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Legislative update

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South Carolina House of Representatives

Legislative Update

James H. "Jay" Lucas, 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 amended Senate amendments on **H.3579**, legislation that includes **DEPARTMENT OF TRANSPORTATION RESTRUCTURING AND ROAD FUNDING INITIATIVES**, and returned the bill to the Senate. 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 legislators would no longer elect commissioners and that all commissioners would, instead, be appointed by the Governor, upon the advice and consent of the General Assembly, by a roll call vote in each legislative house. 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 DOT Commission assumes the responsibility of appointing the Secretary of Transportation, upon the advice and consent of the General Assembly, by a roll call vote in each legislative house. In order to afford the chief internal auditor of the Department of Transportation greater independence, the legislation provides for the department's chief internal auditor to be appointed and overseen by the State Auditor rather than the DOT Commission. The legislation provides for all of the motor vehicle sales tax revenue to be transferred to the Department of Transportation to be used exclusively for highway, road, and bridge maintenance, construction, and repair. The legislation also provides for revisions to the South Carolina Transportation Infrastructure Bank. Before providing a loan or other financial assistance, the Board of Directors that oversees the Infrastructure Bank must, under the legislation, submit its decision to the Department of Transportation Commission for its consideration. The DOT Commission can, in turn, approve or reject the decision or request additional information from the bank's board of directors. The Infrastructure Bank's policy of following the SC Department of Transportation's project priority criteria is established as a statutory requirement. The General Assembly may, however, enact a joint resolution specifically allowing the bank to fund a project without using DOT's prioritization 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 be able to afford local match requirements and take advantage of the bank's bonding capabilities for financing their transportation projects.

The House concurred in Senate amendments to **H.3204**, the "**CERVICAL CANCER PREVENTION ACT**", and enrolled the bill for ratification. The legislation provides that, beginning with the 2016-2017 school year, the Department of Health and Environmental Control (DHEC) may offer the cervical cancer vaccination series, the human papillomavirus vaccination (HPV) series, for adolescent students including those enrolling in the seventh grade in any school, public, private, or home schooling program, in this state. The legislation includes parental consent requirements for vaccinations provided by DHEC and provides that no student is required to have the cervical cancer vaccination series, the human papillomavirus vaccination (HPV) series, before enrolling in or attending school. The department may develop and provide informational brochures concerning adolescent vaccinations, including the cervical cancer vaccination series, that schools and home schooling programs may distribute to the parents or guardians of all students in the sixth grade. DHEC's informational brochure must state the benefits and side effects of the cervical cancer vaccination series and that the vaccination series is optional. The brochure shall encourage the student's parent or

guardian to go to the child's own health care provider for vaccination. DHEC may not contract with a health care provider to offer the vaccination series if the health care provider performs abortions.

The House concurred in Senate amendments **H.4328**, a bill including various **TAX PROVISIONS**, and enrolled the legislation for ratification. The legislation synchronizes certain filing deadlines regarding income tax withholdings to eliminate a lag time that presents an opportunity for fraud. The legislation updates statutory references to U.S. Internal Revenue Code provisions so that state tax provisions coordinate with federal tax provisions. The legislation provides for a state sales tax exemption for liquefied petroleum gas and natural gas sold to a person with a miscellaneous fuel user fee license for use as motor fuel in motor vehicles. Applicable motor fuel user fees must be remitted.

The House amended, approved, and sent the Senate **H.4165**, the "**HOMEOWNERS' ASSOCIATION REGIME FEE FAIRNESS TO DEPLOYED SERVICE MEMBERS ACT**". The legislation provides that, once a service member who belongs to a homeowners' association has provided proper notification to the association of orders of military deployment, the homeowners' association is prohibited from assessing or imposing penalties or enforcing a lien on unpaid regime fees that accrue during the time when the homeowner is deployed or mobilized outside of this state.

The House amended, approved, and sent the Senate **H.4580**, a bill to provide an exemption from Department of Health and Environmental Control licensure provisions for **MEDICAL FOSTER HOMES FOR VETERANS** that provide care for up to three veterans per home as approved by the U.S. Department of Veterans Affairs.

The House approved and sent the Senate **H.5091**, a bill to provide for the nineteenth day of June of each year, designated as "Juneteenth Celebration of Freedom Day" to also be recognized as "**SICKLE CELL DAY IN SOUTH CAROLINA**" to coordinate with "World Sickle Cell Day" initiatives to raise awareness of the genetic disease and support and encourage research, treatment, and management of sickle cell disease.

The House amended, approved, and sent the Senate **H.4327**, a bill that includes provisions for **HOSPICE PROGRAMS** for terminally ill patients to apply to the Department of Health and Environmental Control for an expansion of their service areas and provisions that allow parent hospice organizations to offer services at multiple locations.

