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***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 General Assembly concluded work on the regular legislative session, but lawmakers are scheduled to return later this month under the terms of **S.785**, a resolution **EXTENDING THE SESSION OF THE GENERAL ASSEMBLY** beyond this year’s May 9 deadline for final adjournment. The resolution allows the House of Representatives and Senate to convene, beginning on Monday, May 20, to take up a limited list of matters including budget legislation, legislation concerning Santee Cooper, the provisions of S.1 which address interim appointments made by the Governor, vetoes issued by the Governor, and the reports of conference committees that have been formed to address the differences between the House and Senate on particular pieces of legislation.

The House amended Senate amendments to **H.4000**, the General Appropriation Bill, and **H.4001**, the joint resolution making appropriations from the Capital Reserve Fund, which together comprise the **FISCAL YEAR 2019-2020 STATE GOVERNMENT BUDGET**. Compared with the budget legislation House approved by the House in March, the Senate’s version of the budget includes such differences as: the use of $20.4 million in nonrecurring funds for recurring expenses, creating annualizations issues; $15 million added to the Base Student Cost; a reduction in the Rebate Fund that allows for a $50 one-time rebate for each tax return, rather than each taxpayer, with $25 million used, instead, to provide relief to farmers harmed by last year’s hurricanes; and, alternate expenditure of excess debt service funds in the amounts with $35 million less for the Rural School District and Economic Development Closing Fund, $10 million more for school district capital improvements, and $20 million used for a bonus for state employees who make no more than $70 thousand a year. The House amended the legislation so that it largely reverts to the budget proposal approved by the body earlier this year with certain differences that include:

The allocation of $9 million recently available for expenditure from the Litigation Recovery Account with $5 million provided to the Department of Administration to hire experts to assess bids and proposals for Santee Cooper, $2 million to the Department of Public Safety for local law enforcement grants, and $2 million to the Department of Archives and History for community development grants.

An additional $150 thousand is provided to the Department of Health and Human Services for cervical cancer prevention.

A provision is included to discontinue the exemption from statewide public school class size standards that has been provided in recent years as a way of affording school districts some flexibility in coping with budget shortfalls that occurred in times of economic recession. The elimination of the statewide exemption requires school districts to comply with the student-to-teacher ratios set in state law. A waiver process remains in place, however, that allows individual school districts to obtain exemptions from the State Department of Education by demonstrating that they are unable to comply with the maximum class size requirements due to a lack of funds or a teacher shortfall.

Local school districts shall not administer more than one formative assessment per grade level. Assessments must provide students with Lexile and Quantile scores that are shared with students’ parents or guardians.

A provision is included to establish a protocol for evaluating proposals for the sale of Santee Cooper or other arrangements.

A provision is included to establish the Growing Rural Economies with Access to Technology (GREAT) program to facilitate the deployment of broadband to unserved areas of the state.

A conference committee has been appointed to address the differences of the House and Senate on **H.4000** and **H.4001**.

A conference committee has been appointed to address the differences of the House and Senate on Senate **H.3137**, a bill making **REVISIONS TO THE LOCAL GOVERNMENT FUND**.

A conference committee has been appointed to address the differences of the House and Senate on **H.4243** and **S.309**, legislation addressing **PROFESSIONAL SPORTS TEAM INVESTMENTS**.

A conference committee has been appointed to address the differences of the House and Senate on **H.4287**, legislation establishing a protocol for **EVALUATING PROPOSALS FOR THE SALE OF SANTEE COOPER OR OTHER ARRANGEMENTS**.

