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# HOUSE WEEK IN REVIEW

The House recalled **S. 704** from the House Education Committee. S. 704 is a bill regarding the return to five-day, in person **classroom instruction** for the 2020-2021 and 2021-2022 school years. The House amended the bill, gave it third reading and returned it to the Senate with amendments. The bill from the Senate would suspend the earnings limitation under certain terms and for certain members of the South Carolina Retirement System. The Senate further amended the bill to include a prohibition of “dual-modality instruction.” The House amended the bill with a strike and insert that for “the 2020-2021 School Year, every school district in the State must offer five-day, in-person classroom instruction to students no later than April 26, 2021. For the 2021-2022 School Year, every school district in the State must offer five-day, in-person classroom instruction to students.”

The House gave third reading and sent to the Senate **H. 3588**, a bill that would strengthen requirements of high school seniors seeking **LIFE scholarships.** The legislation would require successful completion of at least one unit of credit in mathematics or computer science and one unit of credit in English/language arts during the senior year of high school (which may be accomplished by dual enrollment during the senior year beginning in July 2025). However, students with a cumulative grade point average of 4.0 or greater are exempt from having to take a unit of credit in mathematics or computer science and a unit of credit in English/language arts during their senior year. These same provisions are also extended to the SC Hope scholarship. The bill also establishes a minimum ACT score of 22 for LIFE eligibility instead of having the ACT score tied to concordance with a score of 1100. The bill excludes members of the 2024 - 2025 senior class from these requirements. In an effort to ensure clarity, an easily identifiable and uniform notation that shall be prominently included on an eligible student's official high school transcript shall evidence achievement of this particular requirement. The amendment also included elements of H. 3017, that would allow a “student who uses a Palmetto Fellows Scholarship to attend an eligible two-year institution shall receive a maximum of four continuous semesters, and may continue to use the scholarship to attend an eligible four-year institution, subject to the maximum number of semesters for which the student may be eligible for the scholarship."

The House amended and gave second reading to [**S. 38**](http://scstatehouse.gov/billsearch.php?billnumbers=38&session=124&summary=B). This bill would enact the **Reinforcing College Education on America's Constitutional Heritage Act (or, the REACH Act**). This bill would require that each public institution of higher learning instruct in and all undergraduates shall complete no fewer than three semester credit hours in American history, American government or other equivalent course of instruction that provides a comprehensive overview of the major events and turning points of American history and government, which includes at a minimum, reading in their entirety: the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and at least five essays from the Federalist Papers. This bill is very similar to H. 3338 by Representative G. R. Smith. The primary difference between the bills is that the House bill requires reading the Civil Rights Act of 1964 while the Senate bill requires reading the Emancipation Proclamation. The amendment adopted by the House requires the study of “one or more documents that are foundational to the African American Freedom struggle.”

The House conferees on **H. 3589** (Reps. Allison*,* Felder, and Alexander) reported the results of their discussions and recommended the House adopt the conference report. It was adopted. The bill would re-designate certain schools from their previous designation as "schools of choice" to "**schools of innovation**." This designation would relieve a school from following certain statutes, rules, and regulations in allowance and recognition of nontraditional approaches. The bill outlines the steps a school district must follow to achieve the status of exemption. In order to earn this exemption, a district must identify each law, regulation, and policy from which the school is requesting exemption. Not every school in a district may be a school of innovation and a school district cannot have the entire district be a school of innovation. The bill requires approval of two-thirds of a local board and two-thirds of the State Board of Education are necessary to create a school of innovation. The same vote requirement is required for a change to the wavier. Schools of innovation will provide full financial statements detailing how a school receives and expends funds. It also requires schools of innovation to report their academic achievements on the same assessments that are taken by other schools and designate the financial model that will be used. Local districts may not relinquish local control or oversight of a school of innovation.

The House of Representatives approved **S. 271**, a bill revising **revitalization incentives**, and enrolled the legislation for ratification. The legislation extends the provisions of the South Carolina Abandoned Buildings Revitalization Act until December 31, 2025. The legislation also includes railroad rights of way within a provision of the South Carolina Textiles Communities Revitalization Act.

# HOUSE COMMITTEE ACTION

Agriculture, Natural Resources, and Environmental Affairs

The committee did not meet this week.

#### Education and Public Works

This Committee did not meet this week.

#### Judiciary

Full committee did not meet.

#### Labor, Commerce and Industry

The committee did not meet this week.

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

The Medical, Military, Public and Municipal Affairs Committee met on Wednesday, April 14, 2021, and reported out several bills.

**H. 3169**, a bill addressing foreign births, was given a favorable approval by the committee. This bill outlines that the Department of Health and Environmental Control shall register and provide a **“Certificate of Foreign Birth”** document for a child born in a foreign country who was a United States citizen at the time of birth and born to a parent that is a resident of the state. The certificate must be labeled “Certificate of Foreign Birth” and must show the actual country of birth. The bill also indicates that the name of the child on the certificate must be the same name displayed on the evidence of United States citizenship.

