and to eliminate the right of local governments or landowners to petition the Administrative Law Court to move the baseline seaward upon completion of a beach renourishment project.

EDUCATION AND PUBLIC WORKS

S.1037 REMOVAL OF FEE FOR IDENTIFYING CODE AFFIXED ON THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN VIOLENT CRIMES Sen. Fair

Under current law there is a fifty dollar fee for affixing a code on the driver's licenses of persons convicted of certain violent crimes; this legislation removes the fifty dollar fee associated with the identifying code.

H.5014 COMMERCIAL DRIVER LICENSES Rep. Willis

This legislation deletes the various endorsements and restrictions that may be attached to a commercial driver license, and it provides that endorsements and restrictions may be added to a commercial driver license as required under the federal motor carrier safety regulations.

H.5044 OFFICIAL STATE ARTIST Rep. Horne

This legislation designates South Carolina artist Jonathan Green as the Official State Artist.

JUDICIARY

S.817 BACKGROUND CHECKS FOR VOLUNTEERS AND CERTAIN POSITIONS AFFILIATED WITH THE SOUTH CAROLINA COMMISSION ON NATIONAL AND COMMUNITY SERVICE Sen. Martin

This legislation requires a person seeking certain positions or who otherwise volunteers or serves in a position supported, sponsored, or administered by the South Carolina Commission on National and Community Service (commission), to undergo a state criminal history background check, supported by fingerprints by the South Carolina Law Enforcement Division (SLED), and a national criminal history background check, supported by fingerprints by the Federal Bureau of Investigation (FBI), unless the commission determines that the background check requirement for that person has been satisfied through another process. The results of these criminal history background checks must be reported to the commission. SLED is authorized to retain the fingerprints for certification purposes and for notification of the commission regarding criminal charges. The cost of the state criminal history background check may not exceed eight dollars and must be paid by the commission upon application for the state check. The cost of the national criminal history background check is established by the FBI and must be paid by the commission upon application for the national check.

S.900 "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" Sen. Allen

This legislation creates the "Study Committee on Expungement of Criminal Offenses" to review the state's criminal laws for the purpose of determining criminal offenses which may be appropriate for expungement after a certain time period and under certain circumstances and to make recommendations to the General Assembly regarding proposed changes to the expungement laws affecting adults and juveniles. The study committee shall review information, including, but not limited to, statistics and other information available from the courts, the South Carolina Commission on Prosecution Coordination, and the South Carolina Commission on Indigent Defense regarding

current expungement rates and types of criminal offenses that may be appropriate for expungement, in addition to expungement laws in other states. The study committee must be composed of three members of the Senate, appointed by the Senate Judiciary Committee Chairman, and three members of the House of Representatives, appointed by the House Judiciary Committee Chairman. The study committee shall make a report of the study committee's recommendations to the General Assembly by October 13, 2014, at which time the study committee must be dissolved.

**H.5013 EXPEDITED HEARINGS IN THE CASE OF MISSING PERSONS
UNDER CERTAIN CIRCUMSTANCES Rep. Barfield**

In the case of a person's disappearance, this legislation allows a family member of the missing person to petition the court for appointment of a conservator or other protective order, including a durable power of attorney, and the legislation requires the court to expedite the hearing on the matter after ninety days has passed from the date a law enforcement agency was first notified of the person's disappearance.

**H.5015 DISCLOSURE OF ABUSE OR NEGLECT CASE INFORMATION
Rep. Allison**

Relating to use of unfounded abuse or neglect case information, this legislation allows the director of the Department of Social Services, or his designee, to disclose information about cases made public by sources other than the department in order to confirm, clarify, or correct information, respond to requests by committees of the General Assembly under certain circumstances, and comply with certain federal law. The legislation requires the department to state that the disclosed information relates to a case that is unfounded, and it limits the right of a person to file an action against the department related to disclosure of information about an unfounded case. Relating to confidentiality and release of information about child abuse and neglect cases, this legislation allows the department to disclose information about cases made public by sources other than the department in order to confirm, clarify, or correct information, respond to requests by committees of the General Assembly under certain circumstances, and comply with federal law. The legislation requires the department to state whether the information relates to a case that is indicated or under investigation, and it limits the right of a person to file an action against the department related to disclosure of case information.

**H.5028 DEFINITION OF "ELIGIBLE COST" FOR PURPOSES OF THE SOUTH
CAROLINA TRANSPORTATION INFRASTRUCTURE BANK
Rep. R. L. Brown**

Relating to the definition of "eligible cost" for purposes of the South Carolina Transportation Infrastructure Bank, this legislation allows compensation to landowners whose property value decreases due to a right of way acquisition under certain circumstances, including the location of the property and local government approval. Relating to contracts between governmental agencies regarding eminent domain, this legislation provides that any such contract must include any applicable provisions regarding compensation to landowners.

