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SUMMARY OF LEGISLATION ENACTED THROUGH 1988  
RELATED TO AGING INTERESTS

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STATE DOCUMENTS

Joint Legislative Committee on Aging  
212 Blatt Building  
Columbia, South Carolina 29211  
(803) 734-2995

Representative Patrick B. Harris, Chairman

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## ACCESS

### **SC Board for Barrier - Free Design**

The South Carolina Board for Barrier - Free Design establishes, publishes and enforces minimum standards and specifications necessary to eliminate architectural barriers to governmental and public buildings, and their facilities by the aged, disabled or physically handicapped (Code 10-5-250, 1974).

## AGING COMMITTEE

### **Establishment of Permanent Committee**

The Joint Legislative Committee on Aging is a permanent legislative study committee established to study public and private services, programs and facilities for the aging (Code 2-51-10, 1978).

## COMMISSION ON AGING

### **Aging Programs by Agencies**

The S. C. Commission on Aging in cooperation with the Long Term Care Council and the Department of Insurance is required to develop programs and educate citizens regarding availability, risks, insurance coverage for long term care and the availability of home equity conversion alternatives (Code 43-21-150, 1987).

The Commission shall study a volunteer credit system for home care and cooperate in the study of life care or continuing care retirement communities (Act 165, 1987).

### **Reconstitution of Commission Membership**

The South Carolina Commission on Aging was separated from the Governor's Office in 1986. It is under the authority of a Commission which is comprised of one member from each congressional district to be appointed by the Governor upon the advice and consent of the Senate and one member from the State at large to be appointed by the Governor. The Coordinating Council's membership was increased to add Parks, Recreation and Tourism, Health and Human Services Finance Commission, Commission on Alcohol and Drug Abuse, and the Commission on Women (Code 43-21-10; 43-21-120, 1986).

## CONSUMER REPRESENTATION

### **Public Members**

"Lay," "consumer," "public" members are added to the following boards: Insurance Commission (38-3-20, 1980), Dentistry (40-15-20, 1981), Medical Examiners (40-47-10, 1981), Nursing (40-33-210, 1981), Occupational Therapy (40-36-60, 1982), Optometry (40-37-20, 1982), Pharmaceutical Examiners (40-43-10, 1981), Physical Therapy (40-45-30, 1982), Podiatry (40-51-30, 1982), Psychology (40-55-20, 1982), Speech Pathologists and Audiologists (40-67-80, 1982), Manufactured Housing Board, (Code 30-17-90, 1983).

## CRIME

### **Compensation of Victims of Crime**

The S.C. Victim Compensation Board administers a program of financial assistance and awards to victims of crime (Code 16-3-1110-1340, 1982).

## **Victim's Witness' Bill of Rights:**

This Bill of Rights is used as a guide to officials in establishing appropriate policies and procedures for the treatment and handling of victims and witnesses. State or local law enforcement agencies shall assume the costs for evidentiary collection in retrieving, towing or storing a stolen conveyance and costs for routine medical exams for victims of criminal sexual conduct, effective October 1, 1985. Victims and witnesses who are elderly have a right to special recognition and attention by all criminal justice, medical and social service agencies (Code 16-03-1530, 1984).

## **EDUCATION**

### **Community Education Advisory Council**

The Community Education Advisory Council has been established to promote and coordinate the utilization of school and other community facilities to meet the needs of the community (Code 59-44-50, 1976).

### **Free Tuition at State Educational Institutions**

State-supported colleges, universities and technical schools are authorized to permit South Carolina residents who are at least 60 years of age to attend classes on a space available basis without payment of tuition (Code 59-111-320, 1974, 1978).

## **HEALTH**

### **Adult Abuse and Protection Act**

Abuse, neglect or exploitation of a senile or developmentally disabled person is prohibited. Protective services are provided (Code 43-29-40, 1974, 1979).

### **Adult Day Care**

The licensing authority for adult day care facilities has been established under the Department of Health and Environmental Control (Code 44-65-10, 1976.)

Uniform statewide fire regulations pertaining to adult day care centers have been enacted (B&C Bd - State Fire Marshall, Regulation Document 666, 1986).

### **Adults in Life Threatening Situations**

Any law enforcement officer may take an adult in a life-threatening situation into protective custody (Code 23-1-220, 1984).

