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# HOUSE WEEK IN REVIEW

The House of Representatives amended, approved, and sent the Senate **H. 3707**, a joint resolution that would make **appropriations for the state’s public health response to the COVID-19 virus**, including vaccinations.

The House appropriated a total of $208 million from the Contingency Reserve Fund. The House allocated $63 million to the Department of Health and Environmental Control and $45 million to the Medical University of South Carolina to allow DHEC and MUSC, in consultation, cooperation, and collaboration with the South Carolina Hospital Association, the South Carolina Primary Care Association and any other Federally Qualified Heath Centers, and other appropriate entities and associations, to: (1) expand statewide vaccination capacity; and (2) continue to administer the statewide COVID-19 testing plan. The use of these funds includes costs related to COVID-19 such as vaccination, continued testing and contact tracing, personal protective equipment and medical supplies, personnel costs, education and marketing campaigns, quarantine, transportation and storage, and mobile health units. Participation in contact-tracing programs shall be solely on a voluntary basis, and data collection must comply with confidentiality requirements and be limited to public health information. DHEC, in coordination with MUSC, the South Carolina Hospital Association, the South Carolina Center for Rural and Primary Healthcare, and other relevant stakeholders, shall implement a plan to reach rural and underserved populations who are eligible to be vaccinated. $100 million of the Contingency Reserve Fund appropriation is deposited in a COVID-19 Vaccine Reserve account that is created to pay for administering COVID-19 vaccines, addressing costs associated with such issues as staffing, security, traffic control, storage, transportation, and mobile health units. Of these reserve account funds, up to $75 million is allocated to hospitals and up to $25 million is allocated to other COVID-19 vaccination providers that are enrolled and activated by DHEC. In approving expenses, DHEC must give priority to hospitals and other providers with a high demand for the vaccine and the ability to administer the vaccine in high quantities. No reserve account funds may be released to any hospital that is not offering vaccine appointments to the general public.

The legislation provides that all vaccines received by the state must be allocated to the four DHEC public health regions in a per capita manner with considerations taken into account for such factors as poverty level, infection rates, age, and high-risk populations. MUSC shall coordinate with DHEC and partner with local healthcare providers to ensure that gaps in statewide vaccination delivery are covered, with priority given to rural and underserved areas. DHEC shall allocate vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per capita allocation. Provisions are made for a COVID-19 Vaccine Regional Advisory Panel in each of the four public health regions to make recommendations to DHEC on vaccine deployment. Under the planning process, available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire, and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state’s ability to expeditiously administer the vaccine. DHEC is charged with record-keeping responsibilities and daily reporting requirements to keep the public informed of vaccine availability, doses administered, and progress towards attaining the state’s vaccination goals.

The legislation includes temporary authority for a wide array of health care professionals to administer COVID-19 vaccines that includes retired physicians and nurses, students at medical school and nursing schools, as well as licensed dentists and optometrists who have completed COVID-19 vaccine training. These temporary exemptions from professional scope of practice provisions are set to terminate when South Carolina is no longer under a declared public health emergency concerning COVID-19.

The House amended, approved, and sent the Senate **H. 3194**, a bill addressing the **future of Santee Cooper.** The legislation makes provisions for continuing negotiations on a possible sale of this state-owned electric utility and makes provisions for governance reform at the South Carolina Public Service Authority.

**Consideration of the Sale of All or Part of the Public Service Authority.** The legislation would authorize the sale of the Public Service Authority and establishes a procedure for considering and approving proposals to sell all of Santee Cooper or certain PSA components. A special legislative committee, composed of three members from each house of the General Assembly, is created to consider offers for the sale of some or all of the assets of the Public Service Authority and to conduct further negotiations on the terms and conditions of any offers. The committee’s recommendation and report may be accepted and approved by each house in the same manner conference committee reports are accepted and approved. Upon approval by the General Assembly, the report must also be transmitted to the Governor for approval. No purchase offer may be accepted that is contingent upon the reenactment of the Base Load Review Act or the adoption of comparable provisions. The special legislative committee is set to expire after ten years.

