



South Carolina House of Representatives

# Legislative Update

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

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***NOTE: THESE SUMMARIES ARE PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ARE NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. THEY ARE STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND ARE NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.***

# HOUSE WEEK IN REVIEW

The House of Representatives concurred in Senate amendments to **H.4364** and enrolled the bill for ratification. This bill **REDUCES FROM 21 TO 18 THE MINIMUM AGE FOR LAWFULLY PURCHASING A HANDGUN.**

The House amended Senate amendments to **H.3528** and returned the bill to the Senate. The Senate subsequently concurred and enrolled the bill for ratification. This bill **RESTRICTS THE CIRCUMSTANCES UPON WHICH THE STATE LAW ENFORCEMENT DIVISION MAY RELEASE ITS LIST OF CONCEALABLE WEAPONS PERMIT HOLDERS.** The legislation provides that SLED may release the list of concealable weapons permit holders only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is required to be released under a subpoena or court order. Except for when these conditions are met, a person in possession of a list of permit holders obtained from SLED must destroy the list. The legislation also provides that during the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year: (1) the number of permits; (2) the number of permits that were issued; (3) the number of permit applications that were denied; (4) the number of permits that were renewed; (5) the number of permit renewals that were denied; (6) the number of permits that were suspended or revoked; and (7) the name, address, and county of a person whose permit was revoked, including the reason for the revocation. The report must include a breakdown of such information by county.

The House refused to concur in Senate amendments to **H.3212**, a bill relating to the **HONORING OF VALID OUT-OF-STATE CONCEALABLE WEAPONS PERMITS.**

The House approved **S.1075** and enrolled the joint resolution for ratification. This joint resolution supplements the **SCHOOL DISTRICTS NEGATIVELY AFFECTED BY THE LACK OF REVISION OF THE 2007 FINAL INDEX OF TAXPAYING ABILITY.** The legislation provides that a school district positively affected by the lack of revision of the 2007 Final Index of Taxpaying Ability shall direct the excess funds toward nonrecurring allowable expenditures.

The House approved and enrolled the bill for ratification **S.652**, a bill relating to the **APPLICATION FOR THE HOMESTEAD PROPERTY TAX EXEMPTION** for persons who are at least sixty-five years old, permanently and totally disabled, or legally blind. The legislation allows the application for the exemption to be made in person, by mail or by means of the Internet. The legislation provides for the documentation required in order for mail or Internet applications to be processed.

The House concurred in Senate amendments to **H.3219**, relating to **ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS**, and enrolled the bill for ratification. Currently contested cases arising under the Occupational Safety and Health Act are heard by the South Carolina Occupational Safety and Health Review Board. This bill provides that an administrative law judge rather than the Board will hear such cases. Relating to the Department of Labor, Licensing and Regulation (LLR) hearing occupational health and safety contested cases, this bill provides that a party aggrieved by a citation, penalty, or abatement issued by LLR may request a contested case

hearing before the administrative law court in accordance with the Administrative Procedures Act. Hearings must be conducted according to the rules of the Administrative Law Court, and an appeals procedure is provided. An individual, partnership, corporation, or other business entity is not required to be represented by an attorney when appearing in a contested case before the Administrative Law Court, but may appear by an officer or an employee.

The House approved **S.741** and enrolled the bill for ratification. This bill makes **REVISIONS TO THE UNCLAIMED PROPERTY ACT**. The bill reduces the dormancy period for securities from seven years to three years and outlines circumstances where the running of the three-year period ceases. The bill also makes certain penalties and fines for violations permissive rather than mandatory.

The House concurred in Senate amendments to **S.668** and enrolled the bill for ratification. This bill provides an **EXEMPTION FROM CONTRACTORS LICENSING ACT PROVISIONS FOR FARM BUILDINGS AND PORTABLE STORAGE BUILDINGS** with less than five thousand square feet of floor space that are owner-constructed and used only for livestock or storage.

