



South Carolina House of Representatives

Legislative Update

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

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HOUSE WEEK IN REVIEW

Lawmakers returned to the State House on January 14, 2014, to commence the second legislative year of the 120th South Carolina General Assembly.

The House of Representatives amended, approved, and sent the Senate **H.3365**, a bill creating a **SCHOOL SAFETY TASK FORCE** to: examine the various funding streams for school based mental health services and determine how the streams may be best utilized in order to provide for more accessible and efficient delivery of mental health programs; examine school mental health staffing ratios and provide suggestions regarding delivery of services and effective school-community partnerships; develop standards for district-level policies to promote effective school discipline and mental health intervention; examine intra-and interagency collaboration and suggest ways to improve cooperation; and examine how to best support multi-tiered systems of support. The legislation establishes the membership of the task force, providing for appointments by the Governor, the State Superintendent of Education, the chairmen of the Senate Education Committee and the House Education and Public Works Committee, the Chief of the State Law Enforcement Division, the South Carolina Department of Mental Health, and certain statewide professional associations in the fields of education and therapy. Task force members shall not receive compensation, mileage or per diem. A deadline is established for the task force to make a report of its recommendations to the General Assembly after which time it is dissolved. Any recommendations made by the task force must be revenue neutral.

The House approved and sent the Senate **H.3147**, a bill establishing provisions for **AWARDING WORKERS' COMPENSATION TO A LAW ENFORCEMENT OFFICER WHO SUSTAINS POST-TRAUMATIC STRESS DISORDER FROM THE USE OF DEADLY FORCE IN THE LINE OF DUTY**. This legislation addresses a recent South Carolina Supreme Court ruling that a police officer's post-traumatic stress disorder after a job-related fatal shooting of a suspect did not arise from extraordinary and unusual conditions of employment, as required for an award of workers' compensation payments for mental injuries. This legislation exempts a law enforcement officer seeking workers' compensation for personal injury caused by stress, mental injury or mental illness from meeting this extraordinary and unusual conditions standard when the impairment causing the stress, mental injury, or mental illness arises from the law enforcement officer's direct involvement in, or subjection to, the use of deadly force in the line of duty.

The House approved and sent the Senate **H.4259**, the "**SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT**". The legislation establishes a criminal penalty for someone who, with the intent of securing a tangible benefit, knowingly and falsely represents himself through a written or oral communication, including a resume, to have served in the Armed Forces of the United States or to have been awarded a decoration, medal, ribbon, or other device authorized by Congress or pursuant to federal law for the Armed Forces of the United States. A violation is a misdemeanor subject to a fine of up to five hundred dollars and/or imprisonment for up to thirty days.

The House amended, approved, and sent the Senate **H.3514**, a bill establishing **RESTRICTIONS ON THE OPERATION OF PUBLIC UNMANNED AIRCRAFT**

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

The House approved and sent the Senate **H.3174**. This legislation allows the governing body of a county or municipality to **EXEMPT CERTAIN HISTORIC PROPERTIES FROM THE APPLICATION OR ENFORCEMENT OF BUILDING CODES**, upon the recommendation of the local historic preservation commission, when the local governing body determines that the application of the building codes would prevent or significantly hinder preservation or restoration efforts.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.4501 STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE

BANK ACT Rep. Hiott

This bill defines “usual, customary, and reasonable costs” of site rehabilitation of releases from underground storage tanks containing petroleum to mean payments not less than the July 1, 2011 SUPERB Allowable Cost reimbursement schedule. If the current rate schedule does not comply with this definition the current rate schedule must be immediately amended. Site rehabilitation work currently in progress must be reimbursed at the July 1, 2011, rates upon completion of work. The July 1, 2011 SUPERB Allowable Cost reimbursement rates remain in effect until the sunset date of the SUPERB Act of 1988 or any extended sunset date.

H.4505 JOINT WATER MANAGEMENT PROGRAM FOR THE SAVANNAH RIVER BASIN Rep. Bowen

As a result of the shared water resources by South Carolina and Georgia throughout the Savannah River Basin, this Concurrent Resolution provides for a joint water caucus to encourage state agencies, in conjunction with the U.S. Army Corps of Engineers, to implement a water management program for the Savannah River Basin.