The House concurred in Senate amendments to **H.3659** and enrolled the bill for ratification. The bill is legislation furthering voluntary programs that make use of **RENEWABLE ENERGY** generation resources, such as solar power, and establishing **ELECTRICAL POWER CUSTOMER CONSUMER PROTECTIONS** in order to: shield customers from rising utility costs; provide opportunities for customer measures to reduce or manage consumption from electrical utilities in a manner that contributes to reductions in utility peak electrical demand and other drivers of electrical utility costs; and, equip customers with the information and ability to manage their electric bills. The legislation provides that every customer of an electrical utility has the right to a rate schedule that offers the customer a reasonable opportunity to employ such energy and cost saving measures as energy efficiency, demand response, or onsite distributed energy resources in order to reduce consumption of electricity from the electrical utility’s grid and to reduce electrical utility costs. The legislation makes revisions to build upon the successful deployment of solar generating capacity through the South Carolina Distributed Resource Act to continue enabling market‑driven, private investment in distributed energy resources across the state by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources. The legislation removes the cap on the development of solar power generation and other distributed energy resources that has been set at 2% of the previous five‑year average of an electrical utility’s South Carolina retail peak demand. The legislation requires the adoption of new provisions governing the way in which electrical utilities purchase power generated by renewable energy facilities and new requirements for metering customer‑generators. In making the revisions, the legislation discontinues existing arrangements where solar power programs are subsidized by all of an electrical utility’s customers, regardless of whether an individual customer is participating in a program. The Public Service Commission is directed to establish a new Community Solar Energy Program for each electrical utility to permit the utility’s customers to participate in a solar energy project that allows for a credit to the customer’s utility bill based upon the electricity generated that is attributed to the customer’s participation in the solar energy project. Provisions are made for neighborhood solar programs to expand access to solar energy options for all South Carolinians, including those who lack the income to afford the upfront investment in solar panels or those that do not own their homes or have suitable rooftops. The Public Service Commission, in coordination with the Office of Regulatory Staff, is authorized to initiate an independent study to evaluate the integration of renewable energy and emerging energy technologies into the electric grid for the public good. The Office of Regulatory Staff, in collaboration with the Department of Consumer Affairs, is directed to develop new consumer protection regulations. A new consumer protection protocol is established that must be followed before construction commences on a new major utility facility for power generation in the state.

The House returned **H.3145**, a bill addressing **ELECTRIC COOPERATIVES OVERSIGHT AND TRANSPARENCY**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislationvests the Office of Regulatory Staff with authority and jurisdiction to make inspections, audits and examinations of electric cooperatives. The legislation provides that no distribution electric cooperative shall, as to rates or services, make or grant any unreasonable preference or advantage to any person, corporation, municipality or consolidated political subdivision to its unreasonable prejudice or disadvantage. No distribution electric cooperative shall establish or maintain any unreasonable difference as to rates or service as between localities or as between classes of service. The legislation revises provisions relating to annual meetings of members of an electric cooperative, so as to revise the notice requirements for certain meetings. The legislation revises provisions relating to a quorum at meetings of electric cooperatives, so as to allow persons casting early voting ballots for the election of trustees to be counted for purposes of determining a quorum at the meeting for the election, and to prohibit voting by proxy. For meetings that include the election of cooperative trustees, polling locations must be open for a minimum of four hours. Requirements are included for making early voting accommodations when trustee races are contested. Unless otherwise provided in the bylaws, each trustee’s principal residence, as determined by South Carolina voter registration law, must be served by the cooperative. A vacancy in the office of trustee occurring for any reason other than expiration of a term may be filled only for the remainder of the unexpired term by a vote of the membership at the next annual meeting. The legislation requires annual public disclosure of compensation and benefits paid to or provided for members of the board of trustees. The legislation includes notice requirements for all non‑emergency meetings of the board of trustees or the membership of the cooperative. The legislation makes transparency provisions for meetings that include requirements for certain votes of trustees to be taken in open session, requirements for votes taken in executive session to be ratified in open session, require for providing minutes of all meetings to cooperative members. Provisions are included to prohibit certain conflicts of interest and the misuse of a position on a board of trustees for financial gain or to secure certain other advantages. The legislation establishes provisions governing the conduct of elections by a cooperative, that prohibit advocacy or campaigning within a certain distance of the polling place. Incumbent trustees seeking reelection shall not directly or indirectly influence the nomination or credentials process. The legislation includes financial disclosure requirements and ethics provisions for electric cooperative trade associations. The Office of Regulatory Staff is authorized to make inspections, audits, and examinations of these trade associations and the Public Service Commission is vested with the authority and jurisdiction to resolve any disputed issues arising from the inspections, audits or examinations.

The House returned **H.4380**, a bill establishing **RIDER SAFETY PROVISIONS FOR TRANSPORTATION NETWORK COMPANIES**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation revises South Carolina’s Transportation Network Company Act, which governs the operations of digital ride hailing companies, to establish a new provision that allows Transportation Network Company vehicles to be more readily distinguished from other vehicles by requiring a TNC vehicle to display its license plate number on the front of the vehicle when picking up a passenger. A misdemeanor criminal penalty is established for those who misrepresent themselves as authorized TNC drivers, which is subject to a fine of up to five hundred dollars and/or imprisonment for not more than thirty days. A misdemeanor criminal penalty is also established to address the use of a Transportation Network Company to further criminal activity, which is subject to a fine of up to one thousand dollars and/or imprisonment for not more than two years.

