**Vol. 35 March 12, 2018 No. 10**

**CONTENTS**

**HOUSE WEEK IN REVIEW 02**

**HOUSE COMMITTEE ACTION 05**

**BILLS INTRODUCED IN THE HOUSE THIS WEEK 10**

***NOTE: THESE SUMMARIES ARE PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ARE NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. THEY ARE STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND ARE NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.***

**HOUSE WEEK IN REVIEW**

The House of Representatives returned **S.954** to the Senate with amendments **ELIMINATING ALL CHARGES ON THE ELECTRIC BILLS OF SCE&G CUSTOMERS THAT SUPPORT THE FAILED V.C. SUMMER NUCLEAR POWER PROJECT**. As approved by the Senate, this joint resolution affords the Public Service Commission additional time to make a decision on whether the Base Load Review Act has been properly used to finance the failed nuclear power project in Fairfield County by providing for a PSC hearing on the matter no earlier than November 1, 2018, and requiring a PSC ruling by December 21, 2018. The House amended the legislation to provide that, while the PSC is conducting its review and rendering its decision under this timeline and during any appeals of decisions that could follow, the nuclear premium charge is to be removed from the power bills of SCE&G customers. The legislation orders new electricity rates for customers of SCANA Corporation’s South Carolina Electric and Gas to be reduced by eliminating all of the increases that have been imposed in recent years under the Base Load Review Act to finance the failed V.C. Summer nuclear power project in Fairfield County. These lower experimental rates would no longer include the increases, amounting to around 18% to 19.5%, that have been included on the power bills of SCE&G customers to fund construction of the nuclear reactors in Jenkinsville which have now been abandoned.

The House amended and gave second reading approval to **H.4628**, a bill enacting the **“SOUTH CAROLINA TELEPHONE PRIVACY PROTECTION ACT”** to replace current provisions for regulating unsolicited consumer telephone calls with updated and enhanced consumer protection provisions relating to telemarketers. The legislation establishes provisions governing the conduct of telephone solicitations that include requirements for a telephone solicitor to provide identifying information, contact information, and the option to be added to the telephone solicitor’s in‑house ‘do not call’ list. The legislation establishes prohibitions on directing telephone solicitations to telephone numbers that have been added to in‑house ‘do not call’ lists or the National Do Not Call Registry maintained by the federal government. The legislation prohibits the practice of falsifying caller identification system information known as spoofing, by disallowing a telephone solicitor from making a consumer telephone call with a telephone number that displays a South Carolina area code on the recipient’s caller identification system unless the telephone solicitor maintains a physical presence in the state. A telephone solicitor is also prohibited from displaying the receiving party’s telephone number on the contacted party’s caller identification system. A private cause of action is established for those harmed by violations. The Attorney General is authorized to investigate and enforce violations.

The House returned **H.4612**, legislation authorizing **SURETY BONDS FOR GENERAL AND MECHANICAL LICENSURE APPLICANTS**, to the Senate with amendments. Rather than providing financial statements showing a minimum net worth, this legislation affords applicants for general and mechanical licensure the option of satisfying financial requirements by providing a surety bond in an amount equal to the required net worth for the applicant’s license group. The surety bond option is offered as a means of accommodating those who operate under an employee option stock program arrangement which makes it difficult to satisfy minimum asset requirements.

The House amended, approved, and sent the Senate to **H.3197**, a bill **PROHIBITING THE CHARGING OF FEES FOR PERMITS FOR CREMATION, REMOVAL, TRANSIT, OR BURIAL OF A BODY**.

The House amended and gave second reading approval to **H.3064**, a bill **AUTHORIZING A LICENSED PHYSICIAN TO PRESCRIBE CONTRACEPTIVE DRUGS THAT MAY BE DISPENSED OVER A PERIOD OF UP TO THREE YEARS AFTER THE ORDER IS ISSUED**. These contraceptive drugs include all drugs approved by the United States Food and Drug Administration that are used to prevent pregnancy, including hormonal drugs administered orally, transdermally, or transvaginally.

