



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 returned H.3066, the “**SOUTH CAROLINA RESTRUCTURING ACT OF 2012**”, to the Senate with amendments. This legislation eliminates the State Budget and Control Board, devolving most of its functions upon a newly-created Department of Administration in the executive branch of government and transferring select functions to a newly-created State Contracts and Accountability Authority and Revenue and Fiscal Affairs Office. The legislation establishes the **DEPARTMENT OF ADMINISTRATION** under the executive branch of government headed by a director who appointed by the Governor with the advice and consent of the Senate. The following offices, divisions or components of the former State Budget and Control Board and other agencies are transferred to and incorporated into the Department of Administration: (1) Division of General Services including Facilities Management, Business Services together with Fleet Management, and Property Services; (2) Office of Human Resources; (3) Office of Executive Policy and Programs; (4) administrative function of the Office of the State Retirement System; (5) administrative functions of the Employee Insurance Program in the Office of Insurance Services; (6) Office of Economic Opportunity; (7) Developmental Disabilities Council; (8) Children’s Foster Care; (9) Veterans Affairs; (10) Commission on Women; (11) Victims Assistance; (12) Division of State Information Technology of the State Budget and Control Board; (13) Division of Procurement Services of the State Budget and Control Board; (14) Guardian Ad Litem program; (15) Children’s Case Resolution System; (16) Division of Small and Minority Business Contracting and Certification; (17) Continuum of Care for Emotionally Disturbed Children, and (18) the South Carolina Confederate Relic Room and Military Museum. The Executive Budget Office is established within the Department of Administration to support the Office of the Governor by conducting analysis, implementing and monitoring the annual general appropriations act, and evaluating program performance.

While H.3066 provides for administrative and operational functions of the State Retirement System to be assigned to the Department of Administration, a **STATE CONTRACTS AND ACCOUNTABILITY AUTHORITY** is created to make policy decisions regarding the retirement system, the state’s bond authority, State Employee Health Insurance Plan benefits, and other insurance services, including the Insurance Reserve Fund. The legislation creates the seven-member State Contracts and Accountability Authority composed of: (1) the Governor, who shall serve as ex officio as chairman; (2) the Attorney General, who shall serve ex officio; (3) the State Treasurer, who shall serve ex officio; (4) the Comptroller General, who shall serve ex officio; (5) the Lieutenant Governor, who shall serve ex officio; (6) one member of the House of Representatives, ex officio, appointed by the Speaker of the House of Representatives; and (7) one member of the Senate, ex officio, appointed by the President Pro Tempore of the Senate. The new authority also houses the State Auditor and Inspector General. Appointments to the Procurement Review Panel are to be made by members of the authority.

H.3066 create the **REVENUE AND FISCAL AFFAIRS OFFICE**, governed by the three appointed members of the Board of Economic Advisors, to make revenue projections, produce fiscal impact statements, and perform budget development functions. The

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office is comprised of the Board of Economic Advisors, the former Budget and Control Board's Office of Research and Statistics, and the Office of State Budget.

H.3066 transfers the State Budget and Control Board's Division of Local Government to the South Carolina Rural Infrastructure Authority and transfers the State Budget and Control Board's State Energy Office to the Office of Regulatory Staff.

As part of its government restructuring, **H.3066** eliminates numerous vacant full time employee positions.

H.3066 includes provisions for **LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS** that authorize committees of the General Assembly to conduct periodic reviews of state government functions and recommend which programs and initiatives should be continued, curtailed, or completely eliminated. The bill provides that all testimony given to an investigating committee of the General Assembly must be under oath. The felony offense of contempt of the General Assembly is created for those who willfully provide false, materially misleading, or materially incomplete testimony to legislative bodies. The legislation also creates the felony offense of criminal contempt for those who are subpoenaed to attend as a witness before a legislative body, but refuse to attend, be sworn, answer questions, or produce required documents. A violator of these new criminal offenses must be fined within the discretion of the court and/or imprisoned for up to five years.