The House approved and sent the Senate **H.4773**. Designated as **MARGY'S LAW**, the legislation expands South Carolina's Emergency Medical Services Do Not Resuscitate Order Act by including provisions for a **DO NOT RESUSCITATE BRACELET** that may be worn by someone with a terminal condition to signify to health care providers and EMS personnel that they are to withhold resuscitative treatment in keeping with a "do not resuscitate" order.

The House approved and sent the Senate **H.5100**, legislation **INCLUDING ORAL SURGEONS AND DENTISTS AS EMERGENCY MEDICAL PROVIDERS** under the Access to Emergency Medical Care Act so that they can be reimbursed for emergency care services.

The House amended, approved, and sent the Senate **H.3952**, a bill **REVISING THE PROCESS FOR COMMITTING THE MENTALLY ILL TO MENTAL HEALTH FACILITIES**. The legislation adds to commitment provisions the category of the “gravely disabled” which is defined as person who, due to mental illness, lacks sufficient insight or capacity to make responsible decisions with respect to his treatment and because of this condition is likely to cause harm to himself through neglect, inability to care for himself, personal injury, or otherwise. The legislation includes a preference that emergency admissions of the mentally ill be conducted by plain clothes law enforcement officers that have had crisis intervention training and, in certain instances, the legislation allows for the option of having someone transported to a facility, not by law enforcement officers, but by emergency medical technicians in an ambulance. For an individual who has eloped after commitment, a request for an order to search, locate, and return must be issued by the probate court and transportation must be by a state or local law enforcement officer.

The House amended, approved, and sent the Senate **H.5024**, a joint resolution providing for **REQUIRED TRAINING ON DYSLEXIA FOR LITERACY COACHES AND LITERACY TEACHERS**. The legislation provides that, before the 2016-2017 school year, the State Department of Education shall provide training to all literacy coaches and literacy teachers in kindergarten through grade three on dyslexia, including evidence-based dyslexia screening, instructional methods, and interventions. Before October 1, 2016, the State Department of Education shall provide the Senate Education Committee and the House Education and Public Works Committee with a report describing the specific training used and stating the number and percentage of literacy coaches and teachers who successfully completed the training.

The House amended, approved, and sent the Senate **H.4932**, a bill making revisions to **SPECIFICATIONS AND LIMITATIONS FOR VEHICLES AND TRAILERS** operated along the state’s highways. The legislation revises provisions for maximum trailer lengths to provide for a greater maximum length that applies only to trailers or semitrailers used exclusively or primarily to transport vehicles used in connection with motorsports competition events. The legislation makes revisions relating to axle and weight limits for motorhomes and intrastate public agency transit passenger buses. The legislation makes provisions for increased weights associated with idle reduction systems. New provisions are included to allow motor vehicles fueled primarily by natural gas to exceed weight limitations by specified amounts.

The House returned **S.454** to the Senate with amendments. The legislation provides for the issuance of **DEER HUNTING TAGS** for in-state residents and non-residents. This new tagging system does not revise game zones or seasons, but it does include requirements for hunters to tag every deer taken in the state. The legislation provides for the Department of Natural Resources to issue eight doe day specific tags and three buck tags with the purchase of a South Carolina hunting license and big game permit for in-state residents. Hunters (including youth and gratis licensees) will have the option to purchase two additional buck (with four points on one side or a minimum 12-inch antler spread) tags at \$5 each and/or four additional doe tags at \$5 each. All funds collected from the two additional buck tags sales will go into a Coyote Management Program. With the purchase of a hunting license and big game permit, non-resident hunters will pay \$50 for the first purchased antlered tag and \$20 for each additional antlered tag (with a maximum purchase of four tags of which two must have size restriction). There is a \$10 charge for each antlerless tag purchased. The legislation provides for antlerless

and antlered deer limits to be two doe taken per day and two bucks taken per day. The Department of Natural Resources to provide a report of a four-year study by July 1, 2022, to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee on such issues as the status of state's the white-tailed deer population and a review of the tagging program. As part of its Coyote Management Program, DNR is directed to develop and implement a coyote tagging and bounty program. The department must tag and release no less than three coyotes in each of the four game zones and apply a bounty of not less than one thousand dollars per tagged coyote. The department must neuter any coyote before it is released.

HOUSE COMMITTEE ACTION

EDUCATION AND PUBLIC WORKS

The House Education and Public Works Committee met and passed out the following bills:

H.5140, SCHOOL CALENDARS, as amended and passed by the Committee, would allow a local school district board of trustees to set the annual school calendar. Beginning with the 2017-2018 school year, the opening date for students must not be before August fifteenth.

