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MAJOR ISSUES FROM

THE 2014 LEGISLATIVE SESSION

**This report highlights activity of the second regular session of the 120th South Carolina General Assembly. This document summarizes many of the key issues that have passed the General Assembly this year. Since this document focuses on key issues, not all provisions of legislation are included in the summaries.**

**This report is a guide to, not a substitute for, the full text of the legislation summarized. Bill summaries in this document are prepared by staff of the South Carolina House of Representatives and are not the expression of the legislation’s sponsor(s) or the House of Representatives. The summaries are strictly for the internal use and benefit of members of the House of Representatives and are not to be construed by a court of law as an expression of legislative intent.**

***Please note, a new feature this year is that bill summaries may appear under more than one subject heading*.**

CONTENTS

**2014 Legislative Overview ………………………………….04**

**Appropriations for Fiscal Year 2014-2015 …………………………15**

**Business, Economic Development, and Employment 20**

**Child Protection ………………………………30**

**Coastal Property and Resources ………………………………35**

**Consumer Protection 37**

**Criminal Justice and Courts 39**

**Education 52**

**Elections 59**

**Energy ………………………………61**

**Firearms 63**

**Government 65**

CONTENTS CONTINUED

**Health and Family 69**

**Heritage and Holidays 73**

**Highway Safety 75**

**Insurance 77**

**Military 79**

**Natural Resources, Environmental Affairs, and Agriculture 84**

**Nonprofits and Volunteers 87**

**Senior Citizens 88**

**State Government Restructuring 91**

**Transportation 95**

**2014 LEGISLATIVE OVERVIEW**

In its second regular session, the 120th South Carolina General Assembly authorized the most significant government restructuring that the state has seen in twenty years by approving the **"South Carolina Restructuring Act of 2014"** (S.22) which makes comprehensive changes to the organization and oversight of state government that are geared towards enhancing accountability and efficiency. This restructuring initiative abolishes the State Budget and Control Board and transfers the majority of the board's functions, including facilities management, property services, vehicle fleet management, information technology, and human resources responsibilities, to a new Department of Administration that is established in the executive branch as a cabinet agency. While the Governor assumes greater responsibility over most of the day-to-day running of state government operations, certain major financial responsibilities continue to be shared among key public officials in the executive and legislative branches of government. Composed of the Governor, Treasurer, Comptroller General, Chairman of the Senate Finance Committee, and Chairman of the House Ways and Means Committee, the State Fiscal Accountability Authority houses such offices as the State Auditor, the Procurement Services Division, and the Insurance Reserve Fund, and is given approval authority over all decisions that relate to the state's bonded indebtedness, lending, and major transactions involving state property. A Revenue and Fiscal Affairs Office is created comprising the Board of Economic Advisors and other components of the Budget and Control Board that relate to state revenue forecasts, the preparation of the state government budget in the legislature, estimation of the fiscal impact of proposed legislation, economic research, and precinct demographics. The legislation also includes new provisions for the legislative oversight of executive departmentsthat empower legislative committees to conduct periodic reviews and launch special investigations for the purpose of determining which state government programs continue to serve worthwhile purposes and which should be reorganized, scaled back, or eliminated altogether.

The General Assembly approved new legislation (S.137) to combat drunk driving designated as **"Emma's Law"** in memory of Emma Longstreet, the six-year-old Lexington County girl who was killed in a collision with a repeat DUI offender as her family was traveling to church on New Year's Day 2012. The new law provides for a more expansive use of ignition interlock devices installed on the vehicles of driving under the influence offenders that are designed to prevent a vehicle from being started and operated by someone who has consumed alcohol. The legislation revises current requirements for ignition interlock devices to be installed on the vehicles of repeat DUI offenders and establishes a new requirement for installing an ignition interlock device on the vehicle of someone convicted of a first offense DUI violation with a breath test registering an alcohol concentration of 0.15 or higher. Those who refuse a breath test and are subsequently convicted of a first offense DUI violation are also subject to requirements for enrolling in the Ignition Interlock Device Program in order to be eligible to drive. New ignition interlock requirements are imposed upon those convicted of a DUI offense involving death or great bodily injury and those found guilty of drunk driving that has endangered at least one passenger under the age of sixteen. Emma's Law also enhances penalties for those who fail to comply with ignition interlock device requirements.

Legislators approved a **prohibition on texting while driving** (S.459)which makes it unlawful for a person to use a handheld wireless electronic communication device to compose, send, or read a text‑based communication while operating a motor vehicle on the public streets and highways of this state. Exceptions are included to cover such circumstances as summoning emergency assistance and using a navigation system. A violation, which is not a criminal offense, is subject to a fine of up to twenty-five dollars. During the first one hundred eighty days after the law goes into effect, law enforcement officers must only issue warnings for violations. Law enforcement officers are prohibited from seizing wireless devices or performing searches in enforcing a violation of this prohibition on texting while driving, and a violation must not be included in the offender’s motor vehicle records or criminal records and must not be reported to an insurer. The legislation preempts all local government ordinances, regulations, and resolutions relating to the use of wireless electronic communication devices while driving on the public roads of this state.

The **"South Carolina Read to Succeed Act"** (S.516) was approved to establish a comprehensive K-12 initiative for promoting reading proficiency in the state's public schools with an emphasis on early intervention to assist students who are not demonstrating an ability to read at grade level. Early grade students who are not demonstrating proficiency in reading must be provided intensive in-class and supplemental reading intervention, and, beginning with the 2017-2018 school year, students are subject to new requirements for being retained in the third grade if they fail substantially to demonstrate grade-level reading proficiency. Prior to retention, students who score the lowest in reading assessments are afforded the opportunity to enroll in a summer reading camp. Each elementary school must employ a reading coach to serve as the school's resource for professional development in order to generate improvement in reading and literacy instruction and student achievement. Teacher certification and professional development requirements are revised to incorporate a new emphasis on literacy instruction.

Lawmakers approved legislation (H.3893) on the **adoption of statewide education standards and assessments** for use in the state's K-12 public schools which addresses issues relating to national Common Core academic standards that have become aligned with federal programs and waivers offered through the U.S. Department of Education. Under the legislation, all proposed new standards and revisions to existing academic standards that are developed by anyone other than South Carolina's Department of Education must be sent to the General Assembly for review so that lawmakers may approve or reject them. The General Assembly and the Governor must be notified whenever the State Department of Education or the Education Oversight Committee seek to change an existing standard. The legislation accelerates the review of state content standards and requires new college and career readiness state content standards to be implemented for the 2015‑2016 school year. A timeline is established for the prompt procurement of new assessments, with a September 2014 deadline, under a protocol that requires the advice and consent of a temporary special assessment panel. The legislation provides that South Carolina is no longer part of the Smarter Balanced Assessment Consortium. A "South Carolina Department of Education Data Use and Governance Policy" is also established that includes prohibitions on collecting individualized student data directly from students or families and transferring individualized data to the U.S. Department of Education.

Legislation (H.3428) was approved to provide for the **reauthorization of the South Carolina First Steps To School Readiness Initiative** and to make revisions to this program for providing enhanced early childhood development, education, and family support services to enable children to reach school ready to achieve academic success. New accountability provisions are established to assess student progress, evaluate the performance of programs, and require state funds to be spent only on programs that are considered proven or promising according to research and evidence. Local First Steps partnerships are afforded flexibility to enter into multicounty arrangements and collaborate in order to maximize the efficiency and effectiveness of the services and programs they provide to children and their families.

A temporary **School Safety Task Force** was created (H.3365) that is charged with developing standards for district level policies to promote effective school discipline and mental health intervention services and examining how improved collaboration and organization could make the most of mental health resources and funding for school-based mental health services. The legislation provides for the membership of the task force and requires its recommendations to be reported to the General Assembly by the end of the year, at which time the task force must be dissolved.

The **"Back to Basics in Education Act of 2014"** ([H.3905](http://www.scstatehouse.gov/billsearch.php?billnumbers=3905&session=120&summary=B)) was approved to add cursive writing and memorization of multiplication tables to the required subjects of instruction in public schools and to require students to demonstrate competence in each subject before completion of the fifth grade.

The General Assembly approved legislation (H.3853) to provide **enhanced accountability for charter schools**, particularly at the charter application and school closing stages. Charter schools are required to adhere to national industry standards for quality. The legislation also includes authorization for creating alternative education campuses designed to serve at-risk and challenging student populations.

Lawmakers approved (H.5014) new provisions for the **use of digital video recordings to enforce traffic violations involving the unlawful passing of stopped school buses**. Provisions are included to allow traffic citations to be issued to motorists based entirely or partially upon images obtained from a digital video recording device mounted on a school bus and for recordings to be used as evidence at hearings to corroborate the testimony of the school bus driver or any other witnesses.

Lawmakers approved the general appropriation bill (H.4701) and the joint resolution making appropriations from the Capital Reserve Fund (H.4702) which together comprise the $7.2 billion **fiscal year 2014-2015 state government budget**. The budget includes a total of $180 million in new funding for K-12 education. A total of $137.5 million is directed to the Education Finance Act, $54.3 million of which is new EFA money. $35 million is used to maintain the current base student cost of $2,097 and an additional $19 million is used to increase the base student cost to an estimated $2,120 per pupil. $83.2 million of these EFA funds represent a swap from the Education Improvement Act that is directed towards high-achieving students and students at risk of academic failure. The budget includes a revised rationale for allocating funds to the public schools that includes new weightings in the EFA distribution formula that are specifically geared towards such populations as students with limited English proficiency and pupils in poverty and places new emphasis on funding for personalized instruction in such areas as precareer and career technology, young adults pursuing adult education programs, gifted and talented education, and academic assistance for those failing to meet state standards for mathematics and English language arts. $5 million is included for hold-harmless transitional payments to ensure that no district receives less state funding under the new funding formula than it did under the current formula. $18.6 million in recurring funds is used to expand the state's four-year-old kindergarten program for students who are eligible for free or reduced lunch so that it includes all school districts with a poverty index of 70% or greater. The expansion includes seven additional districts to bring the total number of districts in the 4K program to 58. $29.5 million is included to provide for reading coaches in the state's elementary schools. $4.5 million is devoted to expanding summer reading camps. $29.3 million is included for a K-12 technology initiative. $12 million is provided for digital instructional materials and $4 million is included to train teachers on how to use the new technology in the classroom. In addition, $8.56 million is devoted to instructional materials in the schools. $742,500 is provided for a virtual instruction program at the State Department of Education, including 11 full-time employee positions. $18 million is provided for purchasing or leasing new school buses. Full funding is provided for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs. The budget includes increases in recurring funds to the state's colleges and universities that amount to $5.4 million. The budget provides $2.6 million for a consultant to conduct a Higher Education Efficiency and Accountability Review on improvements in operations at the campus level and statewide. $2.5 million is included for STEM (science, technology, engineering, mathematics) Education to address workforce demands. A total of $15.2 million is provided for various worker training initiatives at the state's technical colleges. $37.4 million is provided for the Deal Closing Fund that the Department of Commerce uses to recruit new business to the state. The Department of Commerce is afforded appropriations of $6.5 million for the Locate SC Site Inventory, $4 million for research initiatives, $400,000 for the Existing Business Program, and $250,000 for the SC Manufacturers Extension Program. Funding for rural infrastructure grants is increased with $3 million in recurring funds. A $15 million increase in C-Funds is included for County Transportation Committees. The budget provides for a 2% state employee pay increase, with an appropriation of $30.6 million. $57 million is included to cover the increased costs of operating the state's employee health insurance plan with no increases in the premiums paid by employees, no reductions in coverage, and relatively minor increases in coinsurance payments of no more than 9%. $447.3 million fully funds the reserve accounts that the state uses to cope with revenue shortfalls. The Local Government Fund is maintained at its current level of $212 million through the appropriation of $30 million, $5 million of which is recurring revenue. $10.4 million is provided for implementing statewide information technology security upgrades recommended by the state's cyber security consultant. The budget includes $129 million for Medicaid Maintenance of Effort. The budget legislation does not include an expansion in eligibility for the state's Medicaid Program as allowed by the federal "Patient Protection and Affordable Care Act" of 2010. The budget advances the Medicaid Accountability and Quality Improvement Initiative including: the continuation of the Healthy Outcomes Initiative for meeting the needs of chronically ill uninsured patients through home visits and care in other settings outside the emergency room; continuation of cost reimbursement for rural hospitals for uncompensated care; continued support for the Primary Care Safety Net program for the treatment of low-income, uninsured patients including $5 million for innovative care strategies, $8 million for Federally Qualified Health Centers, $4 million for FQHC capital needs, and $2 million for free clinics; and, an expansion of the state's telemedicine program and initiatives for enhancing rural provider capacity by leveraging the state's training programs to encourage physicians to work in underserved areas. New provisions are included for home and community based services for military families returning to the state. The Attorney General's office is provided $74,750 for a full-time information technology data security specialist, $78,000 for a full-time appellate attorney, $78,000 for a full-time Habeas Corpus attorney, $45,500 for an Anti-Gang Coordinator, and $167,700 for Criminal Domestic Violence Unit of three full-time employees. The Commission on Indigent Defense receives $136,578 for two new full-time appellate attorneys. The Prosecution Coordination Commission is allocated $1.6 million for violent crime prosecution and $400,00 for the SC Center for Fathers and Families. The State Law Enforcement Division receives $475,136 for 4 full-time personnel to staff a new child fatality unit, $697,316 for 10 full-time forensics personnel, $2 million for 17 full-time alcohol enforcement personnel, and $500,00 to enhance the Meth Lab Clean-Up Program. The Department of Public Safety is provided $447,300 for 10 new highway troopers, $1.3 million for mobile data equipment and support for highway troopers, and $2 million for law enforcement vehicle replacement. $1.1 million is used to establish a local law enforcement grant program. The Department of Natural Resource is provided $1.2 million to increase enforcement officers by 8 for a total of 15 new enforcement officers and equipment, $108,074 for a new information technology security officer, and $450,000 for law enforcement vehicle replacement. The Forestry Commission receives $200,000 for 4 additional full-time firefighters and $2 million from the Capital Reserve Fund for new firefighting equipment. $3.9 million is included for capital projects at State Parks. The Department of Parks, Recreation and Tourism receives $500,000 for the Undiscovered SC program to showcase the state's rural areas, $2 million for the Sports Development Fund, $750,000 for marketing, and $400,000 for international marketing. $5 million is provided for the African-American History Museum. $1 million is provided for the Patriots Point Authority Medal of Honor Museum. The Lieutenant Governor's Office on Aging receives $2 million for respite caregivers, and $3 million for its meal delivery and other home and community based services for the elderly. $1 million from the Capital Reserve Fund is provided to the Election Commission for a new voting system.

The General Assembly revised the manner in which the Department of Social Services and the courts address the removal of children from the custody of their parents or guardians through the passage of legislation (H.3102) designated as **"Jaidon's Law"** in memory of twenty-two-month-old Jaidon Morris who, in 2008, died of a drug overdose a week after being returned home from foster care. The legislation provides enhanced authority for removing children from abusive and dangerous homes. New requirements are included for parents with substance abuse problems to submit to drug screenings and comply with court-ordered treatment programs in order to retain their parental rights. The legislation also requires the Legislative Audit Council to conduct a management performance audit of a program of the South Carolina Department of Social Services every three years.

The**"South Carolina Children's Advocacy Medical Response System Act"** (H.4347) was approved to create a system, under the administration of the University of South Carolina School of Medicine, to provide statewide coordination and medical service resources, assisting and collaborating with children’s advocacy centers and state agencies charged with the investigation, assessment, treatment, and prosecution of child abuse or neglect for children in the state. The program is charged with developing, supporting, and maintaining a consistent quality standard of care and practice for services intrinsic to the assessment of children who are suspected victims of abuse or neglect, such as medical expert witness services and forensic medical examinations, assessments, and diagnoses.

The General Assembly approved legislation (H.3124) **protecting those who report** **child abuse or neglect** **from retaliation by employers**. The legislation provides that an employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee for making a report of child abuse or neglect that is required or permitted by law. A civil action for reinstatement and back pay is established to address violations.

Lawmakers approved legislation (H.4665) **prohibiting childcare facilities** **from administering medication to children without parental consent**. An exception is provided for medical emergencies and a misdemeanor criminal penalty is established for violations. The legislation **enhances the oversight authority that the Department of Social Services exercises in the regulation of childcare facilities** by authorizing DSS to make unannounced inspections of childcare facilities, including family childcare homes, once a year. Whenever DSS receives a regulatory complaint, the department is required to conduct an unannounced inspection of the childcare facility to investigate.

Legislation (H.4061) was approved to provide for the development of K-12 **age-appropriate instruction in sexual abuse and assault awareness and prevention** to be used in the state's public schools.

Legislators approved a bill (H.3959) **enhancing state laws that target child pornography**. The legislation revises state criminal offenses relating to the sexual exploitation of a minor through live performances or visual representations, so that these offenses apply not only to the display of a minor engaged in sexual activity but also to the appearance of a minor in a state of sexually explicit nudity when a reasonable person would infer that the purpose is sexual stimulation.

The General Assembly approved legislation (S.764) creating the **Vulnerable Adult Guardian ad Litem Program** within the Lieutenant Governor's Office on Aging to serve as a statewide system to recruit, train, and supervise volunteers to serve as court-appointed representatives of vulnerable adults' best interests in family court abuse, neglect, and exploitation proceedings.

Lawmakers approved legislation (S.19) **revising bail and bond provisions** in criminal court proceedings, including more stringent bond provisions that apply to someone who is charged with committing a violent crime while already out on bond for a previous violent offense. The legislation requires judges and magistrates to consider whether a charged person appears in the State Law Enforcement Division's gang database when making a determination about bond. A temporary legislative Study Committee on Bonds is created to review the state's bond laws and report its recommended changes to the General Assembly by the end of the year.

Legislators approved a bill (S.308) that replaces South Carolina's current prohibition on carrying a pistol or firearm into a business that sells alcoholic liquor, beer, or wine for on-premises consumption with new provisions, commonly referred to as **restaurant carry** provisions, that afford concealed weapon permit holders new legal authority to carry their firearms into bars, restaurants, and other establishments that serve alcohol. A concealed weapon permit holder making use of these restaurant carry provisions is not allowed to consume alcohol on the premises and proprietors may restrict or prohibit the carrying of concealed weapons into their businesses by posting the proper signs. A CWP holder who violates these restrictions is subject to a misdemeanor criminal offense and must have his concealed weapon permit revoked for five years.

The **"South Carolina Military Service Integrity and Preservation Act"** (H.4259) was approved to establish a criminal penalty for those who make false claims about serving in the U.S. Armed Forces or receiving a medal, ribbon, or other military decoration. The misdemeanor violation covers falsified resumes or any other fraudulent claim designed to secure a tangible benefit.

Lawmakers created (S.1173) a **South Carolina Prisoner of War ‘POW’ Medal** that the Governor may present on behalf of the people of South Carolina to current and former residents of the state who have been held as a prisoner of war in the course of their military service.

Legislation (H.4788) was approved to designate the second Sunday in August as **"Spirit of ‘45 Day"** to commemorate the anniversary of the end of World War II.

Lawmakers approved legislation (H.4527) designatingthe Friday after Thanksgiving as **"A Day of Recognition for Veterans' Spouses and Families"** to acknowledge the invaluable support and sacrifice of veterans' family members.

Legislation (H.4922) was enacted to authorize **hiring preferences for veterans** by specifying that it is not an unlawful employment practice for a private employer to give preference in employment to a veteran. This preference is also extended to the veteran’s spouse if the veteran has a service‑connected permanent and total disability.

The General Assembly approved legislation (H.3027) extending certain **property tax breaks to military personnel who are deployed or reassigned**. The legislation allows active duty members of the U.S. Armed Forces to keep their special owner‑occupied residential property tax assessment even if they are deployed or transferred away from home. They also remain eligible for this favorable 4% assessment ratio even if they rent out their home while they are deployed. The new legislation allows military members who receive a permanent or long term change of station to claim the owner-occupied assessment ratio on two residences in the state for up to two years so long as they are attempting to sell the first of these homes. Service members' spouses who are joint owners of the property are also included in these favorable tax provisions. Additionally, lawmakers approved (S.999) a ninety day **extension on the expiration of a driver's license for members of the U.S. Armed Forces who are deployed or reassigned outside the state** and for dependents who live with them. The extension is also allowed for civilian employees of the Department of Defense whose duties in support of the military take them out of state.

The **"Military Family Quality of Life Enhancement Act of 2014"** (S.825) was approved to establish several initiatives that are geared towards benefitting military service members and their families. The legislation includes: more expansive provisions for military members and their families to vote by absentee ballot in all elections; a comprehensive annual report on the K-12 educational performance of military-connected children; Medicaid waiver status protections for reassigned military families; the creation of a Military-Connected Children's Welfare Task Force to improve communication between the state's child welfare agencies and local military installations; and, a real property tax exemption for leased military housing facilities on bases and installations.

The **"Veterans Treatment Court Program Act"** (H.3014) was approvedto address the criminal justice system's encounters with veterans who have returned from their military service having sustained traumatic brain injuries or suffering from service-related mental health impairments, such as post-traumatic stress disorder, depression, anxiety or acute stress. This legislation provides authority for each circuit solicitor to establish a veterans treatment court program to divert qualifying nonviolent military veteran offenders away from the criminal justice system and into appropriate mental health and substance abuse treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative.

The General Assembly approved (H.3541) a **proposed constitutional amendment for the Adjutant General to be appointed by the Governor** rather than elected. This proposal must be submitted to the state's voters at the next general election as a ballot question to decide whether the South Carolina Constitution should be amended by removing the Adjutant General from the list of statewide elected officials and providing instead for this head of the state's National Guard and other military resources to be appointed by the Governor, upon the advice and consent of the Senate. If the constitution is amended, the new appointment process (H.3540) would begin with the expiration of the term of the Adjutant General who is serving in office when the amendment is ratified.

Legislation (H.3089) was enacted to provide for a maximum three thousand dollar a year **individual income tax deduction for volunteer state constables**.

Lawmakers approved (H.4944) an extension of the **multiple lot property tax discounts** that have been provided for homebuilders and property developers during recent years of recession.

The General Assembly approved legislation (S.1189) which makes revisions relating to the generation, distribution, and sale of electrical power that are geared towards reshaping South Carolina's electrical power grid so that it is devoted not only to a few, major, centrally-located power plants run by traditional investor-owned utilities but can also better accommodate electrical generation resources that are distributed throughout the grid, such as rooftop solar arrays, as well as other **distributed energy resources** such as energy storage and managed loads, including electric vehicle charging. The legislation makes provisions for a South Carolina Distributed Energy Resource Program to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for the state. The initiative includes changes in the way that investor-owned utilities purchase power from other, smaller, providers of electricity to encourage investment in renewable energy in the form of both relatively large facilities, such as wind farms, and smaller resources such as the solar power collectors installed by residential and commercial net-metering customers. The legislation also includes provisions to accommodate customers in leasing solar panels and other renewable electric generation resources rather than undertaking the significant costs involved in purchasing them outright.

A temporary **Clean Energy Industry Manufacturing Market Development Advisory Commission** (H.3125) was created to assist in the development of manufacturing in this state of technology, materials, and products related to clean energy, including solar, wind, hydroelectric, biomass, energy-efficiency, alternative fuels, hydrogen storage and fuel cells. The commission is charged with performing a market analysis and recommending incentives or other actions, with a final report due by September 30, 2015, at which point, the commission is set to dissolve.

The **“Microenterprise Development Act”** (H.3125) was approved in order to establish a program in the Department of Commerce for awarding grants to community organizations in order to make loans and develop loan sources that will facilitate the development of microenterprises, which are new and existing businesses, including startup, home‑based, and self-employment arrangements, with five or fewer employees. Funds appropriated for grants must be matched by non-state funds and used to develop the kind of small-scale lending opportunities that assist South Carolina’s microenterprises in realizing their full potential to create jobs, enhance entrepreneurial skills, and increase the capacity of low‑income households to become self‑sufficient.