The House amended, approved, and sent the Senate **H.4644**, a bill making revisions to **SOLID WASTE MANAGEMENT** provisions. The legislation makes revisions to the Solid Waste Management Trust Fund that includes recommendations from the House Legislative Oversight Committee’s review of the Department of Health and Environmental Control. The legislation establishes a **SOLID WASTE EMERGENCY FUND**, administered by DHEC, that is to be used to address a substantial release or threat of substantial release into the environment of any pollutant or other circumstance which may present an imminent and substantial danger to human health and the environment from a regulated solid waste facility. Two and one-half percent of the funds collected each quarter for the Solid Waste Management Trust Fund must be transferred to the Solid Waste Emergency Fund until the emergency fund reaches an unencumbered balance of $1.5 million. The legislation also provides that a permit to construct a new solid waste management facility or to expand an existing solid waste management facility may not be issued until the applicant provides documentation from the applicable local government of compliance with local land use and zoning ordinances along with the permit application. The legislation establishes permitting, registration, and oversight provisions for facilities that recycle construction and demolition debris.

The House amended, approved, and sent the Senate **H.4889**, a bill addressing **CONSERVATION EASEMENT CONDEMNATIONS.** This legislation allows conservation easement holders to contest actions, under specified circumstances, to condemn property restricted by a conservation easement. In addition, when a court determines that a prudent and feasible alternative to condemnation has been presented by a condemnee, or a conservation easement holder, the condemnation proceedings must cease.

The House amended, approved, and sent the Senate **H.4683**, the **“BEACHFRONT MANAGEMENT REFORM ACT”**. The legislation makes revisions to the limitations placed on the development of oceanfront property and other coastal areas. The legislation provides that, between the establishment cycle of January 1, 2016, and December 31, 2019, the Department of Health and Environmental Control must use the established baselines and setback lines that were established by January 31, 2012. After December 31, 2023, the department must initiate baselines and setback lines for all geographic areas where baselines and setback lines were established by January 31, 2012. The legislation includes provisions for how DHEC is to evaluate oceanfront areas that incur extraordinary erosion due to the impact of a storm system or event named by the National Weather Service when making its reviews to establish new lines.The appeals process is revised to allow property owners to have one year to be granted a review of the baseline and setback line.

The House approved and sent the Senate **H.3211**, a bill **ADDING THE ATTORNEY GENERAL TO THOSE OFFICIALS WHO ARE AUTHORIZED TO FILE MOTIONS FOR REDUCTION OF SENTENCES AFTER DEFENDANTS HAVE PROVIDED SUBSTANTIAL ASSISTANCE TO THE STATE** within one year of their sentencing.

The House amended, approved, and sent the Senate **H.4830**, a bill establishing a **UNIFORM APPLICATION PROCESS FOR INDIGENT DEFENDANTS TO BE REPRESENTED BY PUBLIC DEFENDERS** **OR OTHER APPOINTED LEGAL COUNSEL**. The legislation requires all affidavits of indigency, and application for counsel forms, to contain certifications that they do not contain any wilfully-provided false information. All forms would have to be notarized. In the event a court, the SC Department of Probation, Parole, and Pardon Services [SCDPPPS], or an appointed attorney discovers that a defendant is financially able to employ counsel or contribute to the costs of employing counsel, a procedure for informing the court and terminating the appointed counsel is set out. Defendants who fraudulently obtain a public defender--or other appointed legal counsel--must pay a reasonable attorney fee to the South Carolina Commission on Indigent Defense. The legislation creates the criminal offense of wilfully providing false, misleading, or incomplete information on an affidavit of indigency and application for counsel form. The South Carolina Court Administration is directed to revise the affidavits of indigency and application for counsel forms. SCDPPPS is required to report annually to the General Assembly, by January 15th, on the number of these affidavits both accepted and rejected. As part of this annual report, an explanation of those rejected affidavits, including the grounds for rejecting them, would be made. In addition, existing General Assembly legislative oversight committees are to review these reports as part of their regularly scheduled review of SCDPPPS. Appointed attorneys are to be held to the requirements of Rule 407 of the Rules of Professional Conduct. This legislation initiates these reforms as a pilot project in six counties: Chester, Colleton, Edgefield, Horry, Lee, and Richland.