**Alternate Public Service Authority Governance**

The legislation makes provisions for governance reform at the Public Service Authority. The legislation provides for the directors of the Public Service Authority to be approved with the advice and consent of the entire General Assembly, rather than the Senate, alone. The legislation revises the composition of the PSA Board, requiring that two of the directors from the congressional districts must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. The board shall also have one director recommended to the Governor by the South Carolina Manufacturers Alliance to represent industrial customers of the authority, and one director recommended to the Governor by the governing authority of the authority’s largest wholesale customer; provided however, these two directors may not be an employee, counsel, or board member of a customer served by the authority. In making appointments to the Board of Directors, the Governor and the General Assembly in its advice and consent capacity must give due consideration to race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this state. The legislation provides for staggered five-year terms for board members. Members shall not serve more than two consecutive terms. The following shall be nonvoting ex officio members of the board of directors: (1) the Chair of the Board of Central Electric Cooperative; (2) the Secretary of Commerce or his designee; (3) a designee of the Chairs of the Senate Judiciary Committee and the House Labor, Commerce and Industry Committee. The legislation establishes qualifications criteria for board members and includes provisions to preclude conflicts of interest. Directors shall owe a fiduciary duty of care to the state of South Carolina during their service. The legislation provides for the establishment of subcommittees of the board of directors to include Finance and Audit, Public Information, Water Services and Resource Management, Generation and Power Supply Planning, and Executive and Governance. The Public Service Authority shall explore joint cost-saving opportunities through joint agreements with a privately owned electrical utility for the purpose of advancing system economy and reliability and generating cost savings to its customers. The legislation makes provisions for the PSA to update its reform plan submitted under to Act 95 of 2019. The Public Service Authority must submit an integrated resource plan for review by the Public Service Commission. A revised process is established for approving PSA rate increases, with appeals of board decisions on rate increases made to the South Carolina Supreme Court. The Public Service Commission Office of Regulatory Staff is afforded authority to investigate the Public Service Authority. The Public Service Authority must apply to the Public Service Commission for approval of the proposed issuance of long-term revenue obligation securities representing new debt. All major utility facilities proposed by the Public Service Authority must be submitted to the Public Service Commission for approval.

The House amended, approved, and sent the Senate **H. 3602**, a Joint Resolution giving individuals, notwithstanding any **professional scope of practice** or unauthorized practice of law, the authority to administer premeasured doses of the COVID-19 vaccine. With conditions, the authorized individuals are unlicensed personnel with current certification by the South Carolina Board of Medical Examiners; students of an accredited medical school, physician assistant school or program, or a nursing school or program with appropriate instruction; Registered Nurses and Licensed Practical Nurses who have retired, become inactive, or whose licenses have lapsed within the last five years; Physicians and Physician Assistants who have retired, become inactive, or whose licenses have lapsed within the last five years; dentists licensed in good standing by the South Carolina State Board of Dentistry and optometrists who have successfully completed the following COVID-19 training programs. The joint resolution also outlines that South Carolina-licensed Advanced Practice Registered Nurses, Physician Assistants, and Registered Nurses in good standing may delegate COVID-19 vaccine dose administration to any individual authorized by South Carolina law to administer vaccines or identified in this provision as authorized to administer COVID-19 vaccines. This Resolution is no longer effective when South Carolina is no longer under a declared public health emergency concerning COVID-19.

The House amended, approved, and sent the Senate **H. 3608** , ajoint resolution **addressing a funding shortfall for the Public Charter School District** as a result of the General Assembly enacting Act 135 of 2020 due to financial uncertainties caused by the COVID-19 virus. The legislation appropriates $9 million dollars from the 2018-2019 Contingency Reserve Fund to the Department of Education for distribution to the Public Charter School District, including the Charter Institute at Erskine, for per pupil funding for the 2020-2021 School Year.The legislation provides that, in the current fiscal year, a charter school sponsor may, but is not required, approve charter applications that meet statutory requirements.

The House passed, as amended, and sent to the Senate **H. 3612,** the "**South Carolina Computer Science Education Initiative Act**." This bill would provide for the expansion and enhancement of computer science education in public high schools through the creation of a statewide computer science education plan. The bill recognizes the value in expanding “computer science learning experiences to all students because computer science supports literacy, math, problem-solving, and technological skills, and advances productivity in every discipline, industry, and profession.” An amendment was adopted that creates a specific career pathways system for information technology (aligning with state and regional workforce needs as determined by the Department of Commerce). In addition, elementary grades are to have the opportunity to learn coding and computer programming. The goals include increased access for computer science education opportunities in rural areas and methods to increase the number of computer science educators. At least every five years, a cyclical review will be conducted of grade appropriate standards for computer science, computational thinking, and computer coding for grades kindergarten through grade twelve. Beginning with the 2022-2023 school year, the bill would require that each public school offer at least one computer science course that meets certain criteria. Subsequently, the Department of Education shall develop guidelines for use by school districts and schools outlining the educational and degree requirements appropriate for computer science teachers. SDE shall promulgate regulations to create certification pathways for computer science teachers. The Department of Education is annually to issue a report to the General Assembly.