Lawmakers approved a bill (H.3512) **revising alcohol sales provisions** including changes relating to **breweries** that are offered as a means of fostering the craft brewing industry in the state. The legislation includes authorization for breweries to operate on-site dining facilities where their beer can be served and allows breweries to apply for retail on-premises consumption permits for the sale of beer and wine produced by others. The legislation provides that **retail liquor sales are allowed on statewide election days but are prohibited on Christmas Day**.

The General Assembly approved legislation (S.839) that distinguishes hemp grown for scientific, economic, and environmental uses from the narcotic marijuana, a genetically different cultivar of the same plant species, and provides **authorization for cultivating industrial hemp** in South Carolina to be used for any lawful purpose, including its use to manufacture twine, rope, paper, construction materials, carpeting, and clothing, its applications in manufacturing industrial oils, cosmetics, medicines, and food, and its potential use as a cellulosic ethanol biofuel. Criminal penalties are established to address the cultivation of industrial hemp as a means of disguising marijuana production or distribution operations.

The General Assembly approved legislation (S.1035) addressing **access to cannabidiol, a substance derived from marijuana, for treatment of severe forms of epilepsy**. Named for the Summerville child whose severe seizures prompted his family to move to Colorado in order to gain lawful access to CBD oil treatments, **"Julian's Law"** is enacted to provide authorization for the state's academic medical centers to conduct expanded access clinical trials approved by the federal Food and Drug Administration (FDA) to investigate the value of cannabidiol as a treatment for patients suffering from severe forms of epilepsy that are not adequately treated by traditional medical therapies. The legislation establishes certain exemptions for cannabidiol under state laws governing narcotics and controlled substances and provides an exemption that allows a South Carolina-licensed physician to issue a written certification for the medical use of cannabidiol to a patient who has been diagnosed with severe forms of epilepsy. The legislation also creates a temporary study committee whose purpose is to develop a plan for the sale and use of medical marijuana in South Carolina should the federal Drug Enforcement Administration declassify or reclassify marijuana as a controlled substance.

The General Assembly approved legislation (S.148) that establishes **identity theft safeguards for protected consumers**, a special class of consumers composed of children as well as adults who are incapacitated or otherwise under another's guardianship. To help prevent the identities of these protected consumers from being stolen and used for such purposes as opening fraudulent credit accounts, the legislation establishes requirements for consumer reporting agencies to place security freezes on the records of those under the age of sixteen, as well as incapacitated individuals and protected individuals for whom a guardian or conservator has been appointed, upon the request of parents or other representatives who can produce sufficient proof of their authority to act on behalf of the protected consumers. A consumer reporting agency may not charge any fees for implementing security freezes for protected consumers or for creating any consumer credit files needed to implement such security freezes.

Lawmakers approved (H.3149) more stringent requirements for **precious metal dealers**. Notably, the legislation triples the mandatory holding period so that pawnshops and other dealers are required to keep silverware, gold jewelry, and other precious metal items, except coins, for twenty-one days following the purchase date without reselling, melting, or altering them in any way. The extension affords law enforcement officials more time to investigate reports of stolen property.

Legislators approved a bill (S.815) to provide for **State Election Commission oversight of county boards of voter registration and elections** to ensure that those boards and all who are involved in the elections process comply with state voting law requirements, applicable federal law, and commission policies and procedures regarding the conduct of elections or the voter registration process. In order ensure compliance, the State Election Commission is directed to conduct reviews, audits, or other postelection analysis and is empowered to intervene when it finds that local election authorities have failed to comply with election or voter registration requirements or when local election authorities fail to certify the results of an election or referendum in a timely manner. The legislation provides a statewide protocol establishing consolidated county boards of voter registration and elections. The State Election Commission must provide public notice on its website of all new state and local changes to voting procedures, including changes to precincts.

The **Iran Divestment Act** (H.3021) was approved to prohibit financial connections with those who have significant investments in Iran’s energy sector by placing new restrictions on the investment of state funds and on state and local government contracting. Lawmakers also approved authorization (H.4383) for the Department of Motor Vehicles to issue **South Carolina Stands with Israel Special License Plates**.

The General Assembly approved legislation (H.3231) **prohibiting discrimination against motorcycles** in public transportation policies. Under the legislation, the state Department of Transportation and Transportation Commission are prohibited from adopting plans or policies that would discriminate against motorcycles or restrict their access to any highway, bridge, tunnel, or other transportation facility. Local governments are required to make reasonable accommodations for motorcycles in their parking garages and other transportation facilities.

The General Assembly approved legislation (S.1071) providing for further **game zone consolidation** by reducing the state's current six game zones into four larger game zones in order to bring greater standardization and simplification to the laws governing the hunting of wild game in South Carolina.

**APPROPRIATIONS FOR FISCAL YEAR 2014-2015**

The General Assembly approved **H.4701**, the general appropriation act and **H.4702**, the joint resolution making appropriations from the Capital Reserve Fund, which together comprise the Fiscal Year 2014-2015 State Government Budget. The $7.2 billion budget includes $6.7 billion in recurring state general fund revenue, $115 million in Capital Reserve Funds, and $345 million in Education Lottery Funds.

The budget includes a total of $180 million in new funding for K-12 education. A total of $137.5 million is directed to the Education Finance Act, $54.3 million of which is new EFA money. $35 million is used to maintain the current base student cost of $2,097 and an additional $19 million is used to increase the base student cost to an estimated $2,120 per pupil. $83.2 million of these EFA funds represent a swap from the Education Improvement Act that is directed towards high-achieving students and students at risk of academic failure. The budget includes a revised rationale for allocating funds to the public schools that includes new weightings in the EFA distribution formula that are specifically geared towards such populations as students with limited English proficiency and pupils in poverty and places new emphasis on funding for personalized instruction in such areas as precareer and career technology, young adults pursuing adult education programs, gifted and talented education, and academic assistance for those failing to meet state standards for mathematics and English language arts. $5 million is included for hold-harmless transitional payments to ensure that no district receives less state funding under the new funding formula than it did under the current formula.

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In addition, $8.56 million is devoted to instructional materials in the schools.

$742,500 is provided for a virtual instruction program at the State Department of Education, including 11 full-time employee positions.

$18 million is provided for purchasing or leasing new school buses. $6.5 million in school transportation funds is included for bus maintenance and fuel.

Full funding is provided for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs. A provision is also included to allow students looking to graduate on an accelerated schedule to claim scholarship awards during the summer academic semester.

The budget includes increases in recurring funds to the state's colleges and universities that amount to $5.4 million.

The budget provides $2.6 million for a consultant to conduct a Higher Education Efficiency and Accountability Review on improvements in operations at the campus level and statewide.

$2.5 million is included for STEM (science, technology, engineering, mathematics) Education to address workforce demands.

$15.2 million is provided for Technical College initiatives including worker training through the Ready SC Program, Trident Technical College's Aerospace initiative, the transitioning military support and training program at the Technical College of the Low Country, automotive technology program equipment for Florence-Darlington Technical College, the Computer Numerical Control and Mechatronics Programs at Tri-County Tech, and the Quick Jobs Program at Midlands Tech.

$37.4 million is provided for the Deal Closing Fund that the Department of Commerce uses to recruit new business to the state. The Department of Commerce is afforded appropriations of $6.5 million for the Locate SC Site Inventory, $4 million for research initiatives, $400,000 for the Existing Business Program, $250,000 for the SC Manufacturers Extension Program, and $350,000 for the Community Development Corporation Initiative.

Funding for rural infrastructure grants is increased with $3 million in recurring funds.

Increased funding is provided for two port development initiatives, with $5 million provided for channel dredging at the Port of Georgetown and $1.2 million for Jasper Port development to match appropriations from the state of Georgia.

A $15 million increase in C-Funds is included for County Transportation Committees.

The budget provides for a 2% state employee pay increase, with an appropriation of $30.6 million. $57 million is included to cover the increased costs of operating the state's employee health insurance plan with no increases in the premiums paid by employees, no reductions in coverage, and relatively minor increases in coinsurance payments of no more than 9%.

$447.3 million fully funds the reserve accounts that the state uses to cope with revenue shortfalls.

The Local Government Fund is maintained at its current level of $212 million through the appropriation of $30 million, $5 million of which is recurring revenue.

$10.4 million is provided for implementing statewide information technology security upgrades recommended by the state's cyber security consultant. The Department of Revenue is afforded $3 million from the Capital Reserve Fund for identity and credit protection services and $12 million for an updated tax processing system.

The budget includes $129 million for Medicaid Maintenance of Effort. The budget legislation does not include an expansion in eligibility for the state's Medicaid Program as allowed by the federal "Patient Protection and Affordable Care Act" of 2010. The budget advances the Medicaid Accountability and Quality Improvement Initiative including: the continuation of the Healthy Outcomes Initiative for meeting the needs of chronically ill uninsured patients through home visits and care in other settings outside the emergency room; continuation of cost reimbursement for rural hospitals for uncompensated care; continued support for the Primary Care Safety Net program for the treatment of low-income, uninsured patients including $5 million for innovative care strategies, $8 million for Federally Qualified Health Centers, $4 million for FQHC capital needs, and $2 million for free clinics; and, an expansion of the state's telemedicine program and initiatives for enhancing rural provider capacity by leveraging the state's training programs to encourage physicians to work in underserved areas. New provisions are included for home and community based services for military families returning to the state.

$15.5 million is included for individuals with complex care needs to be transitioned out of an institutional setting at the Department of Disabilities and Special Needs.

$1.4 million is used to restore funding for the Certificate of Need Program at the Department of Health and Environmental Control. DHEC receives $1.5 million for the Best Chance Network breast cancer screenings and Colon Cancer Prevention Network, $100,000 for the J. R. Clark Sickle Cell Foundation, and $500,000 for the Bleeding Disorders Premium Assistance Program. $2 million from the Capital Reserve Fund is directed to address a budget shortfall at the Pinewood Hazardous Waste Disposal Site.

$10.5 million is directed to the Department of Mental Health to address budget cuts sustained by the agency during the revenue shortfall of recent years, which includes provisions for 70 full-time employee positions. $1 million is provided to the Department of Mental Health to expand its school-based programming. DMH receives $2.25 million from the Capital Reserve Fund to begin the process of converting health records to an electronic format that is necessary for meeting federal hospital certification requirements.

$1.6 million is appropriated for increasing monthly payments for foster care families.

The budget provides no additional funding for the ongoing project at the Department of Social Services to produce a computerized Child Support Enforcement System that meets federal certification requirements. A provision is included to abolish the project's executive committee and transfer sole authority over the project to the DSS Director. Quarterly progress reports on the project must be published on the department's website.

The Department of Social Services is directed to report to legislators on new accountability features for debit cards used in the Supplemental Nutritional Assistance Program that could reduce fraud and misuse of SNAP benefits.

The Attorney General's office is provided $74,750 for a full-time information technology data security specialist, $78,000 for a full-time appellate attorney, $78,000 for a full-time Habeas Corpus attorney, $45,500 for an Anti-Gang Coordinator, and $167,700 for Criminal Domestic Violence Unit of three full-time employees.

The Commission on Indigent Defense receives $136,578 for two new full-time appellate attorneys.

The Prosecution Coordination Commission is allocated $1.6 million for violent crime prosecution and $400,00 for the SC Center for Fathers and Families.

The State Law Enforcement Division receives $475,136 for 4 full-time personnel to staff a new child fatality unit, $697,316 for 10 full-time forensics personnel, $2 million for 17 full-time alcohol enforcement personnel, and $500,00 to enhance the Meth Lab Clean-Up Program.

The Department of Public Safety is provided $447,300 for 10 new highway troopers, $1.3 million for mobile data equipment and support for highway troopers, and $2 million for law enforcement vehicle replacement. $1.1 million is used to establish a local law enforcement grant program.

The Department of Corrections is afforded $153,360 for an information security officer and IT auditor, $2.122 million in other funds for cell phone interdiction, $2.262 million for camera equipment and a surveillance network system at the Lee Correctional Institution, $450,000 for the construction of three perimeter towers at the Lieber Correctional Institution, and $40,00 for the third phase of its weapons replacement program.

The Department of Natural Resource is provided $1.2 million to increase enforcement officers by 8 for a total of 15 new enforcement officers and equipment, $108,074 for a new information technology security officer, and $450,000 for law enforcement vehicle replacement.

The Forestry Commission receives $200,000 for 4 additional full-time firefighters and $2 million from the Capital Reserve Fund for new firefighting equipment.

$3.9 million is included for capital projects at State Parks. The Department of Parks, Recreation and Tourism receives $1 million for the Undiscovered SC program to showcase the state's rural areas, $2 million for the Sports Development Fund, $750,000 for marketing, and $400,000 for international marketing.

$5 million is provided for the African-American History Museum.

$1 million is provided for the Patriots Point Authority Medal of Honor Museum.

The Lieutenant Governor's Office on Aging receives $2 million for respite caregivers, and $3 million for its meal delivery and other home and community based services for the elderly.

$1 million from the Capital Reserve Fund is provided to the Election Commission for a new voting system.

In response to concerns about the governance of the John de la Howe School raised in a recent Inspector General's report, the budget includes a provision for the Superintendent of Education to appoint a Chief Operating Officer to provide on-site programmatic and administrative technical assistance to the School and for the institution's board of trustees to consult with such agencies as the Department of Juvenile Justice, Department of Education, Department of Social Services, and the Department of Mental Health and submit a plan to the Governor, the Superintendent of Education, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee for implementing the sound oversight that will fulfill the needs of this school for at-risk youth.

In response to programs at the University of Charleston and USC-Upstate which assigned literature and presentation materials to incoming freshmen that have elicited controversy, provisions are included for these institutions to spend portions of their appropriations to fulfill American civics instruction requirements on the United States Constitution, the Declaration of Independence, and The Federalist Papers. Provisions are included that allow students at the state's institutions of higher learning to opt out of an institution's required reading or lectures, assigned outside of a particular class, if they object to the requirements because of a sincerely held religious, moral, or cultural belief.

A requirement is included for each public institution of higher learning to submit a report denoting its mission, ethics, and values statements to the members of the General Assembly.

The legislation prohibits institutions of higher learning from imposing restrictions on the distribution of the United States Constitution or the South Carolina Constitution by their students.

A South Carolina State Blue Ribbon Advisory Committee is established to work with SC State's President and the university’s board of trustees to develop a budgetary plan to reduce expenditures and stabilize the university.

*STATUS: Having passed the General Assembly,* ***H.4701****, the General Appropriation Act, was ratified on June 5, 2014 (R.304). On June 11, the Governor vetoed certain items. Legislators subsequently sustained some of the vetoes and overrode others to allow these provisions, along with provisions not vetoed by the Governor, to become law (Act No. 286). Having passed the General Assembly,* ***H.4702****, the joint resolution making appropriations from the Capital Reserve Fund, was ratified on June 5, 2014, (R.305) and was signed into law by the Governor on June 11 (Act No. 298).*

**BUSINESS, ECONOMIC DEVELOPMENT, AND EMPLOYMENT**

**ACCOUNTANCY BOARD OVERSIGHT**

The General Assembly approved **H.3459**, legislation revising oversight by the South Carolina Board of Accountancy at the Department of Labor, Licensing and Regulation, so that the board will have the capability of conducting periodic inspections of licensees and firms rather than simply performing audits in response to complaints. The legislation authorizes the board to conduct periodic inspections of licensees or firms, upon providing at least three business days' notice. An investigation of a licensed certified public accountant must be performed by an inspector-investigator who has been licensed as a CPA in the state for at least five years and must adhere to specified timeframes. LLR is required to post an annual report detailing the number of complaints received, the number of investigations initiated, and the duration of investigations. The director of LLR, with the advice and consent of the Board of Accountancy, must designate a South Carolina licensed certified public accountant to serve as a full‑time administrator whose primary responsibility is to administer the board. The director of LLR must submit an annual report to the Chairmen of the Senate and House Committees on Labor, Licensing and Regulation concerning the workload of the Accountancy Board’s Administrator. The legislation also provides that a licensed CPA, while in the performance of his duties, is exempt from the licensing requirements established for private security and investigation agencies.

*STATUS: Having passed the General Assembly,* ***H.3459*** *was ratified on June 5, 2014, (R.296) and was signed into law by the Governor on June 9 (Act No. 268).*

**BREWERIES**

The General Assembly approved **H.3512**, legislation, which among other things, revises provisions relating to breweries as a means of fostering the craft brewing industry in the state. The legislation includes authorization for breweries to operate on-site dining facilities where their beer can be served and allows breweries to apply for retail on-premises consumption permits for the sale of beer and wine produced by others.

*STATUS: Having been approved by the General Assembly,* ***H.3512*** *was ratified on May 29, 2014, (R.248) and was signed into law by the Governor on June 2 (Act No. 223).*

**CLEAN ENERGY INDUSTRY MANUFACTURING MARKET DEVELOPMENT ADVISORY COUNCIL**

Through the passage of **H.3125**, the General Assembly established a fourteen-member Clean Energy Industry Manufacturing Market Development Advisory Commission (H.3125) to assist in the development of manufacturing in this state of technology, materials, and products related to clean energy, including solar, wind, hydroelectric, biomass, energy-efficiency, alternative fuels, hydrogen storage and fuel cells. The commission is charged with performing a market analysis and recommending incentives or other actions, with a final report due by September 30, 2015, at which point, the commission is set to dissolve.

*STATUS: Having passed the General Assembly,* ***H.3125*** *was ratified on May 15, 2014, (R.188) and was signed into law by the Governor on May 16 (Act No. 171).*

**CORPORATE OFFICER EXEMPTION FROM UNEMPLOYMENT BENEFITS**

The General Assembly approved **S.1100**, a bill that revises definitions concerning unemployment benefits and claims to provide that corporate officers are exempt from unemployment benefits provisions unless they elect to have coverage and make the requisite payments. The legislation provides for federally required exemptions from the legislation for individuals employed by an Indian tribe and religious, charitable, educational, or other federally defined organizations.

*STATUS: Having passed the General Assembly,* ***S.1100*** *was ratified on June 5, 2014, (R.286) and was signed into law by the Governor on June 6 (Act No. 266).*

**ECONOMIC DEVELOPMENT INCENTIVES**

The General Assembly approved **H.3644**, legislation revising various economic development incentives. The Renewable Energy Tax Credit Incentive Program is revised so as to: redesignate the program the South Carolina Clean Energy Tax Incentive Program; decrease the investment thresholds and job creation requirements that must be met in order to qualify for the credit; require written notification to the Department of Commerce of an intention to claim the credit; and, extend the availability of the credit, currently set to expire at the end of 2015, so that it is available through 2020.

The legislation revises tax credits afforded businesses for retraining current employees on new equipment and technology. The yearly amount of this credit against withholdings is increased from five hundred dollars to one thousand dollars. The current dollar-for-dollar match is replaced with a requirement that a business expend at least one dollar fifty cents on retraining eligible employees for every dollar claimed as a tax credit. The annual renewal fee is lowered from five hundred dollars to two hundred fifty dollars. Credits are disallowed if the employee is required to reimburse or pay for the costs of the retraining. The legislation includes provisions for the programs to be reviewed by the Department of Revenue and the State Board of Technical and Comprehensive Education. Businesses with retraining credits of at least forty thousand dollars, rather than the current ten thousand dollars, are subject to the additional annual fee of one thousand dollars.

This legislation revises provisions for the corporate license tax credit allowed for cash contributions to provide infrastructure for eligible projects, so as to include in the definition of “eligible project” a municipal or county‑owned, multiuse sports and recreational complex located in a county in which has been collected at least five million dollars in a fiscal year in state‑imposed accommodations tax.

*STATUS: Having passed the General Assembly,* ***H.3644*** *was ratified on June 5, 2014, (R.297) and was signed into law by the Governor on June 10 (Act No. 279).*

**ENERGY EFFICIENT AND ENVIRONMENTALLY SUSTAINABLE BUILDING STANDARDS FOR STATE CONSTRUCTION**

The General Assembly approved **H.3592**, a bill revising energy efficient and environmentally sustainable building standards for state construction. The legislation revises the “Energy Independence and Sustainable Construction Act of 2007” to direct the Fiscal Accountability Authority’s governing board to automatically adopt the most current editions of the rating systems developed by Green Building Initiative and U.S. Green Building Council’s Leadership in Energy and Environmental Design, but to provide for these certification standards to be subject to modifications adopted through state regulations. An Energy Independence and Sustainable Construction Advisory Committee is established to review and analyze rating systems and their updates, including a cost‑benefit analysis so that the state may consider the return on its investment for projects, and make recommendations concerning modifications to the board. The rating system utilized by the state must provide certification credits for, preference for, and promotion of such building materials or furnishings as wood grown in this state and masonry, plastics, concrete, steel, wood, and textiles that are manufactured or produced in South Carolina. The standards may not place at a disadvantage building materials or furnishings that are manufactured or produced within the state. A major facility project requesting third‑party certification shall not be allowed to seek a rating credit or point for building product disclosure and optimization credit that requires material ingredient reporting.

*STATUS: Having passed the General Assembly,* ***H.3592*** *was ratified on April 3, 2014, (R.159) and was signed into law by the Governor on April 7 (Act No. 150).*

**EXEMPTION FROM ENGINEER LICENSURE REQUIREMENTS FOR** **PERFORMING CERTAIN** **MANUFACTURING COMPANY ACTIVITIES**

The General Assembly approved **H.4604**, a bill providing for an exemption from engineer licensure requirements for performing certain manufacturing company activities. The legislation revises exemptions from the licensure requirement to practice engineering, so as to provide an exemption for the activities of full‑time employees of a manufacturing company or other personnel under the direct supervision and control of the manufacturing company or its subsidiary, on or in connection with activities related to the research, development, design, fabrication, production, assembly, integration, installation, or service of products manufactured by the manufacturing company. This exemption does not apply to activities where the seal of a professional engineer is expressly required by statute, regulation, or building code, or to engineering services offered to the public.

*STATUS: Having passed the General Assembly,* ***H.4604*** *was ratified on April 10, 2014, (R.172) and was signed into law by the Governor on April 14 (Act No. 157).*

**EXPEDITED MORTGAGE FORECLOSURE PROCESS FOR ABANDONED PROPERTY**

The General Assembly approved, **S.1007** legislation providing for expedited mortgage foreclosure process for abandoned property. This legislation provides a process whereby a mortgagee or successor in interest to a mortgagee may move the court for an expedited judgment of foreclosure and sale of real property that is considered abandoned. The legislation defines the term "abandoned property"; generally, the term includes property that is not occupied and meets certain conditions or vacant and unimproved property in need of maintenance, repair or securing.

*STATUS: Having been approved by the General Assembly,* ***S.1007*** *was ratified on May 29, 2014, (R.226) and was signed into law by the Governor on June 2 (Act No. 218).*

**“FAIRNESS IN LODGING ACT”**

The General Assembly approved **S.985**, the “Fairness in Lodging Act”, as a means of targeting property owners who are renting residential accommodations to tourists through vacation rental by owner (VRBO) arrangements and are deriving an illicit competitive advantage by failing to remit required accommodations taxes and by failing to comply with local business license requirements. The legislation affords municipalities and counties the option of implementing, by ordinance, additional enforcement provisions in the form of notifications to property owners of business license and accommodations tax provisions that apply to rentals as well as penalties to be imposed for failure to comply. The legislation includes provisions for data sharing and greater coordination between local governments and the South Carolina Department of Revenue in order to enhance enforcement. Additionally, the state Department of Revenue is required to identify websites containing ‘rent by owner’ vacation rental opportunities and request them to post a statement on the website that the owner of South Carolina rental properties is required to be licensed and to collect applicable local and state fees and taxes.