The House amended, approved, and sent the Senate **H.4931**, a bill authorizing the state’s technical colleges to offer an **APPLIED BACCALAUREATE IN MANUFACTURING DEGREE** if the degree is approved first by the Board for Technical and Comprehensive Education and then the Commission on Higher Education.

The House amended, approved, and sent the Senate **H.4976**, a bill **PROVIDING LOCAL GOVERNMENT OFFICIALS WITH AUTHORITY TO REMOVE ABANDONED WATERCRAFT** if the South Carolina Department of Natural Resources does not exercise its authority to remove watercraft abandoned in the state’s public lands and waterways.

The House amended, approved and sent the Senate **H.3970**, a bill making revisions to the **ENFORCEMENT OF SELF‑SERVICE STORAGE FACILITY LIENS**, including requirements for conducting commercially reasonable sales.

**HOUSE COMMITTEE ACTION**

**JUDICIARY**

The House Judiciary Committee met Tuesday, March 6th, and reported out the following bills:

They gave a favorable report to **H.3448** the **SOUTH CAROLINA WHISTLEBLOWER AND PUBLIC EMPLOYEE PROTECTION ACT.** Under it, a new definition of "appropriate authority" would include our state inspector general. Eliminates the $2,500 cap on rewards for reports on wasteful practices that result in taxpayer savings. Establishes a procedure for rewarding multiple employees who report the same abuse. In civil actions against state public employers who have retaliated against public employees who reported violations of state or federal laws or regulations, the one-year limitation on their protection from adverse employment actions is repealed. If passed, this legislation would allow jury trial requests for these cases.

Also receiving a favorable report, but with several amendments, was **H.3970 SELF-SERVICE STORAGE FACILITY LIEN SALES.** This legislation would require commercially reasonably sales held by service storage facilities to be advertised at least two weeks prior to the sale. Establishes other minimum requirements, including standards for sales conducted on Internet websites. Storage unit renters would have the right to provide emergency contact information including alternate people, or next of kin, who can be notified if the renter is unavailable.

Another favorable report, with amendments, was given to **H.4403 PURPLE PAINT MEANS NO TRESPASSING.** This bill would enact a practice for posting‘No Trespassing’ notices on tracts of land by visibly marking their boundary lines with purple paint. This purple painting would have to be done within minimum requirements set forth in this proposal.

A favorable report, with several amendments was given for **H.4421** the **SOUTH CAROLINA ELECTRIC CONSUMER BILL OF RIGHTS ACT.** This Customer Installation and Utilization of Distributed Energy Resourceslegislation declaresamongst its goals encouraging property owners to utilize renewable energy generation technology. Sets statewide net metering standards, including a cap on net metering for additional energy generation capacity at less than 0.25% of original capacity. Sets standards for interconnectivity between property owner generators and utilities. Allows settlement-based cost recovery for investor-owned utilities for customer-generators. Prohibits recovery of lost revenues related to this statewide net metering program. Removes the two percent cap on leased renewable electric generation facilities. Customer-generator notarized affidavits currently being used would be replaced by signed declaration forms. Customer-power generation operations would have to confirm they will not attempt to resell or sell electric output to third-parties who are not electric retail suppliers. Exempts renewable energy resource property with nameplate capacity of less than twenty kilowatts. Allows the SC Public Service Commission to seek out revised ratemaking methods, so long as the revised approaches benefit ratepayers.