The House returned **S.595**, legislation **ENHANCING PROHIBITIONS ON THE EMPLOYMENT OF SEX OFFENDERS AT CHILDCARE FACILITIES**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation expands the category of facilities that are subject to background screening requirements and prohibitions on employing offenders so that it includes a licensed, approved, or registered childcare facility, or any childcare provider that delivers services for which Child Care and Development Fund financial assistance is provided. The legislation provides for more expansive background screening of employees so that it includes checks of the National Crime Information Center National Sex Offender Registry, the state sex offender registry, and the Central Registry of Child Abuse and Neglect. Provisions are made for employees to be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. Fingerprint‑based background checks and reviews must be repeated every five years and must be repeated for someone who has not been employed at a childcare facility for at least six months. The legislation establishes background screening requirements that apply to who are at least eighteen years of age living in or moving into a group family childcare home and another screening protocol that applies to group home residents who are fifteen through seventeen years of age. More expansive background checks are required for those applying for a license as an operator of a childcare facility. The prospective employee or childcare facility is responsible for any fees associated with any and all required background checks. Fees must not exceed the actual cost of processing and administration. Provisions are made for the retention and sharing of records to facilitate the screening.

The House returned **H.3973**, a bill establishing the **CRIME OF FEMALE GENITAL MUTILATION**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation establishes felony criminal provisions that apply to the mutilation of the genitalia of females who are under the age of eighteen or older females who are unable to consent to the procedure. A violation is punishable with a fine of up to twenty thousand dollars and/or imprisonment for not more than twenty years. In addition to these criminal penalties, professional licenses or certifications are permanently revoked for physicians, nurses, and other medical professionals who engage in criminal female genital mutilation. The legislation also revises the Children’s Code to add female genital mutilation to provisions addressing child abuse and harm.

The House approved **S.196**, a bill **REPEALING THE PREGNANCY EXCEPTION THAT ALLOWS THE ISSUANCE OF MARRIAGE LICENSES TO MINORS**, and enrolled the legislation for ratification. The legislation eliminates a provision that allows the issuance of marriage licenses to those who are under eighteen years of age when the female is pregnant or has borne a child. While the legislation eliminates this provision for marrying the putative father of a child, which has allowed marriages for some young minors who were several years from attaining the age of eighteen, South Carolina law continues to allow comparatively older minors, aged sixteen and seventeen, to obtain marriage licenses with parental consent. The legislation implements a recommendation from the South Carolina Joint Citizens and Legislative Committee on Children.

The House concurred in Senate amendments to **S.21**, a bill that provides for **ADDING** **PUTATIVE** **FATHERS TO AMENDED** **BIRTH** **CERTIFICATES**, and enrolled the bill for ratification. The legislation establishes a protocol which, after appropriate courts determine that putative fathers are *bona fide* fathers, makes provisions for children's birth certificates to be amended accordingly. The legislation also revises Maternal Morbidity and Mortality Review Committee data collection provisions so that South Carolina can be eligible for federal grant assistance.

The House returned **H.3036**, **“DYLAN’S LAW”**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. This bill requires the Department of Environmental Control to add tests for certain neonatal genetic disorders and diseases to the existing newborn screening program. The legislation establishes the Newborn Screening Advisory Committee to review the feasibility and advisability of including additional metabolic, genetic, and congenital disorders in the neonatal testing.

The House concurred in Senate amendments to **H.3728** and enrolled the bill for ratification. The legislation expands the **PRESCRIPTION MONITORING PROGRAM**, requiring the Department of Health and Environmental Control to include and maintain information in the prescription monitoring program on the administering of opioid antidotes in a hospital emergency department or by a first responder. The legislation includes provisions relating to electronic prescriptions.

The House returned **S.359**, a bill establishing provisions for the licensure and regulation of **PHARMACY BENEFITS MANAGERS** by the Department of Insurance, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation revises provisions for prohibited acts for a pharmacy benefit manager that relate to such matters as charging unreasonable fees, engaging in misleading advertising, preventing pharmacists from making certain disclosures to insureds, and penalizing pharmacists for making such disclosures.