The committee gave a favorable recommendation to **H. 3231**, a bill addressing the need for certain persons who were born in a time where his or her birth was not registered by the state. This bill allows for an inscribed family bible or genealogical records to be used as documentation for obtaining a **delayed birth certificate** for births that are not registered.

**S. 454**, a bill that deals with the **authorized provision of medications by unlicensed persons** in community residential facilities was given a favorable recommendation by the committee. Currently, unlicensed persons in community residential facilities are authorized to provide medications. This bill extends that authorization to include correctional facilities.

The committee gave a favorable report to **H. 3336**, a bill allowing a **trained volunteer school employee, who is not a medical professional, to administer glucagon or insulin in the case of an emergency** to students diagnosed with diabetes. The bill also outlines that a school district may recruit and identify public school personnel to serve as care providers to administer glucagon, insulin, or both when a licensed registered nurse is not available.

**S. 571**, a bill that would require an authorized practitioner who prescribes opioids to offer a prescription for **Naloxone** or another opioid reversal drug, was given a favorable report by the Committee. This bill outlines that the offer be made to patients when the opioid drug prescription is for 50 or more morphine milligram equivalents per day; or the opioid drug is prescribed concurrently with a benzodiazepine; or the patient has an increased risk for overdose. The bill further states that a prescriber must educate the patient about overdose prevention and the use of the opioid reversal drug. A prescriber who fails to offer the opioid reversal drug prescription or fails to provide the required education may be subject to discipline by the prescriber’s licensure board.

The committee gave a favorable report to **H. 3773**, a bill that allows **restoration treatment** as an option for individuals who are found unfit to stand trial, but who are likely to become fit in the foreseeable future. Currently, if an individual is found to be unfit to stand trial but likely to be fit in the foreseeable future, the individual is hospitalized for up to sixty days. In an effort to address some of the Department of Mental Health’s concerns for limited resources, this bill will allow these individuals to undergo restoration treatment provided by the Department of Mental Health for up to 180 days. This bill also gives the Department of Mental Health the discretion to provide restoration treatment at a hospital or detention facility if an individual is detained, or in a hospital or outpatient basis if the individual is on bond.

**H. 3956** a bill creating the **South Carolina Rare Disease Advisory Council** within the Department of Health and Environmental Control, was given a favorable report. A minority report was also attached. The purpose of the Council is to advise the General Assembly and other governmental agencies and departments on the needs of individuals with rare diseases. Among many things, the Council shall conduct public hearings, consult with experts on rare diseases, research and identify priorities related to treatments, and publish a list of existing, publicly accessible resources on research, diagnosis, treatment, and education relating to the rare diseases in South Carolina on the Council's website.

The Governor shall appoint the chair of the Council (that person shall not hold any position within the government of South Carolina). The chair shall appoint the following: one representative from the South Carolina Department of Health and Environmental Control or Office of Minority Health in the Department; one registered nurse or advanced practice registered nurse licensed and practicing in South Carolina with experience treating rare diseases; one physician practicing in South Carolina with experience treating rare diseases; at least two patients who have a rare disease; at least one caregiver of a person with a rare disease; two representatives of different rare-disease patient organizations that operate in South Carolina; one representative of the biopharma industry; one representative of a health plan company; and one member of the scientific community who is engaged in rare-disease research including, but not limited to, a medical researcher with experience conducting research on rare diseases. Members shall serve without compensation and are ineligible for the mileage, subsistence, and per diem.

The committee gave a favorable report to **H. 3998**, a bill that adds **Schedule V controlled substances** to the definition of controlled substances and requires DHEC to add Schedule V controlled substances to its Prescription Monitoring Program. A minority report was attached.

#### Ways and Means

The committee did not meet this week.

# BILLS INTRODUCED IN THE HOUSE THIS WEEK

Agriculture, Natural Resources, and Environmental Affairs

#### Education and Public Works

**S. 685 Compensation of Intercollegiate Athletes Sen. Hembree**

This bill would provide for the compensation of intercollegiate athletes for the use of an athlete's name, image, or likeness; and to define necessary terms.

**H. 4200 Darlington County School District Rep. R. Williams**

This bill would provide that the **Darlington county school district** shall offer employees who work less than twelve months annually the option of being paid over the length of their contract instead of on a year-round basis.

**H. 4212 Student Education Loans Rep. J. L. Johnson**

This bill would limit the amount of time that interest may accrue on a student education loan.

#### Judiciary

**H. 4187 Tax Referendums Rep. W. Cox**

Tax referendums would have to be scheduled at the same time as general elections if this proposal is enacted.