Last, the Committee gave a favorable report, with amendment, to **H.4811 LAWYER MAGISTRATES.** Under this legislation, all magistrates for counties with populations of over 75,000 people would have to be licensed attorneys.

**LABOR, COMMERCE AND INDUSTRY**

The House Labor, Commerce and Industry Committee met on Tuesday, March 6, and gave a report of favorable with amendments on **H.5045**, a bill **REVISING PROVISIONS FOR SOLAR POWER AND OTHER DISTRIBUTED ENERGY RESOURCES** and net-metering provisions for the electrical power they generate which were approved by the General Assembly in Act 236 of 2014 to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for the state. Act 236 of 2014 having successfully resulted in the rapid development and expansion of the solar power marketplace in the state, this legislation is offered as a means of preserving the important role of the emerging solar industry as it becomes sustainable, without subsidies, in South Carolina’s diversifying energy market. The legislation discontinues existing arrangements where all of an electrical utility’s customers are subsidizing solar power programs, regardless of whether they are participating in the programs, by providing that nonparticipants in net energy metering programs are not required to subsidize the costs of customer‑generators. The legislation provides that each kilowatt‑hour of electricity generated by the customer‑generator utilizing solar panels or other distributed energy resources must be valued, accounted for, and credited at the utility’s avoided cost. Existing contracts, as approved by the Public Service Commission, which allow the electricity produced by these customer‑generators to be credited at the full retail rate are, however, allowed remain in effect through December 31, 2025. The legislation increases the cap on placed on solar power generation and other distributed energy resources, currently set at 2%, to 4% of the previous five‑year average of the electrical utility’s South Carolina retail peak demand.

The committee met on Thursday, March 8, and reported out several bills.

The committee gave report of favorable with amendment on **H.4591**, a bill establishing a **RESIDENT VENDOR PREFERENCE IN GOVERNMENT CONTRACTING** **FOR A BUSINESS OWNED BY A SERVICE‑DISABLED VETERAN**. The legislation expands resident vendor preferences under the state’s Consolidated Procurement Code to provide that a business owned by a service‑disabled veteran residing in this state shall receive a 2% preference.

The committee gave a favorable report on **H.4962**, a bill addressing **TITLE INSURERS AND RETALIATORY TAXES BY OTHER STATES**. The legislationrevises provisions governing retaliatory taxes by other states against insurance companies chartered in this state, so as to provide title insurers only may include their portion of the premium in the retaliatory tax computations and are prohibited from including these amounts in the South Carolina column of retaliatory tax worksheets.

The committee gave a report of favorable with amendments on **H.5038**, a bill **DISALLOWING PHARMACY BENEFIT INSURANCE “GAG CLAUSE” ARRANGEMENTS** that restrict pharmacists from offering the insured more affordable alternatives for a prescription drug that may be less than the insured’s copayment cost. The legislation includes new prohibited acts for a pharmacy benefit manager to disallow arrangements that would prevent pharmacists from offering these lower-cost alternatives and arrangements that charge or penalize pharmacists for selling these alternatives to insureds.

The committee gave a favorable report on **H.4875**, the **“SOUTH CAROLINA SOLAR HABITAT ACT”**. The legislation establishes voluntary solar best‑management practices for commercial solar energy generation sites that provide native perennial vegetation and foraging habitats beneficial to gamebirds, songbirds, and pollinators and reduce storm water runoff and erosion at the solar generation site. The legislation provides that certificates of compliance may be issued to those that meet solar site guidelines.

The committee gave a favorable report on **H.4877**, a bill that revises the composition of the **BOARD OF PYROTECHNIC SAFETY** by designating one additional seat for a member who is a pyrotechnic retailer and eliminating one seat designated for a member of the general public.

**MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

The Medical, Military, Public and Municipal Affairs Committee met on Wednesday, March 7, 2018 and reported out several bills.