The House returned on **S.314**, a bill making provisions for **MEDICAL CARE TRAINING INCOME TAX CREDITS**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation affords an income tax credit for clinical rotations served by a physician, advanced practice nurse, or physician assistant as a preceptor for public teaching institutions and independent institutions of higher learning.

The House approved **S.132**, legislation revising the scope of practice for a **PHYSICIAN ASSISTANT (PA)**, and enrolled the bill for ratification. The legislation provides revisions to the scope of practice for physician assistants that are comparable to the expansions and greater flexibility that lawmakers recently approved for advanced practice registered nurses. The legislation increases the total number of PA’s a physician may supervise from three to six. The legislation authorizes a PA to perform such functions as: providing non-controlled prescription drugs at free medical clinics for indigent patients; certifying that a student is unable to attend school and may benefit from homebound instruction; ordering hospice services for a patient; and executing a Do Not Resuscitate Order. A PA is authorized to prescribe up to 5-day supply of a Schedule II controlled substance. The legislation also streamlines the Board of Medical Examiners’ approval process for a PA’s scope of practice guidelines. The legislation eliminates the prohibition for a PA to practice more than 60 miles from the supervising physician and eliminates other restrictions to allow more flexibility for the practicing PA.

The House concurred in Senate amendments to **H.3760** and enrolled the legislation for ratification. The bill is legislation **MERGING THE PATIENTS’ COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION** and establishing it as a market of last resort for ensuring the availability of medical malpractice and other types of liability insurance for health care providers that it is not in competition with the private insurance market. The legislation addresses governance following the merger, makes provisions to eliminate the accumulated deficit of the JUA and the Patients’ Compensation Fund, and provide for rates for policies issued to be adequate and established at a level that permits the association to operate without accumulating additional deficits over time.

The House approved **S.463**, a bill allowing **PHARMACISTS TO EXERCISE JUDGEMENT IN DISPENSING MAINTENANCE MEDICATION UPON REFILLS**, and enrolled the legislation for ratification. The provisions do not apply to any medications for which a report is required under the prescription monitoring program.

The House returned **H.3951**, a bill revising **QUALIFICATIONS FOR SHERIFFS** and candidates for the office of sheriff, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation provides that law enforcement experience requirements are satisfied exclusively through South Carolina Class 1 Certification. Sheriffs and candidates for the office must be eligible to be issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council upon the commencement of the term of office. Incumbent sheriffs are exempt from these Class 1 Certification provisions. The legislation disqualifies someone from holding the office who has been convicted of or pled guilty to a felony or a crime of moral turpitude in this state or another state.

The House concurred in Senate amendments to **H.3586**, a bill revising and updating the **COORDINATED STATEWIDE 911 EMERGENCY TELECOMMUNICATIONS SYSTEM**, and enrolled the bill for ratification. The legislation charges the Revenue and Fiscal Affairs Office with creating, updating, and implementing a comprehensive strategic plan, including operating standards, for a coordinated statewide 911 system to address changing technology, services, and operating efficiency and effectiveness. The standards must be developed and updated with comments and recommendations from the South Carolina 911 Advisory Committee, local officials, service providers, and the public. The plan must be approved by the board and may be amended as necessary. The legislation includes provisions for auditing local governments on the use of the “Emergency Telephone System” Fund, requiring local governments to restore 911 funds that were inappropriately used and allowing the withholding of funds to local governments that fail to comply with audit provisions.

The House approved **S.109**, a bill making **REVISIONS TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT** that include provisions for electric fences, and enrolled the bill for ratification. These electric fence provisions include height specifications, requirements for protective barriers and signage posted to provide warning, and requirements for these fences to be equipped with an energizer driven by a commercial storage battery that does not exceed an electric charge of twelve volts DC. Electric fences shall be permitted on any property that is not zoned exclusively for residential use.

The House approved **S.439**, a bill addressing **PORT CARGO VOLUME INCREASE TAX CREDITS AND PORT TRANSPORTATION CREDITS**, and enrolled the legislation for ratification. The legislationincreases the maximum annual amount of tax credits for port cargo volume increases available to all qualifying taxpayers from eight million to fifteen million dollars. The legislation establishes a schedule for phasing in a port transportation credit for the costs of transporting freight, goods, and materials to and from port facilities in South Carolina as a means of establishing a customer base for a new Jasper Port facility. The port transportation credit expires effective at the end of the calendar year in which a port in Jasper County is opened and is accepting shipments. Codifying a provision included in recent general appropriation acts, the legislation provides that a port facility is a distribution facility for purposes of certain sales tax exemptions.