*STATUS: Having passed the General Assembly,* ***S.985*** *was ratified on June 5, 2014, (R.280) and was signed into law by the Governor on June 9 (Act No. 261).*

**HIRING PREFERENCES FOR VETERANS**

The General Assembly approved **H.4922**, legislation authorizing hiring preferences for veterans. The legislation provides that it is not an unlawful employment practice for a private employer to give preference in employment to a veteran. This preference is also extended to the veteran’s spouse if the veteran has a service‑connected permanent and total disability. The legislation provides that these hiring preferences are not violations of the South Carolina Human Affairs Law provisions that address discriminatory employment practices.

*STATUS: Having passed the General Assembly,* ***H.4922*** *was ratified on May 29, 2014, (R.264) and was signed into law by the Governor on June 2 (Act No. 210).*

**MAJOR MOTORSPORTS ENTERTAINMENT COMPLEX AND A MAJOR TENNIS FACILITY AUTHORIZED TO OBTAIN BIENNIAL ALCOHOL SALES LICENSES**

The General Assembly approved [**H.3626**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3626&session=120&summary=B), legislation providing authorization for a major motorsports entertainment complex and a major tennis facility to obtain biennial alcohol sales licenses. The legislation revises provisions for the issuance of licenses and permits for the purchase, sale, and consumption of beer and wine and for alcoholic liquors by the drink so as to provide authorization for these licenses and permits to be issued on an biennial basis, rather than an event-driven basis, for a major motorsports entertainment complex and a major tennis specific complex that have prominent roles in promoting tourism for the state.

*STATUS: Having been approved by the General Assembly,* ***H.3626*** *was ratified on May 29, 2014, (R.251) and was signed into law by the Governor on June 2 (Act No. 199).*

**“MICROENTERPRISE DEVELOPMENT ACT”**

The General Assembly approved **H.3125** which includes the“Microenterprise Development Act”. The legislation provides for the Department of Commerce to establish the Microenterprise Partnership Program to promote and facilitate the development of microenterprises, which are businesses, whether new or existing, including startup, home‑based, and self employment, with five or fewer employees. The legislation establishes a procedure for the Department to award grants to community organizations to make loans and develop loan sources. The legislation provides that appropriated funds may be awarded as a grant to microloan delivery organizations and that such grants must be matched by nonstate funds. The legislation establishes the purpose for which grant funds may be expended and specifies certain provisions that must be in a contract between the Department and a statewide microlending support organization. An annual report must be submitted to the Governor and the General Assembly.

*STATUS: Having passed the General Assembly,* ***H.3125*** *was ratified on May 15, 2014, (R.188) and was signed into law by the Governor on May 16 (Act No. 171).*

**MULTIPLE LOT PROPERTY TAX DISCOUNTS**

The General Assembly approved **H.4944** to provide for an extension of themultiple lot property tax discountsthat have been provided for homebuilders and property developers during recent years of recession. The legislation allows for an additional year of eligibility so that the discounts apply through 2015.

*STATUS: Having passed the General Assembly,* ***H.4944*** *was ratified on June 9, 2014, (R.321) and was signed into law by the Governor on June 9 (Act No. 277).*

**OUT‑OF‑STATE BUSINESSES RESPONDING TO A DECLARED STATE DISASTER OR EMERGENCY**

The General Assembly approved **S.1033**, a bill providing that out‑of‑state businesses responding to a declared state disaster or emergency are not to be taxed or regulated as in-state businesses. The legislationprovides that an out‑of‑state business that conducts operations within this state for the purposes of performing work or services related to a declared state disaster or emergency during a disaster period must not be considered to have established a level of presence that would require that business to register, file, and remit state or local taxes, such as unemployment insurance, occupational licensing fees, or property taxes, or that would require that business or its out‑of‑state employees to be subject to any state licensing or registration requirements.

*STATUS: Having passed the General Assembly,* ***S.1033*** *was ratified on May 29, 2014, (R.228) and was signed into law by the Governor on June 2 (Act No. 220).*

**PERMITS FOR ON-PREMISES CONSUMPTION OF**

**ALCOHOLIC-LIQUOR**

The General Assembly approved **H.4399**, legislation, which among other things, includes provisions allowing the issuance of a permit for on-premises consumption of alcoholic liquor if all playgrounds and churches in the proximity affirmatively state that they do not object to the issuance.

*STATUS: Having been approved by the General Assembly,* ***H.4399*** *was ratified on June 5, 2014, (R.300) and was signed into law by the Governor on June 6 (Act No. 253).*

**PROTECTION FOR REPORTING CHILD ABUSE OR NEGLECT FROM EMPLOYER RETALIATION**

The General Assembly approved **H.3124**, legislation which provides protection for those who report child abuse or neglect from retaliation by employers. The legislation provides that an employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee for making a report of child abuse or neglect that is required or permitted by law. A civil action for reinstatement and back pay is established to address violations.

*STATUS: Having been approved by the General assembly,* ***H.3124*** *was ratified June 20, 2014, (R.325) and was signed into law by the Governor on June 23 (Act No. 291).*

**REAL ESTATE COMMISSION OVERSIGHT**

The General Assembly approved **S.75**, a bill relating to South Carolina Real Estate Commission oversight. The legislation requires investigation of complaints conducted by the South Carolina Real Estate Commission to be performed by investigators who have completed one hundred hours of training in approved programs that provide instruction on real estate principles, state statutory and regulatory law, and investigative techniques. The legislation establishes a timeline for prompt investigation of complaints and requires an annual posting of data on the number of complaints received, the number of investigations initiated, and the duration of investigations. State and federal criminal background checks are required for licensure as a real estate salesman, broker, broker‑in‑charge, property manager, and property manager‑in‑charge. The legislation revises grounds for the Real Estate Commission to disallow licensure for certain criminal violations so that they apply to someone who is required to register under the sex offender registry or someone who has been convicted of a violent crime, or someone who has been convicted of, or pled no contest to, a felony within the prior five years directly related to the profession, or a felony within the prior seven years, an essential element of which is dishonesty, reasonably related to any aspect of the profession.

*STATUS: Having passed the General Assembly,* ***S.75*** *was ratified on June 5, 2014, (R.267) and was signed into law by the Governor on June 9 (Act No. 258).*

**RESTAURANT CARRY PROVISIONS**

The General Assembly approved [**S.308**](http://www.scstatehouse.gov/billsearch.php?billnumbers=308&session=120&summary=B), legislation, which among other things, replaces the current prohibition on carrying a pistol or firearm into a business that sells alcoholic liquor, beer, or wine for on-premises consumption with new provisions, commonly referred to as restaurant carry provisions, that afford concealed weapon permit holders new legal authority to carry their firearms into bars, restaurants, and other establishments that serve beer, wine, or alcoholic liquor. A concealed weapon permit holder making use of these restaurant carry provisions is not allowed to consume alcohol on the premises. A concealed weapon permit holder must also comply with a proprietor's requests to remove his firearm from the place of business or to leave the premises. A proprietor can prohibit the carrying of concealed weapons into the business by posting signs that comply with notification requirements. A concealed weapon permit holder who violates any of these restrictions is subject to a misdemeanor criminal offense that carries a fine of up to two thousand dollars and/or imprisonment for up to two years, and must have his concealed weapon permit revoked for a period of five years.

*STATUS: Having been approved by the General Assembly,* ***S.308*** *was ratified on February 5, 2014, (R.127) and was signed into law by the Governor on February 11 (Act No. 123).*

**RETAIL LIQUOR SALES**

The General Assembly approved **H.3512**, legislation, which among other things, provides that retail liquor sales are allowed on statewide election days but are prohibited on Christmas day.

*STATUS: Having been approved by the General Assembly,* ***H.3512*** *was ratified on May 29, 2014, (R.248) and was signed into law by the Governor on June 2 (Act No. 223).*

**REVISIONS TO THE ALCOHOLIC BEVERAGE CONTROL ACT**

The General Assembly approved **H.3512**, legislation, which among other things, makes revisions to the Alcoholic Beverage Control Act including authorization for a retail dealer to offer discounts through the use of premiums, coupons, or stamps at the register rather than having such discounts redeemed by mail. The legislation provides additional limitations and penalties targeting prohibited retail dealer to retail dealer sales, exchanges, or other transactions that bypass wholesalers.

*STATUS: Having been approved by the General Assembly,* ***H.3512*** *was ratified on May 29, 2014, (R.248) and was signed into law by the Governor on June 2 (Act No. 223).*

**REVISIONS TO THE "SOUTH CAROLINA SELF-SERVICE STORAGE FACILITY ACT"**

The General Assembly approved [**H.3563**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3563&session=120&summary=B), legislation makingrevisions to the "South Carolina Self-Service Storage Facility Act". The legislation revises the provisions for how the owner of property kept in a self-service storage facility can be placed in default for failure to pay rent and how the storage facility owner can sell or otherwise dispose of the defaulting occupant's property. The legislation revises notification requirements for this process including new authorization to provide notices by electronic mail.

*STATUS: Having been approved by the General Assembly,* ***H.3563*** *was ratified on March 11, 2014, (R.148) and was signed into law by the Governor on March 13 (Act No. 136).*

**SHORT-TERM RENTALS OF PERSONAL RESIDENCES**

The General Assembly approved **S.437**, legislation that revises state provisions to bring them into alignment with federal tax provisions on the issue of short-term rentals of personal residences. The legislation authorizes the application of the four percent assessment ratio allowed for owner-occupied residential property if the residence is not rented for more than seventy-two days in a calendar year. The legislationprovides that the two percent state sales tax imposed on accommodations does not apply to gross proceeds from rentals received by persons renting their personal residence for fewer than fifteen days total in a year if the gross proceeds of the rental income are excluded from federal taxable income. The legislation also includes provisions allowing exemptions and favorable tax status to be retained for property placed in a trust that is established solely for the benefit of a religious organization and for property held in a family trust or similar arrangements.

*STATUS: Having passed the General Assembly,* ***S.437*** *was ratified on June 5, 2014, (R.269) and was signed into law by the Governor on June 9 (Act No. 259).*

**STREAMLINING THE PLAN APPROVAL, INSPECTION, AND CERTIFICATION PROCESS FOR SINGLE FAMILY RESIDENTIAL MODULAR BUILDINGS**

The General Assembly approved **H.4578**, a bill streamlining the plan approval, inspection, and certification process for single family residential modular buildings. The legislation makes revisions to the South Carolina Modular Buildings Construction Act to allow a third-party approved inspection agency to perform final plan review and approval, inspection, and certification of a single family residential modular building. A copy of the approved plan must be filed with the Department of Labor, Licensing and Regulation, after which time the department may issue the necessary certification labels for units manufactured to the approved plan. For

commercial or multifamily modular buildings, an approved inspection agency shall perform initial plan review and approval, inspection, and certification and the plans are then submitted to the Department of Labor, Licensing and Regulation for final plan review and approval.

*STATUS: Having passed the General Assembly,* ***H.4578*** *was ratified on May 15, 2014, (R.196) and was signed into law by the Governor on May 16 (Act No. 179).*

**CHILD PROTECTION**

**AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION**

The General Assembly approved **H.4061**, legislation which provides for age appropriate instruction in sexual abuse and assault awareness and prevention. Beginning with the 2015-2016 school year, this legislation requires public school districts annually to provide age-appropriate instruction in sexual abuse and assault awareness and prevention to all students in four-year old kindergarten, where offered, through twelfth grade. This instruction must be based on the units developed by the State Board of Education, through the Department of Education, before September 1, 2015.

*STATUS: Having been approved by the General Assembly,* ***H.4061*** *was ratified on June 20, 2014, (R.327) and was signed into law by the Governor on June 23 (Act No. 293).*

**DISCLOSURE TO THE GENERAL ASSEMBLY CONCERNING CONFIDENTIAL CHILD ABUSE AND NEGLECT INFORMATION**

The General Assembly approved **H.3124**, legislation, which among other things, requires the director of the Department of Social Services or his designee to disclose information to respond to an inquiry by a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. Meetings to review information disclosed must be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure. Among other things, the legislation requires the department to state that the case was unfounded when disclosing information. Additionally, the legislation includes provisions requiring the director or his designee to disclose information in records required to be kept confidential to respond to an allegation made by the alleged perpetrator, the attorney for the alleged perpetrator, the party in interest, or other public officials in public testimony before a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department. The department's response is limited to discussion of the department's activities in handling the case relating to the allegation made in public testimony.

*STATUS: Having been approved by the General assembly,* ***H.3124*** *was ratified June 20, 2014, (R.325) and was signed into law by the Governor on June 23 (Act No. 291).*

**ENHANCEMENT OF STATE LAWS THAT TARGET**

**CHILD PORNOGRAPHY**

The General Assembly approved [**H.3959**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3959&session=120&summary=B), legislation that enhances state laws that target child pornography. The legislation revises state criminal offenses relating to the sexual exploitation of a minor through live performances or visual representations, so that these offenses apply not only to the display of a minor engaged in sexual activity but also to the appearance of a minor in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

*STATUS: Having been approved by the General Assembly,* ***H.3959*** *was ratified on June 5, 2014, (R.298) and was signed into law by the Governor on June 9 (Act No. 269).*

**"JAIDON'S LAW" - REVISIONS RELATING TO CHILD ABUSE AND NEGLECT CASES**

The General Assembly approved **H.3102**, legislation that makes revisions relating to child abuse and neglect cases. The legislation is designated as "Jaidon's Law" in memory of twenty-two-month-old Jaidon Morris who, in 2008, died of a drug overdose a week after being returned home from foster care. Highlights of the legislation include the following.

**Child Fatality Reporting**

Prior law required the coroner or medical examiner, within twenty-four hours or one working day, whichever occurs first, to notify the State Law Enforcement Division's Department of Child Fatalities when a child dies in the county he serves as a result of violence, when unattended by a physician. "Unattended by a physician" was defined as when a physician has, before death, provided a diagnosis and treatment following a fatal injury. This legislation removes all references to "unattended by a physician" so as to require the reporting of all fatalities when a child dies of violence to the Department of Child Fatalities.

**Visitation of Children in Foster Care**

This legislation provides that the Department of Social Services (DSS) may move before the family court for termination or suspension of visits between the parent or guardian and the child. The family court may order termination or suspension of the visits if ongoing contact between the parent or guardian and the child would be contrary to the best interests of the child.

**Permanency Planning Hearings**

When determining whether the child should be returned, this legislation requires the court to consider all evidence. If the removal of the child from the family was due to drug use by one or both parents, then a drug test must be administered to the parent or both parents, as appropriate, and the results must be considered with all other evidence in determining whether the child should be returned to the parents' care; and the supplemental report including whether the parent has substantially complied with the terms and conditions of the plan.

**Termination of Parental Rights**

Existing laws outlines circumstances under which DSS is required to file a petition to terminate parental rights or join as a party in a termination petition filed by another party. This legislation includes in those circumstances if a court of competent jurisdiction has found the parent to be in wilful contempt on two occasions over a twelve-month period for failure to comply with the terms of the treatment plan or placement plan.

Existing law provides that a family court may order the termination of parental rights upon a finding of one or more grounds and a finding that termination is in the best interest of the child. With regards to the ground of diagnosable condition, this legislation clarifies that the addiction can be to alcohol or illegal drugs, and prescription medication abuse. Also, the legislation includes as a ground for termination of parental rights that the parent of the child pleads guilty or no contest to or is convicted of murder, voluntary manslaughter, or homicide by child abuse, of another child of the parent.

**Central Registry of Child Abuse and Neglect**

For those child abuse and neglect cases meeting the requirements for a person's name to be entered into the Central Registry of Abuse and Neglect, this legislation requires the family court to order it, without possibility of waiver by DSS, when there is a preponderance of evidence that the person abused or neglected the child. Additionally, the legislation provides for the entry on the Central Registry of Abuse and Neglect for individuals that give birth to an infant and the infant tests positive for the presence of illegal drugs or legal drugs not prescribed to the mother.

**Reports and Audits**

Under current law, the Director of DSS makes reports to the General Assembly. This legislation provides for the report to include caseworker and caseload reporting requirements.

Under prior law, the Legislative Audit Council provided reports to the General Assembly every two years relating to Aid to Families with Dependent Children (AFDC) families. (Note the federal AFDC program was replaced by the Temporary Assistance for Needy Families Program (TANF)). This legislation requires DSS to report annually to the General Assembly on Family Independence families and individuals no longer receiving welfare, the number of individuals who have participated in educational, employment, or training programs under this act, the number of individuals who have completed educational, employment, or training programs under this act, and the number of individuals who have become employed and the duration of their employment.

Beginning December 31, 2013, and every three years thereafter, the legislation requires the Legislative Audit Council (LAC) to conduct a management performance audit of a program of DSS. The program to be reviewed will be determined after consultation with the House of Representatives and the Senate. The LAC is authorized to charge the DSS for federal funds, if available, for the costs associated with this audit and shall provide certification to the DSS of certified public expenditures that are eligible for matching federal funds. DSS shall remit the federal funds to the LAC as reimbursement for the costs of the audit.

*STATUS: Having been approved by the General Assembly,* ***H.3102*** *was ratified June 9, 2014, (R.317) and was signed into law by the Governor on June 10 (Act No. 281).*

**OVERSIGHT AUTHORITY OF DEPARTMENT OF SOCIAL SERVICES IN REGULATION OF CHILDCARE FACILITIES**

The General Assembly approved **H.4665**, which enacts new provisions pertaining to childcare facilities. Among other things, the legislation enhances the oversight authority that the Department of Social Services (DSS) exercises in the regulation of childcare facilities by authorizing DSS to make unannounced inspections of childcare facilities, including family childcare homes, once a year. Whenever DSS receives a regulatory complaint, the department is required to conduct an unannounced inspection of the childcare facility to investigate.

*STATUS: Having been approved by the General Assembly,* ***H.4665*** *was ratified on June 20, 2014, (R.329) and was signed into law by the Governor on June 23 (Act No. 295).*

**PROHIBITION ON ADMINISTERING MEDICATION TO CHILDREN IN CHILDCARE FACILITIES WITHOUT PARENTAL CONSENT**

The General Assembly approved **H.4665**, which enacts new provisions pertaining to childcare facilities. Among other things, this legislation prohibits childcare facilities from administering medication to children without parental consent. An exception is provided for medical emergencies and a misdemeanor criminal penalty is established for violations.

*STATUS: Having been approved by the General Assembly,* ***H.4665*** *was ratified on June 20, 2014, (R.329) and was signed into law by the Governor on June 23 (Act No. 295).*

**PROTECTION FOR REPORTING CHILD ABUSE OR NEGLECT FROM EMPLOYER RETALIATION**

The General Assembly approved **H.3124**, legislation which provides protection for those who report child abuse or neglect from retaliation by employers. The legislation provides that an employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee for making a report of child abuse or neglect that is required or permitted by law. A civil action for reinstatement and back pay is established to address violations.

*STATUS: Having been approved by the General assembly,* ***H.3124*** *was ratified June 20, 2014, (R.325) and was signed into law by the Governor on June 23 (Act No. 291).*

**"SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT"**

TheGeneral Assembly approved **H.4347**, the "South Carolina Children's Advocacy Medical Response System Act". This legislation creates a system, under the administration of the University of South Carolina School of Medicine, to provide statewide coordination and medical service resources, assisting and collaborating with children’s advocacy centers and state agencies charged with the investigation, assessment, treatment, and prosecution of child abuse or neglect for children in the state. The program is charged with developing, supporting, and maintaining a consistent quality standard of care and practice for services intrinsic to the

assessment of children who are suspected victims of abuse or neglect, such as medical expert witness services and forensic medical examinations, assessments, and diagnoses.

*STATUS: Having been approved by the General Assembly,* ***H.4347*** *was ratified April 3, 2014, (R.162) and was signed into law by the Governor on June 7 (Act No. 153).*

**STATE CHILD FATALITY ADVISORY COMMITTEE**

**MEMBERSHIP REVISIONS**

The General Assembly approved [**H.4408**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4408&session=120&summary=B), legislation which revises the membership of the State Child Fatality Advisory Committee which reviews investigations of suspicious child fatalities and performs reporting and public education functions relating to the preventable death of children. The legislation expands the membership of the advisory committee by adding one senator appointed by the President Pro Tempore of the Senate, one representative appointed by the Speaker of the House of Representatives, and the Chief Executive Officer of the Children's Trust of South Carolina.

*STATUS: Having been approved by the General assembly,* ***H.4408*** *was ratified May 29, 2014, (R.256) and was signed into law by the Governor on June 2 (Act No. 203).*

**COASTAL PROPERTY**

**AND RESOURCES**

**"BEACH PRESERVATION ACT"**

The General Assembly approved **S.503**, the "Beach Preservation Act". The legislation provides authorization for a municipality that has a public beach and imposes a local accommodations tax not exceeding one and one‑half percent to impose an additional beach preservation fee of up to one percent to fund beach renourishment, erosion mitigation, dune restoration, and other beach maintenance projects and activities. The legislation establishes the protocol for approving this

additional local accommodations fee through a referendum and provides that the beach preservation fee is not subject to statutory maximum local accommodations tax limitations.

*STATUS: Having passed the General Assembly, S.503 was ratified on May 29, 2014, (R.212) and was signed into law by the Governor on June 2 (Act No. 188).*

**BEACH** **RENOURISHMENT WITH LOCAL ACCOMMODATIONS TAX REVENUE**

The General Assembly approved **S.294**, a bill addressing the use of local accommodations tax revenue for beach renourishment. The legislationrevises conditions for the expenditure of local accommodations tax revenues, so as to clarify that in certain situations, funds may be used for beach renourishment. The legislation establishes a procedure that allows a municipality or county, upon a two‑thirds vote of the membership of the local governing body, to hold these funds for more than two years so long as the funds are exclusively committed to the control and repair of waterfront erosion, including beach renourishment.

*STATUS: Having passed the General Assembly,* ***S.294*** *was ratified on May 29, 2014, (R.206) and was signed into law by the Governor on June 2 (Act No. 184).*

**COMPETITIVE PROPERTY INSURANCE PROVISIONS**

The General Assembly approved **S.569**, a bill that expands the responsibilities of the state's Department of Insurance to address consumer issues driven by the coastal property insurance market. The legislation requires the Director of the Department of Insurance to engage in efforts to provide market assistance and promote consumer education to the state's residential property insurance consumers, including such initiatives as maintaining website information to assist consumers in understanding the general provisions of homeowners insurance policies, providing information on available mitigation discounts and credits, maintaining a list of insurers writing coverage in the area, facilitating premium comparison, and providing information on catastrophe savings accounts. The legislation expands the director's annual reporting requirements regarding the status of the coastal property insurance market. The legislation establishes new notification and disclosure requirements for insurers relating to coastal property insurance programs and issues. The Department of Insurance is charged with conducting a study to assess the feasibility of the creation of a hurricane model by the state, with particular emphasis on the associated costs and physical/logistical requirements. The study also must assess the benefits to consumers of a South Carolina‑produced model, including an evaluation of whether it would yield more accurate assessments of risk and better rates. The department shall summarize its findings in a written report that it must provide to the Senate Banking and Insurance Committee and the House Labor, Commerce and Industry Committee before January 1, 2015.

*STATUS: Having passed the General Assembly,* ***S.569*** *was ratified on May 29, 2014, (R.215) and was signed into law by the Governor on June 2 (Act No. 191).*

**WAVE DISSIPATION DEVICE PILOT PROJECT**

The General Assembly approved **S.1032**, a bill providing authorization for a wave dissipation device pilot project. The legislation authorizes the Department of Health and Environmental Control Board or the Office of Ocean and Coastal Resource Management to allow the use in a pilot project of any technology, methodology, or structure, if it is reasonably anticipated that the use will be successful in addressing erosion issues in a beach or dune area. If success is demonstrated, the board or office may allow for its continued use in the pilot project location as well as its use in additional locations.