**H.3825**, legislation dealing with the state’s **PRESCRIPTION MONITORING PROGRAM** was given a favorable report by the committee. This bill directs DHEC to use information in the state prescription monitoring program system to provide prescription report cards to health care practitioner who prescribe controlled substances to inform them about their prescribing trends. DHEC is directed to coordinate with the Board of Medical Examiners and other licensure boards on the development and implementation of the program.

The committee gave a favorable with amendment recommendation to **H.3826**, legislation that requires a written prescription for any Schedule II, III, IV, and V controlled substance to be written on a **TAMPER-RESISTANT PRESCRIPTION PAD** that meets the counterfeit-resistant standards required by the Centers for Medicare and Medicaid Services for prescriptions. Prescription orders transmitted by facsimile, orally, or electronically are exempt from the tamper-resistant prescription pad requirement. The tamper-resistant prescription pad requirements do not apply to refill prescriptions of an original written prescription that was issued before the effective date of this act.

A pharmacy may fill a prescription written on a non-tamper-resistant pad on an emergency basis as long as the pharmacy receives a compliant written prescription within 72 hours after the date on which the prescription was filled.

**H.4112**, a bill requiring DHEC to develop a voluntary **NON-OPIOID DIRECTIVE FORM** to be used by a patient to deny or refuse the administering or prescribing of an opiod controlled substance, was given a favorable with amendment recommendation by the committee.

DHEC will consult with the Board of Medical Examiners and the Board of Pharmacy to create the form. The form must be signed and dated by the patient and a practitioner and must provide a reference for receiving evidenced-based non-pharmaceutical treatment for pain. The form will be available on DHEC’s website. A patient may execute and file the voluntary non-opioid directive form with a practitioner. A patient who is unable to execute and file the form may designate a guardian or health care proxy to do so. A patient may revoke the form for any reason and may do so verbally or in writing.

The committee gave a favorable with amendment recommendation to **H.4117**, a bill which allows DHEC to provide data in the **PRESCRIPTION MONITORING PROGRAM** to a presiding judge of a drug court pertaining to a specific case involving a designated person.

**H.4487**, a clean-up bill that, among other things, addresses obsolete statutory provisions relating to the **SCHEDULING OF CONTROLLED SUBSTANCES**, was given a favorable with amendment recommendation by the committee. The bill also authorizes DHEC to use an expedited process to identify a substance as a controlled substance on an emergency basis if the department, in consultation with SLED, determines the action is necessary to avoid imminent danger to the public health and safety. The addition or rescheduling of a substance pursuant to this subsection has the full force of law unless overturned by the General Assembly. When this action is taken, DHEC must notify the House of Representatives and Senate and post the change on the department’s website.

The committee gave a favorable with amendment recommendation to **H.4600**, legislation that authorizes **CERTAIN COMMUNITY ORGANIZATIONS TO DISTRIBUTE OPIOID ANTIDOTES** to a person at risk of experiencing an opioid-related overdose.

A community distributor is a public or private organization which provides substance use disorder assistance and services, such as counseling, homeless services, advocacy, harm reduction, alcohol and drug screening, and treatment to individuals at risk of experiencing an opioid related overdose.

The community distributor is to receive an opioid antidote directly from a pharmacy and distribute it pursuant to a written prescription or prescriber’s standing order. A community distributor that distributes an opioid antidote in accordance with the provisions of this legislation is not subject to civil or criminal liability.

The bill also requires the Board of Medical Examiners and the Board of Pharmacy to appoint an advisory committee to develop the joint protocol. The advisory committee membership must include representatives of DHEC, DAODAS, and licensed health care professionals.

**H.4601**, legislation relating to the **LICENSURE OF** **ADDICTION COUNSELORS**, was given a favorable with amendment recommendation by the committee. Currently an addiction counselor in this state must be certified by an approved certification board. This bill will require an addiction counselor to be licensed by the Department of Labor, Licensure, and Regulation. After October 1, 2018, an addiction counselor applicant must have a master’s degree or higher.