H.5031 MUNICIPAL ELECTIONS Rep. Dillard

This legislation provides that before a municipality may adopt an ordinance changing the method of nominating candidates, the municipality must adopt an ordinance requiring an advisory referendum on the proposed change, and a majority of the qualified electors voting in the advisory referendum must approve the proposed change.

**H.5037 JURISDICTION OF THE FAMILY COURT TO ORDER VISITATION
FOR GRANDPARENTS OF MINOR CHILDREN Rep. Quinn**

This legislation relates to the jurisdiction of the family court to order visitation for grandparents of minor children. This legislation eliminates certain prerequisites to ordering grandparent visitation of minor children and adds requirements, including a prohibition of visitation by a grandparent who has been convicted of or pled guilty or no contest to certain criminal offenses or who has abused or neglected a child.

H.5038 STATEMENTS OF ECONOMIC INTERESTS Rep. Finlay

Relating to contents of statements of economic interests, this legislation revises the form and required contents of statements of economic interests, including provisions to further identify sources of certain income, the amounts and sources of certain other income, and the identity of a governmental entity from which a state or local public official derives income in specific situations.

**H.5039 VULNERABLE ADULT AND SENIOR CITIZENS PROTECTIONS
Rep. Anderson**

Relating to the protection of vulnerable adults from abuse, neglect, or exploitation, this legislation defines a senior citizen as a person sixty years of age or older and extends application of the protections to senior citizens. Among other things, the legislation adds human trafficking as a crime subject to fines and imprisonment; changes existing criminal penalties; and creates duties related to discharging vulnerable adults and senior citizens from certain settings.

LABOR, COMMERCE AND INDUSTRY

**H.5023 EXEMPTION FROM SOUTH CAROLINA UNIFORM ARBITRATION
ACT PROVISIONS Rep. Gambrell**

This bill provides for an exemption from South Carolina Uniform Arbitration Act provisions for insurance policies issued to industrial insureds and certain reinsurance agreements ceded or assumed by captive insurance companies.

H.5036 CHAIRMAN OF THE STATE COMMISSION OF FORESTRY ADDED TO THE MEMBERSHIP OF THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT Rep. Bedingfield

This bill adds the Chairman of the State Commission of Forestry to the membership of the Coordinating Council for Economic Development.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

S.1035 "MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH ACT" Sen. Davis

A statewide new drug application may be established, if approved by the United States Food and Drug Administration, to conduct expanded access clinical trials using cannabidiol on qualifying patients with severe forms of epilepsy. "Cannabidiol" means a finished preparation containing, of its total cannabinoid content, at least 98 percent cannabidiol and not more than 0.30 percent tetrahydrocannabinol that has been extracted from marijuana or synthesized in a laboratory.

H.5005 MUNICIPAL WATER SYSTEM Rep. Bannister

The bill clarifies that a referendum and favorable vote of the municipal electorate is not required for the sale of a water system.

H.5026 "HEALTH ENTERPRISE ZONE ACT" Rep. Neal

This bill authorizes the establishment of the "Health Enterprise Zone Act". The purpose of establishing a Health Enterprise Zone is to target state resources to reduce health disparities, improve health outcomes, reduce health costs, and decrease hospital admissions and readmissions in specific areas of the State. The director shall consult with the department's Bureau of Community Health and Chronic Disease Prevention and Office of Minority Health in implementing this effort.

WAYS AND MEANS

S.940 EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX IMPOSITION Sen. Young

This bill provides authorization in a county that has not yet reached the threshold of collecting at least seven million dollars in state accommodations taxes for the Education Capital Improvements Sales and Use Tax to be imposed in a school district so long as, at any time, no portion of the school district in which the tax is to be imposed is subject to more than two percent total local sales tax and the school district in which the tax is to be imposed encompasses the entire county area of one county and extends into one adjacent county.

S.1008 ADMINISTRATIVE LAW JUDGES INCLUDED IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS Sen. Setzler

This bill provides for the inclusion of administrative law judges in the Retirement System for Judges and Solicitors, allowing administrative law judges serving on July 1, 2014, to elect to become a member of the system.

H.5035 PENALTIES FOR MISCLASSIFIED OWNER-OCCUPIED RESIDENTIAL PROPERTY FOLLOWING AN ASSESSABLE TRANSFER OF INTEREST

Rep. Newton

This bill provides that after a parcel of real property has undergone an assessable transfer of interest, delinquent property tax and penalties assessed because the property was improperly classified as owner-occupied residential property while owned by the transferor are solely a personal liability of the transferor and do not constitute a lien on the property and are not enforceable against the property after the assessable transfer of interest if the transferee is a bona fide purchaser for value without notice. This provision is afforded both prospective and retroactive effect.

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