The House amended and gave second reading approval to **H. 3609**, a joint resolution **restoring teacher step salary increases** that were suspended by Act 135 of 2020, enacted by the General Assembly due to financial uncertainties caused by the COVID-19 virus. The legislation appropriates $50 million dollars from the 2018-2019 Contingency Reserve Fund to provide for teacher step increases for the 2020-2021 School Year.

The House approved and sent the Senate **H. 3691**, a bill to adopt revised Volume 1A and 14A, Code of **Laws of South Carolina**, 1976, to the extent of their contents, as the only general permanent **statutory law** of the State as of January 1, 2021.

The General Assembly ratified [**H. 3481**](http://scstatehouse.gov/billsearch.php?billnumbers=3481&session=124&summary=B), (R. 1), a joint resolution **suspending a transfer of funds to the South Carolina Retiree Health Insurance Trust Fund** for Fiscal Year 2020-2021. The suspension allows the Public Employee Benefit Authority to retain these funds and continue to use them to address claims, which PEBA anticipates will be increasing following the delays in scheduling elective surgeries caused by COVID-19 shutdowns.

# HOUSE COMMITTEE ACTION

Agriculture, Natural Resources, and

Environmental Affairs

The Agriculture, Natural Resources, and Environmental Committee met on Wednesday, January 27, 2021, and reported out several bills.

In 2018, the South Carolina Legislative Oversight Committee conducted a review of the South Carolina Department of Natural Resources. As a result, the first four bills are recommendations provided by the Oversight Committee. Overall, these bills are “clean up” bills to address technical changes and deletes language that no longer exists. These changes to the laws reflects DNR‘s current practices.

The committee gave a favorable report to **H. 3054,** a bill relating to the Department of Natural Resources’ **mailing requirements for the** **Notice of Suspension of Privileges**. Currently, when licenses are suspended, the Notice of Suspension is sent certified mail to ensure that the notice was received and acknowledged. This bill allows the department to mail notifications through the first class mail service. As a result, the change in this requirement would be a great cost savings to the agency.

The committee gave a favorable report to **H. 3055**, a bill that cleans up language as well as addresses technical changes in the law for the **Department of Natural Resources.** The bill includes, but is not limited to, updating the names of the division department within the Department of Natural Resources as a result of the department’s name change a few years ago; updating department’s name on enforcement officers’ badges; deleting language regarding enforcement officers requirement for bond; and updating boundary description for the Wildlife Sanctuary at Charleston Harbor by simply deleting old references to location descriptions and replacing with GPS coordinates.

**H. 3056**, a bill that deletes outdated Department of Natural Resources **commissions and fish and game clubs** that are no longer part of the laws and practices of the Department, received a favorable report from the full committee. The bill deletes language regarding Legislative Delegations appointing game warden for counties, such as, but not limited to, the Prestwood Lake Wildlife Refuge Board, Catawba-Wateree Fish and Game Commission, Cherokee Fish and Game Club, Darlington County Advisory Fish and Game Commission, and the Lee County Legislative Delegation to Protect Fish and Game in Lee County.

The committee gave a favorable report to **H. 3059**, a bill that repeals provisions relating to the authority of the Department of Natural Resources to issue bonds for the **Heritage Trust Revenue Bonds**. In 2006, the General Assembly allowed the Department to issue bonds against the Heritage Trust Account. Those bonds that were issued are now retired and the authority to issue the bonds had a sunset date of 2008. This bill just deletes that authority language. Please note, this bill does not affect the Heritage Trust Fund, which is still in effect.

In an effort to address concerns dealing with the incompliance of permitted capacity for recycling tire facilities, the committee gave a favorable report to **H. 3222**. The bill enables the Department of Health and Environmental Control to suspend a **waste tire** processing facility from accepting waste tires when it is determined that the capacity at the facility is exceeded. The bill outlines steps along with timeframes to allow a facility to come into compliance prior to being suspended. The bill also requires DHEC to maintain a list of facilities known as the Waste Tire Rebate Facility List. The Waste Tire Rebate Facility List shall include permitted waste tire processing facilities. In addition, DHEC has the ability to remove any facility whose permit has been revoked or suspended, until the permit has been reinstated.