### **Alzheimer's Disease and Related Disorders**

The Joint Health Care Planning and Oversight Committee in cooperation with the Joint Legislative Committee on Aging has been directed to review the following as they relate to Alzheimer's Disease and Related Disorders: 1) State nursing home regulations; 2) State policies on financing and reimbursement of the costs of health care including respite care; and 3) policy changes which would improve the care of patients. This report was submitted to the Committees in December, 1986 (Proviso, Sec. 174, Part I, Act 540, 1986).

## **Bill of Rights for Residents of Long Term Care Facilities**

Each resident must be given by the facility a written and oral explanation of the rights, grievance procedures and enforcement provisions of the Bill of Rights for Residents of Long Term Care Facilities (Code 44-81-10-70, 1985).

## **Bingo Tax**

The South Carolina Commission on Aging will receive 12.5% of revenue generated through increases in the bingo admissions tax and licenses fees. Funds will provide in-home support services to the frail elderly (Code 12-21-2590; 12-21-2606; 12-21-2620, 1987).

## **Client Patient Protection Act**

It is unlawful for any person to abuse, threaten to abuse, or cause physical or mental injury to any client or patient. Reports of abuse or neglect must be made within 24 hours (Code 43-30-10-100, 1979, 1984).

## **Civil Liability Immunity - Health Care Providers**

Health care providers are immune from civil liability when providing free and voluntary medical services at locations other than hospitals and designated locations. Only the charitable organization may be sued unless the health care provider was grossly negligent or acted in wilful misconduct (Code 33-55-210, 1988).

## **Community Long Term Care**

The 1987-88 proviso allocating \$1 million for nursing home beds was deleted and remaining funds were earmarked for Community Long Term Care (1988-89 Appropriation Act - Part I, Sec. 40, Act 170).

## **Definition of Death**

The Uniform Determination of Death Act was passed defining death as 1) irreversible cessation of circulatory and respiratory functions or 2) irreversible cessation of all functions of the entire brain, including the brain stem (Code 44-43-460, 1984).

## **Eyeglasses Discounts**

Special discounts may be given on purchases of spectacles, eyeglasses, lenses or any part used in connection therewith to persons over sixty-two years of age (Code 40-37-240, 1978).

## **Health Maintenance Organization**

The Department of Insurance and the Department of Health and Environmental Control are charged with the regulation of health maintenance organizations (Code 38-33-10, 1987).

## **Hearing Aid Regulations for Fitting and Selling**

South Carolina statutes govern the licensing of persons who fit and sell hearing aids, and regulate the manner in which they conduct their business (Code 40-25-40, 1971, 1972, 1978). A representative of the general public has been added to the Hearing Aid Dealers and Fitters Commission within DHEC (Code 40-25-40, 1978). Licensing regulations have been amended to provide continuing education requirements (Code 40-25-150, 1982). Hearing aids and their attachments are exempt from sales tax (Appropriation Act 1985-86).



### **Home Health Agency Licensure**

Public, nonprofit and proprietary home health agencies must be licensed by DHEC, (Code 44-69-30, 1978) and obtain a Certificate of Need prior to licensure (Code 44-69-75, 1980).

Any person, organization, political subdivision, or governmental agency representing itself as providing home health services must be licensed by DHEC (Code 44-69-30, 1983).

### **Hospice**

The authority to regulate and license hospice programs has been established under the Department of Health and Environmental Control (Code 44-71-10-110, 1983).

### **Hospital Restructuring**

Counties, municipalities and Health Service Districts in the State may form corporations or reincorporate and operate health care facilities and publicly owned hospitals on the same basis as not-for-profit or proprietary hospitals (Code 44-7-1430, 1984).

### **Hypertension Screening Clinics**

The Department of Health and Environmental Control has established a network of Hypertension Screening and Treatment Clinics throughout the state to detect and treat hypertension (high blood pressure). This condition, often symptomless, occurs more than twice as often among people aged 65-80 than in the general population (Appropriation Act, 1974- 1975).

### **Itemized Billing**

Skilled nursing homes, intermediate care facilities and residential care facilities are required to provide on request an item-by-item billing of all charges for all services to the patient or person paying the bill (Code 43-28-50, 1985).