The bill revises the summative assessments system to require the State Department of Education to procure and administer the assessments rather than the State Fiscal Accountability Authority. The tests are no longer given to grades nine and ten. The test is to be administered to all students by computer (with exceptions regarding disabilities). Beginning in 2017-18, each school district shall administer the statewide summative assessment during the last 20 days of school and not exceed seven days, with the exception of students with disabilities. The bill further amends the date that the superintendent or supervisor must notify the teacher of his tentative assignment for the upcoming school year to August eighth from August fifteenth.

The Oversight Committee also must develop and recommend a single accountability system that meets federal and state accountability requirements by the Fall of 2017. While developing the single accountability system that will be implemented in the 2017-2018 school year, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the fall of 2016 and 2017 that will also identify underperforming schools and districts.

The Committee gave a favorable recommendation to **H.4774**, amending it to **REAUTHORIZE THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS** until July 1, 2017.

H.4795, PALMETTO FELLOWS SCHOLARSHIP PROGRAM, passed by the Committee with an amendment, allows a student selected as a Palmetto Fellow to elect to defer post-secondary enrollment for one year, until the Fall term of the year following the year of graduation, without declining the award.

The Committee passed **H.4391**, **ANATOMICAL GIFTS**, which revises terms defined in the Uniform Anatomical Gift Act, to change the definition of "tissue" to include brain tissue for research and amend the law relating to authorized recipients of anatomical gifts, so as to clarify that gifts of brain tissue may be used only for research or education.

The Committee amended and passed out **H.5108**, **LOCAL GOVERNMENT FLEETS**, a resolution to establish a study committee with the specific duty to identify how best to facilitate and incentivize state-and-local government fleet operations in the hiring of entry-level Commercial Drivers' License holders.

JUDICIARY

The House Judiciary Committee met on April 12, 2016, and favorably reported out several bills:

With amendments, **H.3039**, the ***DILAPIDATED BUILDINGS ACT*** would allow a municipality to bring legal action against property owners whose real estate holdings are serious safety hazards and are not in substantial compliance with municipal ordinances. Remedies include petitioning a court to appoint a receiver in special circumstances. Receivers must possess particular expertise as enumerated in this bill. Court-appointed receivers can then make improvements to the property so that it will become income producing. The receiver's work is subject to court review and oversight, with an accounting required to be filed with the court. The can end the receivership once it is no longer necessary. At the end of receivership the property can be returned to the owner along with any excess funds collected, or sold at public sale, if such a sale is deemed appropriate by the court.

H.3167 ***CWP AS A VALID VOTING ID*** adds, as an authorized form of identification for voting, a valid South Carolina concealed weapons permit.

H.3952 ***EMERGENCY or INVOLUNTARY COMMITMENTS*** would be legalized for persons likely to become gravely disabled if not immediately hospitalized. They are added to the list of those who are to be considered likely to cause serious harm to themselves or others and, therefore, can be involuntarily committed for treatment. Officers who have been trained in crisis intervention, who wear plain clothes instead of standard-issue uniforms, are preferred to be utilized to facilitate the involuntary commitment process. Emergency Medical Technicians are also authorized to take these individuals in their custody for transport.

With an amendment, **H.4398** ***FIREARMS EXEMPTION FROM BANKRUPTCY CLAIMS*** establishes an exemption for firearms, with a total value of \$5,000.00 or less owned by any debtor, from bankruptcy proceedings or attachment by creditors.

With amendments, **H.4492** ***NOTICE TO FOSTER PARENTS*** would require notice to foster parents, preadoptive parents, or relatives providing care to abused or neglected children about any hearings that are set in these intervention or removal actions. Also allows these caregivers to file reports with the Family Court. Foster parents must be advised that they are permitted to file reports with the family court.

H.4763 INTERNET CRIMES AGAINST CHILDREN FUND creates a revenue source to support investigation, prosecution, and prevention of internet crimes against children, including cyberenticement and child pornography. Revises the amount of assessments that offenders must pay to generate revenue for this fund.

LABOR, COMMERCE AND INDUSTRY

The House Labor, Commerce and Industry Committee met on April 14 and reported out several bills.

The committee gave a report of favorable with amendments on **S.1013**, a bill overhauling the licensure and regulation of **REAL ESTATE BROKERS, SALESPERSONS, AND PROPERTY MANAGERS**. Notably, the bill includes provisions for the operation of real estate teams supervised by a broker-in-charge and revises licensure criteria to include requirements for criminal record background checks.

The committee gave a report of favorable with amendments on **H.5023**, a bill making various revisions to the **SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT**.