The House amended, approved, and returned to the Senate **S.144**. This joint resolution creates a twelve member **SOUTH CAROLINA SENTENCING REFORM COMMISSION** to review, study and recommend legislation for sentencing guidelines, the parole system, and alternative sentencing procedures for non-violent offenders. The commission must make its report and findings no later than June 1, 2009. The joint resolution includes provisions for the appointment of members to the commission.

The House amended, approved, and returned to the Senate **S.9**. This bill provides that when an appointed **GUARDIAN AD LITEM** is an attorney, additional legal counsel must not be appointed by the family court to the guardian absent extraordinary circumstances. The bill also provides that court appointed representatives are covered by the South Carolina Tort Claims Act.

The House approved and sent to the Senate **H.4229**, relating to **MUNICIPAL JURY LISTS**. This bill requires the preparation of jury lists from the tape of persons holding a valid state driver's license or identification card to be furnished by the State Election Commission to municipal jury commissioners for use in selecting municipal juries. Relating to the composition of municipal court jury lists, this bill further provides that the jury list to be used by the municipality is the list prepared by the jury commissioners from the latest official list provided by the State Election Commission.

The House approved and sent to the Senate **H.4534**, relating to **PROCEDURES FOR MAKING ARRESTS, THE USE OF SUMMONS, AND THE RECEIPT OF MONETARY BONDS BY DEPARTMENT OF NATURAL RESOURCES AND CERTAIN OTHER LAW ENFORCEMENT OFFICERS**. Under this bill, Department of Natural Resources enforcement and deputy enforcement officers and officers authorized to enforce state law under the Catawba Indian Claims Settlement Act may use the official department summons for arrests for violations of laws and regulations of the Department of Natural Resources, and all other misdemeanors within the jurisdiction of the magistrates, municipal, or family court. Service of the summons vests the respective courts with jurisdiction and any person apprehended and served must appear at the time and place designated. The bill further provides that in the discretion of the apprehending officer,

the person apprehended may be allowed to post a monetary amount as a bond in lieu of a personal appearance or incarceration. The amount may not be less than the minimum fine nor more than the maximum fine, plus court costs. The summons serves as a receipt for the sum posted with the officer.

The House amended Senate amendments to **H.4566** and returned the joint resolution to the Senate. This joint resolution authorizes the State Budget and Control Board to negotiate and satisfy the attorney **FEE AWARD ENTERED BY THE SOUTH CAROLINA SUPREME COURT IN THE TEACHER AND EMPLOYEE RETIREMENT INCENTIVE (TERI) PROGRAM LAWSUIT**, Layman, et al. vs. The State of South Carolina, et al.

The House amended, approved, and sent to the Senate **H.4018**, pertaining to **WILD TURKEY FEATHERS**. This bill provides that an American Indian artist, who is a member of a tribe recognized by (1) the federal Indian Arts and Crafts Board Act, and (2) the state's Commission on Minority Affairs may use wild turkey feathers in arts and crafts that are offered for sale and sold to the general public if the artist has on his person a tribal identification card demonstrating his authorization pursuant to the Indian Arts and Crafts Board Act. This does not authorize the sale of other parts of wild turkeys, whether taken lawfully or unlawfully, including, but not limited to, capes, beards, and fans.

The House approved and sent to the Senate **H.4846**, a bill designating the third week of September each year as "**MITOCHONDRIAL DISEASE AWARENESS WEEK**" in South Carolina.

## HOUSE COMMITTEE ACTION

### AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full committee did not meet this week.

### EDUCATION AND PUBLIC WORKS

The Education and Public Works Committee met on Wednesday, March 27, 2008.

**H.4157**, relating to **LICENSE PLATES**, received a favorable with amendment report from the committee. This bill allows the Department of Motor Vehicles (DMV) to issue veteran license plates for use on private passenger motor vehicles or motorcycles to those individuals that have been honorably discharged from service. This veteran license plate has the same production requirements as other special plates. There are criminal penalties for providing false information to obtain the plate. The bill also allows nonprofit 501(c)(6) organizations to fall under the provisions of Section 56-3-8000, the statute which allows nonprofit organizations that meet certain requirements to have special license plates issued by the DMV.