The House adopted the conference committee report on **H.3241** and, the Senate having also adopted the report, enrolled the bill for ratification. The legislation revises the governance and operation of the state's **CHARTER SCHOOLS**, which are public schools organized in a manner that frees them from many state regulations to pursue innovative educational missions. Notably, the legislation:

- Authorizes the formation of single gender charter schools.
- Provides that a charter school student is eligible to compete for, and if selected, participate in any extracurricular activities not offered by the student's charter school which are offered at the resident public school he would otherwise attend. A charter school student is eligible to compete for, and if selected, participate in an activity governed by the South Carolina High School League offered at the resident public school he would otherwise attend if the league-governed activity is not offered at the student's charter school. A charter school is eligible for federally sponsored, state-sponsored or district-sponsored interscholastic leagues, competitions, awards, scholarships, grants, and recognition programs for students, educators, administrators, staff, and schools to the same extent as all other public schools.
- Affords the state's public and independent institutions of higher learning the option of sponsoring a charter school.
- Establishes in the State Treasurer's Office a Charter School Facility Revolving Loan Program for the construction, purchase, renovation, and maintenance of public charter school facilities.

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- Revises membership requirements for the boards of directors that govern charter schools. The legislation establishes two-year terms for electing board members and provides that half of a board's membership must be made up of individuals with K-12 education or business backgrounds, and at least half of the members must be elected by the employees and parents/guardians of students enrolled in the charter school, with parents/guardians having one vote for each child enrolled. Boards must have at least seven members all of whom must be South Carolina residents.
- Establishes new voting requirements that apply when there is a proposal to convert a traditional public school into a charter school and outstanding general obligation bond debt has been approved to construct or improve the facility within the previous ten years.
- Affords a converted charter school the right to occupy the facility and use the equipment, for the duration of its contract with a sponsor, in the same manner as before the school converted with no additional fees or charges.
- Provides that students who reside within the former attendance area of a traditional public school that is converted into a charter school must be given enrollment priority at the charter school.
- Allows a charter school to give enrollment priority to a sibling of a pupil who, within the last six years, attended the school for at least one academic year.
- Prohibits school districts from taking unlawful reprisals, such as pay reduction, dismissal, demotion, or suspension, against employees because of their involvement with an application to establish a charter school.
- Provides that the South Carolina Public Charter School District or public or independent institution of higher learning sponsor shall receive and distribute state funds to the charter school as provided by the General Assembly. The legislation includes other requirements for the timely distribution of funds to charter schools.
- Requires a county's local legislative delegation to be notified of charter school applications.
- Reduces from eleven to nine the membership of the board of trustees that governs the South Carolina Public Charter School District by eliminating two of the Governor's appointments.
- Establishes a mechanism that allows a local school district to create a school of choice that operates under exemptions from various state laws and regulations similar to the exemptions enjoyed by charter schools. Exemptions do not apply to: federal and state prohibitions on unlawful discrimination; pertinent health, safety, civil rights, and disability rights requirements; minimum student attendance requirements; state assessment requirements; and teacher certification requirements in the core academic areas, however, up to twenty-five percent of the teaching staff of the school may be employed if the individual

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possesses a baccalaureate or graduate degree in the subject he is hired to teach.

The House returned **S.1213**, the “**SOUTH CAROLINA MEDAL OF VALOR ACT OF 2012**”, to the Senate with amendments. The bill creates the South Carolina Medal of Valor to be awarded to a South Carolinian, or an individual with certain ties to South Carolina, who was killed either while serving in or deploying to a combat zone. The South Carolina Medal of Valor is awarded on behalf of the people of the State of South Carolina and is presented to the families of these fallen service members.

The House adopted **H.3445**, a resolution amending the Rules of the House of Representatives by provide additional duties, complaint procedures, and procedures for findings of probable cause by the **HOUSE OF REPRESENTATIVES LEGISLATIVE ETHICS COMMITTEE**. Penalties are provided for violations and provisions are added regarding the receipt of documents relating to proceedings in actions taken against a member and the expulsion of a Member of the House of Representatives under certain circumstances.

