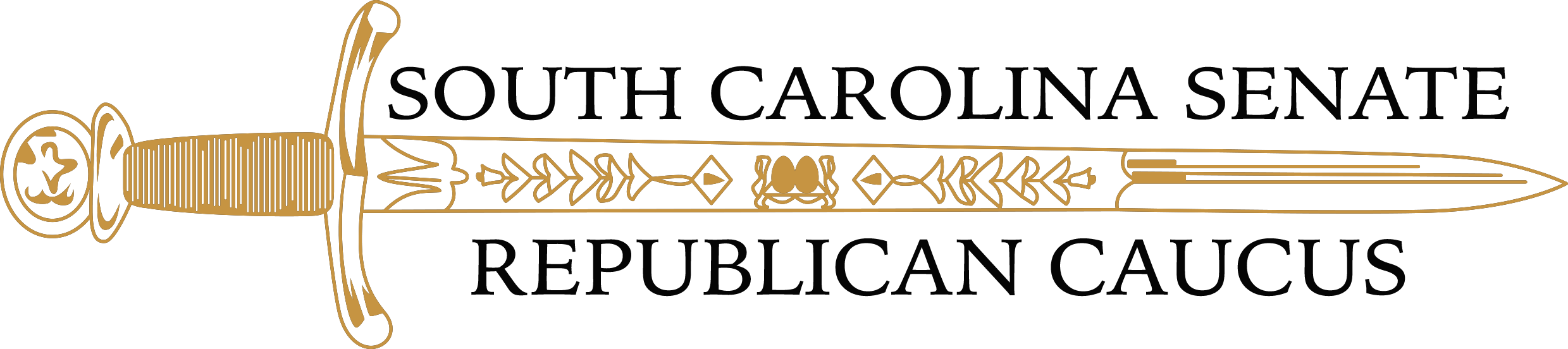
**South Carolina Senate Majority**

**2021 Legislative Year in Review**



***2021 LEGISLATIVE YEAR IN REVIEW:***

*Updated May 14, 2021*

**WEEK IN REVIEW: January 25-29, 2021**

**S.1** – SC Fetal Heartbeat and Protection From Abortion Act: A bill to require an abortion provider to perform an obstetric ultrasound to determine if the unborn child’s fetal heartbeat is present and viewable. No person may perform, induce or attempt to perform an abortion when a fetal heartbeat is detectable. A person who violates is guilty of a felony and upon conviction must be fined ten thousand dollars, imprisoned not more than two years, or both. A physician may perform, induce or attempt to perform an abortion on a pregnant woman after a fetal heartbeat has been detected only if the pregnancy is the result of rape and the probably post-fertilization age of the fetus is fewer than twenty weeks, if the pregnancy is the result of incest and the probably post-fertilization age of the fetus is fewer than twenty weeks, or in the case which necessitates that a medical emergency to protect the life of the mother is necessitated or irreversible impairment of a major bodily function of the pregnant woman. The physician must keep provide medical rationale to support the conclusion and maintain the records for at least seven years from the date. An allegation of rape or incest must be reported to the sheriff in the county of which the abortion was performed no later than twenty-four hours after performing or inducing the abortion, orally or otherwise. The report must include the name and contact information of the pregnant woman making the allegation. The bill preserves the current law definition of fatal fetal anomaly for abortions performed or induced after twenty weeks as defined in Section 44-41-430. *Status: Signed into Law, Act No.1*

**WEEK IN REVIEW: February 1-5, 2021**

**S.454** – Correctional Facilities Medications Authorized: A bill to include correctional facilities among the facilities authorized to provide medications by unlicensed persons with documented medication training and skill competency evaluation. Only limited medications is permitted and must be supervised. *Status: Signed into Law, Act No.19*

**WEEK IN REVIEW: February 8-12, 2020**

**S.107** – Baseline for Coastal Erosion Zones: A bill to establish a baseline for coastal erosion zones. If a primary oceanfront sand dune is more than 200 feet landward of the line of stable vegetation, the baseline must be seaward of the primary oceanfront sand dune at least thirty percent of the measured distance. If there is no primary sand dune, the baseline must be established further landward of the most seaward of the locations or the landward edge of active beach. *Status: Ratified, Sent to Governor*

**S.131** – Capitol Grounds: A bill to redefine the South Carolina capitol grounds, to reflect complex expansion, to include the inward area of Gervais, Sumter, Pendleton and Assembly Streets in Columbia. Additionally, the bill provides the Sergeant at Arms of the House or Representatives and the Sergeant at Arms of the Senate the powers of commissioned constables and be permitted to exercise the duties of their office throughout the State. *Status: Ratified, Sent to Governor*

**S.158** – Exemptions from Continuing Education Requirements: A bill to add brokers or salespersons with twenty-five years or more of experience who is 65 years of age or more to the exemptions from biennial continuing education requirements. *Status: House Labor, Commerce and Industry Committee*

**S.201** – Accountability Measures for Public Schools and Public School Districts: A bill to strengthen processes for assistance and intervention in struggling schools and districts. The bill establishes thresholds based on severity and duration of low performance and the methods for intervention in a State of Education Emergency, meaning an area that has been chronically underperforming for three consecutive years. The State Superintendent of Education, under certain circumstances, may assume the management of the district and dismiss the governing board under the declaration, and implement an interim five-member board: 1 by the Governor, 3 by the local legislation delegation and 1 by the SSE with consultation of the local delegation, and other provisions intended to provide better educational outcomes for students. *Status: Ratified, Sent to Governor*

**S.242** - Drivers For A Cure Special License Plates: A bill to authorize the Department of Motor Vehicles to issue ‘Drivers For A Cure’ special license plates to owners of private passenger-carrying motor vehicles or motorcycles. The plates expire twenty-four months from the date issued and must be the same size and general design as regular motor vehicle license plates. The biennial fee for each plate is thirty dollars plus the regular motor vehicle license fee. Any portion of the fee must be distributed evenly between the MUSC Hollings Cancer Center and the Duke Cancer Institute. *Status: Signed into Law, Act No.5*

**S.271** – Abandoned Buildings Revitalization Act: A bill to extend the provisions of the South Carolina Abandoned Buildings Revitalization Act until December 31, 2025. Additionally, the bill adds railroads rights of way to the provision. *Status: Signed into Law, Act No.21*

**S.287** – Requirements for Licensure By Board of Physical Therapy Examiners: A bill to require the department to require a state criminal records check, and fingerprints, for licensure to the Board of Physical Therapy Examiners. The results of the records check must not be shared outside the department. *Status: Signed into Law, Act No.6*

**S.516** – Teacher and Support Staff Vaccination Plan: A joint resolution to require the Department of Health and Environmental Control to identify certified teachers and school support staff, as mission-critical workers, and be eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan. DHEC shall offer teachers and support staff to be fully vaccinated within thirty days of the effective date of the joint resolution. Upon the opportunity to be fully vaccinated, every school district must offer five-day, in-person classroom instruction to students no later than March 22, 2021. All South Carolina residents who are eligible under Phase 1a who have received the first vaccine dose remain eligible to be fully vaccinated within the appropriate recommended time period. Additionally, 37,500 doses allocated for long-term care facilities shall be set aside for the teacher vaccination allocation. *Status: House Ways and Means Committee*

