



South Carolina House of Representatives

Legislative Update

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

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HOUSE WEEK IN REVIEW

The House of Representatives amended, approved, and sent the Senate **H.3579**, the “**SOUTH CAROLINA INFRASTRUCTURE FINANCE REFORM AND TAX RELIEF ACT**” comprehensive legislation that includes restructuring initiatives, along with funding mechanisms coupled with tax relief, as means of ensuring that the state can construct and maintain the system of roads needed for public safety and economic development. The legislation includes recommendations of the House Ad Hoc Committee on Transportation Infrastructure and Management.

Department of Transportation Restructuring

The legislation includes a restructuring of the Commission overseeing the South Carolina Department of Transportation that retains the commission’s geographical representation, but provides that the General Assembly would no longer elect commissioners and that all commissioners would, instead, be appointed by the Governor. Commissioners are to serve at the pleasure of the Governor and their terms of service are limited to a maximum of twelve years. Under restructuring, the commissioners assume the responsibility of appointing the Secretary of Transportation.

Transportation Infrastructure Bank Restructuring

The Board of Directors that oversees the South Carolina Transportation Infrastructure Bank is expanded from seven members to thirteen members so that it is composed of the seven members of the DOT Commission that the Governor appoints to represent a transportation district, three appointees of the Speaker of the House of Representatives and three appointees of the President Pro Tempore of the Senate. At least one of the non-legislator appointments made by the leaders of the House and the Senate must represent counties designated as distressed or least developed. The Governor designates the Board’s Chairman. Directors’ terms of service are limited to a maximum of twelve years. The legislation establishes as a statutory requirement the Infrastructure Bank’s policy of following the SC Department of Transportation’s project priority criteria. The minimum project amount set in Transportation Infrastructure Bank requirements is lowered from \$100 million to \$25 million. This threshold is lowered to allow more areas to take advantage of the bank’s bonding capabilities for financing their transportation projects.

Optional Local Road Assumption Program

The legislation includes a voluntary program for counties to assume control over some of the roughly eighteen thousand miles of smaller, less-traveled, often fragmented stretches of roadways so that this portion of the state’s infrastructure, which accounts for only 7% of the traffic volume, could come under local control and leave the major arterial roadways, handling 93% of the traffic volume, in the state system. Counties that choose to participate in the program would assume control of roads identified by the Department of Transportation under a three-year phase-in schedule and would receive increases in their "C" Fund gas tax revenue apportionment to maintain the roads acquired. A participating county would receive \$1 million in the first year of the program and, once the three-year phase-in is complete, their share of "C" Fund revenue would ultimately be

increased from the current 2.66 cents for each gallon of gasoline to 6 cents per gallon. Roads acquired would not be subject to the same standards that apply to roads in the state system. Counties are released from the requirement to spend at least 25% of their "C" Fund allocation on state-owned roads and counties are afforded greater flexibility in how they may spend their "C" Fund revenue that allows funds to be used for labor, mowing, ditching, and other costs associated with the general maintenance of roads. The legislation provides for \$25 million from the State Highway Fund to be distributed equally among the counties each year and requires each county to spend its annual distribution, representing approximately \$540,000, solely on state-owned roads.

Funding for Roads

The legislation allows for an additional \$427 million to be devoted to roads each year.

The manner in which the state raises revenue from the sale of motor fuels is revised so that it includes not only a user fee that is tied to volume, but also incorporates a new excise tax component that is tied to value and is adjusted with changes in price. The legislation lowers the current motor fuel user fee from 16.75 cents to 10.75 cents per gallon and effectively eliminates the current sales tax exemption on fuel by establishing a new excise tax on motor fuels that is equal to the state's 6% sales tax rate and applied at the wholesale level. Limitations are imposed on excise tax increases to avoid volatility during dramatic fluctuations in wholesale fuel prices such as when natural disasters disrupt supply. A maximum of 26.75 cents per gallon is established for the combined motor fuel user fee and excise tax. The average annual impact of these revisions for each private passenger vehicle is estimated to be \$50. The excise tax revenue is devoted to the State Highway Fund.

The legislation increases from \$300 to \$500 the cap on the tax collected on sales of motor vehicles. Except for holding Education Improvement Act items harmless, the motor vehicle sales tax revenue is transferred to the State Highway Fund to be used exclusively for highway, road, and bridge maintenance, construction, and repair. This transfer is an estimated \$170 million.