The House approved and sent to the Senate **H.5173**, a joint resolution to clarify and affirm that the Savannah River Maritime Commission is the sole authority that may take any action pertaining to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues of the South Carolina portion of the Savannah River. Concerning the **SAVANNAH HARBOR EXPANSION PROJECT**, establishes voting requirements for the South Carolina Delegation to the Joint Project Office and provides that South Carolina appointees to the Joint Project Office are subject to the advice and consent of the Senate. Any expenditure of state funds through the Joint Project Office must be upon the approval of a majority of the South Carolina representatives on the Joint Project Office.

The House amended and gave second reading approval to **S.1031**, a bill imposing new requirements relating to **DEMOLISHING VEHICLES** to reduce the likelihood that stolen property is being turned over to junk dealers, vehicle demolishers, and secondary metal recyclers. The legislation imposes new requirements for turning over a valid title certificate with a vehicle to a demolisher in order for the vehicle to be demolished. The legislation establishes alternate means of satisfying proof of ownership to allow a vehicle to be demolished without producing a title to apply in situations where vehicles have been obtained through sheriffs' sales, public auctions of abandoned vehicles, and similar lawful transactions. The legislation establishes a procedure allowing someone to turn over older derelict vehicles for demolishing without a title or other proof of ownership. Such vehicles, including wrecks abandoned on one's property, must be at least twelve model years old and must lack an engine or be otherwise totally inoperable. Before completing a transaction on such vehicles, the demolisher or secondary metals recycler shall verify with the Department of Motor Vehicles whether the vehicle has been reported stolen. If a vehicle has been reported stolen, the demolisher or secondary metals recycler shall not complete the transaction and shall notify the appropriate law enforcement agency. The legislation enhances record keeping requirements for businesses and criminal penalty provisions for violations. First offenses remain misdemeanors, and second and subsequent offenses are felonies subject to a fine of up to one thousand dollars and/or imprisonment for up to three years. Falsifying a required application, form or affidavit is a felony offense. In lieu of criminal penalties, the director of the Department of Motor Vehicles may issue an administrative fine of up to one

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thousand dollars for each unintentional violation. Also, a vehicle used to transport a vehicle or vehicle parts unlawfully may be subject to seizure by law enforcement and forfeiture.

The House amended and gave second reading approval to **S.391**, a bill **REVISING ELECTION SCHEDULES**. The legislation makes revisions to timelines established under election law provisions. Notably, the legislation revises the requirement for scheduling special elections to fill vacancies that occur late in a term of office. Under the bill, such special elections would be required to fill a vacancy that occurs no more than one hundred twenty days (rather than the current sixty days) prior to the general election.

The House approved **S.6**, a bill providing for the **RATIFICATION OF THE STATE CONSTITUTIONAL AMENDMENT ENHANCING THE RESERVE FUNDS**, and enrolled the legislation for ratification. The legislation provides for the ratification of the amendment to the South Carolina Constitution approved by voters at the last general election to increase the holdings requirement of the General Reserve Fund and revise the use of the Capital Reserve Fund.

The House concurred in Senate amendments to **H.4787**, the “**PORTABLE ELECTRONICS INSURANCE ACT**”. The legislation provides for the licensure and regulation of vendors of insurance covering the repair or replacement of portable electronic devices. The legislation provides requirements relating to the sale of portable electronics insurance under a limited lines license, establishes disclosure requirements for vendors of such insurance to prospective consumers, provides licensure fees and surcharges, and establishes penalties for violations.

The House concurred in Senate amendments to **H.3083** and enrolled the bill for ratification. The legislation provides a five-year **EXTENSION FOR THE SOUTH CAROLINA CONSERVATION BANK ACT**. The legislation extends the July 1, 2013, sunset date for the South Carolina Conservation Bank until July 1, 2018.

The House approved **S.1351**, a bill revising **LIFEGUARD REQUIREMENTS FOR PUBLIC SWIMMING POOLS**, and enrolled the legislation for ratification. The legislation replaces current requirements for lifeguards at state and local government pools that strictly tie lifeguard staffing requirements to pool size with new requirements that allow for more flexibility in that they also take into account the number of patrons using the pool.

The House concurred in Senate amendments to **H.5028** and enrolled the legislation for ratification. This joint resolution directs the Department of Health and Environmental Control for fiscal year 2012-2013 to temporarily suspend enforcement of certain provisions of the **MEDICAID NURSING HOME PERMIT LAW** and to set certain nursing home staffing standards in order to meet appropriations.