EDUCATION AND PUBLIC WORKS

H.4458 EDUCATING STUDENTS ABOUT HOLIDAYS OF TRADITIONAL WINTER CELEBRATIONS Rep. Sandifer

This legislation authorizes a school district to educate students about the history, customs, and symbols of traditional winter celebrations, and it provides that a school district may display certain scenes or symbols associated with these holidays on school property unless the display includes a message that encourages adherence to a particular religious belief.

H.4470 ELECTION OF COLLEGE AND UNIVERSITY TRUSTEES Rep. Barfield

Relating to the election of college and university trustees, this legislation provides that a person who serves as a trustee of a public college or university may not be elected to the board of trustees of another public college or university for a period of one year after he ceases to be a member of the board of trustees of the college or university on which he serves or fails to file for reelection to the first board if serving as an elected member of that board.

H.4473 "HIGHLY QUALIFIED SUBJECT EDUCATOR CERTIFICATION ACT" Rep. J. E. Smith

This legislation enacts the "Highly Qualified Subject Educator Certification Act". Its stated purpose is to provide a professional teaching certificate for a person who has substantial teaching experience in the subject for which he is seeking certification and in which he possess a doctorate or other terminal degree. Relating to cognitive assessments for teachers and teacher certification by the State Board of Education through the Department of Education, this legislation provides that the board through the department shall award a teaching certificate to a person who complies with the requirements for a highly qualified subject educator.

H.4483 REQUIREMENTS FOR AN UNDERGRADUATE DEGREE FROM A PUBLIC COLLEGE OR UNIVERSITY IN THIS STATE Rep. G. R. Smith

This legislation provides that receipt of an undergraduate degree from a public college or university in this State requires a demonstrated proficiency in the content and purpose of certain documents that played a critical role in the founding of the United States and development of its system of government. The board of trustees of a public college or university shall ensure that the school it governs complies with the provisions.

H.4499 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 Rep. Cole

Under current law, there is a one dollar fee charged by the Department of Motor Vehicles for the placement of a veteran designation on driver's a license. This legislation removes that fee.

H.4500 HELMET REQUIREMENT FOR PERSONS WHO OPERATE OR RIDE UPON A TWO-WHEELED MOTORIZED VEHICLE Rep. Gilliard

Current law provides it unlawful for anyone under twenty-one to operate or ride upon a two-wheeled motorized vehicle unless he wears a protective helmet of a type approved by the Department of Public Safety. This legislation makes this provision applicable to all persons who operate or ride upon a two-wheeled motorized vehicle.

JUDICIARY

H.4451 ADMISSIBILITY OF OUT-OF-COURT STATEMENTS MADE BY CHILDREN UNDER CERTAIN CIRCUMSTANCES Rep. Cole

This legislation relates to the admissibility of out-of-court statements made by children under certain circumstances; it adds an exception allowing for admissibility of statements alleging abuse and neglect made by a child to an employee or agent of children's advocacy centers.

H.4452 USE OF CAMPAIGN FUNDS AND REQUIREMENTS PERTAINING TO AUTHORIZED USE Rep. Finlay

This legislation provides that the payment or reimbursement of reasonable and necessary expenses associated with the campaign or the office are permitted. However: (1) any payment or reimbursement of mileage for travel associated with the campaign or office must be at the rate established for the year by the Internal Revenue Service; (2) the 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, but are not limited to, 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; (3) any communication or other office equipment purchased with campaign funds including, but not limited to, cell phones, computers, printers, copiers and other similar devices are considered the sole property of the campaign and must be disclosed as assets of the campaign at the time of purchase. Further, this equipment must be accounted for pursuant to Sections [8-13-1368](#) and [8-13-1370](#) upon the final disbursement of a campaign account; and (4) 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.

H.4453 MISUSE OF CAMPAIGN FUNDS Rep. Finlay

If an appropriate supervisory office determines that a violation of Section 8-13-1348 has occurred, involving the misuse of campaign funds, this legislation provides requires it to notify the offending respondent of its determination in writing and the respondent is then afforded a period of thirty days from the date of the notification to cure the violation by reimbursing the campaign account from personal funds in an amount necessary to make

the campaign account whole. If this reimbursement occurs, the violation is considered cured and no further civil or criminal action against the respondent may occur.

H.4454 AUTHORIZED USES OF CAMPAIGN FUNDS Rep. Finlay

Relating to authorized uses of campaign funds and the manner in which expenditures of more than twenty-five dollars must be paid, this legislation deletes the twenty-five dollar threshold, revises the manner in which campaign expenditures must be paid, and revises provisions pertaining to campaign account petty cash funds.