The House approved **S.329** and enrolled the bill for ratification. The legislation provides an **EXTENSION FOR TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT** so that these provisions are set to expire on January 1, 2022.

The House approved **S.408** and enrolled the bill for ratification. In light of recent court rulings, this legislation revises provisions for the **TAXATION OF CABLE SYSTEM OPERATORS** so that they are afforded parity with satellite service providers.

The House approved **S.310** and enrolled the legislation for ratification. This bill clarifies language pertaining to **UNSTAMPED OR UNTAXED CIGARETTES**, to provide that they are contraband goods which may be seized by the Department of Revenue or any law enforcement agency of the state without a warrant. The bill further clarifies that seized cigarettes must be delivered to the Department of Revenue.

The House returned **H.4133** to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. This bill revises provisions relating to **COMMUNITY DEVELOPMENT TAX CREDITS**, so as to: allow a tax credit of fifty percent of any cash donation to a community development corporation or community development financial institutions; eliminate an aggregate credit provision and set an annual limit; establish tax credit reserve accounts for the first three quarters of each tax year so as to avoid the depletion of credits by an individual taxpayer; eliminate the pro‑rata distribution of tax credits; allow financial institutions with tax liabilities in this state to invest in community development corporations for the purpose of receiving a tax credit; and, provide that returns on investments in certified community development corporations and certified community development financial institutions may not exceed the total amount of the initial investment. The legislation extends the provisions of the South Carolina Community Economic Development Act until June 30, 2023. The legislation makes provisions for an **INCOME TAX CREDIT FOR DEVELOPING SOLAR ENERGY COLLECTION FACILITIES ON POLLUTED PROPERTIES** that are found on the Environmental Protection Agency’s National Priority List, subject to a Voluntary Cleanup Contract with the South Carolina Department of Health and Environmental Control, or designated as compromised under certain other federal and state initiatives. The credit is equal to twenty‑five percent of construction and installation costs. A credit for each installation of solar energy property placed in service may not exceed two million five hundred thousand dollars. The tax credit applies to land that is owned by the Pinewood Site Custodial Trust.

The House returned **S.440**. This bill revises provisions of **THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT** to provide that a certain cap on rehabilitation expenses only applies to certain rehabilitated buildings on contiguous parcels, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation includes provisions for extending tax credits for rehabilitating an abandoned building.

The House approved **S.323** and enrolled the legislation for ratification. This bill allows the Department of Revenue to submit certain information to a financial institution regarding a **DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT**, when the debt is at least one hundred eighty days old, and requires the financial institution to provide certain information to the department.

The House concurred in Senate amendments to **H.3243**, a bill **REVISING FILING AND RECORDING FEES CHARGED BY THE REGISTER OF DEEDS AND CLERKS OF COURT** to make provisions for charging certain flat fees, rather than fees determined by the number of pages in a document, and enrolled the bill for ratification. The legislation updates 30‑year-old fee schedules set for filing and registering a list of legal documents, including deeds and mortgages. Fees for filing a power of attorney are waived for military personnel deployed to combat zones.

The House approved **S.621** and enrolled the bill for ratification. In accordance with recent changes in federal law, this bill revises provisions relating to the **ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS**, so as to provide for certain public notice requirements.

The House approved **S.530**, a bill providing for **CONSOLIDATED PROCUREMENT CODE REVISIONS**, and enrolled the bill for ratification. The legislation provides for updates and revisions to the South Carolina Consolidated Procurement Code provisions for state government purchasing of goods and services. The revisions include the adoption of simplified procedures for the acquisition of commercially available off‑the‑shelf products, including higher dollar thresholds for agency purchases of those products, as a means of promoting efficiency and economy in contracting and avoiding unnecessary burdens for agencies and contractors by implementing acquisition policies that more closely resemble those of the commercial marketplace, encourage the acquisition of commercial items, and, where possible, allow use of terms and conditions accepted in the marketplace.

The House returned **H.4245**, a bill addressing the labeling of vat grown **CELL‑CULTURED MEAT** for sale, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation prohibits someone who advertises, offers for sale, or sells all or part of a carcass from engaging in any misleading or deceptive practices, labeling, or misrepresenting a product as ‘meat’ or ‘clean meat’ that is cell‑cultured meat/protein, or is not derived from harvested production livestock, poultry, fish, or crustaceans. These provisions do not apply to plant-based meat substitutes. A violation is a misdemeanor punishable with imprisonment for up to one year and/or a fine of up to one thousand dollars.