The House concurred in Senate amendments to **H.3059**, a bill **REVISING THE INCOME TAX CREDIT FOR PLUG-IN HYBRID VEHICLES**, and enrolled the legislation for ratification. The legislation establishes technical criteria for qualifying vehicles, adjusts amounts of claims and provides that claims are available on a first-come, first-serve basis as determined by the Department of Revenue until the total allowable credits for that fiscal year are exhausted. The legislation provides for the tax credit to sunset as of December 31, 2016.

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The House concurred in Senate amendments to **H.4906**, a joint resolution **EXTENDING THE DEADLINE FOR THE VETERANS' ISSUES STUDY COMMITTEE** to submit its written report from January 31, 2012, to January 31, 2016, and enrolled the legislation for ratification.

The House approved **S.271** and enrolled the bill for ratification. This legislation pertains to **DEBTOR'S PROPERTY EXEMPT FROM ATTACHMENT, LEVY AND SALE**, and in particular it relates to the **EXEMPTION FOR INDIVIDUAL RETIREMENT ACCOUNTS**. Current law provides an exemption for individual retirement accounts only to the extent reasonably necessary for the support of the debtor or his dependents. This legislation deletes this limitation. The legislation provides that the interest of an individual under a retirement plan is exempt from creditor process to the same extent permitted under federal bankruptcy law. The exemption is available whether such individual has an interest in the retirement plan as a participant, beneficiary, contingent annuitant, alternate payee, or otherwise.

The House concurred in Senate amendments to **H.4205** and enrolled the bill for ratification. The legislation authorizes the **CONVERSION TO A PUBLIC SERVICE DISTRICT** for the Kershaw County and Lee County Regional Water Company so that it can take advantage of a more favorable tax status and financing terms than are now available under its present organization as a nonprofit corporation.

The House amended, approved, and sent to the Senate **H.3257**. This bill allows the Department of Motor Vehicles to issue **UNITED STATES MARINE CORPS SPECIAL LICENSE PLATES**.

The House amended Senate amendments to **H.3720**, a bill revising **ECONOMIC DEVELOPMENT INCENTIVES**, and returned the legislation to the Senate.

The House returned **S.1307** to the Senate with amendments. This bill **EXPANDS THE MEMBERSHIP OF VARIOUS EDUCATIONAL BOARDS AND COMMISSIONS** to include representation for the South Carolina's new seventh congressional district.

The House returned **S.220**, a bill **PROHIBITING THE RESALE OF RETURNED MEAT**, to the Senate with amendments. The legislation provides that fresh meat or fresh meat products sold to a consumer may not be offered to the public for resale for human consumption if they have been returned by the consumer.

The House amended, approved, and sent to the Senate **H.4487**. This legislation establishes a thirteen-member **UTILITIES RELOCATION STUDY COMMITTEE** to review, study, and make recommendations concerning the need for improved coordination and funding of the relocation of water and sewer facilities located within the public rights-of-way when such relocation is required due to the construction or improvement of roads and bridges in the state. The members of the study committee shall serve without compensation and may not receive mileage or per diem. The committee shall make a report of its findings and recommendations to the General Assembly no later than January 15, 2013, at which time the study committee terminates.

The House amended Senate amendments to **H.4726**, legislation relating to the powers of public service district and special purpose district commissions, including the power to

assess the cost of the **ESTABLISHMENT AND CONSTRUCTION OF A SEWER LATERAL COLLECTION LINE**, and returned the bill to the Senate.

The House approved and sent to the Senate **H.4798**. Relating to the trial of a person in a **MUNICIPAL COURT**, this legislation revises the period of time in which a person must be tried after the date of his arrest to make it consistent with the timeframe established in other provisions.

The House approved and sent to the Senate **H.4995**, a bill revising **SALES TAX EXEMPTIONS**.

The House approved and sent to the Senate **H.3235**, a bill making revisions to the **FREEDOM OF INFORMATION ACT (FOIA)** which establishes an individual's rights to inspect or obtain copies of public records and other government documents.