**S.521** – Invest In Veterans Week: A concurrent resolution to commemorate Lexington Chamber and Visitors Center for declaring March 1-7 in support of veteran-owned businesses, and name Invest In Veterans Week. *Status: Resolution Adopted*

**H.3825** – Invest In Veterans Week: A concurrent resolution to commemorate Lexington Chamber and Visitors Center for declaring March 1-7 in support of veteran-owned businesses, and name Invest In Veterans Week. *Status: Resolution Adopted*

**WEEK IN REVIEW: February 15-19, 2021**

**S.160** – Surplus Property: A bill to require the Midland Technical College Enterprise Campus Authority to file certain documents with the State Fiscal Accountability Authority related to disposal of surplus property, to permanently authorize the act and repeal the sunset. *Status: Signed into Law, Act No.4*

**S.221** – Extended Foster Care Program: A bill to extend foster care for persons eighteen to twenty-one years old, extends the foster care program for voluntary placement, The bill provides for court-ordered foster care placement after the age of eighteen, and provides for judicial review for administrative appeals. *Status: House Judiciary Committee*

**S.222** - Kinship Foster Care Program: A bill to provide that fictive kin - an individual not related by birth, adoption, or marriage to a child but has an emotionally significant relationship with the child - is eligible to be foster parents under the kinship foster care program under certain circumstances. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.441** – DSS Investigations: A bill to provide investigations of abuse in qualified residential treatment programs, restrictions on foster care or adoption placements, and make other review requirements. *Status: House Judiciary Committee*

**WEEK IN REVIEW: February 22-26, 2021**

**S.16** – Personal Finance: A bill to require the completion of a certain basic personal finance coursework for high school graduation instead of existing economics coursework requirements and develop corresponding standards. *Status: House Education and Public Works Committee*

**S.36** – Blue Catfish: A bill relating to the catch limits and length limits in Lake Marion, Lake Moultrie, the upper reach of Santee River, and the Congaree and Wateree Rivers. It is unlawful to take more than twenty-five blue catfish a day in Lake Marion, Lake Moultrie, and the upper reach of Santee River; and more than two blue catfish greater than thirty-two inches in length in one day. *Status: House Ratified, Sent to Governor*

**S.147** – COVID-19 Liability Immunity Act: A bill to provide liability protections for a limited time period for healthcare providers and businesses that follow public health guidance in response to the COVID-19 public health emergency. The immunity from liability will not apply if a claimant proves by clear and convincing evidence that the covered entity or individual caused injury or damage by reckless, willful or intentional misconduct or by failing to make any attempt to adhere to public health guidance. *Status: Signed by Governor*

**S.203** – Removal of School District Trustees: A bill to provide district trustees guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, or persistent neglect of duty in office or incapacity shall be subject to removal by the Governor. *Status: House Education and Public Works Committee*

**S.378** – Police Dogs and Horses: A bill to increase the penalties for injury or death caused to police dogs and horses. A person who willfully and maliciously taunts, torments, teases, beats, strikes or administers a chemical to a law enforcement dog or horse must be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned not more than six months or both. A person who willfully or maliciously tortures, mutilates, injures, disables, poisons or kills a law enforcement dog or horse must be fined not less than two thousand dollars nor more than ten thousand dollars, imprisoned not more than ten years or both; must pay restitution to the agency to cover the full cost of the animal; and may be required to complete up to five hundred hours or community service with an animal-related organization or foundation. *Status: House Judiciary Committee*

**S.421** – Extended Unemployment Security Benefits Lookback: A bill to reduce the lookback period, relating to extended unemployment security benefits when federally funded, from three years to two years when determining whether there is an ‘on’ indicator for the state. *Status: Ratified, Sent to Governor*

**S.427** – Renal Dialysis Facilities: A bill to provide that a renal drug manufacturer or its agent may deliver a legend dialystate drug or device to a patient of a renal dialysis facility if certain criteria are met: if the dialystate drugs or device are approved by the U.S. Food and Drug Administration; the drugs or devices are lawfully held by a manufacturer that is properly registered; they are in the original sealed and labeled packaging from the facility; they are only delivered upon receipt of a physician’s order; and they are delivered directly to a patient with end-stage renal disease or his designee. *Status: Ratified, Sent to Governor*

**S.468** – Extended Benefit Periods: A joint resolution to provide that in a determination of whether the State is in an extended benefit period from Nov 1, 2020 - December 1, 2021, the stipulation that no extended benefit may begin before the fourteenth week following the end of a prior extended benefit period, shall not apply. *Status: Ratified, Sent to Governor*

**S.491** –Economic Development Bonds: A bill to issue up to $550,000,000 in economic development bonds to defray the cost of intermodal container transfer infrastructure, waterborne cargo infrastructure for the Port of Charleston. The State Fiscal Accountability Authority shall effect the bonds and provide a schedule reflecting the aggregate principal and interest of all obligation bonds, a schedule of the proposed bonds issued, and a schedule reflecting compliance with the limitation on maximum annual debt service, and additional provisions. *Status: House Ways and Means Committee*

**S.497** – Boating Safety and Educational Program: A bill to require to Department of National Resources to issue a boating safety certificate upon the competition of certain requirements, relating to the equipment and operation of watercraft to provide that it is unlawful for a person to operate certain watercraft on the waters of the State without having possession of a SC boating safety certificate, and other provisions. *Status: House Judiciary Committee*

**WEEK IN REVIEW: March 1-March 5, 2021**

**S.38** – REACH Act: A bill to add to current law requirement that all high schools and institutions of higher learning give instruction in the essentials of the U.S. Constitution, Declaration of Independence, Federalist Papers for one year. The bill adds the instruction of the Emancipation Proclamation, removes the loyalty oath requirement and testing requirement, and adds that public high school students must successfully pass a course of instruction that includes the documents. Higher education is to give three semester credit hours in a course during the matriculation of undergraduate students and would apply to incoming freshman undergraduates entering 2021-2022 academic year. Additionally, the bill requires the Commission on Higher Education to ensure each public institution is in compliance with the provisions and report annually to the House Ways and Means, House Education, Senate Finance and Senate Education committees. *Status: Signed into Law, Act No.26*

**S.105** – Magistrate Liens: A bill to increase the amount of a lien that may be enforced by a petition to a magistrate, to increase from one hundred dollars to the claim limitations for actions under Section 22-3-10. *Status: House Judiciary Committee*

**S.200** – Death Sentences: A bill to provide a method to complete the sentence of death imposed upon a person sentenced to death for being convicted of a capital crime. The bill adds firing squad to the sections of carrying out the sentence, in addition to electrocution or lethal injection. The bill provides that if a convicted person receives a stay of execution or the execution date has passed, then the election expires and must be renewed in writing fourteen days before a new execution date. The bill provides electrocution as the default selection, previously lethal injection. If lethal injection is determined and certified to be unavailable at the time of the execution, the Department of Corrections may appeal to inflict the death sentence by electrocution, regardless of the method elected by the convicted person. *Status: Ratified, Sent to Governor*

**S.208** – Schools of Innovation: A bill to provide that school districts may instead create multiple schools of innovation and provide exemption from state statutes and regulation by schools of innovation if approved by a two-thirds vote of the State Board of Education. *Status: House Education and Public Works Committee*

**S.430** – Commission for the Blind Meetings: A bill to reduce the amount of regular meetings required by the South Carolina Commission for the Blind to provide that the Commission shall meet at least once each year. *Status: House Judiciary Committee*