H.4455 CAMPAIGN BANK ACCOUNTS Rep. Finlay

Relating to campaign bank accounts, this legislation further provides for the manner in which candidate or campaign expenses must be paid.

H.4456 PROHIBITION ON CASH CONTRIBUTIONS Rep. Finlay

Current law allows a cash contribution to a campaign that does not exceed twenty-five dollars and is accompanied by a record of the amount of the contribution and the name and address of the contributor. This legislation prohibits cash contributions.

H.4457 PROHIBITION ON USING CAMPAIGN FUNDS TO PAY FINES, FEES, OR OTHER CHARGES IMPOSED BY AN APPROPRIATE SUPERVISORY OFFICE Rep. Finlay

This legislation provides that fines, fees, or other charges imposed by an appropriate supervisory office may not be paid from campaign funds.

H.4460 PROPOSED CONSTITUTIONAL AMENDMENT DELETING SECTION 15, ARTICLE XVII WHICH PROVIDES THAT THE ONLY LAWFUL DOMESTIC UNION RECOGNIZED IN THIS STATE IS A MARRIAGE BETWEEN ONE MAN AND ONE WOMAN Rep.

Rutherford

This joint resolution proposes to amend the State Constitution so as to delete Section 15, Article XVII which provides that the only lawful domestic union recognized in this State is a marriage between one man and one woman. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

**H.4465 CREATION OF THE OFFENSE OF DATING VIOLENCE
Rep. M. S. McLeod**

This legislation creates the offense of dating violence. 'Dating violence' means violence between persons who have or previously had a continuing and significant relationship of a romantic or intimate nature. 'Violence' means any assault, aggravated assault, battery, aggravated battery, sexual assault or battery or criminal sexual conduct offense, stalking, or kidnapping resulting in the victim having reasonable cause to believe that the victim is in imminent danger of becoming the subject of an act of violence, or threats or attempts to abuse the victim, or physical injury or death to the victim. The legislation provides that a person commits the offense of dating violence when the victim has reasonable cause to believe that the victim is in imminent danger of becoming the subject of an act of dating violence, or when a victim presents sufficient evidence that

the current or former partner of the relationship threatened to, attempted to, or actually physically abused the victim. Persons under the age of eighteen may not be charged with a violation of this offense. The legislation includes penalties for violations.

H.4466 *EXPUNGEMENT OF CERTAIN NONVIOLENT OFFENSES* Rep. Weeks

This legislation provides that a conviction for a nonviolent offense, other than those enumerated in Section 17-22-910, when the offender has completed his sentence, including probation and parole, and five years have elapsed since completing his sentence during which the offender was not convicted, plead guilty, or plead nolo contendere to any other offense, may be expunged from the offender's criminal record upon application to the appropriate solicitor's office.

H.4469 *"SOUTH CAROLINA BLIND PERSON'S RIGHT TO PARENT ACT"* Rep. Allison

This legislation provides in making decisions on guardianship, custody, or visitation where a party to the action is blind, the court may not deny the party guardianship, custody, or visitation of a child solely because the party is blind. The blindness of a party only may be used to determine whether or not granting guardianship, custody, or visitation to the party would be in the best interest of the child. When the Department of Social Services, a guardian, or a child placing agency considers an adoption petition, the department, guardian, or child placing agency may not deny the petition solely because the petitioner is blind. In making a determination of adoption when the petitioner is blind, the court may not deny the petition solely because the petitioner is blind. The blindness of the petitioner only may be used to determine whether or not granting the adoption would be in the best interest of the child. The legislation further requires the Department of Social Services to promulgate regulations prohibiting a local department from removing a child from a home and placing the child in foster care solely because the child's parent or guardian is blind.

H.4472 *FIVE-DOLLAR SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY* Rep. Pitts

This legislation requires a five-dollar surcharge to fund training at the South Carolina Criminal Justice Academy to be levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates or municipal court for misdemeanor traffic offenses or for nontraffic violations.