### **Licensing of Community Residential Care Facilities**

Licensing of community residential care facilities under DHEC is consolidated with the exception of those serving children and adolescents which are under the State Department of Mental Health. Each client must have an individual plan of care and itemized billing (Code 44-7-310, 44-21-510, 1985).

### **Long Term Care Council**

The Long Term Care Council is created. Voting members are the Governor, or designee and human service agency heads. Nonvoting ex-officio members are the Chairs of the Joint Legislative Health Care Planning and Oversight Committee and the Aging Committee or their designees and gubernatorial appointees as follows, one representative of Long Term Care providers, consumers and of the insurance industry developing or marketing a long-term care product. The purpose of the Long Term Care Council is to identify future policy issues in long term care and to conduct research and demonstration activities related to these issues. The Council shall develop recommendations for a statewide service delivery system for all health impaired elderly or disabled persons, regardless of the person's resources. An Annual Report to the General Assembly is required (Code 43-21-130, 140, 1987).

### **Medicaid Income Limitations**

The state limitation on the maximum income a person may receive and be eligible for skilled and intermediate nursing care has been increased to be in line with the federal limitation (Appropriation Act, 1979-1980).

### **Monetary Penalty System for Health Care Facilities**

A monetary penalty system has been established for the violation of licensing standards in hospitals, nursing homes, and intermediate care facilities (Code 44-7-360, 1976).

### **Nursing Home Administrators**

In order to serve as a nursing home administrator, an individual must complete educational and experiential requirements, as well as obtain a license from the Board of Nursing Home Administrators (Code 40-35-10, 1987).

### **Nursing Home Licensing Act**

The S. C. General Assembly will establish the maximum number of Medicaid patient days for which DHEC is authorized to issue Medicaid nursing home permits (Code 44-6-220; 44-7-130; 44-7-320, 1987).

### **Ombudsman**

An ombudsman is available within the Governor's Office to investigate any complaint on behalf of any interested party, client, patient, or resident in any hospital, rehabilitation facility, nursing home, intermediate and residential care facility. The release of medical records from a general hospital to the ombudsman upon written request is authorized (Code 43-37-10, 1977 repealed by 43-38-10, 1979, 1980, 1986).

### **Pre-Admission Notice to Nursing Home Applicants**

All applications for admission to nursing homes must contain a notice signed by the applicant which informs the applicant of Medicaid eligibility requirements and recommends that a person be assessed prior to admission (Code 44-6-220, 1987).

### **Sick Leave for Immediate Family**

The definition of "immediate family" was amended to include the mother, father, and spouse's mother and father. Grandchildren are also included if the worker is the child's guardian and primary caretaker (Code 8-11-40, 1988).

### **State Board of Medical Examiners**

Physicians are allowed to supervise more than one physician's assistant which may enable nursing homes and other health providers to increase services (Code 40-47-25, 1987).

### **State Employee Leave Transfer Program**

The program allows state employees to transfer annual or sick leave to another employee in the case of a personal emergency (Code 8-11-9, 1988).

## HOMESTEAD TAX EXEMPTION

### **Application**

Applications for homestead exemption are purchased and distributed to the counties by the Comptroller General's office (Code 12-37-250, 1979).

The requirement for annual reapplication has been repealed. However, if a person's eligibility changes and the County Auditor is not notified, a lien or penalty may be imposed (Code 12-3-145, 12-37-255, 1981).

Written application must be made on or before July 15 of the tax year in which the exemption is claimed (Code 12-37-250, 1986).

### **Homeowners**

Homeowners who are 65 or older and have resided in the state for at least one year receive a homestead tax exemption which provides that the first \$20,000 of the fair market value of the dwelling place, including mobile homes on leased land, shall be exempt from municipal, county, school and special assessment real property taxes (Code 12-37-250, 1984).

History: 1973-1977 \$10,000 county only; 1978-1980 increased to \$12,000 and extended to municipal property; 1980-1984 \$15,000.

### **Life Estates**

Life estates shall qualify for Homestead Exemption when the person entitled to the exemption creates such an estate by conveying the remainder to the homestead in fee reserving to himself or herself a life estate (Code 12-37-250, 1980).

Homestead Exemption shall apply to life estates created other than by will and on or before December 31, 1979 (Code 12-37-250, 1980).

### **Part Ownership**

The Homestead Exemption shall apply to eligible persons who own a dwelling in part in fee or in part for life and also to a dwelling when the legal title is held by a trustee. For purposes of the exemption, each owner shall be deemed to our equal interest in the homestead (Code 12-37-250, 1980).