**S.510** – Motor Vehicle Manufacturers, Distributors, Dealers: A bill amending existing regulation of motor vehicle manufacturers, distributors, and dealers. The bill relates to consumer data, methods of competition, ownership and operation of dealerships and other provisions. *Status: Signed into Law, Act No.31*

**H.3589** – Schools of Innovation: A bill to provide that school districts may instead create multiple schools of innovation and provide exemption from state statutes and regulation by schools of innovation if approved by a two-thirds vote of the State Board of Education. *Status: Signed into Law, Act No.20*

**H.3608** – Public Charter Schools Appropriation: A joint resolution to appropriate $9,000,000 from the 2018-2019 Contingency Reserve Fund to the Department of Education for distribution to the Public Charter School District for per pupil funding. The funding shall not be used for administrative salary increases. A charter school may, but is not required to, approve charter applications that meet the requirements set for in the Code. *Status: Signed into Law, Act No.8*

**H.3609** – Teacher Step Increases: A joint resolution to appropriate $50,000,000 to the Executive Budget Office to provide teacher step increases, including fringe, for the 2020-2021 School Year. Funds must be held in a separate account and disbursed to school districts, and any funds remaining in the account after June 30, 2021, must be remitted to the Contingency Reserve Fund. The Department of Education shall distribute the funds to each school district in an amount equal to the increased cost of salaries to the school district due to the step increase in the state minimum salary schedule. *Status: Signed into Law, Act. No.3*

**WEEK IN REVIEW: March 8-March 12, 2021**

**S.82** – Limitations on Liability Cap: A bill to increase the liability caps of an agency or political subdivision from $300,000 to $500,000 for losses arising from a single occurrence and from $600,000 to $1,000,000 for a total sum of a loss regardless of the number of agencies or political subdivisions involved. Additionally, a party that files an offer of judgement shall be allowed to recover regardless of whether the total administrative, filing, or other costs, and the eight percent interest on the amount of the verdict or award, combined with the verdict. *Status: House Ways and Means Committee*

**S.108** – Topographic Mapping Using LiDAR: A bill to conduct topographic mapping using light detection and ranging (LiDAR) data collections by December 31, 2021, and at least every seven years thereafter. The information collected must be shared with SCDNR Flood Mitigation Program . The unit is authorized to work with local, state and federal governmental entities to complete the mapping and publish the results to the public on the DNR website. *Status: House Agriculture, Natural Resources and Environmental Affairs Committee*

**S.457** – Safe Boating Distances: A bill to provide it is unlawful to operate a personal watercraft, specialty propcraft, or vessel while upon a narrow waterway in excess of idle speed within fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier or person in the water; or upon all waters of the state within one hundred feet of a moored or anchored vessel, wharf, dock, bulkhead, pier or person in the water, or one hundred yards of the Atlantic Ocean coast line. This does not apply to a person who is on water skis or a floating device with the permission of the operator of the vessel or watercraft. *Status: House Agriculture, Natural Resources and Environmental Affairs Committee*

**S.505** – Electronic Dissemination of Commercial Recordings: A bill to require a person who owns or operates a website or online service dealing in substantial part in the electronic dissemination of third-party commercial recordings or audiovisual works, directly or indirectly, and who electronically disseminates the works to consumers to disclose clearly and conspicuously his correct name, physical address, telephone number and email address on his website in a location readily accessible by a consumer. The owner, assignee, or authorized agent or exclusive licensee of a commercial recording or audiovisual work electronically disseminated by a website may bring a private cause of action to obtain declaratory judgment for a person who violates the section. *Status: House Judiciary Committee*

**S.506** – Home-based Foods: A bill to extend the privileges offered of home-based food production to include online, mail order, or to retail stores including grocery stores. The bill permits nonpotentially hazardous foods to be provided for sale under strict circumstances, if the operation has a net earnings of less $1,500 annually. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.571** – Naloxone Prescriptions: A bill to provide a prescriber shall offer a prescription for naloxone hydrochloride or another drug approved by the USFDA for the complete or partial reversal of opioid depression to a patient under certain circumstances. The prescriber must follow standard labeling and care practices. *Status: Signed into Law, Act No.22*

**H.3501** – Revolutionary War Special Commemorative License Plates: A bill to permit the DMV to issue special commemorative motor vehicle license plates commemorating two hundred fiftieth anniversary of the American Revolution to owners of private passenger carrying motor vehicles or motorcycles. The South Carolina Revolutionary War Sestercentennial Commission shall submit to the department for approval or the design, emblem, seal, logo or other symbols for the special license plate. Production of the special plate will cease January 1, 2033. *Status: Signed into Law, Act No.11*

**H.3900** – Podiatrists To Administer COVID-19 Vaccine: A bill to permit licensed podiatrists in good standing with the SC LLR Board of Podiatry Examiners to administer the COVID-19 vaccine, if they have successfully completed COVID-19 training programs through the Centers for Disease Control and Prevention. The joint resolution expires on September 1, 2021. *Status: Signed by Governor*

**WEEK IN REVIEW: March 15-March 19, 2021**

**S.229** – South Carolina Child Abuse Response Protocol: A bill to require multidisciplinary teams involved in child abuse investigation and prosecution follow certain child abuse response protocol, establish an advisory committee to review and update the protocol and require children’s advocacy centers to hold certain accreditation status, and other provisions. *Status: Signed into Law, Act. No28*

**S.241** – Military Personnel Tuition Rates: A bill to eliminate the requirement that a veteran or dependent enroll in a public institution of higher education within three years of the veterans discharge in order to receive educational assistance. *Status: Signed into Law, Act No.29*

**S.472** – Responsible Alcohol Server Training Act: A bill to require an individual to, within sixty days of employment, obtain an alcohol server certificate. The licensee must complete training on responsible alcohol server training, and shall not be mentally or physically impaired by alcohol, drugs or controlled substances while serving alcohol. Each licensee shall maintain at all times on its permitted of licensed premises copies of the alcohol server certificates in its premises, and must make that available to the department or division when requested. The South Carolina Department of Revenue is authorized to approve alcohol server training programs offered by providers. A provider shall not charge an individual more than thirty-five dollars for a training program. *Status: House Judiciary Committee*

**S.525** – Advanced Recycling: A bill to provide definitions for the manufacturing process of ‘advanced recycling’ and provide other protocol for the industry. Advanced recycling is the conversion of post-use polymers and recovered feedstocks into other materials including basic hydrocarbon raw materials, feedstocks, chemicals, waxes and lubricants. It uses the processes of pyrolysis, gasification, depolymerization, solvoysis and others, but does not include incineration, combustion, energy recovery, material recovery or treatment. Prior to being issued a permit, an advanced recycling facility must demonstrate financial responsibility, establish a cash trust fund under the control of DHEC or obtain a surety bond for which the department is the sole beneficiary in an amount to meet all reasonable foreseeable costs of clean up, environmental remediation, firefighting, ground water or other responsibilities. The department, on or before the second anniversary of the effective date of the Act, shall issue a report to the General Assembly including the department’s analysis of the industry and recommendation to the General Assembly, and other provisions. *Status: Returned to House with Amendments*

**S.607** – Charter School District Board Removal: A bill to provide that members of a charter school board of directors who willfully commit or engage in malfeasance, misfeasance, absenteeism, conflicts of interest, misconduct or persistent neglect of duty in office are deemed incompetent, may be removed from office by the Governor. The Governor must inform the person in writing of specific charges and provide an opportunity on reasonable notice to be heard. *Status: Signed into Law, Act No.32*