The committee gave a favorable recommendation to **H. 3103**, a bill requiring a **Boating and Safety Education Certification Program** for persons who operate a watercraft with greater than fifteen horsepower engine in public waterways. The bill requires a boating safety education course for persons born date after June 30, 2006. This program is to be developed by the Department of Natural Resources. It was noted that the South Carolina is the only coastal state that does not mandate basic boater safety certification for any age group.

**H. 3071**, a Joint Resolution that creates the **Equine Industry Support Measures Study Committee**, was given a favorable recommendation with amendment by the committee. The Resolution examines the potential for further growth of the equine industry and the resulting economic impact. The committee shall study the potential for equine business growth in South Carolina, outlining steps to encourage growth, as well as identifying any barriers that exist and how to eliminate or reduce them. The committee is to compare South Carolina’s incentives and barriers to other Southeast states (as well as nationally). The study shall investigate any fees, assessments, reimbursements, as well as mills and feed.

This seven-member study committee will include two members of the House of Representatives appointed by the chairman of the Agriculture, Natural Resources and Environmental Affairs Committee; two members of the Senate appointed by the chairman of the Senate Agriculture and Natural Resources Committee; two members from the equine industry, with one appointed by the Speaker of the House of Representatives and one appointed by the President of the Senate, upon the recommendation of the South Carolina Thoroughbred Owners and Breeders Association; and the Commissioner of Agriculture, or his designee.

The study committee shall provide a report outlining its findings and recommendations to the General Assembly by February 15, 2022. The study committee dissolves upon receipt of its report.

#### Education and Public Works

The House Education and Public Works Committee met Wednesday January 27.

The Committee amended, passed, and sent to the House **H. 3612**, the "**South Carolina Computer Science Education Initiative Act**." This bill would provide for the expansion and enhancement of computer science education in public high schools through the creation of a statewide computer science education plan. The bill recognizes the value in expanding “computer science learning experiences to all students because computer science supports literacy, math, problem-solving, and technological skills, and advances productivity in every discipline, industry, and profession.” An amendment was adopted that creates a specific career pathways system for information technology (aligning with state and regional workforce needs as determined by the Department of Commerce). In addition, elementary grades are to have the opportunity to learn coding and computer programming. The goals include increased access for computer science education opportunities in rural areas and methods to increase the number of computer science educators. At least every five years, a cyclical review will be conducted of grade appropriate standards for computer science, computational thinking, and computer coding for grades kindergarten through grade twelve. Beginning with the 2022-2023 school year, the bill would require that each public school offer at least one computer science course that meets certain criteria. Subsequently, the Department of Education shall develop guidelines for use by school districts and schools outlining the educational and degree requirements appropriate for computer science teachers. SDE shall promulgate regulations to create certification pathways for computer science teachers. The Department of Education is annually to issue a report to the General Assembly.

The Committee gave a favorable report, as amended, to **H. 3613**, **early literacy and numeracy screening assessment instruments.** This bill would amend the Read to Succeed Act (Act 284 of 2014) and contains most of the changes that were adopted last year by the House in the Omnibus Education Reform. The bill would provide that the SC Department of Education shall approve no more than five reliable early literacy and numeracy screeners. A district would administer the universal screening process in the first “thirty days of the school year and repeat, if and only if, the student demonstrates literacy and numeracy deficiencies at midyear and at the end of the school year to determine student progression in reading and numeracy in kindergarten through third grade.” Waivers can be granted for alternative instruments.

In addition, the bill creates the South Carolina Reading Panel, and determines the composition, functions, and duties of the panel. Moreover, the bill establishes definitions concerning the universal screening processes used in public school districts for students experiencing academic or social-emotional difficulties and provides that all related screening tools must be capable of identifying students with dyslexia or other reading disorders. Reading interventions must be evidence-based, follow a multi-tiered system of support, and holds that professional development on reading practices be scientifically based. The bill clarifies that district reading plans must provide inappropriate in class interventions.

Also, regarding the Read to Succeed Office, the bill revises the requirements concerning coursework necessary for literacy add-on endorsements and revises requirements for professional development for certified reading/literacy coaches and literacy teachers. The coursework must be founded on scientifically based reading practices and evidence-based interventions, including how to use the data to identify struggling readers and inform instruction).