The committee gave a favorable report on **H.5040**, a bill updating and revising various provisions relating to the application and enforcement of the **CONSUMER PROTECTION CODE**.

The committee gave a report of favorable with amendments on **H.3969**, a bill making provisions for the **ELECTRONIC TRANSMISSION OF INSURANCE NOTICES AND DOCUMENTS**.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The Medical, Military, Public and Municipal Affairs Committee met on Tuesday, April 12, 2016, and reported out several bills.

The full committee gave a favorable with amendment report to **H.4327**, a bill that allows for the expansion of service areas for **OUTPATIENT HOSPICE PROGRAMS**. It allows a hospice program to apply to DHEC to expand the county or geographic area for which it is licensed to operate as long as the parent hospice is licensed and operating lawfully; the multiple location will provide the full scope of hospice service; and the multiple location is located close enough to share administration, supervision and services with the parent hospice program and will be included in quality improvement activities.

The new multiple locations must be in counties that are contiguous to the county where the parent hospice is located. An application for expansion may be approved at any time and will be effective until the expiration of the parent hospice license. A multiple location that wishes to expand its service area to include additional counties must notify DHEC and receive approval prior to the expansion. The legislation requires DHEC to publish a current list of all hospice locations on its website and include a list of all

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counties served by each location. Out-patient hospices have 24 months after the legislation is enacted to comply.

H.4773, legislation regarding the EMS Do Not Resuscitate Order also known as **MARGY'S LAW**, was given a favorable recommendation by the full committee. The legislation states that when a patient or his agent requests a DNR (Do Not Resuscitate) bracelet, the health care provider may either put the bracelet on the patient's wrist or give the patient or his agent a form from a DHEC approved company to allow the patient to order a bracelet. A DNR bracelet must have an emblem that displays an internationally recognized medical symbol on the front and the words 'South Carolina Do Not Resuscitate EMS' and the patient's first name and last name on the back. The bill prohibits EMS personnel from attempting to resuscitate a patient who is wearing a DNR bracelet. However, if the DNR bracelet appears to have been tampered with or removed, there are protections provided for EMS personnel from disciplinary or legal actions.

The legislation also amends the existing DNR revocation procedures by clarifying how a patient may revoke a DNR order orally or by destroying a DNR document. In addition it allows revocation by destroying a DNR bracelet or by removing the bracelet or asking another person to remove the bracelet.

Currently under the "Access to Emergency Medical Care Act", oral surgeons and dentists are not listed as emergency medical providers and as a result, the insurance reimbursements for their services are sent to the patient instead of the dentist or oral surgeon who provided the care. The full committee gave a favorable report to **H.5100**, legislation that adds licensed oral surgeons and dentists to the definition of "**EMERGENCY MEDICAL PROVIDER**" in the "Access to Emergency Medical Care Act" so that they can be compensated for their services the same way doctors and hospitals are reimbursed for covered emergency care services.

The legislation also adds that the "Access to Emergency Medical Care Act" does not apply to a policy which provides disability or income protection coverage, hospital confinement indemnity coverage, accident only coverage, specified disease or specified accident coverage, long term care coverage, vision only coverage, or coverage issued as a supplement to Medicare.

The full committee gave a favorable with amendment recommendation to **S.339**, legislation that amends the "Physicians' Patient Records Act" by enacting **HOPE'S LAW**. When a patient is found to have dense breast tissue, the legislation requires that a mammography report be provided to a patient by the mammogram provider with information about breast density based on the requirements of the Breast Imaging Reporting and Data System established by the American College of Radiology. This report must include the following statement: *"Your mammogram shows that your breast tissue is dense. Dense tissue is common and is not abnormal. However, dense breast tissue can make it harder to evaluate the results of your mammogram and may also be associated with an increased risk of breast cancer. This information about the results of your mammogram is given to you to raise your awareness and to inform your conversations with your doctor. Together, you can decide which screening options are right for you. A report of your results was sent to your physician"*.

The report must also include patient information from the American College of Radiology on dense breast tissue and mammography.

S.849, legislation clarifying adjustments to maximum **ALLOWABLE COST REIMBURSEMENTS FOR GENERIC PRESCRIPTION DRUGS** paid by pharmacy benefits managers to pharmacists, was given a favorable recommendation from the full committee.

The committee gave a favorable with an amendment report to **H.4574**, a bill that enacts the “**ELECTROLOGY PRACTICE ACT**”. This bill establishes a licensure requirement to practice for electrologists and electrology instructors in South Carolina. Electrolysis is a method of removing individual hairs from the face or body.