**WEEK IN REVIEW: March 22-March 26, 2021**

**S.195** – Tax Notice Fair Market Value: A bill to add to the requirements listed in a tax notice provided by a tax auditor to include the fair market value used for a vehicle and a fair market value for a boat. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.227** – Massage Therapy Practice Act: A bill to update the Massage Therapy Practice Act and create the Board of Massage Therapy in place of the Panel for Massage/Bodywork. The bill makes changes that would strengthen the massage therapy law and help combat human trafficking in South Carolina. New fees are instituted for establishments and various fees were increased and decreased. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.456** – Fingerprint Background Check: A bill to authorize an agency of the state to obtain a fingerprint-based background check on an individual applicant for employment or licensure by SLED and a national criminal records check by the FBI. SLED may charge a reasonable fee for collection and retention of the fingerprints. *Status: House Judiciary Committee*

**S.463** – Geothermal Machinery and Equipment Tax Credit: A bill to delete the sunset provision of the tax credits for geothermal machinery and equipment. *Status: Ratified, Sent to Governor*

**S.615** – Interscholastic Activities Participation: A bill to permit students who attend private schools to participate in an interscholastic athletic program offered at a public school in the district, if selected, if the student meets certain requirements including: residing in the attendance zone of the public school, if the student’s school is not a member of the SCHSL and the enrollment does not exceed two hundred students, the private school does not offer the sport for the student’s gender, the student meets the eligibility requirements and fees required of all other public school students. *Status: House Education and Public Works Committee*

**S.627** – Pass-Through Business Entity: A bill relating to income tax rates for pass-through trade and business income to provide a ‘S’ corporation or partnership may elect annually to have income tax on its active trade or business income at the prate provided on the pass-through business entity itself. An individual shall exclude net income or losses received from an electing entity of which the individual is a shareholder, partner or member provided the entity properly filed an income tax return and paid the taxes. *Status: Ratified, Sent to Governor*

**S.631** – Electronic Notaries: A bill to allow a notary public to become an electronic notary public. Before a notary public performs an electronic notarization, the notary must register with the Secretary of State and must identify the technology that he intends to use, which must conform to any rules or regulations adopted by the Secretary of State. A registration fee of fifty dollars must be submitted to the Secretary of State within the registration form, and makes other requirements of electronic notaries. *Status: Enrolled for Ratification*

**S.689** – Income Tax Filing Extension: A joint resolution to extend the due date for individuals, for tax year 2020, until the same date as federal returns and payments are due, as extended by the Internal Revenue Service. *Status: Ratified, Sent to Governor*

**S.698** – Cotton Warehouse Funds: A joint resolution to provide the funds in the Warehouse Receipts Guaranty Fund derived from interest and investment revenue be used to pay cotton producer claims for loss until the balance is depleted to three million dollars or all cotton producer loss claims are paid in full. A cotton producer claim must be filed within ninety days of the effective date of the resolutions and failure to file a timely claim shall bar a cotton producer from recovering. *Status: Read Third Time, Sent to House*

**WEEK IN REVIEW: March 29-April 2, 2021**

**S.243** – Unfounded Child Abuse and Neglect Reports: A bill to authorize the release of information about child fatalities or near fatalities. The state director or designee may publicly disclose findings about an unfounded case of child abuse or neglect which resulted in a fatality or near fatality under certain restrictions. *Status: Signed by Governor*

**S.304** – Electrical Vehicle Charging Stations: A bill to permit a person or corporation who uses an electric vehicle charging station to resell electricity to the public for compensation if the person or corporation has procured the electricity from a utility, municipality, political subdivision or electric cooperative; the person furnishes exclusively for charging plug-in electric vehicles; and the charging station is immobile. *Status: Ratified, Sent to Governor*

**S.455** – Temporary Licensure of Nurses: A bill to add an additional category of temporary licensure for graduate nurses, to prescribe criteria for obtaining a temporary licensure that a graduate must function under the supervision of a currently licensed registered nurse and the board must establish other requirements for supervision and employment of graduate nurses as necessary. In addition, the bill sets criteria under which a temporary licensure may be revoked under certain circumstances. *Status: Ratified, Sent to Governor*

**S.461** – Pay For Success Performance Accountability: A bill establish the “South Carolina Pay-for-Success Performance Accountability Act.” The bill provides that a state agency may enter into a pay-for-success contract only if the agency head explains in writing how the contract will produce a quantifiable public benefit or financial savings to the state. A pay-for-success contract is a written agreement between a state agency and a private-sector organization under which the organization provides a program or service, the parties set forth performance measures over a certain time expect to achieve, if the performance measures are achieved the success payment is authorized. Additionally, the bill outlines other requirements, obligations and terms of the contact and how it may be terminated. *Status: Ratified, Sent to Governor*

**S.503** – Physician Assistance Advanced Practice: A bill to permit advanced practice registered nurses to perform additional duties, to include issuance of order for home health services in accordance with the law. *Status: Ratified, Sent to Governor*

**S.556** – Commercial Fur Licenses: A bill to provide a penalty for violation relating to commercial licenses, to remove the license requirement for persons who trap fur-bearing animals. Anyone having more than five fur-bearing animals or more than five green pelts must have a valid commercial fur license. A person taking fur-bearing animals for commercial purposes must report to the department by April fifteenth of each year the number and type of fur-bearing animals taken, sold, or shipped, together with the names and addresses of persons to whom sold or shipped using forms prescribed by the department. *Status: Read Third Time, Sent to House*

**S.667** – Outdoor Advertising: A bill related to the relocation and adjustment of signs by the Department of Transportation to provide options and parameters to adjust or relocate signs to restore visibility and provide the costs of adjustment or relocation. *Status: Signed into Law, Act No.34*

**S.704** – Return to Five-Day, In-Person Classroom Instruction: A joint resolution to require that for the 2020-2021 School Year, every school district must offer five-day, in-person classroom instruction to students no later than April 12, 2021. For the 2021-2022 School Year, every district must offer five-day, in-person classroom instruction to students. Due to the COVID-19, the earnings limitation does not apply to a retired member if the member retired on or before April 1, 2019 and returns to otherwise covered employment in the K-12 public education system to participate in the state’s public heath response to the COVID-19 virus. A retired member may be hired and return to employment and earn up to fifty thousand dollars annually without affecting the monthly retirement allowance if the member is receiving from the system, and other provision. *Status: Signed by Governor*

**WEEK IN REVIEW: April 5 - April 9, 2021**

**S.28** – Ignition Interlock Device Program: A bill to allow a person under the age of twenty-one who is serving a suspension or denial of a license to as a result of a DUI to enroll in the ignition interlock device program for motor vehicles, not including motorcycles. The ignition interlock restriction must be maintained on temporary alcohol license for three months, then the person can obtain a license without an ignition interlock restriction, and make other provisions. *Status: House Judiciary Committee*

**S.29** – Watercraft Liability Insurance: A bill to provide that owners of watercraft or more than seventy horsepower must carry liability insurance of at least fifty thousand dollars of coverage per occurrence and to provide penalties for failure to comply and a method of collection of fines. *Status: House Judiciary Committee*