The legislation provides for an additional \$50 million to be transferred each year to the Transportation Infrastructure Bank to be used in servicing bonds for bridge replacement, resurfacing and rehabilitation projects, and expansion and improvements to existing mainline interstates.

Moratorium on New Road Construction

The legislation provides, with certain exemptions, for a moratorium on new road construction until July 1, 2020, to emphasize the repair and maintenance of existing roads.

Income Tax Relief

The legislation provides income tax relief that is ultimately expected to provide the average taxpayer an annual savings of \$48. The legislation phases in an income tax bracket adjustment over the course of two years so that each tax bracket will ultimately

be adjusted upward by \$280. When fully phased in, these individual income tax adjustments are estimated to reduce the state's General Fund by \$48.8 million.

The House amended, approved, and sent the Senate **H.3433**, the **DOMESTIC VIOLENCE REFORM ACT**, comprehensive legislation that includes recommendations of an ad hoc committee appointed in the House to focus on the issue.

Domestic Violence Penalties

The legislation revises criminal penalties for domestic violence so that they emphasize not only the number of previous incidents but also better address the severity of violence as well as take into account whether certain aggravating circumstances are involved. Under the revisions, enhanced criminal penalties apply if certain egregious elements are present in an incident, such as strangulation, abuse committed in the presence of children, abuse of pregnant women, and violence that is used to prevent someone from summoning emergency assistance or reporting a crime. Penalty enhancements are provided when someone violates an order of protection in the course of committing domestic violence.

The felonies of First Degree Domestic Violence and Domestic Violence of a High and Aggravated Nature are added to the list of crimes classified as serious offenses. Penalties are increased for Third Degree Domestic Violence so that this misdemeanor no longer falls within the jurisdiction of a magistrate and instead becomes a General Sessions Court matter.

For First Degree and Second Degree Domestic Violence and for Domestic Violence of a High and Aggravated Nature, the legislation establishes specific authority for a judge to provide, as a condition of bond, that an offender may not ship, transport, possess, or receive a firearm or ammunition while under bond.

The legislation establishes a protocol that allows those who are subject to firearms restrictions due to convictions for certain domestic violence offenses to have their gun rights restored following a ten-year period in the case of a First Degree Domestic Violence felony and following a period of up to three years for domestic violence misdemeanors.

Bond Reform

The legislation provides that when a person is charged with a domestic violence violation, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. These bond hearings must occur within twenty-four hours after the arrest.

The considerations used for determining bonds are revised to include whether someone poses a danger to an individual as well as to the community.

Social Policy

The legislation establishes a new statewide multidisciplinary Domestic Violence Advisory Committee that is composed of representatives from such fields as key state

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government positions, prosecutors, law enforcement officials, coroners, victims' advocates, and physicians. The committee is charged with decreasing the incidences of domestic violence in South Carolina by undertaking public education efforts, studying domestic violence in the state, assessing the effectiveness of state laws and programs to combat the problem, and advising on policy and practice changes, including the issuance of an annual report.

Oversight of batterer treatment programs is transferred away from the Department of Social Services and approval authority for domestic violence intervention programs is reassigned to the circuit solicitors.

The Department of Social Services, in consultation with the South Carolina Voucher Program, is charged with studying whether adequate childcare services are available to allow domestic violence survivors to attend court hearings.

The legislation makes minors who have witnessed domestic violence eligible to receive counseling services funded through awards from the state's crime victim's compensation fund.

The legislation authorizes circuit solicitors to facilitate the development of community domestic violence coordinating councils that bring together a diverse array of disciplines and backgrounds from the public and private sectors to spearhead local efforts for ensuring that domestic violence survivors and their families have access to needed resources, to promote interdisciplinary and interagency efforts to counter domestic violence, and to increase public awareness and understanding of domestic violence and its consequences.

The legislation requires the subject of domestic violence to be incorporated into the instruction that public school students receive in comprehensive health education in grades six through eight.