The legislation creates an advisory committee to the Board of Medical Examiners composed of three experienced electrologists, one physician, and one lay member. The advisory committee will make recommendations to the board regarding practice standards, continuing education requirements, disciplinary measures, education programs, fees, and regulations. The education program must be at least 600 hours long and cover theory of electrology and clinical practice.

A licensee may practice only in an office and must post the license in a conspicuous place. The legislation requires continuing education to be established for license renewal. The board will promulgate regulations for sanitation standards, equipment, supplies and facilities. An electrology office will be subject to random and periodic inspections.

The full committee gave a favorable with amendment recommendation to **H.4580**, a bill that exempts **MEDICAL FOSTER HOMES FOR VETERANS** from licensure that provide care for up to three veterans per home as approved by the U.S. Department of Veterans Affairs.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS

H.5174 DEPARTMENT OF NATURAL RESOURCES ENFORCEMENT OFFICERS Rep. J. E. Smith

This bill increases the amount of a required surety bond; and it provides that the bond may be individual, schedule or blanket and on a form approved by the Attorney General.

H.5190 ENERGY STANDARDS Rep. J. E. Smith

The bill allows a homebuilder to use an alternate compliance path in the 2015 International Energy Conservation Code and to establish the energy rating index for the state of South Carolina at sixty-five.

H.5194 POLYCYCLIC AROMATIC HYDROCARBONS (PAHS) Rep. Mitchell

This bill directs the Department of Health and Environmental Control to establish a study committee to determine the levels of polycyclic aromatic hydrocarbons (pahs) present in urban and rural industrial and nonindustrial soils in representative areas of the state. Polycyclic aromatic hydrocarbons are organic compounds containing only carbon and hydrogen that are composed of multiple aromatic rings.

**H.5207 “SOUTH CAROLINA BEVERAGE CONTAINER RECYCLING ACT”
Rep. Pope**

By September 1, 2016, all deposit beverage distributors operating within the state shall register with the Department of Revenue. After September 1, 2016, any person who desires to conduct business in the State as a deposit beverage distributor shall register with the Department of Revenue no later than one month prior to the commencement of the business.

H.5231 “INDOOR MOLD REMEDIATION ACT” Rep. Robinson-Simpson

The bill establishes the “Indoor Mold Remediation Act” and directs the Department of Health and Environmental Control to set standards, practices, and guidelines relating to the assessment and remediation of indoor mold contamination

**S.1028 INTEGRATING VETERANS INTO THE FIELD OF AGRICULTURE
Sen. Verdin**

The bill creates a program within the South Carolina Department of Agriculture to integrate veterans into the field of agriculture and to support veterans currently working in agriculture. The Department of Agriculture, the Division of Veterans’ Affairs, the Adjutant General, Clemson University, South Carolina State University, and any other institution of higher learning that offers agricultural programs shall work in conjunction to recruit and train eligible veterans, and develop and support the program.

EDUCATION AND PUBLIC WORKS

S.233 PUBLIC PRAYERS Sen. Campsen

This bill provides that public prayer means a prayer or invocation; to provide that a deliberative public body includes a school district board; to provide that public invocations shall not proselytize or advance any one faith or belief, or coerce participation by observers; and to broaden the items that may be included in a policy to permit public invocations adopted by the public body.

S.1111 MANUFACTURERS’ LICENSE PLATES Sen. Peeler

This bill relates to license plates for certain manufacturers, so as to revise the method by which the license plate fee is calculated and credited; and to set the license plate fee for 2017 and 2018.

S.689 BEGINNER’S PERMIT Sen. Hembree

This bill relates to motor vehicle beginner’s permit and vehicle operation, to provide that a permittee may not operate a motorcycle, motor scooter, or light motor-driven cycle at any unpermitted time unless supervised by a licensed motorcycle, motor scooter, or light motor-driven cycle operator and to provide that the accompanying driver must be within a safe viewing distance of the permittee when the permittee is operating a motorcycle or

a three-wheel vehicle.

H.5216 “SOUTH CAROLINA COURSE ACCESS ACT” Rep. Atwater

This bill enacts the “South Carolina Course Access Act” to create a state course access program through which eligible students may take courses approved by the Commission on Higher Education to be offered by certain providers, to provide criteria and procedures related to the authorization of these courses, to permit reciprocity agreements with other states, to provide for the determination of tuition rates.

H.5230 CHARTER SCHOOLS Rep. Clary

This bill relates to powers and duties of charter schools, so as to add provisions concerning charter schools designated as alternative education campuses regarding educationally disadvantaged students (so as to revise criteria for this designation to include schools with fifty percent or more of students having demonstrated needs for certain specialized instruction related to literacy, and to revise considerations of certain data that must be made when measuring the performance of a charter school in meeting certain state and federal accountability standards).