**S.40** – On-Street Parking: A bill to provide that a municipality may not establish or alter parking facilities on any state highway facility without prior approval by the Department of Transpiration. A highway includes the entire area within the highway right-of-way, including the shoulders and parking areas. If any portion of a public highway is obstructed then the governmental entity responsible for maintaining the stretch of highway where the obstruction is located shall remove the obstruction as soon as possible. *Status: Enrolled for Ratification*

**S.177** – Vaccinations: A joint resolution to provide that no person in the State must 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 adverse employment action including termination, suspension, involuntary reassignment or demotion. The provision is extended to DHEC’s authority to require isolation and quarantine to not require a person to undergo a vaccination during a public health emergency. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.232** – Conversion of a Nonprofit to LLC: A bill related to the mergers under the SC Nonprofit Corporation Act to provide a mechanism for a nonprofit corporation to convert to a limited liability company. The Board of Directors shall adopt a plan of conversion that includes the name of the corporation and the name of the resulting LLC, the terms and conditions of the plan, the manner and basis of converting memberships to the resulting LLC and make other conforming changes. *Status: Labor, Commerce and Industry Committee*

**S.236** – Pooling Precincts: A bill to provide that make changes to the ability of municipalities to pool precincts for municipal elections only so that a municipality may pool if: a precinct contains three thousand or more registered voters, the total number of registered voters cannot exceed three thousand registered voters, the voting place cannot be more than three miles from the nearest part of any pooled precinct. Notice of the precincts including those pooled must be published in a newspaper of general circulation in the municipality on the day of the election. *Status: House Judiciary Committee*

**S.296** – Golf Carts After Sunset: A bill to provide that a municipality with a land area of approximately 3.87 square miles and a population between ten and eleven thousand persons, as of July 1, 2017, that is located within a county that had a population of two hundred twenty-six thousand seventy-three persons according to the 2010 Census may enact an ordinance allowing the operation of a permitted golf cart up to sixty minutes after sunset on locally owned roads for which the posted speed limit is twenty-five miles and hour or less if the golf cart has operable headlights and brake lights. *Status: House Education and Public Works Committee*

**S.351** – Inmate Discharge: A bill to require that when an inmate is discharged from a state prison, if the person has been convicted of a felony of offenses against the election laws, the Department of Corrections must provide a written notice that contains the information of the voter registration board in his county of residence and a copy of SC Code 7-5-120. If the person’s supervision is completed through the granting of a pardon, then the probation agent may fulfill the requirement by including the information with the pardon certificate. A person formerly disqualified from being registered to vote must provide verification at the time of registration that his disqualifying sentence has been fully completed. *Status: Judiciary Committee*

**S.379** – Perinatal Integration: A bill to relating to birthing center licensure to provide that DHEC shall promulgate regulation to integrate birthing centers and licensed midwives into perinatal care services and provide conforming definitions. Nothing in the bill shall be construed to require the department to promulgate regulations to restrict the scope of practice permitted under current licenses issued by the department or change existing licensure requirements or a hospital or birthing center to change the way it creates or maintains credentialing and admitting privileges. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.425** – Protection of Vulnerable Adults from Financial Exploitation: A bill to provide that a bank, credit union, wealth management institution or other financial services company may, but is not required to, decline or place a hold on any transaction of a vulnerable adult if the account is suspected to be engaged in financial exploitation of the vulnerable adult. A institution that declines or places a hold on the transaction shall make a reasonable effort to notify all parties of the hold and report the incident to the appropriate investigative entity. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**S.436** – Community Development Tax Credits: A bill to delete an aggregate credit provision related to community development tax credits, and set an annual limit of two million dollars for all taxpayers in tax year 2021; and three million dollars for all taxpayers in tax years after 2021. *Status: Enrolled for Ratification*

**S.499** – Election Commission Restructuring Act: A bill to make restructuring changes to the South Carolina Election Commission. The President of the Senate and the Speaker of the House of Representatives, on behalf of their respective bodies, have the unconditional right to intervene in a state court action that challenges the validity of an election law, policy, or the manner in which the election is conducted. The State Election Commission must notify the President and the Speaker within twenty-four hours of the receipt of service of a complaint that challenges election law or policy. Further, the Election Commission shall be appointed by the Governor upon Advice and Consent of the Senate. The terms of the members shall be four years until their successors are appointed and qualify. The Commission shall appoint an executive director, upon advice and consent of the Senate. In the event of a vacancy of the executive director, an interim director must be appointed by the commission and a formal appointment submitted to the Senate as soon as practical. If a person who is appointed is rejected, the person must not serve as an interim director. A member may not serve in holdover status for more than one year. IF a member who has been reappointed and is serving in holdover status is not confirmed by the Senate or before the sine die adjournment of the General Assembly following the expiration of the member’s term, then the member’s seat is vacated and is ineligible to serve on the Commission as a recess or interim appointee; If a person to be executive director is not confirmed by the Senate by the date for the sine die adjournment following the appointment, the person must not serve as an interim or permanent executive director. *Status: House Judiciary Committee*

**S.500** – Licensure or Regulation by Board of Architectural Examiners Exemption: A bill to revise an exemption for plans and specifications for certain dwellings as it relates to exemptions from licensure and regulation by the Board of Architectural Examiners to include one-family and two-family dwellings, including townhouses. All other buildings and structures classified for residential occupancies or uses in the SC Building Code that are beyond the scope of the Residential Code are not exempt. *Status: Ratified, Sent to Governor*

**S.527** – Legally Separated Assessment Ratios: A bill to define “legally separated” for purposes of certificate contained for the special four percent assessment ratio for owner-occupied residential property and require the annual reapplication and recertification to maintain the special assessment, and other provisions. *Status: Ratified, Sent to Governor*

**S.533** – Subminimum Wages to Individuals with Disabilities: A joint resolution to provide that no individual with a disability may be paid less than the federal minimum wage. The Department of Disabilities and Special Needs shall submit a report to the General Assembly identifying all providers of the state that maintain a Section 14(c) certificate; those that pay a subminimum wage; those who have stopped the practice; those that stopped paying a subminimum wage due to an increase in the federal minimum wage and provide data regarding the success in obtaining minimum wage employment., and makes other conforming changes and reporting requirements. The resolution takes effect on August 1, 2024. *Status: House Labor, Commerce and Industry Committee*

**S.587** – Reimbursement of Bond Proceeds: A bill related to economic development bonds for conventions and trade shows to provide the reimbursement is not applicable for a new meeting and exhibit space of not less than fifty thousand square feet or to reimburse a state agency, instrumentality, or political subdivision for the acquisition or construction or a new meeting and exhibit space of not less than fifty thousand square feet if the construction occurred prior to the sale of the original meeting and exhibit space and other related provisions. *Status: Ratified, Sent to Governor*

**S.609** – Criminal Background Checks for Employees: A bill to authorize state agencies and political subdivisions to have access to federal tax information to conduct criminal background checks on its employees and contractors. Each agency or political subdivision is required to conduct background checks and investigations pursuant to the law and establish written policies concerning implementation of the checks and investigations. *Status: Ratified, Sent to Governor*