The House adopted the free conference report on **H.3118**, legislation relating to the **HUNTING AND TAKING OF WILD TURKEY**, including conservation measures that may be needed to address observed declines in the state's wild turkey population. The Senate having also adopted the report, the bill was enrolled for ratification. The legislation restructures the provisions for the hunting and taking of male wild turkeys so that they are, temporarily, the same across the state, providing for an expanded season for most of the state. Under the legislation's statewide hunting provisions, the season bag limit per person for male wild turkeys is three taken by any lawful means and the daily bag limit per person for male wild turkeys is two taken by any lawful means. The legislation makes provisions for a "Youth Turkey Hunting Weekend" in March of each year that include certain temporary waivers that apply to a youth hunter under the age of eighteen who is accompanied in the field by a licensed hunter who is at least twenty-one years old. After the third turkey season conducted under the legislation's statewide unified provisions, the Department of Natural Resources must conduct an analysis of the wild turkey resources in South Carolina and draft a report recommending any changes to the wild turkey season and bag limits. This report must be submitted to the General Assembly and DNR is required to produce an annual report on wild turkey resources which must be submitted to the chairman of the Senate Fish, Game and Forestry Committee and the chairman of the House Agriculture and Natural Resources

Committee. The legislation's provisions for the statewide unified turkey seasons and related revisions are to remain in effect until November 7, 2018, and at such time will revert back to the original law. DNR is authorized to promulgate emergency regulations considered necessary and expedient for the proper control of the harvesting of wild turkeys in the state's game zones. The legislation enhances penalties for violations and provides for required tags to be validated before a turkey is moved from the point of kill.

The House amended, approved, and sent the Senate **H.3396**, a bill establishing a **WORKERS' COMPENSATION LAW EXEMPTION RELATING TO THOSE WHO WORK AT THE STATE'S PORTS**. The legislation provides that South Carolina's workers' compensation laws do not apply to an employee who suffers an injury on or after July 1, 2016, for which there is jurisdiction under either the federal Longshore and Harbor Workers' Compensation Act, and its extensions, or the federal Merchant Marine Act of 1920. Exceptions to this exemption from state workers' compensation are provided to address situations when an employee suffers death where there are no financial dependents or sustains a nonscheduled injury under the Longshore and Harbor Workers' Compensation Act, or any of its extensions. The legislation specifies that the state's workers' compensation law provisions must not, however, be construed to eliminate or diminish any right that any person or, in the case of the person's death, his personal representative, may have under either of these federal laws.

HOUSE COMMITTEE ACTION

EDUCATION AND PUBLIC WORKS

House Education passed out seven bills over April 15 and 16, 2015.

H.3534, SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, as amended relates to the definition of "eligible institution" as it pertains to the South Carolina Higher Education Excellence Enhancement Program, so as to include an institution that offers at least one nonsectarian program at the baccalaureate level, and to include an institution accredited by an organization that is recognized by the United States Department Of Education and also receives Title III funding. The Committee amended the bill to include provisions for institutions with predominately female enrollment. The practical effect of the bill is that this adds Clinton, Converse and Columbia Colleges to the program.

H.3353, GENERAL EDUCATIONAL DEVELOPMENT CAMP PILOT PROGRAM, as amended. This joint resolution establishes, beginning with the 2015-2016 school year, a two-year pilot program (in TEC school service areas) to facilitate the use of General Educational Development Camps to help people obtain their General Educational Development Certificates. The committee established the Department of Education as the controlling agency and requires appropriate data reporting.

H.3539, "JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE", as amended. This bill enacts the "James B. Edwards Civics Education Initiative" to require, as part of the high school curriculum regarding the United States Government required credit, all students of public or charter schools or persons pursuing a general educational development certificate in the state, to take the United States citizenship civics test produced by the United States Citizenship And Immigration Service (the one hundred questions) to demonstrate knowledge and understanding of the fundamentals of United States history and the principles and form of the United States government; to direct school districts to award a certificate of achievement to all students who pass the test; and, to direct the respective schools to report results for inclusion in the report card for each school.

H.3890, SCHOOL CALENDARS, as amended. Per current law this regards days missed due to weather: all days must be made up with all districts designating at least three days as make up days. If used or no longer available, the local school board may lengthen the hours, operate schools on Saturday. The new language notes giving local districts authority to waive up to three days. Also the State Board of Education as opposed to the General Assembly my waive requirements beyond the three days forgiven by the school district, not to exceed three additional days.

H.3203, CHARLIE'S LAW, as amended. This bill defines the term "utility trailer" and to provide for more substantial equipment that must be used to attach a towing vehicle to a utility trailer.