JUDICIARY

S.267 EARLIER GENERAL ASSEMBLY ADJOURNMENT DATE Sen. Young

Would set the 2nd Thursday in May as the annual General Assembly adjournment date. The House would have to pass the Annual Appropriations bill no later than March 1, or this adjournment date would be extended. The adjournment date could also be extended if there is a forecasted revenue reduction or both houses pass a concurrent resolution to extend adjournment.

**S.913 SCFOIA: LAW ENFORCEMENT VIDEO AND AUDIO RECORDINGS
Sen. L. Martin**

Specifically declares video and audio recordings, made by a law enforcement vehicle-mounted recording devices or cameras during incidents that result in death, injury, property damage, or use of deadly force, to be public information. Sets out a procedure for law enforcement or others to petition the circuit court to issue an order preventing the disclosure of the video or recording. This bill also amends Section 30-4-40, to add a permissible exemption from disclosure for the statements made by a dying victim in a 911 call, unless the deceased’s next of kin waive the exemption. Updates the provisions for exempting records compiled for law enforcement purposes, when disclosure could impede an investigation, constitute an unreasonable invasion of privacy, reveal the identity of a confidential informant, or disclose confidential investigation techniques.

S.997 REFUGEE REGISTRATION Sen. Bright

Requires sponsors placing refugees within South Carolina to register these refugees with the SC Department of Social Services within 30 days. SCDSS will then send this enrollment information to the State Law Enforcement Division. This database will not be available to the public. SLED would be required to confirm that placed refugees are not a public safety risk. Refugee sponsors would be held strictly liable to injured parties for any refugee actions that cause loss or damage.

S.1064 WORKERS COMPENSATION INSURANCE UNDERWRITERS

Sen. Young

Updates SC Code Section 38-73-525 regarding the lost cost figures that must be used as well as the procedures to be followed by workers compensation insurance writers seeking rate adjustments.

S.1136 JUVENILE OFFENDERS CONSTITUTIONAL AGE AMENDMENT

Sen. Malloy

Proposes a ballot question to have voters approve an amendment to the SC Constitution, Article XII, Section 3, to amend the age of juvenile offenders to under the age of 18 [vs. the current language of under the age of 17] and to continue to confine them separately from older inmates.

S.1191 SOUTH CAROLINA RULES OF CRIMINAL PROCEDURE AMENDMENTS

Sen. Hembree

This bill disapproves the proposed amendments by the South Carolina Supreme Court to the South Carolina Rules of Criminal Procedure, which were filed January 28, 2016.

H.5171 PROPER OPERATION OF A MOTORIZED WATERCRAFT

Rep. Huggins

Requires everyone born after June 30, 2000, who wants to operate a motorized watercraft with a fifteen horsepower or larger engine, to first complete a safety course developed by the National Association of State Boating Law Administrators [NASBLA] as approved by SCDNR. Sets age, certificate, and safety requirements for operating a motorized watercraft as well as penalties for violating any of these provisions. Section 50-21-870(B), (C), (D), and (E) are amended to provide restrictions on operating motorized watercraft.

H.5172 SAFE HARBOR FOR EXPLOITED MINORS

Rep. Fry

Presumes minors under the age of 18 who have engaged in commercial sexual acts or sex trafficking are victims. As such, they must be protected from criminal and civil liability, including immunity from prosecution. The identity of these victims must be kept confidential. These minor victims are afforded the defense to charges of prostitution --as well as other listed offenses-- that his or her conduct was coerced or the result of reasonable fear from threats or unlawful force. Placement of victims in any shelter must be voluntary and made available to all, whether, or not, they cooperated with law enforcement.

H.5191 GENERAL ELECTION VOTE FOR SECRETARY OF TRANSPORTATION

Rep. Putnam

Proposes a vote at our next general election, on a proposed amendment to Section 7, Article VI of the South Carolina Constitution, as to whether the Secretary of Transportation should be elected by South Carolina voters to a four year term that would coincide with the Governor's term. During the secretary's term, the salary for this position could neither increase nor decrease.

H.5196 PROBATE COURT APPOINTMENT PROCEEDINGS 10 YEARS AFTER SOMEONE'S DEATH

Rep. Bingham

Allows for the commencement of an informal probate, appointment, formal testacy, or appointment proceeding more than 10 years after a decedent's death. These late filings would be in the discretion of the probate court. The court must first determine it is equitable to do so and extraordinary circumstances prevented commencing the probate proceedings from commencing sooner.