The committee gave a favorable with amendment report to **H.4320**, a bill pertaining to **QUALIFICATIONS FOR ATTENDANCE AT PUBLIC SCHOOLS**. As reported by the Committee, this bill provides that a child may attend the public schools of a school district free of charge if the child resides with an adult resident of that district as a result of the child's parent(s) or legal guardian's military deployment or call to active duty more than 70 miles from their residence for a period greater than sixty days. Also, if the child's parent or legal guardian returns from such military deployment or active duty prior to the end of the school year, the child may finish the school year in the school he attends without charge, even if the child resides in another school district for the remainder of the school year due to his parent or legal guardian returning home. The bill also allows **NONRESIDENT MILITARY PERSONNEL TO ENROLL IN A PROGRAM DESIGNED TO AWARD A SOUTH CAROLINA HIGH SCHOOL DIPLOMA**, but neither the State nor the local districts would be required to bear the cost for any nonresident military personnel enrolled in such programs.

## JUDICIARY

The Judiciary Committee met on Tuesday, March 25, 2008.

**H.4529**, which relates to **ILLEGALLY DISPENSING CONTACT LENSES**, received a favorable with amendment report from the full committee. Current law provides that the illegal dispensing of contact lenses is subject to a civil penalty imposed by the Department of Consumer Affairs (department). This bill provides that a person aggrieved by an order of the department may request a contested case hearing before the Administrative Law Court in accordance with the Administrative Law Court Rules of Procedure. The department may obtain an order from the Administrative Law Court for enforcement of the department's orders as provided in the Administrative Procedures Act and the Administrative Law Court Rules of Procedure. The proceeding for enforcement must be initiated by filing a petition with the Administrative Law Court in accordance with the Administrative Law Court Rules of Procedure. A copy of the request for a contested case hearing must be served upon all parties of record.

The Judiciary Committee gave a favorable with amendment report to **H.4229**, relating to **MUNICIPAL JURY LISTS**. This bill requires the preparation of jury lists from the tape of persons holding a valid state driver's license or identification card to be furnished by the State Election Commission to municipal jury commissioners for use in selecting municipal juries. Relating to the composition of municipal court jury lists, this bill further provides that the jury list to be used by the municipality is the list prepared by the jury commissioners from the latest official list provided by the State Election Commission.

**S.9** received a favorable with amendment report. This bill provides that when an appointed **GUARDIAN AD LITEM** is an attorney, additional legal counsel must not be appointed by the family court to the guardian absent extraordinary circumstances. The bill also provides that court appointed representatives are covered by the South Carolina Tort Claims Act.

**S.144** received a favorable with amendment report from the committee. This joint resolution creates a twelve member **SOUTH CAROLINA SENTENCING REFORM COMMISSION** to review, study and recommend legislation for sentencing guidelines,

the parole system, and alternative sentencing procedures for non-violent offenders. The commission must make its report and findings no later than June 1, 2009. The joint resolution includes provisions for the appointment of members to the commission.

The committee gave a favorable recommendation to **S.936**. This comprehensive legislation revises portions of the **UNIFORM COMMERCIAL CODE (UCC)**. Revisions of Articles 3 and 4 to the UCC update the parts of the UCC relating to negotiable instruments and banks (sometimes called the laws of payment systems). These updates accommodate changing practices and modern technologies.

**S.741** received a favorable report from the Judiciary Committee. This bill makes **REVISIONS TO THE UNCLAIMED PROPERTY ACT**. The bill reduces the dormancy period for securities from seven years to three years and outlines circumstances where the running of the three-year period ceases. The bill also makes certain penalties and fines for violations permissive rather than mandatory.

**H.4018**, pertaining to **WILD TURKEY FEATHERS**, received a favorable with amendment report. This bill provides that an American Indian artist, who is a member of a tribe recognized by (1) the federal Indian Arts and Crafts Board Act, and (2) the state's Commission on Minority Affairs may use wild turkey feathers in arts and crafts that are offered for sale and sold to the general public if the artist has on his person a tribal identification card demonstrating his authorization pursuant to the Indian Arts and Crafts Board Act. This does not authorize the sale of other parts of wild turkeys, whether taken lawfully or unlawfully, including, but not limited to, capes, beards, and fans.