S.376, AVIATION AUTHORITIES, as amended. This bill clarifies voting and non-voting members and provides for changes and appointments of membership on a single county aviation authority (with provision that a rural representative be seated) and to repeal Act 130 of 2007. The practical affect is that this only involves the Charleston County authority.

H.3304, FIRE DISTRICTS, as amended. This bill creates a multi-county special purpose district to be known as the Landrum Fire and Rescue District in Greenville and Spartanburg Counties, establishes a governing commission, and to prescribe the functions and powers (along with bonding authority).

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS

H. 3998 HUNTING DEER WITH A DOG Rep. Ridgeway

This bill provides that a person hunting deer with a dog must cause the dog to be identified with a collar bearing the dog owner's name and telephone number in the event where a dog is lost. The bill also provides that hunting deer with a dog is unlawful on a tract of land that contains less than one thousand acres unless the tract of land is enclosed by a fence.

H.4016 “STORMWATER MANAGEMENT AND SEDIMENT REDUCTION ACT”

Rep. Loftis

This bill adds a section establishing that the Stormwater Management and Sediment Reduction Act does not allow the Department of Health and Environmental Control or another state agency to bypass the applicable provisions and procedures contained in the South Carolina Administrative Act.

EDUCATION AND PUBLIC WORKS

H. 4000 PARKING VIOLATIONS Rep. D.C. Moss

This bill adds a local governing body may not increase the amount of a parking violation without mailing written notice of the increase to the address of record of the person cited within forty-eight hours of the increase or the increase is void.

H.4007 “SIBLING TRANSFER RULE ACT” Rep. McEachern

This bill adds a section to provide conditions in which a school district may be required to permit a student to transfer to another school district when (s)he is a sibling of a student who attends another school or if the parents or guardians of the children have resided in the same house for more than five years. This bill also requires that a parent must provide written notification of this transfer within sixty days of the beginning of the school year and adds that the approval of the school district is unnecessary to effectuate a transfer and the district may not deny a sibling enrollment in the school attended or previously attended by the selected student within eight years of the selected student's enrollment at the school.

S.261 PERSONS AGE SIXTY AND OVER ATTENDING CLASS

Sen. Thurmond

This bill deletes the language that requires persons sixty and over receiving compensation as full-time employees to pay tuition while attending classes at state supported colleges, universities, and technical schools.

S.320 HIGH SCHOOL HEALTH EDUCATION PROGRAM REQUIREMENT

Sen. Malloy

This bill adds a requirement of instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to all students enrolled in the school district's comprehensive health education program as a requirement for graduation from high school.

S.358 SUSPENSION OF VEHICULAR REQUIREMENTS Sen. Verdin

In the event of a declared state of emergency, this bill provides vehicular requirements relating to registration, permitting, length, width, weight, and load suspension for commercial and utility vehicles traveling on non-interstate routes for up to one hundred twenty days. It also adds requirements relating to time of service suspensions for commercial and utility vehicles traveling on interstate and non-interstate routes are suspended for up to thirty days.

S.437 “JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE”

Sen. Campsen

This bill requires all students of public or charter schools or persons pursuing a general educational development certificate in the state of South Carolina to take the United States Citizenship Civics test produced by the United States Citizenship and Immigration Services. In the event that a student receives a grade of 60 or above on the aforementioned test, the school districts are to award that student a certificate of achievement. This bill also requires that respective schools report results to the South Carolina Education Oversight Committee for inclusion in the report card for each school.

**S.630 SOUTH CAROLINA NATIONAL GUARD STUDENT LOAN
REPAYMENT PROGRAM Senate Education**

This joint resolution approves regulations of the Commission on Higher Education and is to take effect upon approval by the Governor.

**S.631 SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE
PROGRAM Senate Education**

This joint resolution approves regulations of the Commission on Higher Education. The changes include clarification that each academic year's annual maximum grant must be based on the amount of available program funds. This resolution changes the qualification standards so that a SC National Guard Member becomes qualified for program funding upon completion of Basic Training and Advanced Individual Training rather than upon enlistment. It also requires that a budget proviso enabling appropriations to the SC National Guard College Assistance Program be carried forward to a subsequent fiscal year and expended for the same purpose, and to be exempted from any midyear budget reductions.

JUDICIARY

**H.3949 PROHIBITING DISCRIMINATION IN EMPLOYMENT
Rep. J. E. Smith**

This relates to prohibiting discrimination in employment because of race, religion, color, sex, age, national origin, or disability, all so as to also prohibit such discrimination because of sexual orientation or gender identity and to define "sexual orientation" and "gender identity".