The bill also revises the requirements for screening and diagnostic assessments and interventions relating to mandatory student retention provisions of the Read to Succeed Act, to revise criteria for retention and exemptions from retention, to eliminate an appeals process, and to revise criteria for intensive instructional services and support provided to retained students. The bill would remove the requirement that reading/literacy coaches be employed in all elementary schools, revise requirements concerning the roles and functions of reading/literacy coaches, and provide certain reading and literacy support services to schools identified as having certain levels of lowest achievement on English/language arts summative assessments by third grade students.

The Committee gave a favorable report, as amended, on **H. 3589**, a bill that would re-designate certain schools from their previous designation as a “schools of choice” to “**schools of innovation**.” This designation would relieve a school from following certain rules and regulations as it works to improve student performance through nontraditional approaches. In order to earn this exemption, a district must identify each law, regulation, and policy from which the school is requesting exemption. This has to be achieved with a two-thirds vote of the local board and the State Board of Education. The bill would allow that public school districts may establish multiple (but a limited number) schools of innovation. Districts may not name all schools in a district as a school of innovation. The designation must be renewed every four years.

#### Judiciary

A favorable report with amendments was given to **H. 3443**, a bill to establish more **General Assembly Oversight of Gubernatorial Emergency Orders**. In its amended version, after 30 days of an order’s date, the General Assembly could meet at the call of the House Speaker and Senate President. An issued order could be terminated, or consented to, via a concurrent resolution; or altered, or amended, via a Joint Resolution, at this called meeting.

#### Labor, Commerce and Industry

The Labor, Commerce and Industry Committee met on Thursday, January 28, and reported out several bills.

The committee gave a favorable report on **H. 3586**, a bill establishing a **Department of Insurance Fraud Division**. The legislation provides for the transfer of insurance fraud duties and obligations from the Attorney General’s Office and houses them in a new Fraud Division established within the Department of Insurance.

The committee gave a favorable report on **H. 3585**, a bill implementing regular updates and revisions for **Department of Insurance** provisions.

The committee gave a favorable report on **H. 3587**, a bill providing a technical correction in **reduction in insurance coverage** provisions.

#### Medical, Military, Public and Municipal Affairs

This committee did not meet.

#### Ways and Means

The Ways and Means Committee met on Monday, January 25, and reported out **H. 3707**, a joint resolution making **appropriations for the state’s public health response to the COVID-19 virus**, including vaccinations.

A total of $208 million is appropriated from the Contingency Reserve Fund. $63 million is allocated to the Department of Health and Environmental Control and $45 million is allocated to the Medical University of South Carolina to allow DHEC and MUSC, in consultation, cooperation, and collaboration with the South Carolina Hospital Association, the South Carolina Primary Care Association and any other Federally Qualified Heath Centers, and other appropriate entities and associations, to: (1) expand statewide vaccination capacity; and (2) continue to administer the statewide COVID-19 testing plan. The use of these funds includes costs related to COVID-19 such as vaccination, continued testing and contact tracing, personal protective equipment and medical supplies, personnel costs, education and marketing campaigns, quarantine, transportation and storage, and mobile health units. DHEC, in coordination with MUSC, the South Carolina Hospital Association, the South Carolina Center for Rural and Primary Healthcare, and other relevant stakeholders, shall implement a plan to reach rural and underserved populations who are eligible to be vaccinated. $100 million of the Contingency Reserve Fund appropriation is deposited in a COVID-19 Vaccine Reserve account that is created to pay for administering COVID-19 vaccines, addressing costs associated with such issues as staffing, security, traffic control, storage, transportation, and mobile health units. Of these reserve account funds, up to $75 million is allocated to hospitals and up to $25 million is allocated to other COVID-19 vaccination providers that are enrolled and activated by DHEC. In approving expenses, DHEC must give priority to hospitals and other providers with a high demand for the vaccine and the ability to administer the vaccine in high quantities. No reserve account funds may be released to any hospital that is not offering vaccine appointments to the public.

All vaccines received by the state must be allocated to the four DHEC public health regions in a per capita manner with considerations taken into account for such factors as poverty level, infection rates, age, and high risk populations. MUSC shall coordinate with DHEC and partner with local healthcare providers to ensure that gaps in statewide vaccination delivery are covered, with priority given to rural and underserved areas. DHEC shall allocate vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per capita allocation. Provisions are made for a COVID-19 Vaccine Regional Advisory Panel in each of the four public health regions to make recommendations to DHEC on vaccine deployment. Under the planning process, available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire, and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state’s ability to expeditiously administer the vaccine. DHEC is charged with record-keeping responsibilities and daily reporting requirements to keep the public informed of vaccine availability, doses administered, and progress towards attaining the state’s vaccination goals.