*STATUS: Having passed the General Assembly,* ***S.1032*** *was ratified on May 29, 2014, and was signed into law by the Governor on June 2 (Act No. 219).*

**CONSUMER PROTECTION**

**ACCOUNTANCY BOARD OVERSIGHT**

The General Assembly approved **H.3459**, legislation revising oversight by the South Carolina Board of Accountancy at the Department of Labor, Licensing and Regulation, so that the board will have the capability of conducting periodic inspections of licensees and firms rather than simply performing audits in response to complaints. The legislation authorizes the board to conduct periodic inspections of licensees or firms, upon providing at least three business days' notice. An investigation of a licensed certified public accountant must be performed by an inspector-investigator who has been licensed as a CPA in the state for at least five years and must adhere to specified timeframes. LLR is required to post an annual report detailing the number of complaints received, the number of investigations initiated, and the duration of investigations. The director of LLR, with the advice and consent of the Board of Accountancy, must designate a South Carolina licensed certified public accountant to serve as a full‑time administrator whose primary responsibility is to administer the board. The director of LLR must submit an annual report to the Chairmen of the Senate and House Committees on Labor, Licensing and Regulation concerning the workload of the Accountancy Board’s Administrator. The legislation also provides that a licensed CPA, while in the

performance of his duties, is exempt from the licensing requirements established for private security and investigation agencies.

*STATUS: Having passed the General Assembly,* ***H.3459*** *was ratified on June 5, 2014, (R.296) and was signed into law by the Governor on June 9 (Act No. 268).*

**COMPETITIVE PROPERTY INSURANCE PROVISIONS**

The General Assembly approved **S.569**, a bill that expands the responsibilities of the state's Department of Insurance to address consumer issues driven by the coastal property insurance market. The legislation requires the Director of the Department of Insurance to engage in efforts to provide market assistance and promote consumer education to the state's residential property insurance consumers, including such initiatives as maintaining website information to assist consumers in understanding the general provisions of homeowners insurance policies, providing information on available mitigation discounts and credits, maintaining a list of insurers writing coverage in the area, facilitating premium comparison, and providing information on catastrophe savings accounts. The legislation expands the director's annual reporting requirements regarding the status of the coastal property insurance market. The legislation establishes new notification and disclosure requirements for insurers relating to coastal property insurance programs and issues. The Department of Insurance is charged with conducting a study to assess the feasibility of the creation of a hurricane model by the state, with particular emphasis on the associated costs and physical/logistical requirements. The study also must assess the benefits to consumers of a South Carolina‑produced model, including an evaluation of whether it would yield more accurate assessments of risk and better rates. The department shall summarize its findings in a written report that it must provide to the Senate Banking and Insurance Committee and the House Labor, Commerce and Industry Committee before January 1, 2015.

*STATUS: Having passed the General Assembly,* ***S.569*** *was ratified on May 29, 2014, (R.215) and was signed into law by the Governor on June 2 (Act No. 191).*

**IDENTITY THEFT SAFEGUARDS FOR PROTECTED CONSUMERS**

The General Assembly approved **S.148**, legislation establishing identity theft safeguards for protected consumers, a special class of consumers composed of children as well as adults who are incapacitated or otherwise under another's guardianship. To help prevent the identities of these protected consumers from being stolen and used for such purposes as opening fraudulent credit accounts, the legislation establishes requirements for consumer reporting agencies to place security freezes on the records of those under the age of sixteen as well as incapacitated individuals and protected individuals for whom a guardian or conservator has been appointed upon the request of parents or other representatives who can produce sufficient proof of their authority to act on behalf of the protected consumers. A consumer reporting agency may not charge any fees for implementing security freezes for protected consumers or for creating any consumer credit files needed to implement such security freezes.

*STATUS: Having passed the General Assembly,* ***S.148*** *was ratified on April 3, 2014, (R.153) and was signed into law by the Governor on April 7 (Act No. 145).*

**REAL ESTATE COMMISSION OVERSIGHT**

The General Assembly approved **S.75**, a bill relating to South Carolina Real Estate Commission oversight. The legislation requires investigation of complaints conducted by the South Carolina Real Estate Commission to be performed by investigators who have completed one hundred hours of training in approved programs that provide instruction on real estate principles, state statutory and regulatory law, and investigative techniques. The legislation establishes a timeline for prompt investigation of complaints and requires an annual posting of data on the number of complaints received, the number of investigations initiated, and the duration of investigations. State and federal criminal background checks are required for licensure as a real estate salesman, broker, broker‑in‑charge, property manager, and property manager‑in‑charge. The legislation revises grounds for the Real Estate Commission to disallow licensure for certain criminal violations so that they apply to someone who is required to register under the sex offender registry or someone who has been convicted of a violent crime, or someone who has been convicted of, or pled no contest to, a felony within the prior five years directly related to the profession, or a felony within the prior seven years, an essential element of which is dishonesty, reasonably related to any aspect of the profession.

*STATUS: Having passed the General Assembly,* ***S.75*** *was ratified on June 5, 2014, (R.267) and was signed into law by the Governor on June 9 (Act No. 258).*

**CRIMINAL JUSTICE AND COURTS**

**BAIL AND BOND PROVISIONS**

The General Assembly approved [**S.19**](http://www.scstatehouse.gov/billsearch.php?billnumbers=19&session=120&summary=B), legislation which revises bail and bond provisions in criminal court proceedings, including more stringent bond provisions that apply to someone who is charged with committing a violent crime while already out on bond for a previous violent offense. This legislation requires a bond hearing to occur within thirty days in circuit court when someone commits a violent crime while already out on bond for a previous violent crime and the subsequent violent crime did not arise out of the same series of events as the previous violent crime. If the judge finds at this hearing that there are no conditions of release that will ensure that the person is unlikely to flee or pose a danger to the community, the legislation requires the judge not to set bond for the most recent offense and to revoke all previously set bonds. The arresting law enforcement agency must transmit notice of the second arrest to the solicitor of the circuit in which the crime was committed as well as to the circuit's administrative chief judge. The prosecuting agency must make the required notifications about bond hearings to any victims of the initial or subsequent crimes. Additionally, the legislation brings greater uniformity to the statutory lists of considerations that judges and magistrates use for setting bond. The legislation adds the requirement that both judges and magistrates consider whether the charged person appears in the state gang database maintained at the State Law Enforcement Division when making a determination about bond. The legislation allows someone to make bond payments directly to a jail or detention center to obtain immediate release from custody.

*STATUS: Having been approved by the General Assembly,* ***S.19*** *was ratified on April 3, 2014, (R.152) and was signed into law by the Governor on April 7 (Act No. 144).*

**CERTAIN SOCIAL CARD AND DICE GAMES ARE**

**NOT UNLAWFUL**

The General Assembly approved [**S.779**](http://www.scstatehouse.gov/billsearch.php?billnumbers=779&session=120&summary=B), legislation which provides that certain social card and dice games are not unlawful. Notwithstanding any other provision of law to the contrary, this legislation provides that it is not unlawful for persons who are members of a club or other social organization to gather for the purpose of engaging in games of tiles, cards, or dice, including, but not limited to, canasta, mahjong, and bridge, where the games are played among members in a private residence, home, or community clubhouse or similar structure. The legislation provides that no mechanical or electronic devices or machines of any kind, slot machines, pull tabs, punch boards, pull boards, or video games, devices, or machines of any kind may be used or incorporated in any way. The legislation provides that no person or entity of any kind may receive any direct or indirect economic, financial, or monetary benefit of any kind; the host of the game or owner or lessee of the location in which the games are played may not receive any direct or indirect economic, financial, or monetary benefit of any kind. The legislation prohibits betting, wagering, or gambling of any kind. The legislation requires a bona fide social relationship among the participants to exist; and, except for the advantage of skill or luck, the risks of losing or winning are the same for all parties.

*STATUS: Having been approved by the General Assembly,* ***S.779*** *was ratified on May 29, 2014, (R.218) and was signed into law by the Governor on June 2 (Act No. 194).*

**COMPLAINTS AGAINST ADMINISTRATIVE LAW**

**COURT JUDGES**

The General Assembly approved [**S.405**](http://www.scstatehouse.gov/billsearch.php?billnumbers=405&session=120&summary=B)**,** legislation which provides that the Commission on Judicial Conduct, under the authority of the Supreme Court, shall handle complaints against Administrative Law Court Judges for possible violations of the Code of Judicial Conduct in the same manner as complaints against other judges. Currently, complaints against Administrative Law Court judges are handled by the State Ethics Commission.

*STATUS: Having been approved by the General Assembly,* ***S.405*** *was ratified April 3, 2014, (R.154) and was signed into law by the Governor on April 7 (Act No. 146).*

**CRIMINAL PENALTY FOR THE ENFORCEMENT OF A WARNING BANNING SOMEONE FROM A PUBLIC LIBRARY**

The General Assembly approved [**S.813**](http://www.scstatehouse.gov/billsearch.php?billnumbers=813&session=120&summary=B), legislation that establishes a criminal penalty for the enforcement of a warning banning someone from a public library. The legislation establishes a misdemeanor that applies to someone who enters a public library, without legal cause or good excuse, after having been warned not to do so by the library director, the branch manager, or the acting branch manager of the library in consultation with the library director. The legislation includes requirements for issuing written warnings in the presence of a law enforcement officer that cite the alleged violation of criminal law or library code of conduct and specify the duration of the prohibition to return. A process is established for appealing a warning. A violator is subject to a fine of up to two hundred dollars or imprisonment for up to thirty days.

*STATUS: Having been approved by the General Assembly,* ***S.813*** *was ratified on June 9, 2014 (R.314). The Governor vetoed the legislation on June 13. The veto was overridden in the Senate on June 19, and the veto was overridden in the House on August 27 for the legislation to become law (Act No. 296).*

**CRUELTY TO ANIMALS**

The General Assembly approved **H.3361**, legislation, which among other things, enhances penalties for criminal violations involving cruelty to animals. Also, the legislation provides that the South Carolina Society for the Prevention of Cruelty to Animals, or other organizations organized for the same purpose, may not make an arrest for a violation of the laws in relation to cruelty to animals.

*STATUS: Having been approved by the General Assembly,* ***H.3361*** *was ratified on June 5, 2014, (R.292) and was signed into law by the Governor on June 6 (Act No.251).*

**"EMMA'S LAW" - LEGISLATION TO COMBAT DRUNK DRIVING THROUGH A MORE EXPANSIVE USE OF IGNITION INTERLOCK DEVICES**

The General Assembly approved [**S.137**](http://www.scstatehouse.gov/billsearch.php?billnumbers=137&session=120&summary=B) legislation which enacts provisions, designated as "Emma's Law", in memory of Emma Longstreet, the six-year-old Lexington County girl who was killed in a collision with a repeat DUI offender as her family was traveling to church on New Year's Day 2012. This legislation combats drunk driving through a more expansive use of ignition interlock devices installed on the vehicles of driving under the influence offenders that are designed to prevent a vehicle from being started and operated by someone who has consumed alcohol. The legislation revises current requirements for ignition interlock devices to be installed on the vehicles of repeat driving under the influence (DUI) offenders and establishes a new requirement for installing an ignition interlock device on the vehicle of someone convicted of a first offense DUI violation who had a breath test that registered an alcohol concentration of 0.15 or higher. Those who refused a breath test and were subsequently convicted of a first offense DUI violation are subject to requirements for enrolling in the Ignition Interlock Device Program in order to be eligible to drive. The legislation imposes new ignition interlock requirements that apply following the release from prison of someone convicted of a DUI offense involving great bodily injury or death of another. Ignition interlock requirements are established for those found guilty of an offense involving the operation of a motor vehicle while under the influence of intoxicants with at least one passenger younger than sixteen. The legislation enhances penalties for those who fail to comply with ignition interlock device requirements.

*STATUS: Having been approved by the General Assembly,* ***S.137*** *was ratified on April 10, 2014, (R.166) and was signed into law by the Governor on April 14 (Act No. 158).*

**ENHANCEMENT OF STATE LAWS THAT TARGET**

**CHILD PORNOGRAPHY**

The General Assembly approved [**H.3959**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3959&session=120&summary=B), legislation that enhances state laws that target child pornography. The legislation revises state criminal offenses relating to the sexual exploitation of a minor through live performances or visual representations, so that these offenses apply not only to the display of a minor engaged in sexual activity but also to the appearance of a minor in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

*STATUS: Having been approved by the General Assembly,* ***H.3959*** *was ratified on June 5, 2014, (R.298) and was signed into law by the Governor on June 9 (Act No. 269).*

**EXPEDITED MORTGAGE FORECLOSURE PROCESS FOR ABANDONED PROPERTY**

The General Assembly approved, **S.1007** legislation providing for expedited mortgage foreclosure process for abandoned property. This legislation provides a process whereby a mortgagee or successor in interest to a mortgagee may move the court for an expedited judgment of foreclosure and sale of real property that is considered abandoned. The legislation defines the term "abandoned property"; generally, the term includes property that is not occupied and meets certain conditions or vacant and unimproved property in need of maintenance, repair or securing.

*STATUS: Having been approved by the General Assembly,* ***S.1007*** *was ratified on May 29, 2014, (R.226) and was signed into law by the Governor on June 2 (Act No. 218).*

**FIVE DOLLAR COURT SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY**

The General Assembly approved [**S.894**](http://www.scstatehouse.gov/billsearch.php?billnumbers=894&session=120&summary=B), legislation which establishes a five dollar court surcharge to fund training at the South Carolina Criminal Justice Academy levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates or municipal court for misdemeanor traffic offenses or for nontraffic violations. No portion of this surcharge may be waived, reduced, or suspended. The additional surcharge does not apply to parking citations.

*STATUS: Having been approved by the General Assembly,* ***S.894*** *was ratified on June 5, 2014, (R.276) and was signed into law by the Governor on June 6 (Act No. 247).*

**"JAIDON'S LAW" - REVISIONS RELATING TO CHILD ABUSE AND NEGLECT CASES**

The General Assembly approved **H.3102**, legislation that makes revisions relating to child abuse and neglect cases. The legislation is designated as "Jaidon's Law" in memory of twenty-two-month-old Jaidon Morris who, in 2008, died of a drug overdose a week after being returned home from foster care. Highlights of the legislation include the following.

**Child Fatality Reporting**

Prior law required the coroner or medical examiner, within twenty-four hours or one working day, whichever occurs first, to notify the State Law Enforcement Division's Department of Child Fatalities when a child dies in the county he serves as a result of violence, when unattended by a physician. "Unattended by a physician" was defined as when a physician has, before death, provided a diagnosis and treatment following a fatal injury. This legislation removes all references to "unattended by a physician" so as to require the reporting of all fatalities when a child dies of violence to the Department of Child Fatalities.

**Visitation of Children in Foster Care**

This legislation provides that the Department of Social Services (DSS) may move before the family court for termination or suspension of visits between the parent or guardian and the child. The family court may order termination or suspension of the visits if ongoing contact between the parent or guardian and the child would be contrary to the best interests of the child.

**Permanency Planning Hearings**

When determining whether the child should be returned, this legislation requires the court to consider all evidence. If the removal of the child from the family was due to drug use by one or both parents, then a drug test must be administered to the parent or both parents, as appropriate, and the results must be considered with all other evidence in determining whether the child should be returned to the parents' care; and the supplemental report including whether the parent has substantially complied with the terms and conditions of the plan.

**Termination of Parental Rights**

Existing laws outlines circumstances under which DSS is required to file a petition to terminate parental rights or join as a party in a termination petition filed by another party. This legislation includes in those circumstances if a court of competent jurisdiction has found the parent to be in wilful contempt on two occasions over a twelve-month period for failure to comply with the terms of the treatment plan or placement plan.

Existing law provides that a family court may order the termination of parental rights upon a finding of one or more grounds and a finding that termination is in the best interest of the child. With regards to the ground of diagnosable condition, this legislation clarifies that the addiction can be to alcohol or illegal drugs, and prescription medication abuse. Also, the legislation includes as a ground for termination of parental rights that the parent of the child pleads guilty or no contest to or is convicted of murder, voluntary manslaughter, or homicide by child abuse, of another child of the parent.

**Central Registry of Child Abuse and Neglect**

For those child abuse and neglect cases meeting the requirements for a person's name to be entered into the Central Registry of Abuse and Neglect, this legislation requires the family court to order it, without possibility of waiver by DSS, when there is a preponderance of evidence that the person abused or neglected the child. Additionally, the legislation provides for the entry on the Central Registry of Abuse and Neglect for individuals that give birth to an infant and the infant tests positive for the presence of illegal drugs or legal drugs not prescribed to the mother.

**Reports and Audits**

Under current law, the Director of DSS makes reports to the General Assembly. This legislation provides for the report to include caseworker and caseload reporting requirements.

Under prior law, the Legislative Audit Council provided reports to the General Assembly every two years relating to Aid to Families with Dependent Children (AFDC) families. (Note the federal AFDC program was replaced by the Temporary Assistance for Needy Families Program (TANF)). This legislation requires DSS to report annually to the General Assembly on Family Independence families and individuals no longer receiving welfare, the number of individuals who have participated in educational, employment, or training programs under this act, the number of individuals who have completed educational, employment, or training programs under this act, and the number of individuals who have become employed and the duration of their employment.

Beginning December 31, 2013, and every three years thereafter, the legislation requires the Legislative Audit Council (LAC) to conduct a management performance audit of a program of DSS. The program to be reviewed will be determined after consultation with the House of Representatives and the Senate. The LAC is authorized to charge the DSS for federal funds, if available, for the costs associated with this audit and shall provide certification to the DSS of certified public expenditures that are eligible for matching federal funds. DSS shall remit the federal funds to the LAC as reimbursement for the costs of the audit.

*STATUS: Having been approved by the General Assembly,* ***H.3102*** *was ratified June 9, 2014, (R.317) and was signed into law by the Governor on June 10 (Act No. 281).*

**JUVENILES IN RESTRAINT DURING COURT PROCEEDINGS**

The General Assembly approved [**S.440**](http://www.scstatehouse.gov/billsearch.php?billnumbers=440&session=120&summary=B), legislation relating to juveniles in restraint during court proceedings. When a juvenile appears before the court wearing instruments of restraint, such as handcuffs, chains, irons, or straightjackets, this legislation provides that the court in any proceeding may not continue with the juvenile required to wear instruments of restraint unless the court first finds that: (1) the use of restraints is necessary due to certain factors and (2) there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person including, but not limited to, court personnel, law enforcement officers, or bailiffs. The legislation requires the court to provide the juvenile's attorney an opportunity to be heard before the court orders the use of restraints. If restraints are ordered, the court shall make findings of fact in support of the order.

*STATUS: Having been approved by the General Assembly,* ***S.440*** *was ratified on May 29, 2014, (R.209) and was signed into law by the Governor on June 2 (Act No. 186).*

**MATERIAL SUBJECT TO AN ORDER FOR DESTRUCTION OF ARREST RECORDS OR EXPUNGEMENT**

The General Assembly approved [**H.4560**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4560&session=120&summary=B), legislation pertaining to material subject to an order for destruction of arrest records or expungement. The legislation establishes provisions for law enforcement agencies to keep certain records and files that are the subject of an expungement order and retain them under seal for future investigative purposes or other law enforcement use rather than destroying the records. The legislation revises expungement provisions, including new provisions that apply to Uniform Traffic Ticket violations where fingerprinting does not occur.

*STATUS: Having been approved by the General Assembly,* ***H.4560*** *was ratified on June 9, 2014, (R.320) and was signed into law by the Governor on the same day (Act No. 276).*

**POWDERED ALCOHOL PROHIBITIONS**

The General Assembly approved **H.4399**, legislation which among other things establishes provisions prohibiting powdered alcohol sales, purchases, use, and possession for one year. Misdemeanor criminal penalties are established for violations.

*STATUS: Having been approved by the General Assembly,* ***H.4399*** *was ratified on June 5, 2014, (R.300) and was signed into law by the Governor on June 6 (Act No. 253).*

**PROHIBITION ON ADMINISTERING MEDICATION TO CHILDREN IN CHILDCARE FACILITIES WITHOUT PARENTAL CONSENT**

The General Assembly approved **H.4665**, which enacts new provisions pertaining to childcare facilities. Among other things, this legislation prohibits childcare facilities from administering medication to children without parental consent. An exception

is provided for medical emergencies and a misdemeanor criminal penalty is established for violations.

*STATUS: Having been approved by the General Assembly,* ***H.4665*** *was ratified on June 20, 2014, (R.329) and was signed into law by the Governor on June 23 (Act No. 295).*

**PROTECTIONS FOR PETS IN COURT ORDERS OF PROTECTION FROM DOMESTIC ABUSE**

The General Assembly approved **H.3361**, legislation which authorizes protections for pets in court orders of protection from domestic abuse in order to prevent the mistreatment of an animal from being used as a means of threatening or coercing a domestic abuse victim. This legislation authorizes a court to prohibit harm or harassment of a pet animal in an order of protection from domestic abuse. The court may also order the temporary possession of pets when providing for the temporary possession of personal property.

*STATUS: Having been approved by the General Assembly,* ***H.3361*** *was ratified on June 5, 2014, (R.292) and was signed into law by the Governor on June 6 (Act No.251).*

**PURCHASE OF PRECIOUS METALS**

The General Assembly approved [**H.3149**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3149&session=120&summary=B), legislation revising provisions concerning the purchase of precious metals. The legislation modifies the term "purchase" to include means of being pawned to a dealer. The legislation increases the mandatory period for which a dealer in precious metals, except coins, must hold precious metals he purchases before he may sell them from seven days to twenty-one days. The legislation requires the dealer to keep the item in the county where it was purchased during the holding period. The legislation expands the list of acceptable forms of identification that may be used to satisfy requirements for purchases of precious metal or precious or semiprecious stones or gems. The legislation expands the list of locations where a permitted dealer in precious metals is not allowed to operate by adding a residential dwelling and a sub-leased space with a lease term of less than one year. Additionally, the legislation requires violations to be wilful by dealers and increases penalties for the purchase of precious metals by a dealer with a revoked license.

*STATUS: Having been approved by the General Assembly,* ***H.3149*** *was ratified June 20, 2014, (R.326) and was signed into law by the Governor on June 23 (Act No. 292).*

**PURCHASE, SALE, AND TRANSPORT OF NONFERROUS METALS**

The General Assembly approved [**S.561**](http://www.scstatehouse.gov/billsearch.php?billnumbers=561&session=120&summary=B), legislation revising provisions that govern the purchasing, selling, and transporting of nonferrous metals. The legislation defines the term "coil" to mean a copper, aluminum, or aluminum-copper condensing coil or evaporation coil. The term includes but is not limited to, coil from a commercial or residential heating or air-conditioning system; the term does not include coil from a window air-conditioning system, if the coil is contained within the system, or coil from an automobile condenser. The legislation prohibits secondary metals recyclers from purchasing or otherwise acquiring a coil unless the seller is an exempted entity or the seller presents a bill of sale from a licensed company indicating that the seller acquired the coil as a result of a unit replacement or repair. Presenting a falsified bill of sale is a misdemeanor. The legislation prohibits a secondary metals recycler from entering into a cash transaction in payment for copper, catalytic converters, and beer kegs that totals $25 or more, and the legislation limits a secondary metals recycler from entering into more than one cash transaction per day per seller. Current law prohibits cash transactions of any amount for copper, catalytic converters and beer kegs. Further, this legislation adds licensed real estate brokers and property managers to the list of individuals authorized to sell to a secondary metals recycler.

*STATUS: Having been approved by the General Assembly,* ***S.561*** *was ratified May 29, 2014, (R.214) and was signed into law by the Governor on June 2 (Act No. 190).*

**"SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT"**

TheGeneral Assembly approved **H.4347**, the "South Carolina Children's Advocacy Medical Response System Act". This legislation creates a system, under the administration of the University of South Carolina School of Medicine, to provide statewide coordination and medical service resources, assisting and collaborating with children’s advocacy centers and state agencies charged with the investigation, assessment, treatment, and prosecution of child abuse or neglect for children in the state. The program is charged with developing, supporting, and maintaining a consistent quality standard of care and practice for services intrinsic to the assessment of children who are suspected victims of abuse or neglect, such as medical expert witness services and forensic medical examinations, assessments, and diagnoses.