### **Qualification**

Payment of real property taxes on or before March 15 following the year for which Homestead Exemption is claimed shall not be a condition to qualify for the exemption (Code 12-37-250, 1980).

### **Reimbursement**

Counties and municipalities are reimbursed by the state for losses they incur by reason of granting the exemption (Code 12-37-270, 280, 1971).

### **Residential Classification**

The classification of property qualifying for the Homestead Exemption shall be residential and taxed on an assessment equal to 4% of the property's fair market value (Code 12-37-250, 1980).

Any agriculturally classified lands that are a part of the homestead shall be taxed on an assessment equal to 4% of the lands' value for agricultural purposes (Code 12-37-250, 1984).

### **Surviving Spouse**

Exemption is provided for a surviving spouse 50 years of age or older. This exemption allows the surviving spouse nine months in which to obtain complete fee simple title to the homestead if spouse died intestate and to continue the exemption if the dwelling place is on leased land (Code 12-37-250, 1979). The surviving spouse may transfer such exemption to a newly acquired dwelling place (Code 12-37-250, 1982).

## **HOUSING**

### **Condominium Conversion**

The rights and duties of owners, landlords and tenants when rental units are converted to condominium ownership are established. Persons 60 and over have 120 days before they must vacate. Persons under 60 have 90 days (Code 27-31-10-300, 410-430, 1983).

### **Home Equity Conversion**

The State Housing Authority is authorized to make home equity conversion mortgages to any person who is a member of the beneficiary class and over sixty-five years of age. Monies received under this program would not affect Medicaid eligibility (Code 31-3-140, 1988).

### **Landlord-Tenant Regulations**

The S.C. Residential Landlord and Tenant Act regulates the renting and leasing of dwelling units, establishes jurisdiction over the parties involved, and provides for landlord and tenant obligations, liability and remedies (Code 27-40-10, 1986).

### **State Housing Authority**

The State Housing Authority is established and its purpose among others, is to encourage the growth of specialized housing for the elderly (Code 31-3-110, 1971).

### **Tax Exemption for Nonprofit Housing for the Elderly**

Private, nonprofit organizations are exempt from real estate taxes on property used as specialized housing for the elderly (Code 12-37-220, 1980).

## **INCOME TAX**

### **Dependent Care Credit**

Families caring for an elderly relative in their home who must hire caregivers in order to work may deduct up to 7% of the amount claimed on their federal income tax (Code 12-7-1230, 1987).

### **Estate Tax**

The estate tax exemption will conform to the federal estate tax on a phase in schedule by July 1, 1991. No tax is due on estates below \$140,000 (Code 12-16-10, 1988).

### **Nursing Home Credit**

An income tax credit of twenty percent, not to exceed three hundred dollars, of expenses paid for intermediate or skilled care to an institution is allowed. No tax credit is allowed for expenses paid from public source funds. The credit is nonrefundable (Code 12-7-1235, 1987).

### **Residential Exclusion**

The gain or the sale of the personal residence by an individual 55 or older is excluded from gross income for the purposes of State income tax, up to \$125,000, as a one-time residential exclusion (Proviso, Appropriation Act 1983-84).

### **Retirement Exclusion**

State retirement income is exempt from state income tax (Code 9-1-1680, 1945; 12-7-435, 1986).

Civil service, military and all other retirees, are allowed to exclude from taxable income \$3000 of the pension income from each qualifying plan received in the taxable year (Code 12-7-435, 1985).

### **Social Security Exemption**

State taxation of income from Social Security and Railroad Retirement Benefits is prohibited (Code 12-7-560, 1984).

### **Social Security "Notch Reform"**

Congress and the President of the U. S. are memorialized to enact legislation to equalize old age benefits under Social Security for persons who have similar wage histories, regardless of the date they become age 62 (Senate Concurrent Resolution, S.370, 1987).

### **Volunteer Mileage Deduction**

Volunteers may deduct 14 cents per mile for travel for volunteer services for charitable organizations (Code 12-7-700, 1984). Repealed by Act 101, S.C. Federal Income Tax Conforming Amendments, effective 5/21/85, allowing 12 cents, (Code 12-7-10, 1985).