H.3950 UNIFORM ANTIDISCRIMINATION ACT Rep. Rutherford

This bill enacts the "Uniform Antidiscrimination Act"; relating to policy of the state human affairs commission, so as to expand the definition of discrimination to include discrimination based on sexual orientation.

**H.3951 PROHIBITION AGAINST EMPLOYER INTIMIDATION ACT
Rep. Putnam**

This bill enacts the "Prohibition Against Employer Intimidation Act" so as to provide that a person, organization, corporation, union, or agency may not damage, harm, injure, or threaten to injure or coerce a business.

H.3952 EMERGENCY ADMISSION Rep. Bannister

This bill relates to the emergency admission of a person likely to cause serious harm to himself or others, so as to add a person who may become gravely disabled if not immediately hospitalized.

H.3970 LIENS Rep. Allison

This bill creates a lien upon any sum recovered as damages for personal injury in a claim, civil action, or both, to provide the lien applies to such damages recovered after December 31, 2016, to provide the lien is in favor of a person to whom the person recovering the damages may be indebted for certain reasonable and necessary expenses in connection with the personal injury.

H.3972 LAND PLANNING Rep. Loftis

This bill establishes that undeveloped property may be transferred without the submission of a land development plan.

H.3973 OFFICER-INVOLVED SHOOTINGS Rep. Bannister

This bill grants the South Carolina Law Enforcement Division specific and exclusive jurisdiction and authority to conduct an investigation of all officer-involved shootings that result, or could have resulted, in bodily injury or death.

H.3974 IGNITION INTERLOCK DEVICES Rep. Quinn

This bill relates to ignition interlock devices.

H.3975 IGNITION INTERLOCK DEVICES TAMPERING Rep. Quinn

This bill relates to ignition interlock devices tampering.

H.3976 MISTREATMENT OF A CHILD CORPSE Rep. Henegan

This bill creates the offense of mistreatment of a child corpse and to prohibit the taking or disseminating of the image of a child corpse under certain circumstances, and to provide a penalty.

H.3978 MOTOR VOTER Rep. Funderburk

This bill provides that each state identification card application or motor vehicle driver's license application, including renewal applications, submitted to the Department Of Motor Vehicles shall serve as an application for voter registration, to eliminate the requirement that the applicant sign a separate voter registration portion of the application in order to register, to provide that the applicant shall consent to the use of his signature from his state identification card or driver's license issued by the Department Of Motor Vehicles for voter registration purposes, and to provide a procedure for an individual to decline registration.

H.3979 JUDICIAL SCREENING COMMISSION Rep. Tallon

This bill changes the Judicial Screening Commission's process for nominating judicial candidates from the nomination of three qualified candidates to the release of a list of all qualified candidates to the general assembly.

H.3989 PERSONS WITH DISABILITIES RIGHT TO PARENT ACT

Rep. J. E. Smith

This bill enacts the "Persons With Disabilities Right To Parent Act".

H.3990 OFFICER INVOLVED SHOOTINGS Rep. Rutherford

This bill grants the South Carolina Law Enforcement Division specific and exclusive jurisdiction and authority to conduct an investigation of all officer-involved shootings that result, or could have resulted, in bodily injury or death.

H.3991 OFFICER INVOLVED SHOOTINGS Rep. Neal

This bill grants the South Carolina Law Enforcement Division specific and exclusive jurisdiction and authority to conduct an investigation of all officer-involved shootings that result, or could have resulted, in bodily injury or death.

H.3992 BODY CAMERAS Rep. Neal

This bill provides that all state and local law enforcement officers must be equipped with body-worn cameras and provides that a five dollar surcharge is imposed upon all monetary penalties imposed by certain courts for offenses in which a ticket or citation was issued, and to provide that the surcharge must be used by the law enforcement agency that issued the ticket or citation to purchase and equip its officers with body-worn cameras.

H.3993 MOTOR VEHICLE STOPS DATA Rep. Neal

This bill relates to the collection of motor vehicle stop data regarding age, gender, and race or ethnicity of the driver of the motor vehicle and requirements for a database of the information collected by the Department Of Public Safety, so as to require the data collection for all motor vehicle stops and not limit the collection to only those motor vehicle stops when a citation is not issued or an arrest is not made.