The bill provides that an individual may not represent himself as an addiction counselor without being licensed. Other licensed professionals such as physicians, psychologists, registered nurses, or social workers performing duties consistent with their scope of practice will not considered to be practicing without a license if they do not represent themselves as being licensed addictions counselors.

**H.4602**, a bill that expands the database of the state’s prescription monitoring program to include the administration of an **OPIOID ANTIDOTE**, was given a favorable with amendment recommendation by the committee.

The bill includes the administration of an opioid antidote and requires a health care practitioner or the practitioner’s delegate to review a patient’s opioid antidote administration history in addition to the patient’s controlled substance prescription history before issuing a Schedule II prescription. The administration will be reported to the prescription monitoring program only if the patient is diagnosed with an opioid overdose. If the patient is diagnosed with an opioid overdose and receives a dose of opioid antidote the physician, the physician’s authorized delegate, or the pharmacist-in charge must report the opioid antidote administration within three business days after the discharge diagnosis.

A first responder who administers an opioid antidote must report to DHEC the date, dosage, route of administration, as well as the name, address, and date of birth if available of the patient within 72 hours.

DHEC will be required to maintain data on the administering of opioid antidotes including, but not limited to, the frequency with which opioid antidotes are administered in health care facilities and by first responders by geographic location.

The committee gave a favorable with amendment recommendation to **H.4603**, a bill that **LIMITS THE INITIAL PRESCRIPTIONS OF AN OPIOID MEDICATION** for acute pain to no more than a five-day supply. It limits an initial prescription of an opioid medication for postoperative pain management to no more than a fourteen-day supply. The bill provides that a health care practitioner who prescribes opioids in accordance with this opioid prescription limitation is immune from civil liability or disciplinary action by a licensure board.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

AGRICULTURE, NATURAL RESOURCES AND

ENVIRONMENTAL AFFAIRS

**H.5063 *HOME-BASED FOOD PRODUCTION OPERATIONS* Rep. Funderburk**

The bill deletes the provision regarding home-based food production operations as the Department of Agriculture does not have regulatory authority.

**H.5086 *MEMBERSHIP AND POWER OF THE AGRICULTURE COMMISSION***

***OF SOUTH CAROLINA* Rep. Funderburk**

The bill outlines that commissioners shall serve until their successors are elected and qualified, however a commissioner may serve in a holdover capacity for not more than six months.

**H.5087 *PETROLEUM* Rep. Funderburk**

Every retail fuel business must notify the South Carolina Department of Agriculture’s Consumer Protection Division in writing when a petroleum dispenser has been installed for use within thirty days of beginning operation. Failure to provide proper notification shall result in a five hundred dollar fine.

**H.5088 *LABELING AND MARKETING OF EGGS* Rep. V. S. Moss**

Among many things, the bill provides additional terms and definitions and it provides that egg producers who sell eggs must obtain a license from the Commissioner of Agriculture and that the license must be renewed annually for a fee.

**H.5090 *WILD TURKEY FEATHERS IN ART* Rep. Clemmons**

The bill states that wild turkey parts may be used in arts and crafts by certain individuals. The bill does not authorize the sale of wild turkey meat.

**H.5109 *PIPELINE COMPANIES* Rep. Hixon**

The bill extends the sunset provision to November 30, 2020 for the exemption of private, for profit pipeline companies from certain rights, powers and privileges of telegraph and telephone companies that otherwise extended to pipeline companies.

**EDUCATION AND PUBLIC WORKS**

**S.857 *WIL LOU GRAY OPPORTUNITY SCHOOL BOARD OF TRUSTEES***

**Sen. Setzler**

This bill revises the composition of the Wil Lou Gray Opportunity School board of trustees by eliminating two ex officio seats.