*STATUS: Having been approved by the General Assembly,* ***H.4347*** *was ratified April 3, 2014, (R.162) and was signed into law by the Governor on June 7 (Act No. 153).*

**"SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT"**

The General Assembly approved [**H.4259**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4259&session=120&summary=B), the "South Carolina Military Service Integrity and Preservation Act". The legislation establishes a criminal penalty for someone who, with the intent of securing a tangible benefit, knowingly and falsely represents himself through a written or oral communication, including a resume, to have served in the Armed Forces of the United States or to have been awarded a decoration, medal, ribbon, or other device authorized by Congress or pursuant to federal law for the Armed Forces of the United States. A violation is a misdemeanor subject to a fine of up to five thousand dollars and/or imprisonment for up to one year.

*STATUS: Having been approved by the General Assembly,* ***H.4259*** *was ratified on May 15, 2014, (R.192) and was signed into law by the Governor on May 16 (Act No. 175).*

**STUDY COMMITTEE ON BONDS**

The General Assembly approved [**S.19**](http://www.scstatehouse.gov/billsearch.php?billnumbers=19&session=120&summary=B), which, among other things, creates a legislative Study Committee on Bonds to review the state's bond laws and report its recommended changes to the General Assembly by December 31, 2014, at which time the study committee is dissolved.

*STATUS: Having been approved by the General Assembly,* ***S.19*** *was ratified on April 3, 2014, (R.152) and was signed into law by the Governor on April 7 (Act No. 144).*

**STUDY COMMITTEE ON EXPUNGEMENT OF**

**CRIMINAL OFFENSES**

The General Assembly approved [**S.900**](http://www.scstatehouse.gov/billsearch.php?billnumbers=900&session=120&summary=B), legislation which creates a temporary legislative Study Committee on Expungement of Criminal Offenses to review the state’s criminal laws for the purpose of determining criminal offenses which may be appropriate for expungement after a certain time period and under certain circumstances and to make recommendations to the General Assembly. The study committee's report is due by October 13, 2014, at which time the committee is set to dissolve.

*STATUS: Having been approved by the General Assembly,* ***S.900*** *was ratified on May 15, 2014, (R.176) and was signed into law by the Governor on May 16 (Act No. 323).*

**TAMPERING WITH THE OPERATION OF AN ELECTRONIC MONITORING DEVICE**

The General Assembly approved **S.440**, legislation which includes provisions relating to tampering with the operation of an electronic monitoring device. This legislation provides that it is unlawful for any person to knowingly and without authority remove, destroy, or circumvent the operation of an electronic monitoring device which is being used for the purpose of monitoring a person who is: (1) complying with the Home Detention Act; (2) wearing an electronic monitoring device as a condition of bond or pretrial release; (3) wearing an electronic monitoring device as a condition of probation, parole, or community supervision; or (4) wearing an electronic monitoring device as required by any other provision of law. The legislation provides that it shall be unlawful for any person to knowingly and without authority request or solicit any other person to remove, destroy, or circumvent the operation of an electronic monitoring device. Any person who violates these provisions shall be guilty of the misdemeanor offense of tampering with the operation of an electronic monitoring device and shall be imprisoned for not more than three years, or fined up to $3,000, or both.

*STATUS: Having been approved by the General Assembly,* ***S.440*** *was ratified on May 29, 2014, (R.209) and was signed into law by the Governor on June 2 (Act No. 186).*

**THEFT OF RAILROAD TRACKS**

The General Assembly approved [**S.560**](http://www.scstatehouse.gov/billsearch.php?billnumbers=560&session=120&summary=B), legislation targeting the theft of railroad tracks. The legislation revises criminal violations relating to wilfully and maliciously injuring railroad or electric railway property by establishing a tier of penalties under which some violations are classified as misdemeanors subject to a fine of not less than one thousand dollars and/or imprisonment for up to five years, but a violation that results in the endangerment of another person's life or great bodily injury is a felony punishable by imprisonment for up to twenty years, and a violation that results in someone's death is a felony punishable by imprisonment for up to thirty years. Additionally, a violator shall forfeit to a railroad company for each offense treble the damages proved to have been sustained to be recovered in a tort action. The legislation creates criminal penalties targeting the unlawful purchase, sale, or transportation of railroad track materials for the purpose of recycling. A tier of penalties is established for violations under which first and second offenses are classified as misdemeanors while third or subsequent offenses are felonies.

*STATUS: Having been approved by the General Assembly,* ***S.560*** *was ratified May 29, 2014, (R.213) and was signed into law by the Governor on June 2 (Act No. 189).*

**TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE IN MAGISTRATES COURT**

The General Assembly approved **S.176**, legislation which increases the time period in which a motion for a new trial may be made in magistrates court from five days to ten days. The increase does not apply to cases involving the ejectment of tenants or to other landlord and tenant matters.

*STATUS: Having been approved by the General Assembly,* ***S.176*** *was ratified on June 5, 2014, (R.268) and was signed into law by the Governor on June 6 (Act No. 241).*

**MORTGAGE SATISFACTIONS**

The General Assembly approved [**H.3134**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3134&session=120&summary=B), legislation relating to mortgage satisfactions. This legislation provides definitions for terms related to methods of entering a satisfaction of mortgage in the public records. Also, the legislation provides a procedure and form for use in execution that simplifies the current process of entering a satisfaction of mortgage in the public records without being required to provide the original debt instrument.

*STATUS: Having been approved by the General Assembly,* ***H.3134*** *was ratified on May 29,, 2014, (R.247) and was signed into law by the Governor on June 2 (Act No. 198).*

**USE OF DIGITAL VIDEO RECORDINGS TO ENFORCE TRAFFIC VIOLATIONS INVOLVING THE UNLAWFUL PASSING OF STOPPED SCHOOL BUSES**

The General Assembly approved [**H.5014**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5014&session=120&summary=B), legislation which among other things establishes new provisions for the use of digital video recordings to enforce traffic violations involving the unlawful passing of stopped school buses. The legislation provides that a school bus may be equipped with a digital video recording device that is mounted so that it has a clear view of vehicles passing the bus on either side and shows the date and time the recording was made as well as an electronic symbol indicating the activation of amber lights, flashing red lights, stop arms, and brakes. Provisions are included to allow traffic citations to be issued based entirely or partially upon images obtained from a digital video recording device mounted on

a school bus and for recordings to be used as evidence at hearings related to corroborate the testimony of the school bus driver or any other witnesses.

*STATUS: Having been approved by the General Assembly,* ***H.5014*** *was ratified June 5, 2014, (R.310) and was signed into law by the Governor on June 9 (Act No. 274).*

**"VETERANS TREATMENT COURT PROGRAM ACT**

The General Assembly approved [**H.3014**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3014&session=120&summary=B), legislation which enacts the "Veterans Treatment Court Program Act"to address the criminal justice system's encounters with veterans who have returned from their military service having sustained traumatic brain injuries or suffering from service-related mental health impairments, such as post-traumatic stress disorder, depression, anxiety or acute stress. This legislation provides authority for each circuit solicitor to establish a veterans treatment court program to divert qualifying nonviolent military veteran offenders away from the criminal justice system and into appropriate mental health and substance abuse treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative.

*STATUS: Having been approved by the General Assembly,* ***H.3014*** *was ratified on June 9, 2014, (R.316) and was signed into law on June 10 (Act No. 280).*

**EDUCATION**

**ADOPTION OF STATEWIDE EDUCATION**

**STANDARDS AND ASSESSMENTS (ISSUES RELATING TO NATIONAL COMMON CORE ACADEMIC STANDARDS)**

The General Assembly approved [**H.3893**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3893&session=120&summary=B), relating to the adoption of statewide education standards and assessments for use in the state's K-12 public schools. The legislation addresses issues relating to national Common Core academic standards that have become aligned with federal programs and waivers offered through the U.S. Department of Education. Under the legislation, proposed new standards and revisions to existing standards that are developed by South Carolina's Department of Education would continue to follow the current approval process, but standards and revisions developed by anyone other than the State Department of Education must be sent to the General Assembly for review so that lawmakers may approve or reject them. The General Assembly and the Governor must be notified whenever the State Department of Education or the Education Oversight Committee seek to change an existing standard. The legislation accelerates cyclical review for the English/language arts and mathematics state content standards that were not developed by the South Carolina Department of Education, requiring the review to commence this year and for the new college and career readiness state content standards to be implemented for the 2015-2016 school year. The legislation establishes requirements for the prompt procurement and implementation of new assessments. Assessments must be procured no later than September of this year under a protocol that requires the advice and consent of a temporary special assessment panel composed of the Chairman of the State Board of Education, the Chairman of the Education Oversight Committee, the Chairman of the Board of Directors for the South Carolina Chamber of Commerce, the Chairman of the South Carolina Commission on Higher Education, the Chairman of the South Carolina Technical College System Board, and the State Superintendent of Education, or their designees. The legislation provides that South Carolina is no longer part of the Smarter Balanced consortium and may not adopt or administer the Smarter Balanced Assessment. The legislation also provides for a "South Carolina Department of Education Data Use and Governance Policy" that includes prohibitions on collecting individualized student data directly from students or families and transferring individualized data to the U.S. Department of Education.

*STATUS: Having been approved by the General Assembly,* ***H.3893*** *was ratified on May 29, 2014, (R.252) and was signed into law by the Governor on May 30 (Act No. 200).*

**AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION**

The General Assembly approved **H.4061**, legislation which provides for age appropriate instruction in sexual abuse and assault awareness and prevention. Beginning with the 2015-2016 school year, this legislation requires public school districts annually to provide age-appropriate instruction in sexual abuse and assault awareness and prevention to all students in four-year old kindergarten, where offered, through twelfth grade. This instruction must be based on the units developed by the State Board of Education, through the Department of Education, before September 1, 2015.

*STATUS: Having been approved by the General Assembly,* ***H.4061*** *was ratified on June 20, 2014, (R.327) and was signed into law by the Governor on June 23 (Act No. 293).*

**AUTHORIZATION FOR CERTAIN SCHOOL DISTRICTS TO USE SUMMER READING PROGRAM FUNDS TO PARTNER WITH THE STATE DEPARTMENT OF EDUCATION’S SUMMER READING LOSS PREVENTION PROJECT**

The General Assembly approved **S.1194**, legislation which provides authorization for certain school districts to use summer reading program funds to partner with the State Department of Education’s summer reading loss prevention project in order to provide books for free book fairs for summer reading camp-identified students.

*STATUS: Having been approved by the General Assembly,* ***S.1194*** *was ratified on May 15, 2014, (R.184) and was signed into law by the Governor on May 16 (Act No. 314).*

**AUTHORIZATION FOR SCHOOL DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES BELOW THEIR SALARY SCHEDULES FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM**

The General Assembly approved **S.1219**, legislation which provides authorization for school districts to uniformly negotiate salaries below their salary schedules for retired teachers returning to employment who are not participants in the Teacher and Employee Retention Incentive (TERI) Program. This authorization extends through the 2019-2020 school year.

*STATUS: Having been approved by the General Assembly,* ***S.1219*** *was ratified on May 29, 2014, (R.243) and was signed into law by the Governor on June 2 (Act No. 238).*

*Note the General Assembly also approved* ***H.4921****, a joint resolution which provides the same authorization for the 2014 - 2015 school year.* ***H.4921*** *was ratified on May 15, 2014, (R.199) and was signed into law by the Governor on May 16 (Act No. 315).*

**"BACK TO BASICS IN EDUCATION ACT OF 2014"**

The General Assembly approved [**H.3905**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3905&session=120&summary=B), the"Back to Basics in Education Act of 2014". The legislation adds cursive writing and memorization of multiplication tables to the required subjects of instruction in public schools and requires students to demonstrate competence in each subject before completion of the fifth grade. The Department of Education is directed to assist school districts in integrating the requirements into existing curriculum and to include appropriate materials in the approved state textbook adoption list so that they are available for selection by school districts. These provisions are applicable beginning with the 2015-2016 school year.

*STATUS: Having been approved by the General Assembly,* ***H.3905*** *was ratified June 9, 2014, (R.319) and was signed into law by the Governor the same day (Act No. 275).*

**BOARD OF TRUSTEES OF THE GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS REVISIONS**

The General Assembly approved [**H.4646**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4646&session=120&summary=B), legislation relating to the Board of Trustees of the Governor's School for Science and Mathematics. Under current law, the provost or vice president for academic affairs from Clemson University, the University of South Carolina, and the Medical University of South Carolina serve as ex officio members of the Board of Trustees of the Governor's School for Science and Mathematics. This legislation provides authority for each of these ex officio members from the state's higher education research institutions to designate a person to serve in his place on the board of trustees.

*STATUS: Having been approved by the General Assembly,* ***H.4646*** *was ratified May 15, 2014, (R.198) and was signed into law by the Governor on May 16 (Act No. 181).*

**CHARTER SCHOOL ACCOUNTABILITY REVISIONS**

The General Assembly approved [**H.3853**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3853&session=120&summary=B), legislation which makes revisions pertaining to charter schools, notably, by providing for greater accountability in both the application and school closing stages. In order to promote the quality of charter school outcomes and oversight, the legislation includes requirements for charter schools to adhere to national industry standards for quality charter schools. The legislation provides authorization for creating alternative education campuses designed to serve at-risk and challenging student populations.

*STATUS: Having been approved by the General Assembly,* ***H.3853*** *was ratified on June 9, 2014, (R.318) and was signed into law by the Governor on June 12 (Act No. 288).*

**CHARTER SCHOOL PROPERTY TAXATION CLARIFICATION**

The General Assembly approved **H.4871**, legislation clarifying that charter school property is exempt from state and local taxation regardless of whether it is leased or owned to ensure that charter schools are afforded the same tax exemptions as other public schools.

*STATUS: Having been approved by the General Assembly,* ***H.4871*** *was ratified on May 29, 2014, (R.262) and was signed into law by the Governor on June 2 (Act No. 208).*

**ELIMINATION OF THE HIGH SCHOOL EXIT EXAM AND THE ESTABLISHMENT OF COLLEGE AND CAREER READINESS ASSESSMENTS**

The General Assembly approved [**H.3919**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3919&session=120&summary=B), legislation which provides for the elimination of the high school exit exam and the establishment of college and career readiness assessments. The legislation discontinues the administration of the Highs School Assessment Program (HSAP) tests and eliminates the provisions that require a public high school student to pass these exit examinations in order to graduate and be awarded a high school diploma. The legislation establishes a window of opportunity, through 2015, during which time those who previously failed to receive a high school diploma or were denied graduation solely for failing to pass the high school exit exams may petition their local school boards to receive a high school diploma. Beginning in school year 2014-2015, all students entering the eleventh grade for the first time must be administered a college and career readiness assessment as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the federal Elementary and Secondary Education Act and that is from a provider secured by the State Department of Education. Such students must also be administered a WorkKeys assessment. The results of the assessments must be provided to each student, their respective schools, and to the state to: (1) assist students, parents, teachers, and guidance counselors in developing individual graduation plans and in selecting courses aligned with each student’s future ambitions; (2) promote South Carolina’s Work Ready Communities initiative; and (3) meet federal and state accountability requirements. Students may subsequently use the results of these assessments to apply to college or to enter careers. The results must be added as part of each student’s permanent record and maintained at the department for at least ten years. The purpose of the results is to provide instructional information to assist in planning for each student’s course selection, including dual-enrollment courses, advanced placement courses, internships, or other options during the remaining semesters in high school.

*STATUS: Having been approved by the General Assembly,* ***H.3919*** *was ratified on April 10, 2014, (R.170) and was signed into law by the Governor on April 14 (Act No. 155).*

**"HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT"**

The General Assembly approved [**H.4840**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4840&session=120&summary=B), the "High School Equivalency Diploma Accessibility Act" which establishes provisions for the adoption of high school equivalency testing that, in order to broaden accessibility, must be offered not only in a computer format but also in a paper and pen or pencil format that is not dependent on the availability of computer-based technology.

*STATUS: Having been approved by the General Assembly,* ***H.4840*** *was ratified on June 5, 2014, (R.308) and was signed into law by the Governor on June 9 (Act No. 272).*

**REAUTHORIZATION OF THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS INITIATIVE**

The House General Assembly approved [**H.3428**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3428&session=120&summary=B), legislation which provides for the reauthorization of The South Carolina First Steps to School Readiness Initiative and makes revisions to this program for providing enhanced early childhood development, education, and family support services to enable children to reach school ready to achieve academic success. New accountability provisions are established to assess student progress and evaluate the performance of programs. The legislation includes provisions for establishing new qualification requirements for grants awarded to local First Steps partnerships. As a condition of receiving state funds, each local partnership must be subject to performance reviews that addresses such matters as local board functioning and collaboration and compliance with state standards and fiscal accountability. At least seventy-five percent of state funds appropriated for programs must be used by the local partnership for evidence-based programs designated by the First Steps Board as meeting such criteria as being grounded in published, peer reviewed research linked to determined outcomes. Not more than twenty-five percent of state funds appropriated may be used for evidence-informed programs which do not meet the strict criteria needed for designation as evidence-based programs but which the First Steps Board determines to be supported by research that indicates potential effectiveness. Authority is provided for local First Steps partnerships to enter into multicounty arrangements and to collaborate in a manner they determine will maximize the efficient and effective provision of services and programs to children and their families. A temporary Office of First Steps Study Committee is created to review the program's effectiveness and evaluate whether the Office of First Steps should be restructured as an independent agency. The study committee must submit its recommendations to the General Assembly by March 15, 2015, at which point it is set to dissolve.

*STATUS: Having been approved by the General Assembly,* ***H.3428*** *was ratified on June 5, 2014, (R.295). The Governor vetoed the legislation on June 11. The veto was overridden in the House on June 17, and the veto was overridden in the Senate on June 18 for the legislation to become law (Act No. 287).*

**SCHOOL SAFETY TASK FORCE**

The General Assembly approved **H.3365**, legislation which creates a temporaryschool safety task force that is charged with developing standards for district level policies to promote effective school discipline and mental health intervention services and examining how improved collaboration and organization could make the most of mental health resources and funding for school-based mental health services. The legislation provides for the membership of the task force and requires its recommendations to be reported to the General Assembly no later than December 31, 2014, at which time the task force must be dissolved.

*STATUS: Having been approved by the General Assembly,* ***H.3365*** *was ratified on June 5, 2014, (R.293) and was signed into law by the Governor on June 6 (Act No. 252).*

**"SOUTH CAROLINA READ TO SUCCEED ACT"**

The General Assembly approved [**S.516**](http://www.scstatehouse.gov/billsearch.php?billnumbers=516&session=120&summary=B), the "South Carolina Read to Succeed Act". The legislation establishes a comprehensive K-12 initiative for promoting reading proficiency in the state's public schools with an emphasis on early intervention to assist students who are not demonstrating an ability to read at grade level. The legislation creates a South Carolina Read to Succeed Office within the State Department of Education to coordinate the initiative, requires implementation of comprehensive reading proficiency plans for prekindergarten through twelfth grade, requires school districts to engage the families of students as partners in promoting reading and writing habits and skills, and encourages districts to create family-school-community partnerships that focus on increasing the volume of reading. Early grade students who are not demonstrating proficiency in reading must be provided intensive in-class and supplemental reading intervention. Beginning with the 2017-2018 school year, a student must be retained in the third grade if the student fails substantially to demonstrate grade-level reading proficiency. Certain exemptions from this mandatory retention requirement are allowed for such causes as limited English language proficiency and certain disabilities. The legislation affords students who score the lowest in reading assessments the opportunity to enroll in a summer reading camp prior to being retained the following school year. Each elementary school must employ a reading coach to serve as the school's resource for professional development in order to generate improvement in reading and literacy instruction and student achievement. Teacher certification and professional development requirements are revised to incorporate a new emphasis on literacy instruction.

*STATUS: Having been approved by the General Assembly,* ***S.516*** *was ratified June 9, 2014, (R.313) and was signed into law by the Governor on June 11 (Act No. 284).*

**USE OF DIGITAL VIDEO RECORDINGS TO ENFORCE TRAFFIC VIOLATIONS INVOLVING THE UNLAWFUL PASSING OF STOPPED SCHOOL BUSES**

The General Assembly approved [**H.5014**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5014&session=120&summary=B), legislation which among other things establishes new provisions for the use of digital video recordings to enforce traffic violations involving the unlawful passing of stopped school buses. The legislation provides that a school bus may be equipped with a digital video recording device that is mounted so that it has a clear view of vehicles passing the bus on either side and shows the date and time the recording was made as well as an electronic symbol indicating the activation of amber lights, flashing red lights, stop arms, and brakes. Provisions are included to allow traffic citations to be issued based entirely or partially upon images obtained from a digital video recording device mounted on a school bus and for recordings to be used as evidence at hearings related to corroborate the testimony of the school bus driver or any other witnesses.

*STATUS: Having been approved by the General Assembly,* ***H.5014*** *was ratified June 5, 2014, (R.310) and was signed into law by the Governor on June 9 (Act No. 274).*

**ELECTIONS**

**CAPITAL PROJECTS SALES TAX REFERENDUM TO BE HELD ONLY AT A GENERAL ELECTION**

The General Assembly approved **S.809**, a bill requiring a capital projects sales tax referendum to be held at a general election. Under the legislation, counties are no longer authorized to schedule other times for submitting a local capital projects sales tax proposal to voters for approval through a referendum.

*STATUS: Having passed the General Assembly,* ***S.809*** *was ratified on June 5, 2014, (R.272) and was signed into law by the Governor on June 6 (Act No. 243).*

**CONDUCT OF POLITICAL PARTY PRIMARY ELECTIONS**

The General Assembly approved [**H.4732**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4732&session=120&summary=B), legislation relating to the conduct of political party primary elections for selecting a party's candidate for public office. This legislation allows the process for conducting presidential preference primaries that has been used in recent years to apply to future primaries, which facilitates the retention of South Carolina's "First in the South" position for presidential primaries. The legislation eliminates references to the 2008 election cycle and makes other revisions so that the State Election Commission continues to play its role in conducting the preference primary elections that political parties hold for determining their candidates for President of the United States. The legislation allows the State Election Commission to carry forward any candidate filing fees left unexpended in primary and general election accounts for later use in carrying out the same purposes.

*STATUS: Having been approved by the General Assembly,* ***H.4732*** *was ratified June 5, 2014, (R.306) and was signed into law by the Governor on June 6 (Act No. 256).*

**STATE ELECTION COMMISSION OVERSIGHT OF COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS**

The General Assembly approved [**S.815**](http://www.scstatehouse.gov/billsearch.php?billnumbers=815&session=120&summary=B), legislation providing for State Election Commission oversight of County Boards of Voter Registration and Elections. The legislation charges the executive director State Election Commission with supervising the conduct of county boards of voter registration and elections and ensuring that those boards and all who are involved in the elections process comply with state voting law requirements, applicable federal law, and Commission policies and procedures regarding the conduct of elections or the voter registration process. In order ensure compliance, the State Election Commission is directed to conduct reviews, audits, or other postelection analysis. The State Election Commission is empowered to intervene when it finds that local election authorities have failed to comply with election or voter registration requirements or when local election authorities fails to certify the results of an election or referendum in a timely manner. If the State Election Commission determines that an official or an employee of a county board of voter registration and elections has negligently failed to comply with requirements or has failed to cooperate with a corrective plan, the Commission may order the decertification of that official or employee. In order to be recertified, the individual would have to participate in a retraining program approved by the Commission. If the Commission finds that the failure to comply is willful, it shall recommend the termination of the official or staff person. The legislation provides a statewide protocol establishing consolidated county boards of voter registration and elections. The State Election Commission must provide public notice on its website of all new state and local changes to voting procedures, including changes to precincts. The legislation also provides clarification that a political party that has nominated candidates by convention may continue to use this method of nomination.