H.4474 *LOYALTY OR REWARD POINTS FOR TRANSACTING BUSINESS* Rep. J. E. Smith

This legislation provides that any company or entity doing business in this State which awards customers or members with loyalty or reward points for transacting business with it must allow any accumulated unused points to be transferred by a decedent customer or member to a specified heir by will or other written document or redeemed by the designated heir at death; provided, however, these provisions do not supersede any written contract entered into by an awarding company and a customer before the effective date of this provision prohibiting the inheritance or redemption of loyalty or reward points at death. Any contract between the awarding company and a customer entered into on or after the effective date of this provision providing for the receipt of loyalty or reward points may provide for reasonable transfer or redemption fees at death and other requirements such as the furnishing of a death certificate, but may not prohibit the inheritance or redemption of these points by an heir at death.

**H.4476 RECORDING OF AN INCIDENT SITE AND BREATH TEST SITE
WHEN A PERSON IS CHARGED WITH A TRAFFIC OFFENSE
RELATED TO THE UNLAWFUL USE OF ALCOHOL OR
ANOTHER ILLEGAL SUBSTANCE Rep. Weeks**

Relating to the recording of an incident site and breath test site when a person is charged with a traffic offense related to the unlawful use of alcohol or another illegal substance, this legislation requires the video recording taken at the breath test site to include an audible recording.

**H.4477 EXPUNGEMENT OF CERTAIN NONVIOLENT OFFENSES
Rep. Alexander**

This legislation provides that a conviction for a nonviolent offense, other than those enumerated in Section 17-22-910, when the offender has completed his sentence, including probation and parole, and five years have elapsed since completing his sentence during which the offender was not convicted, plead guilty, or plead nolo contendere to any other offense, may be expunged from the offender's criminal record upon application to the appropriate solicitor's office.

H.4479 CHILD SUPPORT OBLIGATIONS Rep. Alexander

Relating to child support obligations, this legislation provides that an offender sentenced to ninety or fewer days imprisonment who is employed at the time of sentencing and is able to maintain employment may serve his sentence at a time when he is not working and does not interfere with his employment. The legislation further provides for wage garnishment to satisfy child support payments.

H.4480 "SOUTH CAROLINA SECOND CHANCE ACT" Rep. Alexander

This legislation allows certain nonviolent misdemeanor and felony offenses to be expunged, and it establishes the circumstances under which the expungement may occur.

H.4481 CREATION OF THE OFFENSE OF DATING VIOLENCE Rep. Alexander

This legislation creates the offense of dating violence. 'Dating violence' means violence between persons who have or previously had a continuing and significant relationship of a romantic or intimate nature. 'Violence' means any assault, aggravated assault, battery, aggravated battery, sexual assault or battery or criminal sexual conduct offense, stalking, or kidnapping resulting in the victim having reasonable cause to believe that the victim is in imminent danger of becoming the subject of an act of violence, or threats or attempts to abuse the victim, or physical injury or death to the victim. The legislation provides that a person commits the offense of dating violence when the victim has reasonable cause to believe that the victim is in imminent danger of becoming the subject of an act of dating violence, or when a victim presents sufficient evidence that the current or former partner of the relationship threatened to, attempted to, or actually physically abused the victim. Persons under the age of eighteen may not be charged with a violation of this offense. The legislation includes penalties for violations.

**H.4493 SOUTH CAROLINA REAPPORTIONMENT COMMISSION
Rep. Funderburk**

This legislation establishes the South Carolina Reapportionment Commission consisting of seven members for the purpose of submitting reapportionment plans to the General Assembly. The legislation provides for the selection, qualifications, powers, and duties of the commission and its members.

H.4494 PROTECTION OF THE CITIZENS OF THE STATE FROM THE APPLICATION OF FOREIGN LAW IN CERTAIN CIRCUMSTANCES
Rep. Limehouse

This legislation prevents a court or other enforcement authority from enforcing foreign law including, but not limited to, Sharia law in this State from a forum outside of the United States or its territories under certain circumstances.

H.4496 POLICY OF PROGRESSIVE DISCIPLINE FOR OFFICERS EMPLOYED BY THE DEPARTMENT OF PUBLIC SAFETY Rep. Spires

This legislation establishes a policy of progressive discipline for officers employed by the Department of Public Safety.

H.4503 FIREARMS CRIMINAL BACKGROUND CHECKS Rep. Cobb-Hunter

This legislation requires a national instant criminal background check before any sale, exchange, or transfer of a firearm in the State. The legislation provides procedures for the background checks; requires national instant criminal background checks at gun shows and provides procedures for the background checks. The legislation exempts records kept from disclosure as a public record under the Freedom of Information Act and provides a penalty for a violation.