**H.5089 *CAREER DEVELOPMENT IN CONSTRUCTION PATHWAY***

**Rep. S. Rivers**

This bill provides for a collaborative design of a career development pathway within the construction industry for students in a manner to allow students to earn income while progressing along the career development pathway. It also seeks to create one career development in construction pathway district in each congressional district in the state, two career development in construction pathway centers in each district and provide coursework and guidance for residents seeking to pursue studies in a career development in construction pathway program.

**JUDICIARY**

[**S.872**](http://www.scstatehouse.gov/billsearch.php?billnumbers=872&session=122&summary=B) ***ELECTROCUTION IN PLACE OF LETHAL INJECTIONS FOR DEATH SENTENCES* Senator Timmons**

This legislation would permit death penalty sentences by electrocution or, at the election of the person, lethal injection, if it is available at the time of election. The Director of the Department of Corrections would be required to administer electrocution to a person who waives the right of election. If passed, this bill would require electrocutions when lethal injection is unavailable, or determined to be unconstitutional by any appellate court. This method would be regardless of the method elected by the condemned person.

**H.5062 *PLEDGING REAL ESTATE FOR CRIMINAL BONDS* Rep. Murphy**

This legislation would allow a defendant or accommodation bondsman to pledge real estate as a bond in lieu of delivering a traditional bond.

**H.5064 *HUMAN AFFAIRS COMMISSION REFORMS* Rep. Funderburk**

This bill would delete a duplicitous reporting requirement. It also seeks to clarify that the Commission may require reports from all employers. Additionally, it would extend the time for filing a complaint in circuit court. Last, it would end existing requirements in discriminatory housing cases for complaints and answers to be verified.

[**H.5085**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5085&session=122&summary=B) ***WINERY DIRECT DONATIONS TO NONPROFITS* Rep. Martin**

This proposed legislation would allow wineries to donate wine to nonprofit organizations for their special events.

[**H.5092**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5092&session=122&summary=B) ***AUTHORIZED AGENCIES FOR CHILD SUPPORT ENFORCEMENT***

**Rep. G. M. Smith**

This bill would add “authorized agencies” to the list of entities authorized to effect income withholding to enforce child support payment obligations. Under existing law, only clerks of court can do so.

[**H.5105**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5105&session=122&summary=B) ***JUDICIAL SCREENING COMMISSION REVISIONS* Rep. Magnuson**

If this legislation becomes law, Judicial Merit Selection Commission [JMSC] membership would consist of two members from each of the seven congressional districts. They would have to be residents of their respective districts. In addition, one member would be from the general public. This member would be appointed by the governor with the advice and consent of the General Assembly. This appointee would serve as JMSC chair. Terms would be limited to no more than two. Current General Assembly members would not be allowed to serve on JMSC. Former General Assembly members could not serve on JMSC until five years after leaving office.

[**H.5106**](http://www.scstatehouse.gov/billsearch.php?billnumbers=5106&session=122&summary=B) ***GOVERNOR-APPOINTED JUSTICES/JUDGES* Rep. Magnuson**

Under this proposal, Supreme Court justices, Court of Appeals judges, and circuit court judges would be appointed by the governor. This appointment would have to be with the advice and consent of the General Assembly. The Judicial Merit Selection Commission would be sunsetted.

**LABOR, COMMERCE AND INDUSTRY**

**H.5080 *EMERGENCY SERVICE SYSTEM BILLING AND INSURANCE***

***COVERAGE PRACTICES* Rep. Erickson**

This bill establishes requirements for emergency service system billing and insurance coverage practices applicable to non‑network emergency medical service providers.

**H.5091 *LOCKDOWN MAGNETIC DOOR STRIPS ON CLASSROOM DOOR***

***FRAMES* Rep. White**

As a means of promoting student and teacher safety, this bill provides that public and private schools may install and use lockdown magnetic door strips on classroom door frames to better secure classrooms during lockdowns.