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# BILLS INTRODUCED IN THE HOUSE THIS WEEK

Agriculture, Natural Resources, and

Environmental Affairs

**H. 3727** **Animal Control Officers** **Rep. Finlay**

This bill authorizes a county or municipality, at its discretion, to allow animal control officers to carry firearms.

**H. 3753 Solid Waste Rep. Felder**

The bill provides that the post use of polymers and recoverable feedstocks used in pyrolysis and gasification processes are “recovered materials” and are not “solid waste” regulated by the Department of Health and Environmental Control. In addition, the bill regulates recovered materials that have been accumulated speculatively as solid waste.

**H. 3765 Campground Owners as Innkeepers Rep. Burns**

Under this proposal, campground owners would be considered innkeepers who may request assistance from local law enforcement to eject any guest, visitor of a guest, or a trespasser from their facilities. The bill further outlines that a guest ejected from a campground has ten days to make a valid claim for any property they supposedly leave behind.

#### Education and Public Works

**H. 3730 Motor Vehicles and Railroad Crossings Rep. R. Williams**

This bill would provide the additional circumstance of “other on-track equipment” that would require a driver of a motor vehicle to stop a vehicle approaching a **railroad grade crossing** in order to obey a signal that indicates an approaching train.

**H. 3751 SDE and Plans/Specifications Regarding All Construction, Improvement, and Renovation of Public School Buildings Rep. Thayer**

This bill relates to schools and school districts and would provide allowances and restrictions on the State Department of Education (SDE) regarding the approval of plans and specifications for all construction, improvement, and renovation of **public school buildings** (subject to applicable state and local building codes and standards). The bill also provides compliance authority, the exclusion of district administration buildings, waivers from certain school building regulations and changes to property acquisition for purposes of conformity, and repeals a section relating to inspections and certificates of approval issued by the Department for local school construction, improvements, and renovations.

#### Judiciary

**H. 3700 Civil Litigation Demands Rep. G. M. Smith**

A bill to establish requirements and procedures for making time-limited demands in personal injury, bodily injury, property damage, or wrongful death civil litigation cases.

**H. 3708 No Guns or Ammunition for Convicts Rep. Rose**

Anyone convicted of a felony cannot have guns or ammunition in their possession under current law. This bill expands that prohibition to anyone convicted of a crime punishable by imprisonment for more than one year. As part of this expanded coverage, it also increases, and sets up a graduated scale for penalties.

**H. 3710 No Right to Keep or Bear Arms Restrictions Rep. Burns**

This proposal would amend our State Constitutional provisions allowing every citizen to keep and bear arms, to clarify it as a fundamental and inalienable right, especially in defense of oneself or our State. Furthermore, any attempts to restrict this right would be subject to strict scrutiny review standards.

**H. 3711 No Workplace Penalties for Declining COVID-19 Vaccinations Rep. Gagnon**

Under the provisions of this bill, COVID-19 vaccinations would be deemed voluntary, and no employer could take any adverse action against any employee declining vaccination.

**H. 3723 Law Enforcement Racial Sensitivity Training Rep. Henderson-Myers**

Law enforcement officers would be required to complete credits in racial sensitivity over a three-year recertification period under this pending legislation.

**H. 3724 Law Enforcement Officer Training to Include Associate Degrees Rep. Henderson-Myers**

The State Law Enforcement Training Council could accept for law enforcement officer training, anyone who has obtained an associate degree, or is enrolled in an associate degree program.

**H. 3725 Psychiatric Examinations and Disciplinary Checks as Certified Law Enforcement Officer Prerequisites Rep. Henderson-Myers**

Law enforcement agencies seeking to certify their law enforcement officers would have to provide psychiatric examination results and a search of prior complaints and disciplinary actions against these candidates (showing no major infractions).

**H. 3728 Criminally Threatening a Public or School Official Rep. Hyde**

A bill to create the felony criminal offense of overtly threatening to kill, or inflict bodily harm on, a public official, public employee, teacher, principal, or these officials’ immediate family members.

**H. 3733 Clerks of Court and Their Courthouse Spaces Authority Rep. Gilliam**

County clerks of court would be in charge of all areas of courthouses. If enacted, this legislation specifically includes all areas designated by county councils to be used by agencies and departments overseen by court administration.