The House approved and sent to the Senate **H.4610**, a bill establishing a **SCHOOL BUS DECENTRALIZATION STUDY COMMITTEE**.

The House approved and sent to the Senate **H.3079**, a bill providing for **CHARITABLE BINGO REVISIONS**.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

S.1033 *MIGRANT FARM WORKERS COMMISSION ABOLISHED* Sen. Verdin
This bill repeals the chapter regarding the Migrant Farm Workers Commission.

EDUCATION AND PUBLIC WORKS

S.149 *"EQUAL ACCESS TO INTERSCHOLASTIC ACTIVITIES ACT"*
Sen. Campsen

This legislation provides that individual charter school students, Governor's school students, and home school students may not be denied by a school district the opportunity to participate in interscholastic activities if certain conditions are met. A public school student who has been unable to maintain academic eligibility is ineligible to participate in interscholastic activities as a charter school student, Governor's school student, or home school student for the following semester. To establish academic eligibility for subsequent school years, the student's teacher shall certify by submitting an affidavit to the school district that the student fully complies with the law of his respective school and currently maintains academic eligibility. A charter school student, Governor's school student, or home school student is required to fulfill the same responsibilities and

standards of behavior and performance, including related practice requirements, of other students participating in the interscholastic activities of the team or squad and is required to meet the same standards for acceptance on the team or squad. A charter school or a Governor's school may not be denied by a school district the opportunity to have a team representing the school participate in interscholastic activities if the team meets the same eligibility requirements of other teams. An individual charter school or Governor's school student may not participate in an interscholastic activity of a public school district if the school that the student is enrolled in has a team or squad participating in the interscholastic activity. A school district may not contract with a private entity that supervises interscholastic activities if the private entity prohibits the participation of charter school students, Governor's school students, or home school students in interscholastic activities.

S.1478 SPECIAL ORGANIZATIONAL LICENSE PLATES Sen. Campsen

This legislation requires the Department of Motor Vehicles to develop a basic plate design that will be used for all special organizational license plates. The plate must be the same size and general design of regular plates but may be imprinted on the plate in an area specified by an emblem, seal, insignia, or other identifying symbol of the sponsoring organization that the department considers appropriate. No texts or slogans may be added to the plate unless they are part of the approved emblem, seal, insignia, or other identifying symbol. The standard plate design must be issued for all organizational plates newly requested. Organizational plate designs currently in production must be changed when the plate or plate class is replaced. The plate must be issued or revalidated for a biennial period which expires 24 months from the month it was issued. If the organization seeking issuance of the plate does not request an additional fee in addition to the regular registration fee, the department may collect an additional fee of \$10. Of the additional fees collected, the Comptroller General shall place sufficient funds into a special restricted account to be used by the department to defray the expenses associated with producing and administering special license plates. The remainder of the fee must be distributed to the organization or general fund if no additional fee is requested by the organization. The legislation revises minimum requirements for the department to produce and distribute these special license plates. The fee required may be reviewed by the General Assembly no later than January 15, 2015, and every two years thereafter. The department must provide a detailed, comprehensive justification to increase the fee. Any fee increase must be introduced in a stand alone bill that must be considered separate and apart from any other matter.

JUDICIARY

S.10 COMMISSION ON STREAMLINING GOVERNMENT AND REDUCTION OF WASTE Sen. McConnell

This legislation creates the Commission on Streamlining Government and Reduction of Waste to examine each agency's statutory activities, functions, programs, services, powers, duties, and responsibilities to determine, in an effort to reduce the size of state government, which of these activities, functions, programs, services, powers, duties, and responsibilities may be eliminated; streamlined; consolidated; privatized; or outsourced.

