



South Carolina House of Representatives

Legislative Update

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

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CONTENTS

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

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HOUSE WEEK IN REVIEW

The House of Representatives approved and sent the Senate **H.4689**, a joint resolution authorizing the preparation and publication of **REVISED VOLUMES OF THE SOUTH CAROLINA CODE OF LAWS**. The legislation provides for Volume 7A, containing Title 16 of the South Carolina Code, and Volume 19 containing Title 58 of the South Carolina Code, to be published and adopted as revised and updated editions that incorporate the supplementary changes to statutes that have been made since these volumes were last published.

HOUSE COMMITTEE ACTION

LABOR, COMMERCE AND INDUSTRY

The Labor, Commerce and Industry Committee met on January 21, 2016, and reported out two bills.

The committee gave a report of favorable with amendments on **H.4660**, a bill relating to **SURPLUS LINES INSURANCE PLACED THROUGH A LICENSED INSURANCE BROKER**. The legislation revises provisions relating to limited line and special producer licensure, so as to provide that a licensed property casualty insurance producer may place surplus lines insurance through a licensed insurance broker without being appointed by the surplus lines insurer.

The committee gave a favorable report on **H.4662**, a bill providing for the **REENACTMENT OF THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT** and related provisions, enacted by Act 339 of 2008, which expired on June 1, 2014. The legislation makes these reenacted provisions retroactive to this expiration date, and specifically does not reenact certain obsolete provisions.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS

H.4708 *IMPORTING, POSSESSING OR SELLING IMPORTED FISH* Rep. Hixon

This bill outlines that the South Carolina Department of Natural Resources may issue permits for the release or stocking of sterile white amur, grass carp, or grass carp hybrids in this state.

H.4709 *SC MARINE RESOURCE ACT OF 2000* Rep. Hixon

This bill provides for the term "Southern Cobia Management Zone" which means all waters of this state south of Jeremy Inlet, Edisto Island.

The bill also states that the provision relating to certain Federal fishing regulations does not apply to cobia located in the Southern Cobia Management Zone. It further states that it is subject to the size limit established by federal regulation. The possession of cobia caught in the Southern Cobia Management Zone is limited to one person per day, and no more than three per boat per day, from June 1 to April 30. It is unlawful to take and possess cobia in the Southern Cobia Management Zone from May 1 to May 31, and at any time federal regulations provide for the closure of the recreational cobia season in the waters of the South Atlantic Ocean.

EDUCATION AND PUBLIC WORKS

H.4688 *UNLAWFUL REPOSITIONING OF TRAFFIC CONTROL DEVICES* AND

***RAILROAD SIGNS AND SIGNALS* Rep. Clemmons**

This bill applies to portable road closure signs and devices and to the unlawful repositioning of traffic control devices and railroad signs and signals.

H.4716 *SCHOOL PROTECTION OFFICER ACT* Rep. Lowe

This bill enacts the "School Protection Officer Act"; provides that beginning with the 2015-2016 school year, the governing boards of public K-12 schools and public institutions of higher education may designate employees as School Protection Officers; creates a category of law enforcement officers known as Class 4 for the designation of School Protection Officers, and provides that the Law Enforcement Council must develop guidelines for related training that must be offered by the Criminal Justice Academy, and amends the Code relating to the exemptions from the prohibition of possessing firearms on public school property, so as to exempt School Protection Officers.

H.4718 *TEACHER CREDENTIALS* Rep. Anthony

This provides that a person who has taught in the South Carolina public school system for at least twenty years collectively while holding a temporary or professional certificate issued by the South Carolina Department of Education throughout this twenty year period is not required to renew these credentials to maintain their validity; provides the credentials remain subject to revocation or suspension for a disciplinary action; provides that the Department shall determine whether a teacher meets these criteria before the exemption may be applied to the teacher and provides this determination only may be made at the request of the teacher, who must initiate the process to receive the exemption.

JUDICIARY

H.4701 SECOND AMENDMENT PRESERVATION ACT Rep. Pitts

Provides that the state will not enforce any limitations on individuals owning, possessing, or using firearms. No specified federal funds will be used to require registration or confiscation of firearms. Prohibits using state funds to enforce federal laws or regulations that require registration or confiscation of firearms.

H.4703 IMMUNITY FOR THE USE OF DEADLY FORCE Rep. Delleney

Provides evidentiary hearing procedures to determine any justifiable use of deadly force. Provides that Court judgments, orders, or decrees that deny immunity from prosecution will be appealable.

H.4706 FIREARM SALES TO ANYONE ON A TERRORIST WATCH LIST Rep. McKnight

Makes it illegal to sell, or give, any firearm to individuals on a terrorist watch list. Sets penalties for anyone who violates this provision.

H.4710 LAW ENFORCEMENT OFFICERS DRUG TESTING Rep. McKnight

Candidates to become certified law enforcement officers in South Carolina must first pass a drug test, which includes testing for anabolic steroids, before receiving certification, and all certified law enforcement officers must undergo random drug testing throughout their certification process. The lawful use of anabolic steroids will not prohibit a candidate from receiving or maintaining certification.

LABOR, COMMERCE AND INDUSTRY

H.4702 "SOUTH CAROLINA RESPONSIBLE JOURNALISM REGISTRY LAW" Rep. Pitts

This bill enacts the "South Carolina Responsible Journalism Registry Law" to establish requirements for those working as journalists for media outlets to register with the Secretary of State's Office and adhere to competency criteria in order to receive and maintain registration. The legislation makes provisions for the registry, including criminal record background checks, registry fees, registration renewal, and fines and criminal penalties for violations.

WAYS AND MEANS

H.4712 CLASSIFICATION OF OFF-PREMISES OUTDOOR ADVERTISING SIGNS AS PERSONAL PROPERTY FOR TAX PURPOSES Rep. White

This bill revises tax provisions relating to the treatment of agricultural real property, mobile home, and lessee improvements to real property, so as to classify off-premises outdoor advertising signs as tangible personal property. The legislation establishes circumstances under which an off-premises sign site must be taxed at its value which existed before the erection of the sign.

H.4713 SOUTH CAROLINA RETIREMENT INVESTMENT PLAN Rep. Ballentine

This bill closes the South Carolina Retirement System, the Retirement System for Judges and Solicitors, and the State Optional Retirement Program to employees hired or officers taking office after June 30, 2017, and provides that those hired or taking office after that date must be enrolled in the South Carolina Retirement Investment Plan, which is established under the legislation as a defined contribution plan.

H.4717 "SOUTH CAROLINA FARM AID FUND" Rep. White

This bill creates the "South Carolina Farm Aid Fund" to assist farmers who have suffered at least a forty percent loss of agricultural commodities as a result of a natural disaster. The legislation creates the Farm Aid Board to administer the fund and makes provisions for eligibility and grant amounts.

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