*STATUS: Having been approved by the General Assembly,* ***S.815*** *was ratified May 29, 2014, (R.220) and was signed into law by the Governor on June 2 (Act No. 196).*

**ENERGY**

**CLEAN ENERGY INDUSTRY MANUFACTURING MARKET DEVELOPMENT ADVISORY COUNCIL**

Through the passage of **H.3125**, the General Assembly established a fourteen-member

Clean Energy Industry Manufacturing Market Development Advisory Commission (H.3125) to assist in the development of manufacturing in this state of technology, materials, and products related to clean energy, including solar, wind, hydroelectric, biomass, energy-efficiency, alternative fuels, hydrogen storage and fuel cells. The commission is charged with performing a market analysis and recommending incentives or other actions, with a final report due by September 30, 2015, at which point, the commission is set to dissolve.

*STATUS: Having passed the General Assembly,* ***H.3125*** *was ratified on May 15, 2014, (R.188) and was signed into law by the Governor on May 16 (Act No. 171).*

**DISTRIBUTED ENERGY RESOURCES**

The General Assembly approved **S.1189**, legislation making revisions relating to the generation, distribution, and sale of electrical power that are geared towards reshaping South Carolina's electrical power grid so that it is devoted not only to a few, major, centrally-located power plants run by traditional investor-owned utilities but can also better accommodate electrical generation resources that are distributed throughout the grid, such as rooftop solar arrays, as well as other distributed energy resources such as energy storage and managed loads, including electric vehicle charging. The legislation makes provisions for a South Carolina Distributed Energy Resource Program to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for the state. The initiative includes changes in the way that investor-owned utilities purchase power from other, smaller, providers of electricity to encourage investment in renewable energy in the form of both relatively large facilities, such as wind farms, and smaller resources such as the solar power collectors installed by residential and commercial net-metering customers. The legislation also includes provisions to accommodate customers in leasing renewable electric generation resources rather than undertaking the significant costs involved in purchasing them outright.

*STATUS: Having passed the General Assembly,* ***S.1189*** *was ratified on May 29, 2014, (R.241) and was signed into law by the Governor on June 2 (Act No. 236).*

**ENERGY EFFICIENT AND ENVIRONMENTALLY SUSTAINABLE BUILDING STANDARDS FOR STATE CONSTRUCTION**

The General Assembly approved **H.3592**, a bill revising energy efficient and environmentally sustainable building standards for state construction. The legislation revises the “Energy Independence and Sustainable Construction Act of 2007” to direct the Fiscal Accountability Authority’s governing board to automatically adopt the most current editions of the rating systems developed by Green Building Initiative and U.S. Green Building Council’s Leadership in Energy and Environmental Design, but to provide for these certification standards to be subject to modifications adopted through state regulations. An Energy Independence and Sustainable Construction Advisory Committee is established to review and analyze rating systems and their updates, including a cost‑benefit analysis so that the state may consider the return on its investment for projects, and make recommendations concerning modifications to the board. The rating system utilized by the state must provide certification credits for, preference for, and promotion of such building materials or furnishings as wood grown in this state and masonry, plastics, concrete, steel, wood, and textiles that are manufactured or produced in South Carolina. The standards may not place at a disadvantage building materials or furnishings that are manufactured or produced within the state. A major facility project requesting third‑party certification shall not be allowed to seek a rating credit or point for building product disclosure and optimization credit that requires material ingredient reporting.

*STATUS: Having passed the General Assembly,* ***H.3592*** *was ratified on April 3, 2014, (R.159) and was signed into law by the Governor on April 7 (Act No. 150).*

**OFFSHORE WIND ENERGY**

The General Assembly adopted **S.757**, a concurrent resolution inviting offshore wind energy developers and manufacturers to meet with South Carolina public officials to further South Carolina’s advancement in offshore wind energy.

*STATUS: Concurrent Resolution* ***S.757*** *was adopted by the House of Representatives on May 20, 2014, and was adopted by the Senate on May 28.*

**FIREARMS**

**CONCEALED WEAPON PERMIT HOLDER MAY SECURE HIS WEAPON UNDER A SEAT IN A VEHICLE**

The General Assembly approved **S.308**, legislation, which among other things, provides that a concealed weapon permit holder may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment.

*STATUS: Having been approved by the General Assembly,* ***S.308*** *was ratified on February 5, 2014, (R.127) and was signed into law by the Governor on February 11 (Act No. 123).*

**RESTAURANT CARRY PROVISIONS**

The General Assembly approved [**S.308**](http://www.scstatehouse.gov/billsearch.php?billnumbers=308&session=120&summary=B), legislation, which among other things, replaces the current prohibition on carrying a pistol or firearm into a business that sells alcoholic liquor, beer, or wine for on-premises consumption with new provisions, commonly referred to as restaurant carry provisions, that afford concealed weapon permit holders new legal authority to carry their firearms into bars, restaurants, and other establishments that serve beer, wine, or alcoholic liquor. A concealed weapon permit holder making use of these restaurant carry provisions is not allowed to consume alcohol on the premises. A concealed weapon permit holder must also comply with a proprietor's requests to remove his firearm from the place of business or to leave the premises. A proprietor can prohibit the carrying of concealed weapons into the business by posting signs that comply with notification requirements. A concealed weapon permit holder who violates any of these restrictions is subject to a misdemeanor criminal offense that carries a fine of up to two thousand dollars and/or imprisonment for up to two years, and must have his concealed weapon permit revoked for a period of five years.

*STATUS: Having been approved by the General Assembly,* ***S.308*** *was ratified on February 5, 2014, (R.127) and was signed into law by the Governor on February 11 (Act No. 123).*

**RETIRED LAW ENFORCEMENT OFFICERS**

The General Assembly approved [**S.1076**](http://www.scstatehouse.gov/billsearch.php?billnumbers=1076&session=120&summary=B), legislation which pertains toretired law enforcement officers. This legislation relates to identification cards issued to and qualification of retired law enforcement officers to carry firearms. The legislation revises the definition of the term "qualified retirement law enforcement officer" to make it consistent with federal law; the legislation removes the requirement that an officer be a certified law enforcement officer in South Carolina in order to receive the required identification. Current law allows for a reasonable fee for issuing an identification card; this legislation removes references to charging a fee for issuing the identification card.

*STATUS: Having been approved by the General Assembly,* ***S.1076*** *was ratified on May 29, 2014, (R.233) and was signed into law by the Governor on June 2 (Act No. 228).*

**REVISIONS TO THE REQUIREMENTS AND PROCESS FOR RECEIVING A CONCEALED WEAPON PERMIT**

The General Assembly approved **S.308**, legislation, which among other things, makes revisions to the requirements and process for receiving a concealed weapon permit.  Notably, the legislation provides that the permit is valid for five years rather than four years, broadens criteria for acceptable photographic identification, allows the State Law Enforcement Division to make all contact with a permit applicant through online communications if an applicant submits his application online, eliminates the requirement that an education course must be a minimum of eight hours, and allows individuals with pertinent military or law enforcement training to complete only the portion of the class reviewing state law.  The legislation provides that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter the property carrying a concealed weapon regardless of any posted sign to the contrary.

*STATUS: Having been approved by the General Assembly,* ***S.308*** *was ratified on February 5, 2014, (R.127) and was signed into law by the Governor on February 11 (Act No. 123).*

**GOVERNMENT**

**ADJUTANT GENERAL, PROPOSED CONSTITUTIONAL AMENDMENT FOR APPOINTMENT BY THE GOVERNOR AND STATUTORY PROVISIONS FOR THE APPOINTMENT IN THE EVENT THAT THE NECESSARY CONSTITUTIONAL AMENDMENT IS APPROVED BY THE STATE'S VOTERS AND IS RATIFIED**

**Proposed Constitutional Amendment for the Adjutant General to be Appointed by the Governor rather than Elected**

The General Assembly approved [**H.3541**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3541&session=120&summary=B), a proposed constitutional amendment for the Adjutant General to be appointed by the Governor rather than elected. The joint resolution proposes to amend the South Carolina Constitution by removing the Adjutant General from the list of statewide elected officials and providing instead for the Adjutant General to be appointed by the Governor, upon the advice and consent of the Senate. The proposed constitutional amendment must be submitted to the state's voters as a ballot question at the next general election. If the constitution is amended, the new appointment process would begin with the expiration of the term of the Adjutant General who is serving in office when the amendment is ratified.

**Statutory Provisions for the Appointment of the Adjutant General by the Governor in the Event that the Constitutional Amendment is approved by the State's Voters and is Ratified**

The General Assembly also approved [**H.3540**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3540&session=120&summary=B), legislation which makes statutory provisions for the appointment of the Adjutant General by the Governor in the event that the necessary constitutional amendment is approved by the state's voters and ratified. The legislation establishes provisions relating to: the duties of the office; the minimum command experience, South Carolina National Guard service requirements, and other qualifications for the office; the procedures by which the appointment is made; terms of service; and, the procedures by which the Adjutant General may be removed from office by the Governor only for certain reasons constituting cause.

*STATUS: Having been approved by the General Assembly,* ***H.3541*** *was ratified by the General Assembly on May 29, 2014, (R.250) and the signature of the Governor is not required (Act No. 297).*

*Having been approved by the General Assembly* ***H.3540*** *was ratified by the General Assembly on May 29, 2014, (R.249) and was signed into law by the Governor on June 3 (Act No. 224).*

**CAPITAL PROJECTS SALES TAX REFERENDUM TO BE HELD ONLY AT A GENERAL ELECTION**

The General Assembly approved **S.809**, a bill requiring a capital projects sales tax referendum to be held at a general election. Under the legislation, counties are no longer authorized to schedule other times for submitting a local capital projects sales tax proposal to voters for approval through a referendum.

*STATUS: Having passed the General Assembly,* ***S.809*** *was ratified on June 5, 2014, (R.272) and was signed into law by the Governor on June 6 (Act No. 243).*

**CLARIFICATION OF COUNTY BOUNDARIES**

The General Assembly approved **S.988**, legislation which relates to the duties of the South Carolina Geodetic Survey (SCGS) with respect to assisting counties in determining county boundaries. This legislation authorizes and directs the SCGS to seek to clarify county boundaries and mediate boundary disputes between counties by providing a procedure allowing the SCGS administratively to adjust county boundaries. The legislation provides procedures including notice that SCGS must follow in making such adjustments. The legislation provides that an affected party disagreeing with a boundary certified by the SCGS may file a request for a contested case hearing with the South Carolina Administrative Law Court. The legislation further provides that nothing contained limits or restricts the authority of the General Assembly by legislative enactment to adjust or otherwise clarify county boundaries by legislative enactment, however, these boundaries may have been established.

*STATUS: Having been approved by the General Assembly,* ***S.988*** *was ratified on June 5, 2014, (R.282) and was signed into law by the Governor on June 9 (Act No. 262).*

**ENERGY EFFICIENT AND ENVIRONMENTALLY SUSTAINABLE BUILDING STANDARDS FOR STATE CONSTRUCTION**

The General Assembly approved **H.3592**, a bill revising energy efficient and environmentally sustainable building standards for state construction. The legislation revises the “Energy Independence and Sustainable Construction Act of 2007” to direct the Fiscal Accountability Authority’s governing board to automatically adopt the most current editions of the rating systems developed by Green Building Initiative and U.S. Green Building Council’s Leadership in Energy and Environmental Design, but to provide for these certification standards to be subject to modifications adopted through state regulations. An Energy Independence and Sustainable Construction Advisory Committee is established to review and analyze rating systems and their updates, including a cost‑benefit analysis so that the state may consider the return on its investment for projects, and make recommendations concerning modifications to the board. The rating system utilized by the state must provide certification credits for, preference for, and promotion of such building materials or furnishings as wood grown in this state and masonry, plastics, concrete, steel, wood, and textiles that are manufactured or produced in South Carolina. The standards may not place at a disadvantage building materials or furnishings that are manufactured or produced within the state. A major facility project requesting third‑party certification shall not be allowed to seek a rating credit or point for building product disclosure and optimization credit that requires material ingredient reporting.

*STATUS: Having passed the General Assembly,* ***H.3592*** *was ratified on April 3, 2014, (R.159) and was signed into law by the Governor on April 7 (Act No. 150).*

**"IRAN DIVESTMENT ACT OF 2014"**

The General Assembly approved [**H.3021**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3021&session=120&summary=B), the "Iran Divestment Act Of 2014**"**. The legislation prohibits state and local government contracts with and disallows state funds from being invested with those who engage in investment activities with Iran by providing goods, services or credit worth $20 million or more to Iran’s energy sector. These restrictions apply only until the President or Congress of the United States declares that this type of divestment interferes with the conduct of foreign policy or until the United States revokes its current sanctions against Iran.

*STATUS: Having been approved by the General Assembly,* ***H.3021*** *was ratified on June 5, 2014, (R.291) and was signed into law by the Governor on June 9 (Act No. 267).*

**NOTARIES PUBLIC**

The General Assembly approved [**S.356**](http://www.scstatehouse.gov/billsearch.php?billnumbers=356&session=120&summary=B), legislation relating to notaries public. This legislation updates laws pertaining to notaries public, many of which have not been revised in decades. Highlights of this legislation include the following. The legislation provides definitions for the notarial acts and procedures which are not present in current law. The legislation provides misdemeanor criminal penalties for various offenses relating to notarial acts, including the act of holding one’s self out as a notary without a valid notary commission. This legislation provides qualifications for a commission, including being registered to vote and able to read and write in the English language. This legislation authorizes as well as prohibits certain acts of a notary public, including prohibiting a notary from using the term "notario publico" or any equivalent non-English term in any business card, advertisement, notice, or sign; in Mexico a "notario publico" is responsible for the legality of the content of a document. The legislation requires a notary public who is not an attorney licensed to practice law in this state and who advertises his services as a notary public in a language other than English to post or otherwise include with the advertisement in English and in the language used for the advertisement that the notary is not an attorney licensed in South Carolina and may not give legal advice or accept fees for legal advice. The legislation provides maximum fees a notary may charge and includes disclosure requirements for travel fees; however, fees are not required for services. The legislation specifies changes for which a notary must notify the Secretary of State such as a change of legal name, change of county or change of address.

*STATUS: Having been approved by the General Assembly,* ***S.356*** *was ratified on May 29, 2014, (R.208) and was signed into law by the Governor on June 2 (Act No. 185).*

**OUT‑OF‑STATE BUSINESSES RESPONDING TO A DECLARED STATE DISASTER OR EMERGENCY**

The General Assembly approved **S.1033**, a bill providing that out‑of‑state businesses responding to a declared state disaster or emergency are not to be taxed or regulated as in-state businesses. The legislationprovides that an out‑of‑state business that conducts operations within this state for the purposes of performing work or services related to a declared state disaster or emergency during a disaster period must not be considered to have established a level of presence that would require that business to register, file, and remit state or local taxes, such as unemployment insurance, occupational licensing fees, or property taxes, or that would require that business or its out‑of‑state employees to be subject to any state licensing or registration requirements.

*STATUS: Having passed the General Assembly,* ***S.1033*** *was ratified on May 29, 2014, (R.228) and was signed into law by the Governor on June 2 (Act No. 220).*

**RATIFICATION OF THE CONSTITUTIONAL AMENDMENT ALLOWING THE JOINT ELECTION OF THE GOVERNOR AND THE LIEUTENANT GOVERNOR**

The General Assembly approved [**S.446**](http://www.scstatehouse.gov/billsearch.php?billnumbers=446&session=120&summary=B), legislation to provide for the ratification of the constitutional amendment allowing the joint election of the governor and the lieutenant governor. The legislation ratifies the amendment to the South Carolina Constitution that the state's voters approved at the 2012 General Election to allow for the joint election of the Governor and the Lieutenant Governor beginning with the general election of 2018. Under the revised system, a gubernatorial candidate selects a running mate to fill the position of Lieutenant Governor in a manner similar to the election of the President and Vice President at the national level. The General Assembly shall provide by law the manner in which a candidate for Lieutenant Governor is selected. The legislation also revises the role that the Lieutenant Governor plays under the state’s constitution by eliminating the office’s legislative duties and revising the manner in which vacancies in the office of Lieutenant Governor are to be filled. The legislation eliminates the Lieutenant Governor’s authority to serve as President of the Senate and cast tie-breaking votes in that body. Instead, the Senate, every four years, elects from among its members a President to preside over the Senate and perform other duties as provided by law. The legislation eliminates the constitutional role of the President Pro Tempore of the Senate, who is currently called upon to fill a vacancy in the office of Lieutenant Governor. In the case of the removal of the Lieutenant Governor from office by impeachment, death, resignation, disqualification, disability, or removal from the State, the legislation provides that the Governor would appoint, with the advice and consent of the Senate, a successor to fulfill the unexpired term.

*STATUS: Having been approved by the General Assembly,* ***S.446*** *was ratified on May 29, 2014 (R.210). The signature of the Governor is not required (Act No. 214).*

**SOUTH CAROLINA STANDS WITH ISRAEL SPECIAL LICENSE PLATES**

The General Assembly approved [**H.4383**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4383&session=120&summary=B), legislation authorizing the Department of Motor Vehicles to issue South Carolina Stands with Israel special license plates.

*STATUS: Having been approved by the General Assembly,* **H.4383** *was ratified on May 29, 2014, (R.255) and was signed into law by the Governor on June 2 (Act No. 202).*

**HEALTH AND FAMILY**

**ENDOMETRIOSIS AWARENESS MONTH**

The General Assembly approved [**S.983**](http://www.scstatehouse.gov/billsearch.php?billnumbers=983&session=120&summary=B), legislation which designates the month of March in every year as "Endometriosis Awareness Month".

*STATUS: Having been approved by the General Assembly,* ***S.983*** *was ratified on May 15, 2014, (R.179) and was signed into law by the Governor on May 16 (Act No. 166).*

**GRANDPARENT VISITATION**

The General Assembly approved [**H.4348**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4348&session=120&summary=B), a legislation addressing court-ordered grandparent visitation of minor children. The legislation enhances the authority of the state's family courts to order visitation for grandparents of minor children in instances where the parents are divorced, deceased, or living separate and apart in different habitats by eliminating the current prerequisite for visitation orders that the grandparent must have maintained a relationship with the minor child that is similar to a parent-child relationship.

*STATUS: Having been approved by the General Assembly,* ***H.4348*** *was ratified on June 5, 2014, (R.299) and was signed into law by the Governor on June 9 (Act No. 270).*

**JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON**

**CHILDREN REAUTHORIZATION**

The General Assembly approved [**S.872**](http://www.scstatehouse.gov/billsearch.php?billnumbers=872&session=120&summary=B), legislation relating to the Joint Citizens and Legislative Committee on Children. Currently, the committee terminates December 31, 2015, unless there is a legislative extension. Along with certain technical revisions, this legislation provides that the committee terminates effective December 31, 2023, unless the General Assembly reauthorizes its continued existence beyond that date by legislation.

*STATUS: Having been approved by the General Assembly,* ***S.872*** *was ratified June 5, 2014, (R.274) and was signed into law by the Governor on June 6 (Act No. 245).*

**"JULIAN'S LAW" - ACCESS TO CANNABIDIOL, A SUBSTANCE DERIVED FROM MARIJUANA, FOR TREATMENT OF SEVERE FORMS OF EPILEPSY**

The General Assembly approved [**S.1035**](http://www.scstatehouse.gov/billsearch.php?billnumbers=1035&session=120&summary=B), legislation addressing access to cannabidiol, a substance derived from marijuana, for treatment of severe forms of epilepsy. The legislation enacts **"**Julian's Law**"** to provide authorization for the state's academic medical centers to conduct expanded access clinical trials approved by the federal Food and Drug Administration (FDA) to investigate the value of cannabidiol as a treatment for patients suffering from severe forms of epilepsy that are not adequately treated by traditional medical therapies. The legislation establishes certain exemptions for cannabidiol under the definition of "marijuana" in the state laws governing narcotics and controlled substances. An exemption for cannabidiol is established that applies to a person, or the persons’ parents, legal guardians, or other caretakers, who has received a written certification from a South Carolina-licensed physician that the person has been medically diagnosed as having Lennox-Gastaut Syndrome, Dravet Syndrome, also known as ‘severe myoclonic epilepsy of infancy’, or any other severe form of epilepsy that is not adequately treated by traditional medical therapies. A physician is not subject to detrimental action, including arrest, prosecution, penalty, denial of a right or privilege, civil penalty, or disciplinary action by a professional licensing board, for providing this written certification for the medical use of cannabidiol to a patient.

*STATUS: Having been approved by the General assembly,* ***S.1035*** *was ratified May 29, 2014, (R.229) and was signed into law by the Governor on June 2 (Act No. 221).*

**PATIENT MEDICAL RECORDS**

The General Assembly approved **H.4354**, legislation which makes revisions relating to fees that physicians and health care facilities may charge for medical records. Note these new provisions do not change existing provisions in law that allow for provision of medical records free of charge under certain circumstances for continuation of medical care. The legislation revises the "Physicians' Patient Medical Records Act" so as to provide that the term 'medical records' includes the patient's medical bills.

**Rights of Patients**

This legislation provides that a patient or his legal representative is entitled to receive a copy of the record either in printed format or an electronic format but only if the record is stored in an electronic format at the time of the request and the physician or owner of the record has the ability to produce the medical record in an electronic format without incurring additional cost.

**Health Care Facilities**

The legislation places a $150 cap on the fees for searching and duplicating medical records requested to be produced in an electronic format regardless of the number of records produced or the number of times the patient has been admitted to the health care facility. The legislation places a $200 cap per admission to the health care facility for paper requests. The legislation includes provisions about per page charges and allowable fees. Note with these caps actual postage and applicable sales tax may be added, and the searching and handling fees are permitted even though no medical record is found as result of the search, except where the request is made by the patient.

**Physicians, Health Care Providers, and Other Record Owners**

The legislation places a $150 cap on the fees for searching and duplicating medical records provided in an electronic format. The legislation places a $200 cap per request for paper requests. The legislation includes provisions about per page charges and allowable fees. Note with these caps actual postage and applicable sales tax may be added, and the searching and handling fees are permitted even though no medical record is found as result of the search, except when the request is made by the patient.

**Annual Adjustment of Fees**

The legislation provides for the annual adjustment of fees, including the maximums, in accordance with the Consumer Price Index for all Urban Consumers, South Region (CPI-U), published by the U.S. Department of Labor. The Department of Health and Environmental Control is responsible for calculating this annual adjustment, which is effective on July first of each year starting July 1, 2015.

*STATUS: Having been approved by the General assembly,* ***H.4354*** *was ratified June 20, 2014, (R.328) and was signed into law by the Governor on June 23 (Act No. 294).*

**PRESCRIPTION MONITORING**

The General Assembly approved [**S.840**](http://www.scstatehouse.gov/billsearch.php?billnumbers=840&session=120&summary=B), which pertains toprescription monitoring. This legislation revises the State's Prescription Monitoring Program so as to require dispensers to make daily submissions about certain controlled substances; current law provides for reports made at least every 30 days. The legislation also provides for an authorized delegate, which means an individual who is approved as having access to the prescription monitoring program and who is directly supervised by an authorized practitioner or pharmacist. The legislation requires a pharmacist or practitioner who knowingly discloses prescription monitoring information in violation of provisions to be reported to his respective board for disciplinary action. The legislation requires certain continuing professional education for physicians related to procedures for prescribing and monitoring controlled substances.