H.3996 CAMPUS POLICE Rep. Burns

This bill provides private colleges and universities may form agreements with political subdivisions for campus police officers to exercise certain powers and authority off-campus but within the political subdivision.

H.3997 BODY CAMERAS Rep. Gilliard

This bill directs the South Carolina Law Enforcement Division (SLED) to develop criteria and determine an appropriate method to implement the statewide use of body-worn cameras by local and state law enforcement officers, to direct SLED to design and operate a pilot project including certain counties and municipalities in the state, and to authorize SLED to develop and propose regulations which would set the criteria and provide a method for implementation for the statewide use of body-worn cameras by local and state law enforcement officers after the pilot project is completed.

**H.4001 SOUTH CAROLINA FAMILY LAW ARBITRATION ACT
Rep. Pitts**

This bill enacts the "South Carolina Family Law Arbitration Act" so as to provide for arbitration as a means of resolving certain matters related to marital separation and divorce.

H.4002 PALMETTO PUBLIC SAFETY ACT Rep. Clemmons

This bill enacts the "Palmetto Public Safety Act"; to vest the office of the Attorney General with exclusive authority regarding the detection, deterrence, investigation, regulation, and prosecution of criminal exploitation of money services businesses in

South Carolina.

H.4003 THERAPEUTIC USE OF CANNABIS Rep. Horne

This authorizes the therapeutic use of cannabis by certain individuals and for certain diseases and medical conditions.

H.4011 ADMINISTRATIVE LAW COURT Rep. Hardwick

This relates to hearings and proceedings in the Administrative Law Court, so as to provide that a request for a contested case hearing for an agency order stays the order for thirty days, provided, however, that matters not affected by the request may not be stayed by the filing of the request, and to delete the provisions that a request for a contested case hearing for an order to revoke or suspend a license stays the revocation or suspension.

H.4012 HOSPITAL PUBLIC SERVICE DISTRICT Rep. Funderburk

This bill relates to the transfer of assets by a hospital public service district, so as to provide that the term "transfer" does not include entry into a lease or a management agreement by a hospital public service district.

H.4015 LITTERING Rep. Gambrell

This bill creates a misdemeanor offense of littering through the distribution of advertising matter in a certain manner, and to provide a penalty.

S.183 HUMAN TRAFFICKING Sen. Hayes

This relates to human trafficking offenses.

S.237 EXPUNGEMENT OF CRIMINAL OFFENSES Sen. Allen

This bill continues the "Study Committee on Expungement of Criminal Offenses" until December 31, 2015.

S.426 MENTAL HEALTH COURT PROGRAM Sen. Sheheen

This bill establishes a mental health court program, to provide for a system that diverts mentally ill offenders to appropriate treatment programs rather than incarceration.

S.590 IGNITION INTERLOCK DEVICES Sen. L. Martin

This bill involves ignition interlock devices.

LABOR, COMMERCE AND INDUSTRY

S.389 BUSINESS DEVELOPMENT CORPORATIONS Sen. Lourie

This bill revises provisions governing South Carolina Business Development Corporations, so as to further provide for the manner in which these corporations are organized, regulated, and permitted to operate.

S.480 STATE ATHLETICS COMMISSION REVISIONS Sen. Davis

This bill makes revisions to State Athletics Commission provisions.

**H.3968 PURCHASE OF BENEFICIARY RIGHTS IN A TRUST-BASED
TIMESHARE Rep. Sottile**

This bill provides that purchase of beneficiary rights in a trust-based timeshare, where one or more of the properties contained in the trust is located in this state, is a real property ownership conveyance subject to certain closing requirements applicable to timeshares.

H.3969 ELECTRONIC TRANSMISSION OF INSURANCE NOTICES OR DOCUMENTS Rep. Sandifer

This bill provides for the electronic transmission of electronic notices or documents related to insurance and insurance policies under certain circumstances effective January 1, 2016.

H.3971 REQUIREMENT TO NOTIFY VEHICLE OWNERS AND OPERATORS OF LAPSES IN REQUIRED AUTOMOBILE INSURANCE OR SECURITY

Rep. Bamberg

This bill revises provisions requiring providers of automobile liability insurance and providers of other security in lieu of this insurance to notify the Department of Motor Vehicles of the lapse or termination of the insurance or security, compliance transactions required of vehicle owners, and the department's required efforts to notify the owner that his certificate of registration and driving privileges have been suspended, so as to provide that the notice that the provider of insurance and other security are required to provide to the department also must be provided to the owner of the vehicle and the operator of the vehicle. The legislation establishes a period in which the notice must be issued and the method of notification that must be used. The legislation provides a penalty that must be imposed for failure to provide the notice to the department and the owner of the vehicle, and to provide that failure to provide this notice is a rebuttable presumption of bad faith.