The committee adjourned debate on the following:

- **H.4067**, a bill relating to **DEED RECORDING FEES**
- **H.3642**, a bill pertaining to **MUNICIPAL ANNEXATION**
- **H.3343**, a bill pertaining to **QUALIFICATIONS FOR REGISTRATION TO VOTE**

**S.103**, a bill providing for **SMOKING PROHIBITIONS**, was recommitted to the Criminal Laws Subcommittee.

## **LABOR, COMMERCE AND INDUSTRY**

The full committee did not meet this week.

## **MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

The full committee did not meet this week.

## **WAYS AND MEANS**

The full committee did not meet this week.

# **BILLS INTRODUCED IN THE HOUSE THIS WEEK**

## **AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS**

### **H.4890 DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL PERMITTING Rep. Cooper**

This bill adds that the Department of Health and Environmental Control may not issue a permit for construction, demolition, and land-clearing debris landfill operation unless an operable fire hydrant is located within two hundred feet of the entrance of the landfill. This bill is effective July 1, 2008.

## EDUCATION AND PUBLIC WORKS

### **S.605 DISPLAY OF MOTORCYCLE LICENSE PLATES Sen. Grooms**

If a motorcycle is equipped with vertically mounted license plate brackets, this bill provides that its license plate must be mounted vertically with its top fastened along the right vertical edge.

### **S.688 REVISIONS TO DISTRIBUTION OF FUNDS COLLECTED FROM FEES FOR "NO MORE HOMELESS PETS" SPECIAL LICENSE PLATES Sen. Hawkins**

Currently, the Department of Agriculture may award grants to nonprofit organizations offering animal spaying and neutering programs once a year from fees collected from the "No More Homeless Pets" special license plates. This bill provides that grants may be awarded not more than four times a year.

### **S.971 VETERANS' LICENSE PLATES Sen. McConnell**

This bill provides that the Department of Motor Vehicles may issue veterans' license plates for individuals who served in the military and were honorably discharged.

### **S.1045 SCHOOL INSTRUCTION ON LYNCHING, FIGHTING AND GANG ACTIVITY Sen. Anderson**

During the first week of the school year, this bill provides that each school district shall provide appropriate instruction to students on the state's laws regarding lynching, fighting, and gang activity. The instruction must emphasize the seriousness of the offenses and their consequences in both the school system and the criminal justice system.

### **S.1117 UNITED STATES ARMED SERVICES VETERANS SPECIAL LICENSE PLATES Sen. Cromer**

This bill provides that the Department of Motor Vehicles may issue United States Armed Services Veterans special license plates.

### **S.1182 CREATION OF A TRANSPORTATION INFRASTRUCTURE STUDY COMMITTEE Sen. Grooms**

This joint resolution establishes a committee to study the feasibility and benefits of the construction, operation, and maintenance of roads, streets, highways, bridges, and tunnels through the utilization of public private partnerships and ventures

### **H.4888 COMPULSORY ATTENDANCE IN SCHOOL AND TRUANCY Rep. Sellers**

This bill provides for compulsory attendance in school until age eighteen. Current law provides for compulsory attendance in school until age seventeen. This bill specifies how court documents for truancy petitions must be titled. This bill allows the court to restrict the driver's license of a person who has been adjudicated delinquent for truancy. This bill further provides that a child may be committed for violation of a court order to attend school prior to the child's eighteenth birthday.

### **H.4905 ELECTION AND TERMS OF MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY Rep. Govan**



Relating to the election and terms of members of the board of trustees of South Carolina State University, this bill provides that the first three at-large seat vacancies on the board occurring after January 1, 2009, shall be filled by election of the National Alumni Association of the university by such means and methods as may be determined by the association or any succeeding organization. This procedure shall then be followed when electing successors to these three at-large members in future years.