## **INSURANCE**

### **"Free Look"**

Accident and health or hospitalization insurance policies must permit the insured to return such policy for any reason within ten days of delivery and if solicited by direct response insurer, the insured shall have 30 days in which to return the policy and to receive full return of the premium (Code 38-35-140, 1982).

### **Health Maintenance Organizations Regulations**

This comprehensive legislation regulates health maintenance organizations (Code Title 38 - Chapter 25, 1987).

### **Liability Insurance**

The State Budget and Control Board, through the Division of General Services, is authorized to provide liability insurance for all state agencies, students of state-supported schools, and any political subdivision of the State (Code 1-11-140, 1984).

### **Long Term Care Insurance Act**

The Insurance Commissioner is required to submit regulations to the General Assembly to carry out definitions and requirements for the issuance of long term care insurance policies in South Carolina (Ratification Number 518, 1988).

### **Long Term Care Insurance State Employees**

The Retirement System shall develop an optional long term care insurance program for active and retired members of the system, and the member shall pay the full insurance premium (Code 9-1-70, 1988).

### **Medicare Supplement Insurance Regulations**

Department of Insurance regulations eliminate unfair and deceptive practices in the promotion, solicitation, sale and replacement of individual accident and health insurance policies to persons who are qualified for Medicare by reason of age and to persons who have a current Medicaid eligibility card (Vol. 25--Rule 69-34.1.2. 1980). Group Medicare Supplement insurance must meet federal minimum standards, including seventy-five per cent loss ratio (Code 38-35-940, 1982).

### **Standards of Readability**

Department of Insurance regulations must provide for minimum standards of readability of commonly purchased insurance policies (Code 38-3-61, 1979).

## **JURY SERVICE**

### **Age**

The maximum age of 65 as a qualification for jury service was eliminated. However, persons over sixty-five may claim or waive an exemption from service (Code 14-7-840, 1986).

## **LEGAL AFFAIRS**

### **Death with Dignity (Living Will)**

An adult may make a written declaration as prescribed by law instructing his/her physician to withhold or withdraw life sustaining procedures in the event of a terminal condition (Code 44-77-10, 1986; Amended, 1988).

### **Durable Power of Attorney**

Once an individual designates, in writing, another person with his/her power of attorney, it will not be affected if the individual becomes incapable of managing his/her own estate due to physical disability or mental incompetence (Code 32-13-10, 1978).

### **Grandparent Visitation**

The family court may order periods of visitation for the grandparents of a child (Code 20-7-420, (33), 1983).

## **Probate Code**

The S.C. Probate Code has been revised to simplify and clarify the law to promote a speedy and efficient system for estate liquidation and distribution, and to make the law uniform among various jurisdictions. Effective date July 1, 1987. (Code 62-1-100, 1986).

Technical amendments (Code Titles 12, 14, 20, 21, 30, 1987).

## **MENTAL HEALTH**

### **Emergency Admission to Mental Health Facility**

The result of a complete physical examination for persons 55 or older must accompany a petition for emergency admission to a mental health facility (Code 44-17-415, 1987).

### **Hearings**

Hearings for Mental Health Judicial Commitment proceedings may be held on the same day as the designated examinations (Code 44-17-540, 1982).

### **Long-Term Care Division**

There shall be a Long-Term Care Division within the S.C. Department of Mental Health under the direction of a deputy commissioner, with primary responsibility for care and treatment to elderly persons, mentally and physically to the extent that their needs are not met by other facilities either public or private (Code 44-9-50, 1976).

### **Transportation**

Friends and relatives may transport individuals alleged to be mentally ill and requiring immediate care, to the appropriate health facility (Code 44-17-440, 1982).

## **RECREATION**

### **Free Hunting and Fishing Licenses**

Citizens who have resided in the State for at least one year and are 65 years of age or older, are eligible for free hunting and fishing licenses from the Department of Wildlife and Marine Resources (Code 50-9-840, 1978).

### **Free Admission to Certain State Park Facilities**

South Carolinians aged 65 or older are admitted without charge to state park facilities (except overnight lodging, and recreation buildings) and are granted half-price admission to campsites (Code 51-3-60, 1973, 1975, 1979).