H.5205 ABOLISHING THE DEPARTMENT OF TRANSPORTATION COMMISSION Rep. Putnam

Abolishes the Department of Transportation Commission and places former commission-directed responsibilities with the Secretary of Transportation, who would be appointed by the Governor with the advice and consent of the House and Senate.

H.5208 NAMES AND BIRTHDATES ON ARREST WARRANTS AND INCIDENT REPORTS CANNOT BE REDACTED Rep. Quinn

Public law enforcement officials and county clerks of court would be required to publish the names and birthdates of individuals included in arrest warrants or incident reports.

H.5227 ABORTION PROCEDURES FOR SECOND AND THIRD TRIMESTER PREGNANCIES AND CONCEPTION PRODUCTS CRIMES Rep. Clary

Modifies circumstances under which an abortion can be performed in the second or third trimester of pregnancy. Selling products of conception is categorized as a misdemeanor offense. Requires expectant mothers to have an ultrasound performed before an abortion procedure can be done.

H.5233 FORTIFIED WINE SALES Rep. Finlay

Defines 'fortified wine' in an addition to SC Code Section 61-6-20 and adds new procedures for the sale, and consumption, of fortified wines on licensed premises as well as for off-premises sales.

H.5234 UNIFORM VOIDABLE TRANSACTIONS ACT Rep. Goldfinch

Adds a new section to the South Carolina Code of Laws to adopt the Uniform Voidable Transactions Act in to better protect creditors through allowing them to cancel described transactions under specified circumstances when debtors engage in acts that are unfair to creditors particularly when they adversely affect assets pledged as collateral in order to obtain credit or loans.

LABOR, COMMERCE AND INDUSTRY

S.771 RECREATIONAL VEHICLE DEALERS, MANUFACTURERS AND SUPPLIERS Sen. Verdin

This bill establishes provisions regulating the relationship between recreational vehicle dealers, manufacturers and suppliers for the purpose of maintaining competition, and providing consumer protection and fair trade.

S.973 EXTENSION FOR THE TRANSFER OF A PORTION OF INSURANCE PREMIUM TAX REVENUES TO THE FORESTRY COMMISSION FOR FIREFIGHTING EXPENSES Sen. Cromer

This bill provides an extension through June 30, 2022, for the provisions that transfer two and one-quarter percent of insurance premium tax revenues to the South Carolina Forestry Commission to be used for firefighting and firefighting equipment replacement.

H.5226 PILOT PROGRAM FOR ELECTROLYTIC PROCESSORS TO PURCHASE FROM THE PUBLIC SERVICE AUTHORITY A PORTION OF ELECTRIC REQUIREMENTS Rep. Crosby

This bill establishes a pilot program that allows an electrolytic processor to purchase from the Public Service Authority a portion of its electric requirements at market-based rates.

H.5229 LICENSURE OF LOCKSMITH AGENCIES Rep. Duckworth

This bill provides for the licensure of locksmith agencies to promote public safety including provisions to: require employee registration; prohibit locksmiths from having convictions for sexual offenses or certain other crimes; require signed work order forms when opening residences, commercial establishments, and motor vehicles; establish penalties for violations.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H.5232 INFANT CPR TRAINING Rep. Henegan

Every hospital shall make available to the parents and caregivers of each newborn baby delivered in the hospital a video presentation on the importance of parents and caregivers learning how to perform infant CPR. The hospital also shall provide parents and caregivers information regarding locations at which infant CPR training is taught in the community. Those persons whom the hospital requested to view the video shall sign a document prescribed by the Department of Health and Environmental Control stating that they have been offered the opportunity to view the video and that they have received the information regarding locations at which infant CPR training is taught in the community.

WAYS AND MEANS

S.743 "PORT ENHANCEMENT ZONE ACT" Sen. Matthews

This bill enacts the "Port Enhancement Zone Act" to: revise job tax credit provisions to provide for a port enhancement zone; revise a moratorium on certain taxes for certain taxpayers, so as to extend the moratorium to taxpayers creating at least fifty full-time new jobs in a port enhancement zone; increase the maximum annual tax credit for port cargo volume increase from eight million to nine million dollars and to provide that one million dollars may be awarded to a new warehouse or distribution facility that meets certain requirements and employs at least fifty new full-time jobs in a port enhancement

zone; revises job development credits to allow eighty-five percent of the maximum credit to be claimed by businesses located in a port enhancement zone; double the amount of the investment tax credit for any qualified manufacturing and productive equipment property located in a port enhancement zone; and revise state sales tax exemption provisions, so as to extend the exemption for materials handling to a taxpayer that invests at least twenty million dollars in a port enhancement zone, and to extend the exemption for construction materials to a taxpayer that invests at least forty million dollars, in real and personal property, in a port enhancement zone.