## JUDICIARY

### **S.88 ASSESSMENTS FOR CERTAIN TRAFFIC VIOLATIONS Sen. Campsen**

This bill provides that certain additional assessments in magistrates court, municipal court and general sessions court may not be imposed on certain misdemeanor traffic violations.

### **S.590 COMPREHENSIVE REVISIONS PERTAINING TO INMATES AND THE DEPARTMENT OF CORRECTIONS Sen. Fair**

This comprehensive legislation makes various revisions pertaining to inmates and the Department of Corrections.

### **S.955 BOUNDARIES OF THE STATE Sen. Hayes**

This bill revises the boundaries of South Carolina.

### **S.968 KNIVES Sen. McGill**

Relating to definition of "weapon" and the handling of weapons used in the commission of a crime, this bill removes "knife with a blade over two inches long" from the definition. Relating to carrying concealed weapons, this bill provides for the exclusion of knives within the purview of the offense unless they are used with the intent to commit a crime.

### **S.1039 PROHIBITIONS ON REGULATIONS OF FIREARMS Sen. Verdin**

Relating to the prohibition against regulation of certain matters, this bill provides that counties and municipalities may not enact regulations to prohibit a landowner from discharging a firearm on his property to protect family members, employees, or the general public from animals posing a direct threat or danger on a parcel of land comprised of at least twenty-five contiguous acres.

### **H.4882 REPEAL OF CERTAIN MAGISTRATES COURT STATUTES Rep. Harrison**

This bill repeals Section 22-3-120 relating to the time for serving a complaint in magistrates court. The bill also repeals Section 22-3-220 relating to an offer of judgment in magistrates court.

**H.4884 SUSPENSION OF DRIVER'S LICENSE OF A PERSON OPERATING  
AN**

**UNINSURED VEHICLE Rep. Rutherford**

This bill provides that the driver's license of a person who operates an uninsured motor vehicle may be suspended for a period of not more than one year.

**H.4891 CREATION OF OFFENSE OF FALSE STATEMENTS OR WRITINGS  
BY**

**PUBLIC OFFICERS OR EMPLOYEES RELATING TO THE  
PROCUREMENT PROCESS Rep. Bannister**

This bill creates the offense of false statements or writings by public officers or employees relating to the procurement process. The bill includes criminal penalties for violations as well as exceptions.

**H.4898 REQUIREMENTS FOR ISSUANCE OF A MARRIAGE LICENSE  
Rep. Gullick**

This bill provides that a person applying for a marriage license who does not have a social security number or an alien identification number may present documentation that is proof that the person is legally in the United States.

## **LABOR, COMMERCE AND INDUSTRY**

**S.187 ADVERTISING A NONSMOKING WORKPLACE Sen. Gregory**

This bill authorizes an employer to advertise that employees cannot smoke in the workplace and designate in his advertisement that the workplace is a nonsmoking environment.

**H.4867 REGULATION OF ACCOUNTANTS Rep. Cato**

This bill revises definition of terms used in the licensure and regulation of accountants, so as to revise the definition of "attest" and "substantial equivalency" and to define "home office" and "principal place of business." The legislation revises provisions relating to the requirement to be licensed to render certain services and to use certain titles, so as to provide that individuals and firms may also render these services and use certain titles if certain qualifications are met. The legislation revises provisions relating to registration requirements for accounting firms, so as to provide the conditions under which an out-of-state firm may render certain services without having a registration. The legislation revises and further specifies the requirements for an individual in an out-of-state firm to obtain practice privileges in this state.

**H.4886 "CHILD SAFE PRODUCT ACT" Rep. Brady**

This bill enacts the "Child Safe Product Act" to prohibit the sale of children's products or components that contain specified amounts of cadmium, phthalates, or lead. The legislation provides that the Department of Health and Human Services shall identify chemicals that are of high concern to the health of children and developing fetuses and provides that manufacturers of children's products that contain such chemicals must provide notice to the Department and to retailers who sell these products. The legislation requires the Department to establish and maintain a product safety education campaign. Penalties are provided for violations of this legislation.