S.566 REVISIONS TO THE "SAFE SCHOOL CLIMATE ACT" Sen. Leventis

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This legislation makes revisions to the “Safe School Climate Act” which pertains to acts of harassment, intimidation or bullying. This legislation includes a finding by the General Assembly that there is no acceptable reason to bully another person. The legislation provides that it is the policy of this State that harassment, intimidation, and bullying in our schools, regardless of motivation, must not be tolerated; it is detrimental to the overall educational environment as well as the children affected by the harassment, intimidation, and bullying. The legislation requires a school employee or a contracted service provider who witnesses or who receives reliable information regarding an incident of harassment, intimidation or bullying to make verbal and written reports to the school principal within certain timeframes. The legislation requires specific actions within designated timeframes by principals, superintendents and school boards for response to acts of harassment, intimidation or bullying. Parents or guardians of the students who are parties to the investigation are entitled to certain information about the investigation, in accordance with federal and state law and regulation. A link to the district’s policy must be prominently displayed on its website and distributed to parents annually. The legislation adds language requiring a school employee who observes or has direct knowledge from a participant or victim of an act of violence to file a report. The legislation requires that certain data from all incident reports be collected and reported annually at a public hearing by the superintendent to the board of trustees; the information must also be reported once a year to the Department of Education, broken down by the school. The report must be used to grade each school and district on its effort to identify harassment, intimidation or bullying. This grade must be posted on both school and district websites.

S.746 DRIVING UNDER THE INFLUENCE REVISIONS - IGNITION INTERLOCK DEVICE PROGRAM Sen. Lourie

This comprehensive legislation makes revisions pertaining to South Carolina’s driving under the influence laws, in particular those dealing with the Ignition Interlock Device Program.

S.1246 CRUELTY TO ANIMALS Sen. Lourie

This legislation increases the penalties for ill-treatment of animals generally. Under this legislation, it is a misdemeanor offense punishable by imprisonment not exceeding 90 days or by a fine of not less than \$100 no more than \$1,000, or both for a first offense, or by imprisonment not exceeding two years or by a fine not exceeding \$2,000 dollars, or both, for a second or subsequent offense. The legislation provides that any person violating the laws in relation to cruelty to animals may be arrested by a law enforcement officer; the Society for the Prevention of Cruelty to Animals or other organizations for the same person may not make an arrest for a violation of the laws in relation to cruelty to animals. Other provisions relating to the care of animals after an arrest and the issuance of a search warrant are amended to conform to these provisions that only a law enforcement officer can make an arrest for a violation of the laws in relation to cruelty to animals.

H.5188 ACTS PROHIBITED OF LOBBYIST PRINCIPALS Rep. H. B. Brown

This legislation deletes an exception that allows lobbyists’ principals to extend and members of the General Assembly to accept invitations when the invitation is extended to all members in attendance at certain organizations’ regional and national conventions and conferences.

LABOR, COMMERCE AND INDUSTRY

S.1467 TORT LIABILITY OF OCCUPATIONAL AND PROFESSIONAL LICENSE

HOLDERS Sen. Hutto

This bill specifies that the issuance of a license, alone, to an individual by the Division of Professional and Occupational Licensing, Department of Labor, Licensing, and Regulation, does not create a common law duty of due care for the license holder. The license holder cannot be held personally liable in tort solely by reason of being the holder of the license.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

S.1015 HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO AUTHORIZE DISCLOSURE OF CERTAIN INFORMATION

Sen. Hayes

A health care provider is strongly encouraged to give a patient an opportunity to review, approve, and sign an authorization requiring the provider to release specified information concerning the patient and his treatment to family members designated by patient. This authorization also allows for those designated family members to be involved in the course of the treatment.

WAYS AND MEANS

S.427 COUNTY PROPERTY TAX PROVISIONS Sen. Hayes

This bill establishes minimum continuing education course requirements for county tax collectors. The legislation authorizes a county forfeited land commission to refuse to accept title to property when refusal is in the public interest. The legislation revises delinquent tax sales provisions, so as to provide for the sales date and to increase from three hundred to one thousand dollars the damages for which a defaulting bidder is liable.

S.428 NOTIFICATION REQUIREMENTS FOR PROPERTY TAX EXEMPTIONS ON NEWLY CONSTRUCTED HOMES Sen. Hayes

This bill requires a local government body to prominently display notice of the property tax exemption for a newly constructed detached single family home offered for sale by a residential builder or developer in a conspicuous place at its office where a person applies for a certificate of occupancy. If the certificate of occupancy is granted, written notification of the exemption must accompany the certificate.