H.4504 "DOMESTIC VIOLENCE HOMICIDE PREVENTION ACT"
Rep. Cobb-Hunter

This legislation enacts the "Domestic Violence Homicide Prevention Act" so as to provide a procedure for the surrender of firearms owned by a person convicted of criminal domestic violence or criminal domestic violence of a high and aggravated nature. The legislation creates the offense of failure to surrender a firearm after conviction for a criminal domestic violence offense and provides a felony penalty. The legislation provides that it is unlawful to knowingly sell a firearm to a person convicted of a criminal domestic violence offense and provides a felony penalty. This legislation includes criminal domestic violence offenses in the list of offenses the magistrates court has jurisdiction over an action seeking a restraining order. It allows the court to order the surrender of firearms, if the court finds imminent danger exists and provides factors for the court to consider when determining if imminent danger exists. Relating to definitions for the purposes of criminal domestic violence, this legislation adds a definition of "firearm". This legislation requires the court to order a person charged with a violent offense to surrender all firearms as a condition of bond, and it allows the court to order a person charged with a criminal domestic violence offense to surrender all firearms as a condition of bond if requested by or with the consent of the victim and provides factors for the court to consider when determining imminent danger. This legislation adds that if an order of protection is issued and the court finds imminent danger exists, the court may order the surrender of firearms. The legislation provides factors for the court to consider when determining imminent danger.

H.4514 VOTING ACCESSIBILITY Rep. McEachern

Relating to qualifications and procedures necessary for persons to register to vote, this legislation revises references. Relating to voter registration agencies, this legislation reflects a name change for one of such agencies. Relating to the accessibility of polling places, this legislation revises "barrier free" to "accessible" and defines the term "accessible" to allow any person with disabilities to vote in a countywide accessible polling place and requires that any alternative polling place must be accessible. The legislation requires any pooled precinct in a municipal election to be accessible. The legislation requires that absentee ballots must be available in Braille and large print format. Relating to definitions for purposes of absentee voting, the legislation replaces the reference to "physically disabled person" to "person with a disability", and revises the definition of "authorized representative". Relating to persons qualified to vote by absentee ballot, the legislation revises references relating to disabilities and hospitals. Relating to the procedure for absentee voting, the legislation conforms the references relating to persons admitted to hospitals. Relating to the oath and procedures required for voting by absentee ballot, the legislation updates references relating to disability.

H.4515 "SOUTH CAROLINA EDUCATION EFFICIENCY ACT" Rep. Patrick

Relating to the State Superintendent of Education, this legislation deletes language providing for his election. This legislation makes the Department of Education a member of the Governor's executive cabinet to be headed by the State Superintendent of Education who must be appointed by the Governor with the advice and consent of the Senate. The legislation provides that the Superintendent must administer through the Department of Education all policies and procedures prescribed by law or assigned to it by the Education Oversight Committee rather than the State Board of Education. The legislation abolishes the State Board of Education and transfers its functions, powers, duties, responsibilities, authority, employees, authorized appropriations, and assets and liabilities, among other things, to the Education Oversight Committee. The legislation deletes obsolete references, makes conforming changes, and directs the Code commissioner to report these changes to the General Assembly before July 1, 2015. The legislation repeals provisions relating to filling a vacancy in the office of Superintendent of Education and the State Board of Education. These provisions take effect upon approval by the Governor and are contingent on the ratification of a constitutional amendment making the State Superintendent of Education a member of the Governor's executive cabinet rather than an elected official.

LABOR, COMMERCE AND INDUSTRY

H.4459 LOCAL GOVERNMENT HEALTH INSURANCE COVERAGE FOR DISABLED POLICE OFFICERS Rep. Rutherford

This bill requires political subdivisions of the state providing health insurance coverage to their retirees on account of their service in employment covered by the South Carolina Police Officers Retirement System (SCPORS) to provide such coverage if the employee retired on SCPORS disability as a result of an injury arising out of and in the course of the employee's official duties on behalf of his employer at the time the disability occurred.

H.4464 PERIODIC PAYMENT OF SUPERVISED LOANS Rep. Sandifer

This bill revises provisions relating to the periodic payment of supervised loans, so as to provide that the first periodic interval may be shorter or longer than the remaining

regularly scheduled payments within the discretion of the lender, and that the remaining periodic intervals must be of substantially similar length.