**H. 4201 “South Carolina Citizens Redistricting Commission” Rep. Cobb-Hunter**

The "South Carolina Citizens Redistricting Commission” would prepare a redistricting report for adoption by the General Assembly under this proposal. It contains prohibitions against executive or legislative alterations, or vetoes. This proposed commission's final reapportionment plan would be reviewed for a yes or no vote. In addition, the General Assembly could not *sine die* adjourn until it has received and adopted the Commission's proposed reapportionment plan.

**H. 4202 SC Citizens Redistricting Commission Rep. Cobb-Hunter**

Proposes a South Carolina Citizens Redistricting Commission. This group would submit a reapportionment plan to the General Assembly based on updated data received from the US Decennial Census. It contains criteria for member selection and qualification, as well as its powers, duties, and terms for Commission members.

**H. 4210 Criminally Disclosing Personal Information Rep. Calhoon**

This bill would attach criminal liability to anyone knowingly making restricted personal information publicly available. It particularly focuses on the information of covered individuals, or their immediate families, when it is disclosed in order to threaten, intimidate, or incite harassment of them, or cause the commission of violent crimes against them.

**H. 4211 Confiscating Firearms and Ammunition from At-Risk Individuals Rep. Govan**

Law enforcement officers would be given authority to seize firearms and ammunition from anyone at risk of imminent personal injury to himself, herself, or others under this legislative proposal. The bill sets up criteria for warrant applications. Probate courts would conduct hearings within seven days of these confiscations to determine their validity.

**H. 4213 Foreign Subpoenas to be Given Full Faith and Credit Rep. Pope**

South Carolina businesses would be required to honor out-of-state subpoenas, court orders, or warrants without the need of a local court order domesticating them, or otherwise declaring them to be valid, if this bill is enacted.

**S. 28 Interlock Ignition Devices in Place of License Suspensions for Minors and Habitual Offenders Sen. Hutto**

This bill would allow minors driving with an unlawful amount of alcohol in their system to sign up for interlock ignition system installation in their vehicles instead of having to serve a license suspension period. It also extends this opportunity to any drivers determined to be habitual offenders. A temporary alcohol license administrative hearing must be held within three months of charges being made, or the driver can have the interlock system removed. Interlock device manufacturers would also be required to provide certification of their devices.

**S. 29 Watercraft Liability Insurance Sen. Hutto**

Owners of watercraft having engines with over fifty horsepower would have to carry at least $50,000 in liability insurance if this bill becomes law.

**S. 351 Former Inmates Voting Rights Restoration Sen. McLeod**

Proposed legislation to require the state corrections department, probation officers, and parole officers to provide notice to anyone convicted of crimes about the process for registering to vote. These convicted persons must first be able to certify they have completed the sentences that were imposed on them.

**S. 619 Winery, Brewery, and Distillery Alcohol Sales Sen. Rankin**

Under the proposed provisions in this bill, and among other things, South Carolina wineries would be able to sell their wines, with up to 16.5 percent alcohol content, on their premises. Wine they have not fermented, but that is American-sourced, could also be sold, but would be limited to 24 bottles. Major wine producers could establish tasting rooms in our state up to a certain number, depending upon their production capacities. Micro-distilleries could sell up to six bottles of their products.

Wines with a higher alcohol content could only be sold at licensed retail outlets, or at locations with on-premises consumption licensing.

Tasting rooms meeting listed criteria could provide samples of alcohol, cordials, and spirits with more than 16.5 percent alcohol concentration as well.

#### Labor, Commerce and Industry

**S. 232 Conversion of a Nonprofit Corporation to a Limited Liability Company Sen. Turner**

This bill provides for the conversion of a nonprofit corporation to a limited liability company.

**S. 500 Board of Architectural Examiners Sen. Scott**

This bill revises provisions governing persons and activities exempt from licensure or regulation by the Board of Architectural Examiners, so as to revise an exemption for plans and specifications for certain dwellings.

**S. 533 Prohibition on Subminimum Wages for Individuals with Disabilities Sen. Shealy**

This joint resolution prohibits employers from using Section 14(c) of the Fair Labor Standards Act of 1938 to pay subminimum wages to individuals with disabilities.

**S. 623 Automobile Insurance Policy Rate Increases Sen. Gambrell**

This bill makes revisions to premium rate increase requirements for automobile insurance policies, including which rate increases require approval by the Director of the Department of Insurance. The legislation eliminates certain requirements for the submission of a report by the Director of the Department of Insurance.

**H. 4199 Debit Cards Must Be Considered the Same as Cash in Motor Fuel Purchases Rep. R. Williams**

This bill provides that any person that is in the business of selling motor fuel at retail in this state and charges different prices for the purchase of motor fuel based on the form of payment, must consider a debit card the same as cash, and charge the purchaser the same as if the purchaser paid with cash.