### **New Horizons Development Authority**

The New Horizons Development Authority is created. One express purpose of the Authority is to develop a major lake and statewide recreation facility for the pleasure and enjoyment of all people of SC and for the purpose of recreation, research and

experimentation with special emphasis on the recreation facilities and activity needs of the aged, and the physically, socially, and mentally handicapped (Code 13-11-10, 1974, 1987).

## RETIREMENT

### **Continuing Care Communities**

The Consumer Affairs Department with the Department of Insurance and the Commission on Aging shall study the development of life care or continuing care communities in the State and report findings and legislative recommendations to the General Assembly by January 1, 1988 (Act 165, 1987).

### **Cost-of-Living Increases in Retirement Benefits**

Teachers, state employees and other public workers covered by the South Carolina Retirement System have been granted increased benefits from the system, not to exceed four percent, when the cost of living rises (Code 9-11-310, 1974). The maximum waiting period for cost of living increases for future retirees has been reduced from 24 months to 12 months (Code 9-1-1810, 9-11-310, 1984).

A special fund has been created to administer the cost of living increase for retired members and beneficiaries of the system and to increase the employer rate of contribution (Code 9-1-100, 1980).

If the cost of living advances at least 3% for the two previous Decembers as measured by the Consumer Price Index, the retirement allowance must be increased by 4 percent to be received on July 1. In those years when it is less than 3%, retired members will receive an increase equal to the Consumer Price Index (Code 9-1-1810, 9-11-310, 1984).

The cost of living increase of 4% is granted irrespective of the Consumer Price Index increase (July 1, 1987 only, Appropriation Act 1987-88).

Division of \$1 million among state employees and teachers who retired prior to July 1972 will be made in 1988 (Appropriation Act 1988-89).

### **Death Benefit**

If the most recent employer of a retiree is participating in the Group Life Insurance program at the time of the retiree's death, the beneficiary is entitled to the following death benefit: 10 years through 19 years service credit, \$1000; 20-29 years, \$2000; at least 30 years, \$3000. This benefit will cover all state employees, including school district employees and nearly all local government employees (Appropriation Act 1985-86).

### **Dental Insurance**

The cost of dental insurance for retirees will be funded from the Insurance Reserve Fund (Appropriation Act 1984-85).

### **Dues**

Upon request from the retiree, the system may withhold dues for the State Employees Association (Appropriation Act 1985-86).



### **Earnings Limitation**

The earnings limitation is increased from \$8,500 to \$9,000 for retired members returning to employment covered by the Retirement System. There is no limitation (except for disability retirement) for retirees working in the private sector (Appropriation Act, 1988, 1989).

### **Income Tax**

State retirement is exempt from state income tax (Code 9-1-1680, 1945; 12-7-435, 1986).

### **Mandatory Retirement**

Mandatory retirement on the basis of age alone has been repealed to conform to the federal Age Discrimination in Employment Act, excepting tenured faculty, law enforcement officers and firefighters who may continue until age 72 upon approval of the employer until 1993 (Code 1-13-80, 1988; 9-1-1530, 1978, 1979, 1988).

Conservation officers of the Law Enforcement section of the S.C. Wildlife and Marine Resources Department shall be retired at age 65. (Code 9-1-1535, 1982).

Highway patrol officers must be retired at age 62. (Code 9-1-1537, 1986).

### **Medical Insurance**

The State provides medical insurance for retired state employees and teachers (Appropriation Act, 1979-80).

### **Preretirement Education**

A Preretirement Education Program for members of the South Carolina Retirement System was established (Appropriation Act, 1979-80). This program must include information on Long Term Care and Home Equity Conversion developed by the Commission on Aging, the Long Term Care Council and the Department of Insurance (Code 43-21-150, 1987).

### **Reciprocal Agreements**

The State may enter into a reciprocal agreement with another state to refrain from taxing the retirement income of public school teachers and state employees (Code 12-7-565, 1976).

### **Retirement After 30 Years of Service**

Members of the South Carolina State Retirement System may retire at 60 years of age or after 30 years of service (Code 9-1-1510, 1975).

### **Retirement and Preretirement Advisory Board**

A Retirement and Preretirement Advisory Board has been established to review retirement and preretirement programs and policies, propose recommendations and identify major issues for consideration. Two of the members of the eight-member Board shall be retired (Code 9-2-10, 1976).

## **Retirement System Calculations**

The multiplier fraction used to calculate allowances is increased.