**H.4892 “ENERGY INDEPENDENCE AND SUSTAINABLE HOMES ACT”**

**Rep. Haley**

This bill enacts the “Energy Independence and Sustainable Homes Act.” The legislation revises provisions relating to the purchase and installation of certain solar energy heating or cooling systems, so as to provide a local government or homeowners association may not prohibit the installation of a solar energy heating or cooling system in a residential home.

**H.4900 “REDUCED CIGARETTE IGNITION PROPENSITY STANDARDS AND FIREFIGHTER PROTECTION ACT” Rep. Cato**

This bill enacts the “Reduced Cigarette Ignition Propensity Standards and Firefighter Protection Act.” The legislation provides that cigarettes may not be sold or offered for sale in this State unless they meet certain performance standards relating to reduced fire risks and receive certifications and proper markings to specify the testing methods and performance standards that must be met.

## **MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

**S.1168 REVISED DUTIES AND RESPONSIBILITIES OF THE STATE MENTAL HEALTH COMMISSION Sen. Peeler**

This bill revises the duties and responsibilities of the Mental Health Commission. It deletes the provision that a medical doctor head the Department of Mental Health’s medical division. The bill substitutes “Director” for “Superintendent” of mental health hospitals and deletes obsolete terms and makes technical corrections. The bill also repeals sections relating to the Mental Health Commission setting the salaries of officers and employees of the state mental health facilities and to a nonresident licensed physician examining an institutionalized patient out of the state.

**S.1174 HEALTH FACILITY LICENSURE Sen. Peeler**

This bill exempts homeshare enhanced respite programs designated by the Department of Mental Health from the health facility licensing provision with certain conditions. The conditions are that homeshare programs cannot serve more than two persons at each program location; the length of stay for one of the two persons cannot exceed fourteen consecutive days and that temporarily displaced persons must be directly transferred from a homeshare program location. The bill also outlines that the Department of Mental Health shall provide the Department of Health and Environmental Control the names and locations of these programs on a continuing basis.

**H.4885 “VOLUNTEER HEALTH CARE SERVICES ACT” Rep. Walker**

This bill establishes the “Volunteer Health Care Services Act” providing for a sponsoring organization to arrange for the voluntary provision of free health care services by licensed health care providers with certain conditions.

## **WAYS AND MEANS**

**S.343 MOTOR VEHICLE FEES TRANSFERRED TO THE STATE HIGHWAY ACCOUNT OF THE TRANSPORTATION INFRASTRUCTURE BANK  
Sen. Leatherman**

This bill provides that motor vehicle fees and penalties are to be placed in the State Highway Account of the Transportation Infrastructure Bank instead of the Department of Transportation.

**S.905 "BEACHFRONT FINANCE ACT" Sen. Campsen**

This bill enacts the "Beachfront Finance Act." The legislation revises provisions of the state accommodations tax and the local accommodations tax, to provide that a county or municipality may issue bonds to finance the cost of controlling and repairing waterfront erosion.

**S.1007 "SOUTH CAROLINA UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT" Sen. Hayes**

This bill revises provisions of the South Carolina Uniform Management of Institutional Funds Act. The legislation changes its name to the "South Carolina Uniform Prudent Management of Institutional Funds Act." The legislation: provides updated articulations of the prudence standards for the management and investment of charitable funds and for endowment spending; applies principles of management and investment of institutional funds to charities organized as a trust, a nonprofit corporation, or other entity; imposes additional duties on those who manage and invest charitable funds; and updates rules governing expenditures from endowment funds and provisions governing the release and modification of restrictions on charitable funds.

**S.1058 SOUTH CAROLINA CHILDREN'S TRUST FUND REVISIONS  
Sen. Hayes**

This bill revises provisions relating to the South Carolina Children's Trust Fund, so as to eliminate duplicative duties of the organization and revises its governance by reconstituting the Board of Trustees as a Board of Directors consisting of seventeen members, including eleven at-large members appointed by the Governor from nominees made by the current board members plus one member from each of the state's congressional districts. The legislation revises provisions relating to qualifications for service on the board and term limits on service.