**H. 3741 Gun Sales and Gun Discharges Rep. May**

Local governments could not enact ordinances affecting gun and ammunition sales, or owners of twenty-five acres or more, from firing guns on their property.

**H. 3743 No Public Funds to Pay Lobbyists Rep. May**

No public funds could pay for lobbyists if this legislation is enacted.

**H. 3746 Term Limits Rep. May**

This proposed amendment to our State Constitution would limit Senators to three consecutive terms and House Members to six consecutive terms.

**H. 3750 Civil Case Injury Allocation Rep. Hiott**

In tort cases, personal injury or other proximately caused losses could be apportioned amongst all those causing these damages under this submitted legislation, whether or not they are a party to any given lawsuit.

**H. 3755 Execution Method Selections Rep. Murphy**

Inmates sentenced to death could choose between electrocution or lethal injection, if lethal injection is available at the time of their selection. However, under the provisions in this bill, a death sentence must be by electrocution regardless of the method selected by inmates, if execution by lethal injection is unavailable, or is found unconstitutional by any appellate court.

**H. 3758 Joint Committee on Women's Reproductive Rights Rep. J. L. Johnson**

A bill to create a "Joint Committee on Women's Reproductive Rights to review proposed legislation affecting women’s reproductive rights and make recommendations to the General Assembly. Sets up membership, authority, responsibilities, compensation of committee members, and recommendation or reporting requirements.

**H. 3766 SCDHEC Restructuring Rep. Yow**

Proposes to restructure the SC Department of Health and Environmental Control. Would create a Department of Public Health and a separate Department of Environmental Control. Each would have a director to be appointed by the governor. Changes to existing state code sections to reflect this restructuring are included in this proposal.

**H. 3769 “Micro‑Distillery Parity Act**‑**” Rep. Stavrinakis**

Proposes the “Micro‑Distillery Parity Act” so a licensed micro‑distillery could operate a food establishment on its premises, if this legislation is enacted. Removes any requirements that tastings and sales be held in conjunction with site tours. Also removes any limitation on the sale of mixers. Other brands of liquor could be sold at these food establishments. Retail sales of merchandise and other items could be done in their tasting rooms.

**H. 3771 Municipal Voting Precincts Size and Location Updates Rep. Hixon**

Municipal election precincts would contain three thousand voters, up from the current maximum of five hundred or more voters, under this proposal. In addition, pooled municipal polling places could not be more than five miles, up from no more than three miles, from the nearest part of any pooled precinct.

**H. 3772 Beer and Wine Deliveries Rep. Bernstein**

A bill to allow beer and wine retailers to use delivery services, employees, or independent contractors to deliver beer and wine to customers so long as certain guidelines are followed.

#### Labor, Commerce and Industry

**H. 3729 Abandoned Vehicles Rep. Sandifer**

This bill revises provisions relating to vehicles parked on private property without permission, so as to provide that only certain storage costs may be charged to the owner and lienholder of a vehicle found parked on private property without permission. The legislation revises provisions relating to liens for storage, so as to prohibit the collection of storage costs by a towing company, storage facility, garage, or repair shop prior to the person sending notice to the owner and lienholder. The legislation revises provisions relating to payments for the release of abandoned vehicles, so as to provide that a towing company and storage facility may not charge any storage costs before notice is sent to the owner and lienholder. The legislation revises provisions relating to law enforcement towing and storage procedures, so as to provide that a towing company, storage facility, garage, or repair shop may not charge any storage costs before notice is sent to the owner and lienholder.

**H. 3742 Home-Based Businesses or Occupations Rep. May**

This bill makes provisions for home-based businesses or occupations as an accessory use in residential homes.

**H. 3748 Required Health Insurance Coverage of Annual Well-Woman Examinations Rep. Matthews**

This bill establishes requirements for individual and group health insurance and health maintenance organizations to cover annual well-woman examinations, which are physical examinations that include a pelvic examination, breast examination, and contraceptive counseling.

**H. 3760 Remote Participation in Annual Shareholders’ Meetings Rep. Sandifer**

This bill revises provisions relating to corporations’ annual shareholders’ meetings, so as to allow for remote participation in meetings.

#### Medical, Military, Public and Municipal Affairs

**H. 3731 Counselors, Therapists and Psychologists Licensing Rep. Erickson**

This bill provides for the regulation and licensing of behavior analysts and assistant behavior analysts. The practice of behavior analysis means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior. The practice of behavior analysis includes the empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis.