*STATUS: Having been approved by the General Assembly,* ***S.840*** *was ratified on June 5, 2014, (R.273) and was signed into law by the Governor on June 6 (Act No. 244).*

**"SOUTH CAROLINA BLIND PERSON'S RIGHT TO PARENT ACT"**

The General Assembly approved [**S.687**](http://www.scstatehouse.gov/billsearch.php?billnumbers=687&session=120&summary=B), the **"**South Carolina Blind Person's Right to Parent Act**"**. This legislation provides in making decisions on guardianship, custody, or visitation where a party to the action is blind, the court may not deny the party guardianship, custody, or visitation of a child solely because the party is blind. The blindness of a party only may be used to determine whether or not granting guardianship, custody, or visitation to the party would be in the best interest of the child. When the Department of Social Services, a guardian, or a child placing agency considers an adoption petition, the legislation provides that the department, guardian, or child placing agency may not deny the petition solely because the petitioner is blind. In making a determination of adoption when the petitioner is blind, the legislation provides that the court may not deny the petition solely because the petitioner is blind. The blindness of the petitioner only may be used to determine whether or not granting the adoption would be in the best interest of the child. The legislation further requires the Department of Social Services to promulgate regulations prohibiting a local department from removing a child from a home and placing the child in foster care solely because the child's parent or guardian is blind.

*STATUS: Having been approved by the General Assembly,* ***S.687*** *was ratified May 29, 2014, (R.217) and was signed into law by the Governor on June 2 (Act No. 193).*

**STUDY COMMITTEE TO DEVELOP A PLAN FOR THE SALE AND USE OF MEDICAL MARIJUANA IN THE STATE SHOULD THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION DECLASSIFY OR RECLASSIFY MARIJUANA AS A CONTROLLED SUBSTANCE**

The General Assembly approved [**S.1035**](http://www.scstatehouse.gov/billsearch.php?billnumbers=1035&session=120&summary=B), which among other things, also creates a temporary study committee whose purpose is to develop a plan for the sale and use of medical marijuana in South Carolina should the federal Drug Enforcement Administration declassify or reclassify marijuana as a controlled substance. A report with findings and recommendations must be presented the House of Representatives and the Senate by March 15, 2015, at which time the study committee is set to dissolve.

*STATUS: Having been approved by the General assembly,* ***S.1035*** *was ratified May 29, 2014, (R.229) and was signed into law by the Governor on June 2 (Act No. 221).*

**HERITAGE AND HOLIDAYS**

**A DAY OF RECOGNITION FOR VETERANS' SPOUSES**

**AND FAMILIES**

The General Assembly approved [**H.4527**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4527&session=120&summary=B), legislation designating the Friday after Thanksgiving as **"**A Day of Recognition for Veterans' Spouses and Families" to acknowledge the invaluable support and sacrifice of veteran's family members.

*STATUS: Having been approved by the General Assembly,* ***H.4527*** *was ratified on May 29, 2014, (R.257) and was signed into law by the Governor on June 2 (Act No. 204).*

**AYNOR HARVEST HOE-DOWN FESTIVAL WEEKEND**

The General Assembly approved [**H.4993**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4993&session=120&summary=B), legislation designating the fourth Thursday in September of each year as the **"**Aynor Harvest Hoe-Down Festival Weekend".

*STATUS: Having been approved by the General Assembly,* ***H.4993*** *was ratified May 15, 2014, (R.200) and was signed into law by the Governor on May 16 (Act No. 182).*

**BARBECUE, THE OFFICIAL STATE PICNIC CUISINE**

The General Assembly approved [**S.1136**](http://www.scstatehouse.gov/billsearch.php?billnumbers=1136&session=120&summary=B), legislation designating barbecue as the official state picnic cuisine of South Carolina.

*STATUS: Having been approved by the General Assembly,* ***S.1136*** *was ratified on May 29, 2014, (R.236) and was signed into law by the Governor on June 2 (Act No.231).*

**COLUMBIAN MAMMOTH, THE OFFICIAL STATE FOSSIL**

The General Assembly approved [**H.4482**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4482&session=120&summary=B), legislation designating the Columbian Mammoth as the official state fossil of South Carolina.

*STATUS: Having been approved by the General Assembly,* ***H.4482*** *was ratified on May 15, 2014, (R.194) and was signed into law by the Governor on May 16 (Act No. 177).*

**"SPIRIT OF ‘45 DAY"**

The General Assembly approved [**H.4788**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4788&session=120&summary=B), legislation designating the second Sunday in August as "Spirit of ‘45 Day**"** to commemorate the anniversary of the end of World War II.

*STATUS: Having been approved by the General Assembly,* ***H.4788*** *was ratified on June 5, 2014, (R.307) and was signed into law on June 6 (Act No. 257).*

**STATE-DESIGNATED CULTURAL DISTRICTS**

The General Assembly approved [**S.1172**](http://www.scstatehouse.gov/billsearch.php?billnumbers=1172&session=120&summary=B), legislation which provides for the establishment of state-designated cultural districts by the South Carolina Arts Commission. The commission is directed to pursue partnerships and collaborative agreements with other public agencies and the private sector to maximize the benefits and value of these cultural districts.

*STATUS: Having been approved by the General Assembly,* ***S.1172*** *was ratified on May 29, 2014 (R.237) and was signed into law by the Governor on June 3 (Act No. 232).*

**HIGHWAY SAFETY**

**EMMA'S LAW" - LEGISLATION TO COMBAT DRUNK DRIVING THROUGH A MORE EXPANSIVE USE OF IGNITION INTERLOCK DEVICES**

The General Assembly approved [**S.137**](http://www.scstatehouse.gov/billsearch.php?billnumbers=137&session=120&summary=B) legislation which enacts provisions, designated as "Emma's Law", in memory of Emma Longstreet, the six-year-old Lexington County girl who was killed in a collision with a repeat DUI offender as her family was traveling to church on New Year's Day 2012. This legislation combats drunk driving through a more expansive use of ignition interlock devices installed on the vehicles of driving under the influence offenders that are designed to prevent a vehicle from being started and operated by someone who has consumed alcohol. The legislation revises current requirements for ignition interlock devices to be installed on the vehicles of repeat driving under the influence (DUI) offenders and establishes a new requirement for installing an ignition interlock device on the vehicle of someone convicted of a first offense DUI violation who had a breath test that registered an alcohol concentration of 0.15 or higher. Those who refused a breath test and were subsequently convicted of a first offense DUI violation are subject to requirements for enrolling in the Ignition Interlock Device Program in order to be eligible to drive. The legislation imposes new ignition interlock requirements that apply following the release from prison of someone convicted of a DUI offense involving great bodily injury or death of another. Ignition interlock requirements are established for those found guilty of an offense involving the operation of a motor vehicle while under the influence of intoxicants with at least one passenger younger than sixteen. The legislation enhances penalties for those who fail to comply with ignition interlock device requirements.

*STATUS: Having been approved by the General Assembly,* ***S.137*** *was ratified on April 10, 2014, (R.166) and was signed into law by the Governor on April 14 (Act No. 158).*

**PROHIBITION ON TEXTING WHILE DRIVING**

The General Assembly approved [**S.459**](http://www.scstatehouse.gov/billsearch.php?billnumbers=459&session=120&summary=B), which establishes a prohibition on texting while driving. The legislation provides that it is unlawful for a person to use a wireless electronic communication device to compose, send, or read a text-based communication while operating a motor vehicle on the public streets and highways of this state. This prohibition does not apply to someone who is: (1) lawfully parked or stopped; (2) using a hands-free wireless electronic communication device; (3) summoning emergency assistance; (4) transmitting or receiving data as part of a digital dispatch system; (5) a public safety official while in the performance of their official duties; or (6) using a global positioning system device or an internal global positioning system feature or function of a wireless electronic communication device for the purpose of navigation or obtaining related traffic and road condition information. A violator must be fined not more than twenty-five dollars, no part of which may be suspended. A violator must not be fined more than fifty dollars for any one incident of one or more violations and no court costs, assessments, or surcharges may be assessed against a violator. The legislation prohibits a custodial arrest for a violation, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this prohibition on texting while driving does not constitute a criminal offense, and a violation must not be included in the offender’s motor vehicle records maintained by the Department of Motor Vehicles or in the criminal records maintained by SLED and must not be reported to the offender’s motor vehicle insurer. Someone may be stopped for a violation only when a law enforcement officer has probable cause that a violation has occurred based on a clear and unobstructed view of a driver making unlawful use of a wireless electronic communication device. A law enforcement officer may not seize, search, view, or require the forfeiture of a wireless electronic communication device because of a violation and is prohibited from searching or requesting to search a motor vehicle, driver, or passenger solely because of a violation of this prohibition on texting while driving. The Department of Public Safety is required to maintain statistical information regarding citations issued. During the first one hundred eighty days after the law goes into effect, law enforcement officers shall issue only warnings for violations. The legislation preempts all local government ordinances, regulations, and resolutions relating to the use of wireless electronic communication devices while driving on the public streets and highways of this state.

*STATUS: Having been approved by the General Assembly,* ***S.459*** *was ratified on June 5, 2014, (R.270) and was signed into law by the Governor on June 9 (Act No. 260).*

**USE OF DIGITAL VIDEO RECORDINGS TO ENFORCE TRAFFIC VIOLATIONS INVOLVING THE UNLAWFUL PASSING OF STOPPED SCHOOL BUSES**

The General Assembly approved [**H.5014**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5014&session=120&summary=B), legislation which among other things establishes new provisions for the use of digital video recordings to enforce traffic violations involving the unlawful passing of stopped school buses. The legislation provides that a school bus may be equipped with a digital video recording device that is mounted so that it has a clear view of vehicles passing the bus on either side and shows the date and time the recording was made as well as an electronic symbol indicating the activation of amber lights, flashing red lights, stop arms, and brakes. Provisions are included to allow traffic citations to be issued based entirely or partially upon images obtained from a digital video recording device mounted on a school bus and for recordings to be used as evidence at hearings related to corroborate the testimony of the school bus driver or any other witnesses.

*STATUS: Having been approved by the General Assembly,* ***H.5014*** *was ratified June 5, 2014, (R.310) and was signed into law by the Governor on June 9 (Act No. 274).*

**INSURANCE**

**AUTOMOBILE INSURANCE COVERAGE VERIFICATION ISSUED IN AN ELECTRONIC FORMAT**

The General Assembly approved **H.3623** to provide authorization for automobile insurers to issue coverage verification in an electronic format that may be displayed on an insured's mobile electronic device. If an automobile insurer chooses to provide verification in an electronic format, the insured may display this electronic proof of automobile insurance coverage on a smartphone or other mobile electronic device in order to provide a law enforcement officer with evidence that he satisfies the financial responsibility requirements established for drivers under state law. Information contained or stored in a mobile electronic device that is presented for proof of insurance purposes is not subject to a search by a law enforcement officer without a search warrant or the express written consent of the lawful owner of the device.

*STATUS: Having passed the General Assembly,* ***H.3623*** *was ratified on*

*February 27, 2014, (R.133) and was signed into law by the Governor on March 4*

*(Act No. 128).*

**COMPETITIVE PROPERTY INSURANCE PROVISIONS**

The General Assembly approved **S.569**, a bill that expands the responsibilities of the state's Department of Insurance to address consumer issues driven by the coastal property insurance market. The legislation requires the Director of the Department of Insurance to engage in efforts to provide market assistance and promote consumer education to the state's residential property insurance consumers, including such initiatives as maintaining website information to assist consumers in understanding the general provisions of homeowners insurance policies, providing information on available mitigation discounts and credits, maintaining a list of insurers writing coverage in the area, facilitating premium comparison, and providing information on catastrophe savings accounts. The legislation expands the director's annual reporting requirements regarding the status of the coastal property insurance market. The legislation establishes new notification and disclosure requirements for insurers relating to coastal property insurance programs and issues. The Department of Insurance is charged with conducting a study to assess the feasibility of the creation of a hurricane model by the state, with particular emphasis on the associated costs and physical/logistical requirements. The study also must assess the benefits to consumers of a South Carolina‑produced model, including an evaluation of whether it would yield more accurate assessments of risk and better rates. The department shall summarize its findings in a written report that it must provide to the Senate Banking and Insurance Committee and the House Labor, Commerce and Industry Committee before January 1, 2015.

*STATUS: Having passed the General Assembly,* ***S.569*** *was ratified on May 29, 2014, (R.215) and was signed into law by the Governor on June 2 (Act No. 191).*

**SAFEGUARDS AGAINST AN UNINTENTIONAL LAPSE IN** **A LONG‑TERM CARE INSURANCE POLICY**

The General Assembly approved **H.4916**, a bill establishing safeguards against an unintentional lapse in a long‑term care insurance policy. As a protection against unintentional lapse, the legislation establishes notification requirements for an insurer before it may consider a long‑term care insurance policy that it has written to be terminated at the request of the policyholder or certificate holder or lapsed or terminated for nonpayment of premium. The legislation establishes a protocol requiring the reinstatement of coverage in the event of lapse or termination if the insurer is provided proof that the policyholder or certificate holder was cognitively impaired or had a loss of functional capacity before the policy's grace period expired.

*STATUS: Having passed the General Assembly,* ***H.4916*** *was ratified on May 29, 2014, (R.263) and was signed into law by the Governor on June 2 (Act No. 209).*

**MILITARY**

**ADJUTANT GENERAL, PROPOSED CONSTITUTIONAL AMENDMENT FOR APPOINTMENT BY THE GOVERNOR AND STATUTORY PROVISIONS FOR THE APPOINTMENT IN THE EVENT THAT THE NECESSARY CONSTITUTIONAL AMENDMENT IS APPROVED BY THE STATE'S VOTERS AND IS RATIFIED**

**Proposed Constitutional Amendment for the Adjutant General to be Appointed by the Governor rather than Elected**

The General Assembly approved [**H.3541**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3541&session=120&summary=B), a proposed constitutional amendment for the Adjutant General to be appointed by the Governor rather than elected. The joint resolution proposes to amend the South Carolina Constitution by removing the Adjutant General from the list of statewide elected officials and providing instead for the Adjutant General to be appointed by the Governor, upon the advice and consent of the Senate. The proposed constitutional amendment must be submitted to the state's voters as a ballot question at the next general election. If the constitution is amended, the new appointment process would begin with the expiration of the term of the Adjutant General who is serving in office when the amendment is ratified.

**Statutory Provisions for the Appointment of the Adjutant General by the Governor in the Event that the Constitutional Amendment is approved by the State's Voters and is Ratified**

The General Assembly also approved [**H.3540**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3540&session=120&summary=B), legislation which makes statutory provisions for the appointment of the Adjutant General by the Governor in the event that the necessary constitutional amendment is approved by the state's voters and ratified. The legislation establishes provisions relating to: the duties of the office; the minimum command experience, South Carolina National Guard service requirements, and other qualifications for the office; the procedures by which the appointment is made; terms of service; and, the procedures by which the Adjutant General may be removed from office by the Governor only for certain reasons constituting cause.

*STATUS: Having been approved by the General Assembly,* ***H.3541*** *was ratified by the General Assembly on May 29, 2014, (R.250) and the signature of the Governor is not required (Act No. 297).*

*Having been approved by the General Assembly* ***H.3540*** *was ratified by the General Assembly on May 29, 2014, (R.249) and was signed into law by the Governor on June 3 (Act No. 224).*

**DAY OF RECOGNITION FOR VETERANS' SPOUSES**

**AND FAMILIES**

The General Assembly approved [**H.4527**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4527&session=120&summary=B), legislation designating the Friday after Thanksgiving as **"**A Day of Recognition for Veterans' Spouses and Families" to acknowledge the invaluable support and sacrifice of veteran's family members.

*STATUS: Having been approved by the General Assembly,* ***H.4527*** *was ratified on May 29, 2014, (R.257) and was signed into law by the Governor on June 2 (Act No. 204).*

**EXPANSION OF THE OWNER‑OCCUPIED RESIDENTIAL PROPERTY TAX ASSESSMENT RATIO ELIGIBILITY FOR MILITARY PERSONNEL**

The General Assembly approved **H.3027**, legislation that provides for the expansion of the owner‑occupied residential property tax assessment ratio eligibility for military personnel. The legislation provides that an active duty member of the Armed Forces of the United States who receives the special assessment ratio for owner‑occupied residential property retains this four percent assessment ratio as long as the owner remains on active duty, regardless of the owner’s subsequent relocation or change of duty station and regardless of any rental income attributable to the property. The legislation also provides that an eligible active duty member of the U.S. Armed Forces who receives orders for a permanent change of station or a temporary duty assignment for at least one year, may claim the four percent assessment ratio and applicable exemptions for two residential properties located in the State for up to two years so long as the owner is attempting to sell the first acquired residence. These provisions also include the spouse of the service member who jointly owns the qualifying property.

*STATUS: Having passed the General Assembly,* ***H.3027*** *was ratified on March 11, 2014, (R.145) and was signed into law by the Governor on March 13 (Act No. 133).*

**EXTENSION ON THE EXPIRATION OF A DRIVER'S LICENSE FOR A MEMBER OF THE U.S. ARMED FORCES WHO IS DEPLOYED OR REASSIGNED OUTSIDE THE STATE**

The General Assembly approved legislation that allows for a ninety day extension on the expiration of a driver's license for a member of the U.S. Armed Forces who is deployed or reassigned outside the state. The extension is also allowed for civilian

employees of the Department of Defense whose duties in support of the military take them out of state.

*STATUS: Having been approved by the General Assembly,* ***S.999*** *was ratified on June 9 2014, (R.315) and was signed into law by the Governor on June 9 (Act No. 285).*

**HIRING PREFERENCES FOR VETERANS**

The General Assembly approved **H.4922**, legislation authorizing hiring preferences for veterans. The legislation provides that it is not an unlawful employment practice for a private employer to give preference in employment to a veteran. This preference is also extended to the veteran’s spouse if the veteran has a service‑connected permanent and total disability. The legislation provides that these hiring preferences are not violations of the South Carolina Human Affairs Law provisions that address discriminatory employment practices.

*STATUS: Having passed the General Assembly,* ***H.4922*** *was ratified on May 29, 2014, (R.264) and was signed into law by the Governor on June 2 (Act No. 210).*

**"MILITARY FAMILY QUALITY OF LIFE ENHANCEMENT ACT**

**OF 2014"**

The General Assembly approved **S.825**, the "Military Family Quality of Life Enhancement Act of 2014", to establish several initiatives that are geared towards benefitting military service members and their families.

**Voting Provisions**

This legislation allows members of the Armed Forces and Merchant Marines, their spouses, and dependents residing with them to vote by absentee ballot in all elections, whether or not they are absent in their county of residence on election day.

**Annual Report on the K-12 Educational Performance of Military-Connected Children**

This legislation directs the Education Oversight Committee, working with the State Board of Education, to establish a comprehensive annual report concerning the performance of military-connected children who attend primary, elementary, middle, and high schools in South Carolina. The annual comprehensive report must address at least attendance, academic performance in reading, math, and science, and graduation rates of military‑connected children.

**Medicaid Waiver Protections**

The legislation provides for Medicaid waiver protections so that the State Department of Health and Human Services shall, to the extent possible and upon the department of receiving federal approval, maintain the waiver status of an eligible family member of a member of the armed services who maintains his South Carolina state residence, regardless of where the service member is stationed.

**Military-Connected Children's Welfare Task Force**

The legislation creates the Military-Connected Children's Welfare Task Force for the purpose of identifying issues related to military-connected children and opening communication between child welfare agencies of South Carolina and local military installations. The legislation provides for the membership of the task force and that the members serve without compensation and may not receive mileage or per diem. The legislation requires the task force to submit an annual written report to the General Assembly. The findings and recommendations of the task force must also be posted on the Department of Health and Human Services' website.

**Military Housing Facilities Tax Exemption**

The legislation provides for a military housing facilities tax exemptionby exempting from ad valorem taxation any real property located within a military base or installation that is used or owned by the United States Armed Forces and is used as military housing for military affiliated personnel and their families even if the real property is improved, maintained, or leased to a party that would otherwise subject the real property to the tax, so long as there is a contractual agreement requiring the lessee to use the property for military housing.

*STATUS: Having passed the General Assembly,* ***S.825*** *was ratified on June 20, 2014, (R.323) and was signed into law by the Governor on June 23 (Act No. 289).*

**SOUTH CAROLINA PRISONER OF WAR "POW" MEDAL**

The General Assembly approved **S.1173** legislation creating a South Carolina Prisoner of War "POW" Medal that the Governor may present on behalf of the people of South Carolina to current and former residents of the state who have been held as a prisoner of war in the course of their military service.

*STATUS: Having been approved by the General Assembly,* ***S.1173*** *was ratified on May 29, 2014, (R.238) and was signed into law by the Governor on June 2 (Act No. 233).*

**"SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT"**

The General Assembly approved [**H.4259**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4259&session=120&summary=B), the "South Carolina Military Service Integrity and Preservation Act". The legislation establishes a criminal penalty for someone who, with the intent of securing a tangible benefit, knowingly and falsely represents himself through a written or oral communication, including a resume, to have served in the Armed Forces of the United States or to have been awarded a decoration, medal, ribbon, or other device authorized by Congress or pursuant to federal law for the Armed Forces of the United States. A violation is a misdemeanor subject to a fine of up to five thousand dollars and/or imprisonment for up to one year.

*STATUS: Having been approved by the General Assembly,* ***H.4259*** *was ratified on May 15, 2014, (R.192) and was signed into law by the Governor on May 16 (Act No. 175).*

**"SPIRIT OF ‘45 DAY"**

The General Assembly approved [**H.4788**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4788&session=120&summary=B), legislation designating the second Sunday in August as "Spirit of ‘45 Day**"** to commemorate the anniversary of the end of World War II.

*STATUS: Having been approved by the General Assembly,* ***H.4788*** *was ratified on June 5, 2014, (R.307) and was signed into law on June 6 (Act No. 257).*

**"VETERANS TREATMENT COURT PROGRAM ACT**

The General Assembly approved [**H.3014**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3014&session=120&summary=B), legislation which enacts the "Veterans Treatment Court Program Act"to address the criminal justice system's encounters with veterans who have returned from their military service having sustained traumatic brain injuries or suffering from service-related mental health impairments, such as post-traumatic stress disorder, depression, anxiety or acute stress. This legislation provides authority for each circuit solicitor to establish a veterans treatment court program to divert qualifying nonviolent military veteran offenders away from the criminal justice system and into appropriate mental health and substance abuse treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative.

*STATUS: Having been approved by the General Assembly,* ***H.3014*** *was ratified on June 9, 2014, (R.316) and was signed into law on June 10 (Act No. 280).*

**NATURAL RESOURCES, ENVIRONMENTAL AFFAIRS,**

**AND AGRICULTURE**

**BLUE CATFISH FISHING LIMITS AND STUDY COMMITTEE**

The legislation revises daily fishing limits for Blue Catfish. The legislation provides that taking or possessing more than the legal creel or size limit of blue catfish is a fourteen point violation. In addition, the Department of Natural Resources must conduct a study on the status of the state's blue catfish population and present its findings to the General Assembly before January 1, 2018.

*STATUS: Having been approved by the General Assembly,* ***H.4543*** *was ratified on June 5, 2014, (R.301) and signed into law by the Governor on June 6 (Act No. 254).*

FALCONRY

The General Assembly approved legislation establishing a state permitting process for engaging in falconry the hunting of wild quarry in its natural state and habitat by means of a trained bird of prey or raptor (Order Falconiformes or Order Strigiformes other than a bald eagle). Since the federal government has returned oversight of falconry to the states, this legislation establishes state-level provisions to allow falconry to continue to be conducted lawfully in South Carolina. A person holding a valid federal falconry permit on January 1, 2014, may engage in falconry without a South Carolina falconer's permit until the federal permit expires.

*STATUS: Having been approved by the General Assembly,* ***S.913*** *was ratified on May 15, 2014, (R.178) and was signed into law by the Governor on May 16 (Act No. 165).*

**GAME ZONE CONSOLIDATION**

The General Assembly approved legislation consolidating game zones within the state. The legislation reduces the state's current six game zones into four larger game zones in order to bring greater standardization and simplification to the laws governing the hunting of wild game in South Carolina. The legislation provides for

the merger of the current Game Zone 6 into Game Zone 3 and the current Game Zone 5 into Game Zone 4 and makes various adjustments to hunting limitations.