**S.619** – Sale of Wine by Wineries: A bill to provide for sales of wine on winery premises if the winery is the primary American source of supply for the wine sold, and to provide for the sale of beer with an alcohol content of twelve percent or less. To provide for the retail sales and tastings of alcoholic liquors at micro-distilleries if the micro-distillery is the primary American source of supply, subject to other limitations. In addition, a holder of a valid micro-distillery or manufacturer license is authorized to sell alcoholic liquors distilled at the licensed premises to consumers for on-premises consumption. These establishments may also apply for separate beer and wine licenses for on-premises consumption provided the entity: does not sell or allow the consumption of alcoholic liquor by the drink on that part of the micro-distillery or manufacturer’s premises designated and permitted for distilling and manufacturing operations; it maintains all financial records of the restaurant operation separately from the distilling and manufacturing operations and maintains a physical partition between distilling and manufacturing operations and food establishment operations, and establishes additional requirements for maintaining the operations. *Status: Ratified, Sent to Governor*

**S.623** – Rate Increase Requirements: A bill to provide that a rate increase may not be implemented until the onset of a new policy period, to require approval by the Director of the Department of Insurance for certain rate increases and to remove language requiring the submission of a report by the Director. *Status: Signed into Law, Act No.33*

**S.644** – Small and Minority Business Contracting and Certification: A bill to transfer the division of Small and Minority Business Contracting and Certification, in the Department of Administration, to the Commission for Minority Affairs and make conforming changes. *Status: House Ways and Means Committee*

**S.658** – South Carolina Public Employee Benefit Authority Board of Directors: A bill to establish PEBA may establish rules for eligibility and enrollment for full insured and insurance products for which it is the plan sponsor and to provide medical evidence of insurability shall not be required sooner than thirty days from the date a person is first eligible to enroll in a full insured insurance product, and make other changes related to the contingent beneficiaries. *Status: Ratified, Sent to Governor*

**S.685** – Name, Image or Likeness: A bill to permit intercollegiate athletes to engage in name, image or likeness (NIL) contracts with third parties, to obtain athlete agents and require disclosures and restrictions. NIL may not exchange for athletic performance or attendance at a particular institution and be provided only by a third party. The athlete would be permitted to receive compensation for non-athletic work or activities related to a business he owns. An institution is prohibiting from facilitating NIL opportunities as a means to recruit or paying an athlete. NIL cannot be tied to endorsements of tobacco, alcohol, illegal substances or activities, banned athletic substances, or gambling to include sports betting, nor can it interfere with policies on missed class time and academic standing, and other limitations. A NIL contact shall be void if the intercollegiate athlete is convicted of a felony. *Status: Signed into Law, Act No.35*

**WEEK IN REVIEW: April 19 - April 23, 2021**

**S.231** – Student Identification Card Suicide Prevention: A bill to require a public school, including a charter school, that serves 7-12th grades to print on a student identification card the telephone number for the National Suicide Prevention Lifeline, as well as the number for at least one additional crisis resource selected by the school district. *Status: Ratified, Sent to Governor*

**H.3194 (sim. to S.464)** – Santee Cooper Reform: A bill to provide comprehensive, long-term reform measures to the Public Service Authority (Santee Cooper). The reforms include changes to terms and requirements of the Board of Directors, operations of Santee Cooper, approval process for rates, requirement of the Siting Act, submission of an integrated resource plan, oversight and audits, renewable energy, debt review and more. The Board would hold terms of service of four years and be prohibited from being appointed for more than three unexpired consecutive terms. Additionally, there would be added two nonvoting ex officio Board members representing the Chair of Central Electric Power and a Central Electric board member chosen by Central’s board. Any benefit, such as severance, given to a board member must be approved by the Agency Head Salary Commission (AHSC). Beginning January 1, 2022, Santee Cooper Board members would begin transition of terms: terms for the 2nd and 4th Congressional districts and At-Large (Chair) would expire on that date followed by other districts each subsequent year on January 1: 1st and 7th and Berkeley County (2023); 3rd and 6th and At-Large (2024); 5th (2025). Current board members could not be reappointed unless the initial appointment was made after January 1, 2018. Santee Cooper would adopt pricing principles that would include a number of factors, including low cost, reliability, transparency, financial integrity, and customer equity. It would also offer rate schedules to provide demand-side management and conservation to its customers. Santee Cooper would have to notify customers of a potential retail rate adjustment and a process would be established to notify customers and provide an opportunity for comments/hearings before the board votes on a rate adjustment. Interim rates may be set; interim rates for emergency circumstances cannot last for more than 1 year. Santee Cooper would submit an annual pricing report to ORS who would comment on the report. Under the reform, Santee Cooper would be subject to the Siting Act, which requires PSC approval prior to constructing an electric generating plant of more than 75 MW or transmission line of at least 125 KV. Santee Cooper would be required to submit to the PSC an Integrated Resource Plan to describe the utility’s plans for the future in consultation with the electric cooperatives. The reform establishes a process for renewable energy procurement, competitive bid process and requirement of notice. Related to debt, Santee Cooper will provide a detailed financial report to the Senate Finance and House Ways & Means Committees at least every other year. These committees would then provide a report to the Senate Legislative Oversight Committee and the House Legislative Oversight Committee, and must post its annual audited financial report online and provide it to the General Assembly. This is only a brief summary. A full summary may be provided upon request. *Status: Conference Committee*

**S.596** – Pre-Production Plastic Regulation: A bill to permit DHEC to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on existing criteria of the National Pollutant Discharge Elimination System Stormwater Program. The department shall classify pre-production plastic as ‘other refuse’ for purposes of Water Classifications and Standards and promulgate regulations to best implement requirements for facilities, and prevent pre-production plastics into the waters or onto the land of the State. *Status: House Agriculture, Natural Resources and Environmental Affairs Committee*

**S.628** – Pharmacy Access Act: A bill to establish protocol and processes for pharmacists in the state. The bill does not create a duty of care for a person who prescribes or dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive. A person licensed under the South Carolina Pharmacy Practice Act may dispense to a patient eighteen years of age or older or under the age of eighteen with a written order, and other requirements including continuing education requirements. *Status: House Labor, Commerce and Industry Committee*

**S.635** – SC Research Authority Board of Trustees: A bill to make changes to the Board of Trustees of the South Carolina Research Authority so permit presidents’ designees of Clemson University, the Medical University of South Carolina and the University of South Carolina at Columbia. A designee of the university presidents must be an individual serving in no less than a vice president or comparable role and report directly to the president. Each university president may designate only one person for each calendar year, except in cases of incapacity or other related incidents. Additionally, the bill extends the of a company to remain in an innovation center from up to four years to five years or until exceeding five million dollars in annual commercial revenue (previously one million), but may not apply with respect to thirty-five percent of the square feet in an innovation center. *Status: House Education and Public Works Committee*

**WEEK IN REVIEW: April 26-30, 2021**

**The South Carolina Senate this week passed H.4101 the General Appropriations Bill, the State Budget for FY 21-22. The $8.9 billion state budget addresses a number of the state’s critical needs including increasing salaries of all teachers, additional investment in education, providing for state employees, law enforcement, mental health services, capital improvements, reopening the economy and tourism, and more.**