S.429 TRUST PAYMENTS UNDER THE UNIFORM PRINCIPAL AND INCOME ACT Sen. Hayes

This bill makes revisions to the Uniform Principal and Income Act to provide for the process for determining the allocation of payments made from a separate fund to certain trusts. The legislation provides the source of funds that must pay for a tax on a trust's share of the taxable income.

S.1100 FUNDING DREDGING ACTIVITIES THROUGH THE CAPITAL PROJECT SALES TAX Sen. McGill

This bill revises the Capital Project Sales Tax Act, to include dredging, dewatering, construction of spoil sites, and disposal of spoil materials among the authorized projects that are allowed to be funded by a county capital project sales tax.

S.1331 SOUTH CAROLINA RESEARCH AUTHORITY Sen. Leatherman

This bill makes revisions regarding the South Carolina Research Authority. The legislation specifies that the South Carolina Research Authority is not authorized to commit the credit and taxing power of the state. The legislation requires written notice when the authority has certain relationships with a nonprofit entity that establishes a for-profit entity, and specifies that a failure to provide this notice may not be construed to indicate the authority may pledge the credit and taxing power of the state. The legislation revises the membership and terms of the board of trustees and executive committee of the authority, so as: to provide for the election of two additional trustees; to permit a university president who is an ex officio member of the board to designate the chief research officer of his university to participate and vote in no more than two meetings of the executive committee each year; to provide for members' terms, filling of vacancies, and removal of executive committee members; and, to allow the Chairmen of the House Ways and Means Committee and the Senate Finance Committee, or their designee, to serve on the board. The legislation authorizes the board of trustees of the authority to provide guarantees as security for certain obligations. The legislation revises provisions relating to costs associated with innovation centers established by the authority, so as: to make certain financing optional rather than mandatory; to expand the sources of funding available for financing these costs; and, to prohibit the use of a pledge of credit and taxing power of the state or a political subdivision of the state to finance these costs.

S.1349 INSURANCE COVERAGE FOR A COUNTYWIDE AGING ENTITY Sen. Alexander

This joint resolution provides that the State Budget and Control Board, through the Insurance Reserve Fund, for fiscal year 2012-2013, may offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State shall not be liable to any person or entity, including the insured, for any insufficiencies of this coverage.

S.1409 TAX CODE REVISIONS Sen. Alexander

The bill provides revisions, clarifications, and updates for numerous tax code provisions.

S.1431 ISSUANCE OF STATE CAPITAL IMPROVEMENT BONDS FOR PORT DREDGING Sen. Leatherman

This bill authorizes the issuance of state capital improvement bonds in the amount of \$120 million for Charleston Port dredging and \$18.5 million for Georgetown Port dredging. The legislation increases the aggregate principal indebtedness amount in light of the additional projects authorized by this legislation.

H.5195 YEAR OF DISCOVERY OF ATLANTIC BULLION AND COIN PONZI SCHEME Rep. Putnam

This House Resolution expresses strong support for making 2011 the Year of Discovery for tax relief purposes to the victims of the alleged "Ponzi" scheme operated by Ronnie G. Wilson through Atlantic Bullion and Coin and hereby urge the United States Internal

Revenue Service, the South Carolina Department of Revenue, and the court appointed Receiver/Conservator to use 2011 as the Year of Discovery of this Ponzi scheme.

**H.5197 FEDERAL NET OPERATING LOSS CARRYBACKS PROVISIONS
APPLIED TO STATE INCOME TAX Rep. Putnam**

This bill revises provisions identifying sections of the federal Internal Revenue Code not adopted by this state, by eliminating the reference to Internal Revenue Code Section 172(b)(1), pertaining to net operating loss carrybacks, thereby making its provisions applicable in South Carolina for state income tax purposes. The legislation specifies that this change is applicable for the year 2011 and thereafter.

**H.5208 PROPERTY TAX EXEMPTION FOR THE RESIDENCE OF THE
CAREGIVER OF A DISABLED CHILD Rep. G. M. Smith**

This bill revises property tax exemption provisions, so as to exempt the first fifty thousand dollars of the value of a dwelling house and a lot not to exceed one acre of land of a resident who cares for a disabled child in the dwelling house and is unable to be employed outside of the dwelling house due to the needs of the disabled child.

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