The percentage of retirement contributions is increased to 5% of all earnable compensation for Class I workers and 6% of all earnable compensation for Class II workers. Retirement benefits will be raised by approximately 10% (Code 9-1-1550, 1988).

## **Survivor Option**

The balance of a member's contribution not recovered prior to the death of the member or a survivor, if selected, would be refunded to the member's estate, instead of remaining in the system.

A member who dies in service with at least 15 years service credit will qualify the beneficiary for a monthly annuity for life. The beneficiary will also receive the group life insurance benefit payment if the employer is participating in the insurance program. (Code 9-9-100, 9-11-70, 110, 1984, 1985).

## **SALES TAX**

### **Elderly Home Meals Exempt From Sales Tax**

The gross proceeds of the sales of meals provided at home to elderly or disabled persons to or by nonprofit organizations that received only charitable contributions in addition to sale proceeds for the purpose of providing meals are exempt from sales tax (Code 12-35-550 (45), 1987).

### **Exemption for Persons 85 Years**

Persons 85 and older are exempt from the 1% additional sales tax that went into effect with the passage of the Education Improvement Act. The sales tax charges are reduced from 5% to 4%. (Code 12-35-515, 1984).

### **Exemption from Sales Tax on Prescription Drugs and Prosthetic Devices**

In 1973 the General Assembly passed legislation to exempt persons 65 years of age and older from paying sales tax on prescription drugs and prosthetic devices. This law was amended in 1974 to reduce the age to 50 (Code 12-35-560, 1973, 1974).

The sales tax on prescription drugs and prosthetic devices was repealed (Act 709, 1976).

### **Food Stamp Purchase Exemption**

State or local sales tax may no longer be charged on eligible items purchased with food stamps (Federal Food Security Act of 1985).

### **Gas Tax Increase**

A three cents increase in tax on motor fuel to be phased in over an 18 month period. Four to five million dollars of the revenue is designated for public transportation which will benefit the elderly (Code Title 12, Chapter 27, 1987).

## TRANSPORTATION

### **Interagency Council**

The Interagency Council on Transportation has been established to give advice and make recommendations to the Department of Highways and Public Transportation and to the General Assembly on all matters related to public transportation in the State. Member agencies and offices are:

Office of the Governor, Office of the Lieutenant Governor, Regional Transportation Authorities, S.C. Association of Counties; S.C. Assn. of Regional Planning Councils, S.C. Commission on Aging; S.C. Department of Education, S.C. Dept. of Hwy. & Public Trans.; S.C. Parks, Recreation and Tourism, S.C. Dept. of Social Services, S.C. Dept. of Vocational Rehabil., S.C. Division of Energy Resources, S.C. House of Representatives, S.C. Motor Vehicle Management Off., S.C. Senate (Code 57-3-1010, 1978).

### **Public Transportation Funding**

The Select Oversight Committee has designated \$1,146,226 of the 3-cent gas tax increase to be a one-time allocation for capital equipment for elderly and handicapped needs.

The provisions of this section are only until June 30, 1988 (Code 12-27-1300, Editor's Note - Section 4 of Act No. 197, 1987).

### **Regional Transportation Authority**

Membership, powers, duties, and sources of funds of non profit authorities existing for public purposes are set out (Code 58-25-10, 1983; 58-25-10-100, 1985).

### **Vehicle Registration Discount**

For persons 65 years of age or older or handicapped, the annual registration fee for private passenger-carrying vehicles is ten dollars. The annual registration fee for any property carrying vehicle with a gross weight of five thousand pounds or less is fifteen dollars (Code 56-3-620, 1987).

## VOLUNTEERS

### **Volunteer Services Credit Program**

The Commission on Aging shall study the costs and benefits of a volunteer credit system for providing home care (Act 165, 1987).

## VOTING

### **Absentee Ballots**

Absentee ballots are provided for persons attending sick or handicapped persons (Code 7-15-320, 1987).

### **Access**

Electors who because of physical handicap or age cannot enter the polling place or stand in line may vote outside the polling place utilizing the vehicle in which they drove or were driven to the polls (Code 7-13-771, 1986).

**Registration by Mail**

Any qualified citizen may register to vote by mailing or having delivered a completed application not later than 45 days immediately prior to any election to his/her registration board. (Code 7-5-155, 1986).

Voter registration is permanent and does not have to be renewed (Code 7-5-160,1976).