**FY21-22 Budget Inclusions**

**Education:**

* $72 million investment to fully fund an increase of the starting salary of teachers in South Carolina from $35,000 to $36,000, and provides all teachers a $1,000 pay raise with no local match required by the districts.
* Adds $65 million to the Base Student cost.
* $47 million allocation to OFS and SDE to open up current 4K program in all districts.
* $4.1 million recurring funding to give bus drivers a 5% pay increase.\
* $100 million to begin a program of capital funding for disadvantaged districts. The first $15 million of this can be used to help with school district consolidation in districts with less than 5,000 students and are in a Tier IV county.
* $40 million recurring dollars across the higher education system, including technical colleges, to keep the cost of tuition down for in-state students.
* $318 million in lottery appropriations to fully fund merit-based state scholarship and over $100 million for scholarships, grants and equipment for technical education.
* $60 million dollars for “need-based aid” which assists South Carolina students and families who can least afford it, gain access to higher education.
* $171 million nonrecurring for critical deferred maintenance and capital projects at tuitions of higher education, as well as an additional $289 million in one-time funding. This includes $234 million for Maintenance, Renovation and Replacement of capital assets. $116 million dollars of this total is dedicated to the 16 technical colleges.
* No monies shall be used by any school district or school to provide instruction in, train or provide curricula or instruction materials in any concepts that one race or sex is inherently superior to another; that an individual by virtue or his race or sex is inherently racist, sexist, or oppressive; that fault or blame or bias should be assigned to race or sex to members because of their race or sex or other discriminatory policies.
* School districts shall be permitted to offer a virtual education program for up to five percent of its student population. However, if a district has more than five percent of its student population participating in the virtual program, the school district will not receive 47.22% of the State per pupil funding provided to that district.

**Health and Human Services:**

* Continued commitment to current level of services for Medicaid Maintenance of Effort.
* $5 million in recurring funds to provide for the retention of critical positions within DHEC such as frontline clinical staff, nurses, engineers, environmental monitoring and chemist positions.
* $540,000 recurring funds and $100,000 in nonrecurring funds to provide expanded Newborn Screenings to include Spinal Muscular Atrophy and those required by Dylan’s Law, Act 55 of 2019.
* $7.9 million recurring to begin a multi-year process to recruit hard-to-fill positions such as nurses and counseling in the Department of Mental Health.
* $49.8 million nonrecurring for state match for new veterans’ nursing homes.
* $2.9 million recurring funds to Department of Disabilities and Special Needs for a Residential Service Rate Increase to move towards achieving the recommended market rate.
* $2 million recurring funding to increase Respite Service Rates. Respite service is highly sought and these funds are intended for increasing access to this valuable service. The increase allows for a minimum $12/hour rate for the caregiver.
* $3 million recurring funding for Department of Alcohol and Other Drug Abuse Services (DAODAS) request to sustain the agency’s Addiction Crisis efforts.
* $14.6 million recurring funding to cover 100% of health and dental insurance increases for state employees so employees will see no increase in their monthly premium cost
* 2% across-the-board pay increase for state employees.
* No funds appropriated may be used by a State’s public college or university to purchase fetal remains resulting from an abortion for the purpose of research or experimentation, further prohibited from accepting donated fetal remains.
* No state funds for family planning may be expended directly or indirectly to subsidize abortion services, procedures, or administrative functions. No state funds may be paid or granted to an organization that provides abortion services. The proviso does not intend to put the State of South Carolina in noncompliance with the federal government concerning Medicaid and Medicaid funding.

**Criminal Justice:**

* $18.5 million recurring funds to provide increased salaries for law enforcement offices for Department of Public Safety, SLED, Department of Corrections, Probation, Parole & Pardon, and Juvenile Justice.
* $13.5 million for medical and nursing support for correctional institutions
* Increased funding to address court case backlogs, including court reporters, investigators, administrative assistances and more.
* $804,000 to expand the mental health supervision program under PPP.
* $1.6M to for drug court funding to assist in diversionary programs related to non-violent drug offenses particularly the opioid crisis
* $2 million in nonrecurring funding to fund body-worn cameras.
* No law enforcement agency that receives state or local funds shall enforce a federal law, regulation, statute, executive order or procedure related to firearms put into effect after January 1, 2021 if the action requires seizure of a firearm, firearm part or component solely because of its classification or type of weapon.

**Natural Resources and Economic Development:**

* $2 million to the Forestry Commission to continue the conversion of open cab dozers to safer enclosed cab dozers.
* Funds to hire 30 new DNR law enforcement officers, pay overtime commitments, update technology needs and relocate the agency’s headquarters building.
* $20 million in nonrecurring funds to PRT to spark tourism back to the state for areas hit during the pandemic.
* $5 million in new funds to economic development efforts with closing funds and locate SC money, as well as additional funds to fully implement the rural economic development initiative.
* $8 million in new recurring funds to further the State Rural Infrastructure Authority water and sewer infrastructure project.
* $2 million for the Jasper Ocean Terminal Port and $200 million for continued work on near rail dockyard for the new terminal.
* Funds to the Department of Insurance to implement an Insurance Fraud Division enabling them to combat the growing problem of insurance fraud.
* Each nonprofit organization that receives a contribution from an entity that receives an appropriation in the budget shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office a detailed statement explaining the nature and function of the organization, including staffing information, salaries for each position and other supporting documentation.
* From the funds appropriated, DHEC shall establish regulations to guide all South Carolinians invested in, selling, installing and using photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres, and other provisions.

**Constitutional:**

* Includes funding to allow the Department of Administration to begin implementation of the 2016 Class and Comp Study. $312,750 in recurring and $500,000 in non-recurring funds.
* $500,000 for the Budget Development System a web-based system to automate the budget develop system and improve reporting capabilities for state agencies.
* $31.5 million in non-recurring funds to fully fund the Tuition Prepayment College Plan.
* $3.5 million for Armory Revitalization across the state. Having these funds on hand assist the office in securing federal matching dollars, and $18 million to cover projected non-federal share for natural disasters.
* No member of the General Assembly and members of state boards, commissions, and agencies or state official shall use any state-owned or operated aircraft unless the member files a sworn statement to the agency providing the flight certifying and describing the official nature of his/her trip. Unless initiated by a cabinet agency, members of the General Assembly may not use state-owned aircraft unless the member receives approval prior to the flight, in writing, from the President of the Senate or Speaker of the House. Guests on flights who are unrelated to the official state business shall be charged a comparable private commercial rate for travel on a similar aircraft, and establishes other provisions.

**Transportation & Regulatory:**

* $1 million in nonrecurring funding to allow Public Service Commission to hire outside expert witnesses for the SC Energy Act aimed at protecting customers from rising costs.
* $3 million in funding to establish the Office of Broadband Coordinator including 10 full time employee positions to ensure the office will be staffed to implement broadband statewide.
* $256,000 for the hiring of staff of the Department of Consumer Affairs to support the agency’s in utility interventions on behalf of consumers. These funds will also be used to hire expert witnesses and other professionals to assist in the representation of the consumer’s interest.
* $5 million for Department of Motor Vehicles to begin efforts aimed at employee retention. The beginning salary for the Customer Service Representative is currently $25,000. The federal poverty level for a family of 4 is $26,500. These are the employees who serve the public on a daily basis and worked throughout the pandemic this past year.
* $40 million in non-recurring funding to address much needed renovations of our Rest Areas.