S.982 SALES TAX EXEMPTION FOR LIQUEFIED PETROLEUM GAS AND NATURAL GAS FOR USE AS MOTOR VEHICLE FUEL Sen. Peeler

This bill makes provisions for a state sales tax exemption for liquefied petroleum gas and natural gas sold to a person with a miscellaneous fuel user fee license for use as motor fuel in motor vehicles.

S.1073 COORDINATION OF STATE AND FEDERAL TAX PROVISIONS Sen. Setzler

This bill updates statutory references to U.S. Internal Revenue Code provisions so that state tax provisions coordinate with federal tax provisions.

S.1075 ALTERNATIVE FUEL TAX CREDITS AND INCENTIVES Sen Campbell

This bill makes provisions for an income tax credit covering twenty-five percent of the cost of purchasing, constructing, and installing a facility for distributing, dispensing, or storing alternative fuels. This bill makes provisions for a state sales tax exemption for liquefied petroleum gas and natural gas sold to a person with a miscellaneous fuel user fee license for use as motor fuel in motor vehicles.

S.1125 TEXTILES COMMUNITIES REVITALIZATION INCOME TAX CREDIT REVISIONS Sen. Reese

This bill revises Textiles Communities Revitalization Income Tax Credit provisions to eliminate a provision that limits the credit to fifty percent of certain liability.

S.1166 SOUTH CAROLINA STATE UNIVERSITY FINANCIAL STABILIZATION PROVISIONS Sen. Leatherman

This joint resolution established debt restructuring provisions on outstanding loans made to South Carolina State University by the state of South Carolina, provides for a process through which the debt incurred may be relieved, and extends flexibility related to furloughs as provided in Act 120 of 2015.

H.5192 APPROVAL OF INTEREST RATES ON BONDS ISSUED UNDER THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT FUND ACT Rep. J. E. Smith

This bill eliminates the requirement that the State Fiscal Accountability Authority approve interest rates on bonds issued to finance industrial development projects under the South Carolina Jobs-Economic Development Fund Act and specifies that the approval of these interest rates by the South Carolina Coordinating Council for Economic Development is not required.

H.5203 FIVE-YEAR FULL INDIVIDUAL INCOME TAX DEDUCTION FOR THE SURVIVING SPOUSE OF A LAW ENFORCEMENT OFFICER KILLED

IN

THE LINE OF DUTY Rep. Putnam

This bill provides for a deduction equal to the taxpayer's income for a taxpayer who is the surviving spouse of a law enforcement officer who is killed in the line of duty. This deduction first applies in the tax year in which the law enforcement officer is killed and the four succeeding years thereafter.

**H.5204 "DEPARTMENT OF TRANSPORTATION ACCOUNTABILITY ACT"
Rep. Hill**

This bill enacts the "Department of Transportation Accountability Act". The legislation abolishes the Department of Transportation Commission and devolves its functions, powers, duties, responsibilities upon the Secretary of the Department of Transportation who is to be appointed by the Governor. The legislation requires the Department of Transportation to submit to the General Assembly an itemized project list to be funded for the fiscal year in which the General Assembly would enact its annual general appropriations act. The legislation includes transparency measures that require the Department of Transportation to disclose certain financial information by posting it on the department's website. The legislation provides that the South Carolina Transportation Infrastructure Bank may not issue any bonds, loans, or other financial assistance after January 1, 2017, and that upon the retirement of all outstanding bonds and the receipt of all outstanding debt owed by qualified borrowers, the bank is dissolved.

**H.5206 HOMESTEAD EXEMPTION ALLOWANCE INCREASE
Rep. W. J. McLeod**

This bill raises the homestead exemption allowance from fifty thousand dollars to seventy-five thousand dollars in provisions for the homestead property tax exemption allowed for taxpayers who are at least sixty-five years and those who are totally and permanently disabled or legally blind.

**H.5217 STATE CAPITAL IMPROVEMENT BONDS FOR HIGHER EDUCATION
PROJECTS Rep. White**

This bill revises provisions for the issuance of state capital improvement bonds, so as to authorize additional higher education projects. The legislation provides that these capital improvements bonds are not subject to the statutory limitation requiring that state capital improvement bonds be authorized by the General Assembly in odd-numbered years and that a project may be authorized only for a state agency or institution included in the annual general appropriations act.

**H.5228 SUPPLEMENTARY EDUCATIONAL INDIVIDUAL INCOME TAX
CREDIT Rep. Ott**

This bill allows for a refundable state individual income tax credit equal to twenty percent, up to two thousand dollars, of expenses incurred by a taxpayer for tutoring an eligible student or enrolling an eligible student in an optional supplementary educational program.

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