**H.4868 POSTPONEMENT OF THE IMPLEMENTATION OF COUNTYWIDE  
REAL PROPERTY TAX APPRAISAL AND EQUALIZATION  
PROGRAMS**

**Rep. Bowers**

This bill revises provisions relating to the schedule of implementation of countywide appraisal and equalization programs of real property values for purposes of the property tax, so as to allow the governing body of the county, by ordinance, to postpone implementation for a second year.

**H.4875 REVISIONS TO TAX CREDITS AND INCENTIVES FOR ECONOMIC  
DEVELOPMENT** **Rep. Kirsh**

This bill revises provisions relating to the credit against the state's income, bank, or insurance premium tax for the creation of new full-time jobs, so as to provide for an enhanced credit for headquarters generally and specifically for companies who create fewer jobs but at a higher rate of compensation. The legislation revises provisions relating to the tax credit for establishing or expanding headquarters in this state, so as to change "corporation" to "taxpayer" reflecting that the qualifying headquarters do not have to be corporate, and to define "taxpayer." The legislation revises provisions of the Enterprise Zone Act of 1995, so as to eliminate the reference to "corporate" in connection with headquarters. The legislation revises provisions relating to tax credits for utilities infrastructures, so as to clarify that the credits may be used only in connection with industrial or commercial parks, or both, used for economic development. The legislation clarifies that wastewater and environmental costs are part of the infrastructure and raises the aggregate amount of the credit. The legislation revises definitions for various fees in lieu of tax provisions, all so as to include in the definition of "project" an airplane hangered or using an airport in a county, if the county consents. The legislation revises provisions relating to a county's prior approval or later ratification of transfer of its agreements in connection with a fee in lieu of taxes transaction, so as to provide three different methods for evidencing its approval or ratification.

**H.4876 COORDINATION OF STATE RETIREMENT SYSTEMS WITH  
FEDERAL  
PROVISIONS** **Rep. Cooper**

This bill revises South Carolina retirement systems provisions to comply with the qualification requirements of the Internal Revenue Code regarding employee benefits, employer contributions, and other related matters.

**H.4881 TARGETED JOBS TAX CREDIT RANKING FACTOR BASED ON A  
COUNTY'S PROPERTY TAX MILLAGE FOR SCHOOL OPERATIONS  
AND DEBT SERVICE** **Rep. Bowers**

This bill revises provisions relating to the targeted jobs tax credit, so as to add a new ranking factor based on property tax millage imposed in a county for school operations and debt service for schools to the existing ranking factors of per capita income and unemployment rate in determining the application of the credit in the counties of this State. The legislation establishes the method of calculating this new school millage factor.

**H.4883 “EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX ACT” Rep. Barfield**

This bill enacts the “Education Capital Improvements Sales and Use Tax Act” to allow a one percent local sales and use tax to be imposed in a county for not more than fifteen years upon referendum approval with the revenues of the tax used by the county’s school district board of trustees to pay for specific public school capital improvements in the county. The legislation provides a method whereby revenue of the tax may be shared for the purposes of specific capital improvements on the campuses of a technical college or other state institution of higher learning located in the county. The legislation provides for the referendum required for the imposition of the tax and establishes provisions for the duration of the tax, not to exceed fifteen years. The legislation provides for the administration of the tax and the distribution of the revenue.

**H.4887 TAX REVISIONS Rep. Kirsh**

This bill revises and updates numerous provisions relating to taxation.

**H.4889 PAYROLL DEDUCTIONS FOR THE PAYMENT OF MEMBERSHIP DUES OF THE SOUTH CAROLINA EDUCATION ASSOCIATION Rep. Walker**

This bill provides for payroll deductions for the payment of membership dues of the South Carolina Education Association. The legislation eliminates the requirement that no deduction be paid to a national or multi-state association or group. The legislation provides that payroll deductions for such dues must cease effective with the first payroll date occurring more than twelve months after the last determination.

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