H.4498 “SOUTH CAROLINA WAGE ASSIGNMENT ACT” Rep. Sandifer

This bill enacts the “South Carolina Wage Assignment Act” to provide specific procedures for the assignment of wages earned or to be earned by an employee to secure a debt. The legislation establishes defenses to a demand for a wage assignment and provides penalties for violations. The legislation provides that an employer may not discharge or suspend an employee because his earnings have been subjected to wage demands. Certain exemptions are provided.

H.4510 “NAVIGATOR BACKGROUND CHECK ACT” Rep. Ryhal

This bill enacts the “Navigator Background Check Act” to establish criteria for registration as a health care insurance navigator and require registration of a person acting as a health care insurance navigator. The legislation specifies duties of the Department of Insurance and the Department of Health and Human Services and establishes penalties for violations.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H.4471 BOARD OF MEDICAL EXAMINERS Rep. Barfield

This bill relates to the investigations by the Board of Medical Examiners into allegations of professional misconduct so as to provide that a certified report of proceedings by a panel of the board be made available to the public when filed with the Department of Labor, along with any accompanying transcripts and exhibits. These documents must be made public even if the panel recommends dismissal or a private reprimand.

WAYS AND MEANS

H.4461 SAME-SEX MARRIAGES INCLUDED UNDER STATE TAX FILING STATUS PROVISIONS Rep. Rutherford

This bill revises the requirement that a husband and wife have the same state tax filing status as federal status so as to provide that the terms ‘husband’, ‘wife’, and ‘spouse’ include legal same-sex marriages from another state and must not be construed to be gender specific.

H.4462 SOLICITOR’S OFFICE RETIREE PARTICIPATION IN THE STATE HEALTH AND DENTAL INSURANCE PLANS Rep. Rutherford

This bill provides that a person who retires from a solicitor’s office may participate in the State Health and Dental Insurance Plans regardless of whether the county in which he is employed at the time of his retirement participates in these plans. The legislation’s provisions are retroactive to January 1, 2012.

H.4463 INDIVIDUAL INCOME TAX DEDUCTION FOR HEALTH CARE PROFESSIONALS PROVIDING SERVICES AT FREE CLINICS Rep. Sandifer

This bill establishes an individual income tax deduction for health care professionals providing services at a free clinic. The legislation provides for an hourly rate at which the

deduction is earned subject to an overall limit of one thousand dollars for each health care professional in a taxable year.

H.4478 REQUIREMENT TO PAY CERTIFIED TEACHERS AND ADMINISTRATORS AT LEAST THE SOUTHEASTERN AVERAGE SALARY Rep. Alexander

This bill revises provisions relating to various funding requirements under the Education Finance Act, including certified teacher and administrator salary requirements, so as to revise these salary requirements to ensure that, at a minimum, certified teachers and administrators are always paid at the Southeastern Average.

H.4492 LIMITATION ON ROLLBACK TAXES FOR AGRICULTURAL REAL PROPERTY THAT IS RECLASSIFIED Rep. Sandifer

This bill revises provisions relating to the classification of property and assessment ratios for purposes of ad valorem taxation, so as to limit rollback taxes to one year when land classified as agricultural real property is applied to another use.

H.4511 FLAT TAX RATE PROVISIONS Rep. Stringer

This bill replaces the individual income tax with a flat tax rate equal to three and one-half percent on the taxpayer's federal adjusted gross income. The legislation allows a tax forgiveness credit based on income and number of individuals listed on the return, including a spouse and dependents. The legislation allows a credit for income taxes paid in another state, and provides that a taxpayer must file a return if the taxpayer has any adjusted gross income.

H.4512 IMPOSITION OF EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX IN COUNTIES THAT DO NOT MEET ACCOMMODATIONS TAX COLLECTION REQUIREMENTS Rep. J. R. Smith

This bill revises provisions governing the Education Capital Improvements Sales and Use Tax to allow a county that does not collect required amounts in accommodations tax to impose the sales tax so long as no portion of the county area is subject to more than two percent total sales tax.

**H.4513 ASSESSED VALUE OF A MOTOR VEHICLE WITH A SPECIAL FARM
VEHICLE LICENSE Rep. McEachern**

This bill revises provisions establishing the assessed values of motor vehicles for taxation purposes so as to provide that the assessed value of a motor vehicle with a special farm vehicle license is fifty dollars if the vehicle is at least ten years old, instead of fifteen years old.

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