**H. 4203 Repossession of Installed Equipment Rep. Forrest**

This bill establishes conditions under which a contractor or company that provides and installs any and all removable equipment may repossess the installed removable equipment from a consumer who defaults on an agreement by failing to make the required payment. Equipment that is marked with UCC identification information, model numbers, serial numbers, identification codes, or other similar markings that identify a particular piece of equipment from the same or similar equipment made by a particular manufacturer to a consumer through a consumer credit transaction is the subject.

**H. 4220 Mutual Decision to Terminate or Rescind a Life Insurance Policy Rep. Sandifer**

This bill makes provisions for mutual rescission of individual life insurance policies. The legislation revises required individual life insurance policy provisions, so as to allow for the mutual decision to terminate or rescind a policy of insurance.

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

**S. 177 COVID-19 Vaccinations Sen. Corbin**

This joint resolution outlines that no person may be compelled to undergo vaccination to prevent COVID-19. If a person chooses not to undergo vaccination, then the person’s employer may not subject the person to an adverse employment action, including, but not limited to, a termination, suspension, involuntary reassignment, or demotion.

**S. 379 Perinatal Care Services Sen. Cash**

The bill outlines that the Department of Health and Environmental Control shall promulgate regulations that recognize midwives, integrating midwives and birthing centers into the organization of perinatal levels of care.

**Ways and Means**

**S. 436 Community Development Tax Credits Sen. Cromer**

This bill revises provisions governing Community Development Tax Credits to provide that an aggregate limit for all taxpayers in all tax years is increased by three million dollars. Of this additional three million dollars, only one million dollars may be used for credits earned and certificates issued in tax year 2021, and the remaining two million dollars only may be used for credits earned and certificates issued for tax years beginning after 2021.

**S. 587 Economic Development Bonds for Meeting and Exhibit Spaces Sen. Turner**

This bill revises provisions governing economic development bonds for conventions and trade shows, to provide that the provisions requiring the reimbursement of bond proceeds, plus interest, upon the sale of a meeting and exhibit space are not applicable if the sale proceeds are used in their entirety for a new meeting and exhibit space of not less than fifty thousand square feet. The legislation provides for the reimbursement of a state agency, instrumentality, or political subdivision for the acquisition or construction of a new meeting and exhibit space of not less than fifty thousand square feet if construction occurred prior to the sale of the original meeting and exhibit space. The legislation establishes conditions under which the exemption applies.

**S. 609 Conducting Criminal Background Checks on Public Employees and Contractors Sen. Alexander**

This bill authorizes state agencies and political subdivisions that have access to federal tax information to conduct criminal background checks on its employees and contractors to comply with Internal Revenue Service Publication 1075.

**S. 644 Division of Small and Minority Business Contracting and Certification Sen. Scott**

This bill transfers the Division of Small and Minority Business Contracting and Certification from the Department of Administration to the State Fiscal Accountability Authority.

**S. 658 Designating Contingent Beneficiaries in State Retirement Systems Sen. Bennett**

This bill provides that a member who is not retired may nominate a contingent beneficiary for receipt of payment on death of the member within all state retirement systems. Currently, only active contributing members may nominate a contingent beneficiary. This bill allows those members who are not active contributing members, but are not yet retired, to make this nomination.

**S. 675 State Aviation Fund Sen. Kimbrell**

This bill revises the distribution of revenue from aircraft property taxes so that the revenue is credited to the State Aviation Fund. This revised distribution is phased-in with all revenue credited to the State Aviation Fund after Fiscal Year 2021-2022. The legislation provides that these revenues credited to the State Aviation Fund shall be used, in part, to aid counties within the State that do not have an airport facility in obtaining or developing an airport facility through the South Carolina Aeronautics Commission.

**S. 677 Tax Credits Earned by Partnerships Sen. Davis**

This bill provides for the allocation of a tax credit or unused credit amount carried forward that is earned by a partnership or limited liability company taxed as a partnership.

**H. 4196 School to Work Program Tax Credit Rep. R. Williams**

This bill allows for an income tax credit to a taxpayer that operates a school to work program which links students and schools with the workplace.

**H. 4197 Homestead Exemption Extension Rep. R. Williams**

This bill extends the homestead exemption for the disabled and elderly to all fair market value of the homestead subject to property tax beginning for the property tax year in which the individual currently receiving the homestead exemption attains the age of eighty-five years if the gross household income of that individual is fifty thousand dollars or less.

**H. 4198 Hospitals Prohibited from Charging Uninsured Patients Higher Fees Rep. R. Williams**

This bill provides that a hospital licensed in this state may not charge uninsured patients fees for services rendered that are in excess of the maximum fees charged for the same services rendered to insured patients.

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Sources: The source for this document is the *House Journal* for the 124th Session, 2021-2022, South Carolina General Assembly and committee staff materials.

April 16, 2021

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