*STATUS: Having been approved by the General Assembly,* **S.1071***was ratified on May 29, 2014, (R.232) and was signed into law by the Governor on June 2 (Act No. 227).*

**INDUSTRIAL HEMP**

The General Assembly approved legislation authorizing industrial hemp to be grown in South Carolina. With the inclusion of hemp in the recently enacted federal farm bill, several states have enacted legislation authorizing the cultivation of this fiber and oilseed crop that has a wide variety of uses, including twine, rope, paper, construction materials, carpeting, and clothing, has applications in manufacturing industrial oils, cosmetics, medicines, and food, and has the potential for use as a cellulosic ethanol biofuel. The legislation distinguishes hemp grown for scientific, economic, and environmental uses from the narcotic marijuana, a genetically different cultivar of the same plant species, and provides authorization for cultivating industrial hemp in this State to be used for any lawful purpose. Industrial hemp is excluded from the state's statutory definition of marijuana. Criminal penalties are established to address the cultivation of industrial hemp as a means of disguising marijuana production or distribution operations. A violation is a misdemeanor that carries a term of imprisonment for up to three years and/or a fine of up to three thousand dollars.

*STATUS: Having been approved by the General Assembly,* ***S.839*** *was ratified on May 29, 2014, (R.223) and was signed into law by the Governor on June 2 (Act No. 216).*

**INTERSTATE BOATING VIOLATOR COMPACT**

The General Assembly approved legislation authorizing the South Carolina Department of Natural Resources to enter into an Interstate Boating Violator Compact that assists law enforcement in enforcing boating laws on watercraft that cross lines of jurisdiction as they travel through the waters of this state and neighboring states.

*STATUS: Having been approved by the General Assembly,* ***H.4561*** *was ratified on May 15, 2014, (R.195) and was signed into law by the Governor on May 16 (Act No. 178).*

**RESTRICTIONS ON HUNTING DEER NEAR A RESIDENCE**

The General Assembly approved legislation modifying the current prohibition on hunting deer within three hundred yards of a residence without the permission of the homeowner and occupant, by providing that this restriction does not apply when the hunter is elevated at least ten feet above the ground. The legislation provides that this prohibition applies to hunting deer with a firearm.

*STATUS: Having been approved by the General Assembly,* ***S.876*** *was ratified on June 5, 2014, (R.275) and was signed into law by the Governor on June 6 (Act No. 246).*

**"SOUTH CAROLINA CAPTIVE ALLIGATOR PROPAGATION ACT"**

The General Assembly approved legislation that provides for the "South Carolina Alligator Propagation Act". The legislation allows the Department of Natural Resources to regulate the business of propagating alligators for commercial purposes as well as the hunting, control and management of alligators.

*STATUS: Having been approved by the General Assembly,* ***S.714*** *was ratified on April 10, 2014, (R.167) and was signed into law by the Governor on April 14 (Act No. 159).*

**UNLAWFUL TO TAKE OR POSSESS A GREAT WHITE SHARK**

The General Assembly approved legislation outlining that it is unlawful to take or possess a great white shark. Any great white shark that is caught must be released immediately and must remain completely in the water at all times while being released.

*STATUS: Having been approved by the General Assembly,* ***H.4551*** *was ratified on May 29, 2014, (R.258) and was signed into law by the Governor on June 2 (Act No. 205).*

**NONPROFITS AND VOLUNTEERS**

**BACKGROUND CHECKS FOR VOLUNTEERS AND CERTAIN POSITIONS AFFILIATED WITH THE SOUTH CAROLINA COMMISSION ON NATIONAL AND COMMUNITY SERVICE**

The General Assembly approved [**S.817**](http://www.scstatehouse.gov/billsearch.php?billnumbers=817&session=120&summary=B), legislation which provides for background checks for volunteers and certain positions affiliated with the South Carolina Commission on National and Community Service. Both state and national criminal history background checks are required, unless the commission determines that the background check requirement for a person has been satisfied through another process. Also, the legislation requires the commission to pay for the backgrounds checks.

*STATUS: Having been approved by the General Assembly,* ***S.817*** *was ratified on May 15, 2014, (R.175) and was signed into law by the Governor on May 16 (Act No. 163).*

**CRIMINAL RECORD SEARCHES FOR**

**CHARITABLE ORGANIZATIONS**

The General Assembly approved [**S.495**](http://www.scstatehouse.gov/billsearch.php?billnumbers=495&session=120&summary=B), legislation which relates to criminal record searches for charitable organizations. The legislation clarifies the definition of charitable organizations which pay a reduced fee includes local park and recreation volunteers through a commission, municipality, county, or the South Carolina Department of Parks, Recreation and Tourism. The legislation further provides that an organization that is authorized to receive the reduced fee shall not charge the volunteer, mentor, member, or employee more than $8 or any additional fee that is not required by the State Law Enforcement Division. The legislation requires all criminal record searches conducted for charitable organizations to be for a volunteer, mentor, member, or employee performing in an official capacity of the organization and prohibits them from being resold.

*STATUS: Having been approved by the General Assembly,* ***S.495*** *was ratified on May 29, 2014, (R.211) and was signed into law by the Governor on June 2 (Act No. 187).*

**INDIVIDUAL INCOME TAX DEDUCTION FOR VOLUNTEER**

**STATE CONSTABLES**

The General Assembly approved **H.3089**, legislation that provides for a maximum three thousand dollar a year individual income tax deduction for volunteer state constables.

*STATUS: Having passed the General Assembly,* ***H.3089*** *was ratified on March 11, 2014, (R.146) and was signed into law by the Governor on March 13 (Act No. 134).*

**SOUTH CAROLINA CHARITABLE SOLICITATION OF FUNDS**

**ACT REVISIONS**

The General Assembly approved [**H.3367**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3367&session=120&summary=B), legislation updating and revising provisions of the South Carolina Charitable Solicitation of Funds Act. Among other things, the legislation clarifies and updates various definitions; clarifies that any organization that has filed a registration statement with the Secretary of State's office for a fiscal year is required to file an annual financial report for that fiscal year; and clarifies professional solicitor and professional fundraising counsel registration requirements, including reporting of criminal convictions involving forgery and theft. The legislation revises the "notice of solicitation" and "joint financial reporting" requirements. Also, it requires commercial co-venturers to submit a registration form that discloses similar information as is required for professional solicitors and fundraising counsel.

*STATUS: Having been approved by the General Assembly,* ***H.3367*** *was ratified March 11, 2014, (R. 147) and was signed into law by the Governor on March 13 (Act No. 135).*

**SENIOR CITIZENS**

**GRANDPARENT VISITATION**

The General Assembly approved [**H.4348**](http://www.scstatehouse.gov/billsearch.php?billnumbers=4348&session=120&summary=B), a legislation addressing court-ordered grandparent visitation of minor children. The legislation enhances the authority of the state's family courts to order visitation for grandparents of minor children in instances where the parents are divorced, deceased, or living separate and apart in different habitats by eliminating the current prerequisite for visitation orders that the

grandparent must have maintained a relationship with the minor child that is similar to a parent-child relationship.

*STATUS: Having been approved by the General Assembly,* ***H.4348*** *was ratified on June 5, 2014, (R.299) and was signed into law by the Governor on June 9 (Act No. 270).*

**IDENTITY THEFT SAFEGUARDS FOR PROTECTED CONSUMERS**

The General Assembly approved **S.148**, legislation establishing identity theft safeguards for protected consumers, a special class of consumers composed of children as well as adults who are incapacitated or otherwise under another's guardianship. To help prevent the identities of these protected consumers from being stolen and used for such purposes as opening fraudulent credit accounts, the legislation establishes requirements for consumer reporting agencies to place security freezes on the records of those under the age of sixteen as well as incapacitated individuals and protected individuals for whom a guardian or conservator has been appointed upon the request of parents or other representatives who can produce sufficient proof of their authority to act on behalf of the protected consumers. A consumer reporting agency may not charge any fees for implementing security freezes for protected consumers or for creating any consumer credit files needed to implement such security freezes.

*STATUS: Having passed the General Assembly,* ***S.148*** *was ratified on April 3, 2014, (R.153) and was signed into law by the Governor on April 7 (Act No. 145).*

**LONG-TERM CARE FACILITY RESIDENTS**

The General Assembly approved legislation relating to long-term care facility residents. The legislation provides that if the residential care resident or the resident’s representative chooses to voluntarily relocate from the resident’s current facility, the resident or the resident’s representative must give written notice of intent to relocate not less than fourteen days before the resident’s relocation becomes effective. Voluntary relocation does not occur when a resident of a community residential care facility seeks to be discharged because a higher level of care is required or because the resident’s health, safety, or welfare is endangered. If the timely notice is not given, the resident may be charged the equivalent of fourteen days occupancy. If the facility is able to fill the bed vacated by the resident, the facility shall cease charging the resident regardless of the notice given and shall notify the previous resident in writing as soon as it fills the bed with a

new resident. Residents participating in the Optional State Supplementation Program are excluded from these requirements.

*STATUS: Having been approved by the General Assembly,* ***H.3098*** *was ratified May 15, 2014, (R.187) and was signed into law by the Governor on May 16 (Act No. 170).*

**SAFEGUARDS AGAINST AN UNINTENTIONAL LAPSE IN** **A LONG‑TERM CARE INSURANCE POLICY**

The General Assembly approved **H.4916**, a bill establishing safeguards against an unintentional lapse in a long‑term care insurance policy. As a protection against unintentional lapse, the legislation establishes notification requirements for an insurer before it may consider a long‑term care insurance policy that it has written to be terminated at the request of the policyholder or certificate holder or lapsed or terminated for nonpayment of premium. The legislation establishes a protocol requiring the reinstatement of coverage in the event of lapse or termination if the insurer is provided proof that the policyholder or certificate holder was cognitively impaired or had a loss of functional capacity before the policy's grace period expired.

*STATUS: Having passed the General Assembly,* ***H.4916*** *was ratified on May 29, 2014, (R.263) and was signed into law by the Governor on June 2 (Act No. 209).*

**VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM IN THE OFFICE ON AGING**

The General Assembly approved [**S.764**](http://www.scstatehouse.gov/billsearch.php?billnumbers=764&session=120&summary=B), legislation which creates the Vulnerable Adult Guardian Ad Litem Program in the Office on Aging within the Lieutenant Governor's Office to serve as a statewide system to recruit, train, and supervise volunteers to serve as court appointed guardians ad litem for vulnerable adults in abuse, neglect, and exploitation proceedings within family court. A guardian ad litem is charged in general with representing the vulnerable adult's best interests. The legislation provides the duties and responsibilities of a guardian ad litem. A guardian ad litem may be a layperson or an attorney; the legislation provides qualifications to become a guardian ad litem. The legislation authorizes the Vulnerable Adult Guardian Ad Litem Program to intervene in proceedings to petition for removal of a guardian ad litem under certain conditions, and it requires information, reports, and records to be made available to guardians ad litem by state and federal agencies, medical and dental practitioners, and financial institutions. The legislation provides that reports and information collected and maintained by the program are confidential, and it provides for civil immunity for guardians ad litem when acting in good faith and in the absence of gross negligence. The legislation also provides that a party may move to have the guardian ad litem relieved of his services if the party demonstrates that the vulnerable adult has the capacity to assist counsel in the protective services case.

*STATUS: Having been approved by the General Assembly,* ***S.764*** *was ratified on May 15, 2014, (R.174) and was signed into law by the Governor on May 16 (Act No. 162).*

**STATE GOVERNMENT RESTRUCTURING**

"**SOUTH CAROLINA RESTRUCTURING ACT OF 2014"**

The General Assembly approved [**S.22**](http://www.scstatehouse.gov/billsearch.php?billnumbers=22&session=120&summary=B), the "South Carolina Restructuring Act of 2014**"**, legislation that provides for comprehensive changes to the organization and oversight of state government. The legislation abolishes the State Budget and Control Board and transfers the majority of the board's functions, including facilities management, property services, vehicle fleet management, information technology, and human resources responsibilities, to a new Department of Administration that is established in the executive branch and headed by a director who is appointed by the Governor upon the advice and consent of the Senate. Composed of the Governor, Treasurer, Comptroller General, Chairman of the Senate Finance Committee, and Chairman of the House Ways and Means Committee, the State Fiscal Accountability Authority is established to assume some of the Budget and Control Board's key responsibilities relating to the state's finances. The State Fiscal Accountability Authority houses such offices as the State Auditor, the Procurement Services Division, and the Insurance Reserve Fund, and is given approval authority over all decisions that relate to the state's bonded indebtedness, lending, and major transactions involving state property. A Revenue and Fiscal Affairs Office is created comprising the Board of Economic Advisors and other components of the Budget and Control Board that relate to state revenue forecasts, the preparation of the state government budget in the legislature, estimation of the fiscal impact of proposed legislation, economic research, and precinct demographics. In addition to various restructuring initiatives, the legislation includes new provisions for the legislative oversight of executive departments that empower legislative committees to conduct periodic reviews and launch special investigations for the purpose of determining which state government programs continue to serve worthwhile purposes and which should be scaled back or eliminated altogether.

**State Budget and Control Board Abolished**

Effective July 1, 2015, the legislation abolishes the State Budget and Control Board and transfers its various divisions and responsibilities. The legislation provides for the elimination of at least sixty vacant full time employee positions within the board prior to the devolvement of its duties and functions.

**Department of Administration**

The legislation establishes the Department of Administration under the executive branch of state government to be headed by a director who is appointed by the Governor upon the advice and consent of the Senate. The following offices, divisions or components of the State Budget and Control Board, Office of Governor, or other agencies are transferred to and incorporated into the Department of Administration:

 Division of General Services encompassing Business Operations, Facilities Management, State Building and Property Services, and Agency Services, including surplus property, intrastate mail, parking, and state vehicle fleet management

 Office of Human Resources

 Division of State Information Technology including the Data Center, Telecommunications and Information Technology Services, the South Carolina Enterprise Information System, and the Division of Information Security

 Those portions of the State Budget Office necessary to create an Executive Budget Office

 Office of Economic Opportunity

 Developmental Disabilities Council

 Continuum of Care for Emotionally Disturbed Children

 Guardian Ad Litem Program

 Children's Case Resolution System

 Division for the Review of the Foster Care of Children

 Client Assistance Program

 Division of Veterans' Affairs

 Commission on Women

 Office of Victims Assistance, including the SC Victims Advisory Board and the Victims Compensation Fund

 Crime Victims' Ombudsman

 Governor's Office of Ombudsman

 Division of Small and Minority Business Contracting and Certification

 Nuclear Advisory Council

**State Fiscal Accountability Authority**

The legislation establishes the State Fiscal Accountability Authority which is composed of: the Governor, who serves as chair; the State Treasurer; the Comptroller General; the Chairman of the Senate Finance Committee; and the Chairman of the House Ways and Means Committee. The State Fiscal Accountability Authority assumes all of the authority and responsibilities of the Budget and Control Board that relate to the issuance of bonds and bonding authority as well as grants, loans, and other forms of financial assistance. The State Fiscal Accountability Authority houses the Budget and Control Board's Procurement Services Division, the State Auditor, the Insurance Reserve Fund, the Permanent Improvement Projects Authority, the Infrastructure Facilities Authority, and the Water Quality Revolving Fund Authority. The approval of the State Fiscal Accountability Authority is required for undertaking major permanent improvements and for sales, leases, and other transactions involving state property of significant value. The Authority selects an executive director for a four-year term, and the executive director may only be removed for certain causes, such as misconduct, incompetency, conflicts of interest, persistent neglect of duty, or incapacity.

**Revenue and Fiscal Affairs Office**

The legislation establishes the Revenue and Fiscal Affairs Office to be governed by the three appointed members of the Board of Economic Advisors. The office is comprised of the Board of Economic Advisors, those portions of the Office of State Budget that are not transferred to the Department of Administration to form an Executive Budget Office, and the Office of Research and Statistics, which is made up of an Economic Research division and an Office of Precinct Demographics division. The legislation provides for the Board of Economic Advisors unanimously to select an Executive Director of the Revenue and Fiscal Affairs Office to serve a four-year term. The executive director may only be removed for certain causes, such as misconduct, incompetency, conflicts of interest, persistent neglect of duty, or incapacity.

**Other Transfers and Revisions**

The Budget and Control Board's Local Government Division, Water Resources Coordinating Council, and Division of Regional Development are transferred to the South Carolina Rural Infrastructure Authority.

The State Energy Office is transferred from the Budget and Control Board to the Office of Regulatory Staff.

The Department of Health and Environmental Control assumes responsibilities of the Budget and Control Board that relate to the regulation of geothermal resources and minerals and mineral interests on public land.

The South Carolina Confederate Relic Room and Military Museum is transferred from the Budget and Control Board to be governed by a new nine-member commission composed of gubernatorial and legislative appointees.

The legislation provides for four additional members of the Charleston Naval Complex Redevelopment Authority, establishes the Charleston Navy Base Museum Authority as a division of Redevelopment Authority, and assigns new duties relating to the Hunley Commission.

**Revenue Shortfalls and Agency Deficits**

With the abolition of the Budget and Control Board, the legislation establishes a revised protocol for responding to state revenue shortfalls. Under the revisions, the Director of the Executive Budget Office is responsible for ordering the necessary across-the-board reductions in general fund appropriations within three days of when the Board of Economic Advisors, at the end of the first, second, or third quarter of any fiscal year, reduces its revenue forecast for the fiscal year by three percent or less below the amount projected when the general appropriations bill was ratified. If at the end of the first, second, or third quarter of any fiscal year, the Board of Economic Advisors reduces its revenue forecast by more than three percent, the President Pro Tempore of the Senate and the Speaker of the House of Representatives may call each respective house into session to take action to avoid a year-end deficit. If the General Assembly has not taken action within twenty days of the BEA's determination, the Director of the Executive Budget Office must make the required reductions in general fund appropriations.

The legislation includes the "State Agency Deficit Prevention and Recognition Act" which establishes the responsibility of each state agency, department, and institution to operate within the limits of appropriations, imposes reporting requirements concerning impending agency deficits, and prescribes steps that must be taken to counter deficits. Under the legislation, the General Assembly has exclusive authority over recognizing a state agency deficit through a joint resolution.

**Legislative Oversight of Executive Departments**

The legislation includes new provisions for the legislative oversight of executive departments that authorize legislative committees to conduct periodic reviews and launch special investigations for the purpose of determining which state government programs continue to serve worthwhile purposes and which should be scaled back or eliminated altogether. All agencies are subjected to a periodic review utilizing a seven-year rotation schedule in the standing committees that have subject matter jurisdiction. Authority is provided for a committee of the General Assembly to conduct special investigations, as needed, without regard to the usual seven-year schedule for agency review. Joint investigating committees may also be formed. All testimony given to a legislative investigating committee must be under oath. All witnesses are entitled to counsel, and a witness shall be given the benefit of any privilege which he may have claimed in court as a party in a civil action. Anyone who wilfully gives false, materially misleading, or materially incomplete testimony under oath to a legislative investigating committee is guilty of the felony offense of contempt of the General Assembly subject to a fine within the discretion of the court and/or imprisonment for not more than five years. A person is guilty of criminal contempt when, having been duly subpoenaed to attend as a witness before an investigating committee of the General Assembly, he: fails or refuses to attend without lawful excuse; refuses to be sworn; refuses to answer any material and proper question; or, refuses, after reasonable notice, to produce books, papers, or documents in his possession or under his control which constitute material and proper evidence. A violator of this felony offense is subject to a fine within the discretion of the court and/or imprisonment for not more than five years. The chairman of the investigating committee may also direct the Legislative Audit Council to perform evaluations, and the scope of the Legislative Audit Council's audits of state agencies is expanded to include determinations of whether organizations, programs, activities, or functions should be continued, revised, or eliminated.

**Assessment of State Government Restructuring**

In 2020, the Legislative Audit Council is required to conduct a performance review of the provisions of this legislation to determine its effectiveness and achievements with regard to the more efficient performance of the functions and duties of the various agencies and the cost savings and benefits to the state.

*STATUS: Having been approved by the General Assembly,* ***S.22*** *was ratified on January 23, 2014, (R.124) and was signed into law by the Governor on January 27 (Act No. 121).*

**TRANSPORTATION**

**COMMERCIAL DRIVER LICENSE ENDORSEMENTS**

The General Assembly approved [**H.5014**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5014&session=120&summary=B), legislation, which among other things, eliminates the various endorsements and restrictions that may be attached to a commercial driver license, and instead it provides that endorsements and restrictions may be added to a commercial driver license as required under the federal motor carrier safety regulations.

*STATUS: Having been approved by the General Assembly,* ***H.5014*** *was ratified June 5, 2014, (R.310) and was signed into law by the Governor on June 9 (Act No. 274).*

**EXTENSION ON THE EXPIRATION OF A DRIVER'S LICENSE FOR A MEMBER OF THE U.S. ARMED FORCES WHO IS DEPLOYED OR REASSIGNED OUTSIDE THE STATE**

The General Assembly approved legislation that allows for a ninety day extension on the expiration of a driver's license for a member of the U.S. Armed Forces who is deployed or reassigned outside the state. The extension is also allowed for civilian

employees of the Department of Defense whose duties in support of the military take them out of state.

*STATUS: Having been approved by the General Assembly,* ***S.999*** *was ratified on June 9 2014, (R.315) and was signed into law by the Governor on June 9 (Act No. 285).*

**ELECTRONIC VEHICLE REGISTRATIONS AND ELECTRONIC LIENS AND TITLING PROGRAMS**

The General Assembly approved **H.3904**, legislation that provides authorization for the Department of Motor Vehicles to expand its electronic vehicle registrations and electronic liens and titling programs to allow for processing of DMV transactions by more third party providers. Also, the legislation authorizes the DMV to convene a working group composed of members of lienholder community representing applicable industries, chaired by the director of the department or his designee, for the purpose of assisting in the development of program specifications governing the transmission of electronic lien information between lienholders and the department, and maximize the use of the program by various lien stakeholders. The department is charged with promulgating regulations pursuant to the specifications and standards for lien recording and releasing developed by the working group.

*STATUS: Having been approved by the General Assembly,* ***H.3904*** *was ratified May 29, 2014, (R.253) and was signed into law by the Governor on June 2 (Act No. 201).*

**PROHIBITION ON DISCRIMINATION AGAINST MOTORCYCLES IN PUBLIC TRANSPORTATION POLICIES**

The House General Assembly approved [**H.3231**](http://www.scstatehouse.gov/billsearch.php?billnumbers=3231&session=120&summary=B), legislation prohibiting discrimination against motorcycles in public transportation policies. This legislation provides that in formulating transportation policy, promulgating regulations, allocating funds, and planning, designing, constructing, equipping, operating and maintaining transportation facilities, no action of the South Carolina Transportation Commission, or the South Carolina Department of Transportation shall have the effect of discriminating against motorcycles, motorcycle operators, or motorcycle passengers. The legislation further provides that no regulation or action of the commission, or department shall have the effect of enacting a prohibition or imposing a requirement that applies only to motorcycles or motorcyclists, the principal purpose of which is to restrict or inhibit access for motorcycles and motorcyclists to any highway, bridge, tunnel, or other transportation facility. Local governments are required to make reasonable accommodations for motorcycle parking in their parking garages and other transportation facilities. In carrying forward this requirement, among other options, these local government facilities, at their discretion, may comply by sectioning portions of the area where the size configuration of the space does not meet code requirements for full-size vehicles. The legislation provides that making reasonable accommodations for motorcycle parking does not mandate the structural or technological modification of existing parking structures.

*STATUS: Having been approved by the General Assembly,* ***H.3231*** *was ratified April 3, 2014, (R.157) and was signed into law by the Governor on April 7 (Act No. 148).*

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