H.4013 "GUARANTEED ASSET PROTECTION ACT" Rep. Sandifer

This bill enacts the "Guaranteed Asset Protection Act" to provide a framework within which guaranteed asset protection waivers are defined and may be offered within this state. The legislation specifies that a "guaranteed asset protection waiver" or "GAP waiver" means a contractual agreement in which a creditor agrees for a separate charge to cancel or waive all or part of amounts due on a borrower's finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle, which agreement must be part of, or a separate addendum to, the finance agreement.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

S.466 PURCHASING, POSSESSING, ADMINISTERING, SUPPLYING, AND PRESCRIBING OF CERTAIN PHARMACEUTICAL AGENTS BY OPTOMETRISTS Sen. Cleary

This bill clarifies that controlled substances that have been reclassified from Schedule III to Schedule II effective on or after October 6, 2014, may continue to be purchased, possessed, administered, supplied, and prescribed by an optometrist.

H.3994 HEALTH CARE PRACTITIONERS Rep. Finlay

This bill requires all health care practitioners to wear identification badges displaying specific information and that the information be clearly visible.

H.3995 LAW ENFORCEMENT OFFICER Rep. Gilliard

This bill provides that before a person is certified or recertified as a law enforcement officer, he or she must be certified to perform cardiopulmonary resuscitation.

H.3999 HEALTH CARE DECISION MAKERS Rep. Henderson

This bill changes the process for certain relatives and other individuals to make health care decisions for patients who are unable to provide consent. It adds the requirement of a bioethics committee to select certain decision makers under certain circumstances.

H.4004 MEDICAL USE OF LOW-THC CANNABIS Rep. Horne

Among many things, this bill grants physicians the authority to order low-THC cannabis for medical use by a patient under certain circumstances. This bill provides for the protections of qualifying patients, designated caregivers, and physicians from arrest, prosecution, and certain penalties.

WAYS AND MEANS

S.427 AGRICULTURAL PACKAGING OPERATION ECONOMIC DEVELOPMENT INCENTIVES Sen. Hutto

This bill provides for economic development incentives that apply to agricultural packaging operations. The legislation makes agricultural packaging operations eligible to claim jobs tax credits for creating full-time jobs and establishes provisions that allow seasonal workers to be claimed as a certain fraction of a full-time job. The legislation establishes a state sales tax exemption for machines used in agricultural packaging. The Department of Commerce and the Coordinating Council are required to consider agricultural businesses in awarding economic development benefits.

S.444 JOB TAX CREDITS FOR SERVICE-RELATED FACILITY CORPORATE CAMPUS EXPANSIONS Sen. Gregory

This bill expands the definition of a “qualifying service-related facility” under job tax credit provisions so as to also include an establishment which has a net increase of at least one thousand new full-time jobs at a single corporate campus in this state, and the jobs have an average cash compensation level of more than one and one-half times the lower of state per capita income or per capita income in the county where the jobs are located.

S.460 ELECTRONIC FORMAT FOR COUNTY PROPERTY TAX BILLS AND RECEIPTS Sen. Campsen

This bill establishes a protocol authorizing a county to allow a taxpayer the option of receiving certain property tax bills and receipts in electronic form.

S.526 TAX PENALTY AMNESTY PERIOD Sen. Leatherman

This bill establishes authority for the Department of Revenue to designate and administer a three-month amnesty period during which the department shall waive delinquent tax penalties and interest and shall not initiate a criminal investigation.

H.3948 “COMMERCIAL MOTOR VEHICLE EQUITY AND INFRASTRUCTURE IMPROVEMENT ACT” Rep. Loftis

This bill enacts the “Commercial Motor Vehicle Equity and Infrastructure Improvement Act” to provide that certain commercial vehicles are assessed and apportioned based on a road use fee instead of property taxes. The legislation revises provisions for vehicle weights and loads, so as to allow for an additional two thousand pounds of weight for certain vehicles fueled by natural gas.

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