**WEEK IN REVIEW: May 3 - May 7, 2021**

**S.508** – Do Not Resuscitate: A bill to allow a parent or legal guardian of a medically eligible child to request and revoke a do not resuscitate order for emergency services for the child. *Status: House Medical, Military, Public and Municipal Affairs Committee*

**H.3056** – Prestwood Lake Wildlife Refuge Board: A bill to repeal sections of the code related to Prestwood Lake Wildlife Refuge Board, Catawba-Wateree Fish and Game Commission, Cherokee Fish and Game Club, Darlington County Advisory Fish and Game Commission, Lee County Protect Fish and Game, Shelly Lake Fish Sanctuary and others. *Status: Conference Committee*

**H.3094**– Open Carry with Training Act: A bill to authorize individuals lawfully permitted to carry concealable weapons in the State to carry a firearm of having a length of less than twelve inches openly on one’s person or in a manner hidden from public view. A governing body, county, municipality, or political subdivision may temporarily restrict the lawful open carrying on public property only when it issues a permit to allow public protest, rally, fair, parade, festival or other organized event. The person hosting the event must post signs at the event when open carrying is allowed or not allowed at the event. A county, municipality or political subdivision may not confiscate a firearm or ammunition for a violation unless the incident is by an otherwise lawful arrest. Additionally, the State and its political subdivisions can not be compelled by the federal government to take any legislative or executive action to implement or enforce a federal law, treaty, executive order, rule or regulation related to an individual’s right to keep and bear arms enshrined in the Second Amendment that limits carrying concealable weapons, whether carried concealed or openly. No public funds, personnel, property, agent, official or employee of the State shall be allocated for the implementation or enforcement of the federal law, order, rule or regulation. Every clerk of court shall report the disposition of cases to SLED within five days (previously 30 days) of disposition related to criminal indictments, permanent restraining orders, orders of firearm prohibition or other Court related orders that prohibit a person from legally possessing a firearm. The bill also waives the fifty-dollar application fee to SLED for applying for a concealed weapons permit and provides SLED may not charge a fee of any kind for a concealable weapon permit. Additionally, the bill reduces the minimum required rounds that must be fired for CWP training from fifty rounds to twenty-five rounds. *Status: Ratified, Sent to Governor*

**WEEK IN REVIEW: May 10 - May 14, 2021**

**S.152** – County Green Space Sales Tax: A bill to create the county green space sales tax and provide for the contents of the ballot that may be used. Revenues collected may be used to defray debt service on bonds issued to pay for preservation procurements. The sales and use tax authorized may be imposed by an enacting ordinance of a county’s governing body, provided approval by the county by referendum, provide procedure for the referendum and process for distributions, and other provisions. *Status: House Ways and Means Committee*

**S.224** – Prostitution: A bill to create increase penalties for solicitation of prostitution, establishing a brothel or inducing another to participate in prostitution, and establish the affirmative defense for a victim of human trafficking, and make other conforming changes. *Status: House Judiciary Committee*

**S.264** – Disabled Self-Employment Development Trust Fund: A bill to establish the disabled self-employment development trust fund to provide assistance to individuals with disabilities to pursue entrepreneurship and self-employment opportunities by providing business development grants for the startup, expansion or acquisition of a business operated within the state. The Trust Fund is added to the list of funds to which a taxpayer may contribute on a state individual tax return. *Status: House Ways and Means Committee*

**H.3024** – Mobile Barbershops: A bill to authorize the State Board of Barber Examiners to issue mobile barbershop permits and establish requirements and regulation of mobile barbershops. An individual may operate a mobile barbershop, as defined, if he is licensed in the practice of barbering and does not have a physically stationary office at the location where the barbering services are provided. A mobile barbershop is prohibited from operating within eyesight of the nearest registered barbershop. An individual must apply to the board for a permit and submit an application and fee in the manner prescribed by regulation and undergo inspection of the mobile barbershop. The bill also requires notification for any change in official business address or phone number, requires the barbershop to comply with all local ordinances and requirements. *Status: Ratified, Sent to Governor*

**H.3308** – Safe Boating Distances: A bill to provide it is unlawful to operate a personal watercraft, specialty propcraft, or vessel while upon a narrow waterway in excess of idle speed within fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier or person in the water; or upon all waters of the state within one hundred feet of a moored or anchored vessel, wharf, dock, bulkhead, pier or person in the water, or one hundred yards of the Atlantic Ocean coast line. This does not apply to a person who is on water skis or a floating device with the permission of the operator of the vessel or watercraft. The provisions do not apply to Lake Moultrie. *Status: Conference Committee*

**H.3444** – Election Commission Restructuring Act: A bill to make restructuring changes to the South Carolina Election Commission and provide a standardized process for conduct of elections. The bill permits the State Election Commission to provide a standardized process, polices or procedures for the conduct of elections in the state. Additionally, the bill provides that the President of the Senate and the Speaker of the House of Representatives, on behalf of their respective bodies, have the unconditional right to intervene in a state court action that challenges the validity of an election law, policy, or the manner in which the election is conducted. The State Election Commission must notify the President and the Speaker within twenty-four hours of the receipt of service of a complaint that challenges election law or policy. Further, the Election Commission shall be appointed by the Governor upon Advice and Consent of the Senate. The terms of the members shall be four years until their successors are appointed and qualify. The Commission shall appoint an executive director, upon advice and consent of the Senate. In the event of a vacancy of the executive director, an interim director must be appointed by the commission and a formal appointment submitted to the Senate as soon as practical. If a person who is appointed is rejected, the person must not serve as an interim director. A member may not serve in holdover status for more than one year. IF a member who has been reappointed and is serving in holdover status is not confirmed by the Senate or before the sine die adjournment of the General Assembly following the expiration of the member’s term, then the member’s seat is vacated and is ineligible to serve on the Commission as a recess or interim appointee; If a person to be executive director is not confirmed by the Senate by the date for the sine die adjournment following the appointment, the person must not serve as an interim or permanent executive director. *Status: Returned to House with Amendments*

**H.3696** – Judicial Circuits: A bill to increase the number of circuit court judges by one in the ninth, fourteenth and fifteenth circuits and to add family court judges elected from each judicial circuit by one in the first and sixteenth circuits. *Status: Returned to House with Amendments*

**H.3786** – Constitutional Officers Salaries: A bill related to the annual salaries of state constitutional officers so that beginning with FY 2022-2023, with the exception of Governor and Lieutenant Governor, salaries of constitutional officers must be based on recommendations by the Agency Head Salary Commission to the General Assembly. The Agency Head Salary Commission shall authorize a study to be conducted every four years to recommend salary ranges for each officer based on their duties and responsibilities as well as the pay for officers of other states. *Status: Ratified, Sent to Governor*

**H.3865** – Abandoned Watercraft: A bill to permit a local government to adopt an ordinance requiring a permit for a watercraft or floating structure that remains moored, anchored or otherwise located in any five-mile radius on public waters for more than fourteen days. The cost of a permit requirement the local government may not exceed fifteen days, and make other provisions. *Status: Ratified, Sent to Governor*

**H.4006**– Off-Premises Sales: A bill to extend the increase limit for certain off-premises sales from May 31, 2021 to May 31, 2022. *Status: Ratified, Sent to Governor*

**H.4017** – Conformity: A bill to update the reference of State Income Tax Laws to reference the Internal Revenue Code of the Year 2020 and provide for the tax treatment of the Paycheck Protection Program and certain expenses as provided for in the Federal Consolidated Appropriations Act of 2021. *Status: Enrolled for Ratification*

*The information contained herein is prepared by the staff of the South Carolina Senate and is not the expression of the Senate. It is strictly for the internal use and benefit of members of the Senate and is not to be construed by a court of law as an expression of legislative intent. This is a compilation derived from committee staff summaries and meetings.*