**H. 3732 State’s Phase 1A COVID-19 Vaccine Plan Rep. Howard**

The Department of Health and Environmental Control shall add custodial workers to Phase 1a of the state’s COVID 19 Vaccine Plan for purposes of vaccine rollout of initial vaccine doses.

**H. 3749 Human Milk Products Rep. Bernstein**

A bill to establish a program to regulate and license milk banks that collect, donate, process, sell or distribute pasteurized donor human milk and human milk products.

**H. 3754 “Youth Access to Tobacco Prevention Act” Rep. Bernstein**

Among many things, the bill outlines that a Tobacco retailer engaging in the distribution of tobacco products, at each location in South Carolina, shall secure, and display at all times, a tobacco retail sales license from the Department of Revenue before engaging or continuing to engage in such business. No tobacco retailer may distribute tobacco products without a valid tobacco retail sales license. Any business or tobacco retailer selling or attempting to sell tobacco products without a license must be fined one thousand dollars and is ineligible to receive a tobacco retail license for a period of three years.

**H. 3773 Hearings on a Person’s Fitness to Stand Trial Rep. West**

Among many things, this bill extends the length of time certain persons unfit to stand trial may be hospitalized for restoration to 180 days.

**H. 3775 Health Benefit Plan Rep. Robinson**

The bill outlines that no health benefit plan may require an insured to fail to successfully respond to a drug(s) for stage four advanced, metastatic cancer prior to the approval of a drug prescribed by the physician. This provision applies to health insurance plans issued, renewed, delivered, or entered into on or after the effective date of approval.

Ways and Means

**H. 3706 State Aviation Fund Rep. Hiott**

This bill establishes a schedule for crediting the proceeds of property taxes on airlines to the State Aviation Fund.

**H. 3709 Reduced Sales Tax for Those Who Are at Least Seventy Years Old Rep. J. L. Johnson**

This bill revises the one percent sales tax exclusion so that it applies to individuals are at least seventy, rather than eighty-five, years old.

**H. 3726 Buydown Arrangements under Sales and Use Tax Rep. West**

This bill revises the definition of “gross proceeds of sales” under sales and use tax provisions so as to exclude amounts received from a buydown. Under the legislation, a buydown is an agreement between a retailer and a manufacturer or wholesaler in which the retailer receives a payment from the manufacturer or wholesaler that requires the retailer to reduce the sales price of the manufacturer’s or wholesaler’s product to the retail purchaser.

**H. 3744 Public Funding Disallowed for Professional Sports Stadiums Rep. May**

This bill provides that the state may not provide or offer to provide public funding for certain construction or maintenance of professional sports stadiums.

**H. 3745 Proposed Constitutional Amendment Requiring Supermajority Legislative Support for Tax and Fee Increases Rep. May**

This bill joint resolution proposes an amendment to the South Carolina Constitution to provide that a tax or license fee may not be imposed, levied, or the effective rate of any tax levied or license fee imposed may not be increased except upon passage of an act which has received a two-thirds vote on the third reading of the bill in each branch of the General Assembly.

**H. 3747 “Female Health and Wellness Act” Rep. Matthews**

This bill exempts feminine hygiene products from sales taxes.

**H. 3752 Sales Tax Exemption for Marine Corps. Toys for Tots Foundation Rep. West**

This bill establishes a sales tax exemption for toys purchased by the Marine Corps. Toys for Tots Foundation for the sole purpose of use in donation boxes.

**H. 3756 School District Emergency Sick Leave Plans Rep. Alexander**

This joint resolution provides that public school districts shall develop and implement emergency sick leave plans using certain federal funds intended for COVID-19 relief and establishes requirements for such plans. The legislation provides related support requirements of the State Department of Education and establishes protections for school district employees who use such emergency sick leave.

**H. 3770 Emergency Rental Assistance Program Funds Rep. G. M. Smith**

This joint resolution authorizes the use of federal funds from the Emergency Rental Assistance Program and provide for the manner in which the funds must be distributed.

**H. 3774 Professional Employer Organizations Rep. Gagnon**

This bill establishes provisions addressing professional employer organizations that include: eligibility for certain tax credits and economic incentives under the Enterprise Zone Act of 1995; determination of tax credits and economic incentives based on employment with respect to client companies; provisions for written notice and agreements; provisions that professional employer organizations shall not engage in the sale of insurance or act as third party administrators; and provisions that the sponsoring and maintaining of employee benefit plans for the benefit of assigned employees does not constitute the sale of insurance.

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