**H.5108 *CREDIT UNIONS* Rep. Sandifer**

This bill revises the powers of credit unions, so as: to provide that a credit union may provide certain services to certain members for a fee; to provide the procedure to admit new community groups to a credit union; to require a credit union’s board to meet at least once during each calendar year and to allow certain members to participate remotely in certain meetings; and, to allow for an investment in certain charitable donation accounts.

**MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

**S.815 *PHARMACY BENEFIT MANAGERS* Sen. Gambrell**

Among many exceptions under certain circumstances, the bill outlines that a pharmacist or pharmacy is prohibited from providing an insured information on the amount of the insured’s cost share for a prescription drug. A pharmacist or pharmacy may not be penalized by a pharmacy benefit manager for discussing such information to an insured or for selling a more affordable alternative to the insured if one is available.

**H.5061 *“PHARMACIST SAFETY ACT”* Rep. Daning**

This bill enacts the “Pharmacist Safety Act” with provides for certain mandatory thirty-minute rest breaks for pharmacists and pharmacy technicians working twelve-hour shifts. During a rest break, the pharmacist or pharmacy technician may not engage in the preparing, compounding, or dispensing of medicine. A rest break may not be taken at the beginning or end of a twelve hour shift.

**H.5097 *STATE BOARD OF COSMETOLOGY* Rep. Spires**

The bill provides for the licensure of hair designers. It also defines the meaning of hair design as the arranging, styling, thermal curling, chemical waxing, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work on the hair, wig, or hairpiece of a person, by any means, with hands and mechanical or electrical apparatus or appliance.

**H.5107 *MASSAGE ESTABLISHMENTS* Rep. Spires**

This bill provides requirements for the licensure and operation of massage establishments under the Massage/Bodywork Practice Act. “Massage establishment” means a place of business that offers the practice of massage and bodywork and where the practice of massage and bodywork is conducted on the premises of the business, or that represents itself to the public by a title or description of services incorporating the words bodywork, massage, massage therapy, massage practitioner, massagist, masseur, or masseuse.

**WAYS AND MEANS**

**S.866 *REPEAL OF GEOTHERMAL MACHINERY TAX CREDITS* Sen. Cromer**

This bill provides that tax credits for the purchase of geothermal machinery and equipment shall be repealed on January 1, 2022.

**S.889 *CAPITAL PROJECT SALES TAX ACT PROCEEDS* Sen. Campbell**

This bill revises provisions specifying the contents of ballot questions under the Capital Project Sales Tax Act, to provide that an ordinance must specify whether the purpose of the tax proceeds would include infrastructure for economic development projects. The legislation provides an extension for a county that has reimposed the tax.

**H.5096 *LEGAL RESIDENCY OF MEMBERS OF THE UNITED STATES***

***FOREIGN SERVICE FOR TAX ASSESSMENT PURPOSES* Rep. Spires**

This bill revises provisions relating to tax assessment ratios, so as to extend to members of the United States Foreign Service certain legal residence provisions that apply to members of the United States Armed Services.

**The *Legislative Update* is on the Worldwide Web. Visit the South Carolina General Assembly Home Page (http://www.scstatehouse.gov) and click on "*Publications*," then click on "*Legislative Updates*." This will list all of the *Legislative Updates* by date. Click on the date you need*.* Also available on the website is a bill summary index, where bills referenced in one or more issues of the *Legislative Update* are listed in numeric order. Links to the specific text of the *Legislative Update* issue are provided in the bill summary index.**

***NOTE: THE LEGISLATIVE UPDATE IS AVAILABLE TO LEGISLATIVE TRACKING SUBSCRIBERS. YOU MAY REGISTER FOR THIS FREE SERVICE ON THE SOUTH CAROLINA GENERAL ASSEMBLY HOME PAGE BY CLICKING ON "TRACK LEGISLATION" (ON THE VERTICAL MENU BAR).***