The House returned **S.575**, a bill establishing revised **WILD TURKEY HUNTING** provisions, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. Recently, the General Assembly has provided for temporary wild turkey hunting season and bag limit revisions that extend until July 1, 2019, while the Department of Natural Resources was conducting its study of the state’s wild turkey population. Drawing upon DNR’s study as well as testimony from hunters and other stakeholders, this legislation replaces temporary wild turkey hunting measures with long term provisions. The legislation provides for a hunting season that runs from March 22 until April 30 in Game Zones 3 and 4 and from April 1 until May 10 in Game Zones 1 and 2. The legislation establishes bag limits of one per day with three per season for residents and two per season for non-residents. For resident hunters, there is established a five dollar fee with three tags and for nonresidents a one hundred dollar fee with two tags. There continues to be no cost for a set of wild turkey tags for those under the age of sixteen, lifetime licensees, and gratis licensees. It is unlawful to take a female wild turkey unless authorized by DNR. Provisions are made for a ‘Youth Turkey Weekend’ for turkey hunters under eighteen years of age. During this weekend preceding the start of a game zone turkey season, license or tag requirements are waived for a youth turkey hunter and the bag limit is one male wild turkey, which shall count towards the season bag limit. The legislation also provides for the implementation of an electronic harvest reporting system that involves scanning in information using smartphone cameras or calling in reports.

The House approved **S.281**, addressing **SERVICE ANIMALS**, and enrolled the bill for ratification. The legislation provides that It is unlawful for a person to intentionally misrepresent an animal as a service animal or service animal-in-training for the purpose of obtaining any right or privilege provided to a disabled person. Fines are established for violations. Misrepresentation of a service animal is added to the list of offenses that law enforcement officers may address through the uniform traffic ticket. The legislation establishes a more detailed definition for service animals that do work or perform tasks for an individual with a disability. The legislation provides that places of public accommodation, such as airports, train stations, and bus stations, may establish rules and regulations related to access to such facilities by non-service animals, including emotional support animals intended to provide companionship and reassurance. The legislation establishes a list of questions that a landlord may ask a tenant or prospective tenant to determine whether an animal that is not a service animal should be considered a reasonable accommodation.

The House returned **S.105**, a bill addressing **ANIMAL CRUELTY AND ANIMAL RESCUE** provisions, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation makes provisions for magistrates and municipal court judges to receive at least two hours of instruction on issues concerning animal cruelty every four years. The legislation revises provisions for unclaimed animals that have been quarantined under the South Carolina Rabies Control Act to establish provisions that allow an animal shelter to turn over a litter of unidentifiable dogs or cats four months of age or younger to any organization established for the purpose of caring for animals immediately, so long as the litter is turned over for life-saving purposes. The legislation establishes a protocol that allows those awarded custody of an animal in animal cruelty proceedings to apply to be reimbursed for the costs of custodial care. The legislation revises provisions for spaying and neutering grants. The legislation makes provisions for an emergency limited license that allows an out-of-state veterinarian to offer assistance during an emergency or natural disaster. Under the legislation, the General Assembly finds it is the best practice for a shelter, public or private, to prepare and maintain records documenting the number of animals admitted to the facility and the method by which those animals exit the facility, whether by adoption, fostering, natural death, euthanasia, transfer to another state, or other means of discharge.

The House concurred in Senate amendments to **H.3785**, a bill making revisions that relate to the operation of the **BOARD OF ACCOUNTANCY** including provisions detailing when it is appropriate for meetings of the board to be closed.

The House returned **H.3916**, a bill **INCREASING THE FINE FORFAILING TO REGISTER A MOTOR VEHICLE** from not more than one hundred dollars to five hundred dollars, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The increase addresses an issue that has emerged since the fee for registering an out-of-state vehicle was increased as part of the comprehensive road funding measures approved in Act 40 of 2017. Rather than registering a vehicle properly and paying the two-hundred-fifty-dollar fee, some have been choosing to pay the lower one-hundred-dollar maximum fine.

The House returned [**H.3035**](https://www.scstatehouse.gov/billsearch.php?billnumbers=3035&session=123&summary=B), a bill revising **POLL WORKER QUALIFICATIONS** to allow for a more expansive pool of eligible workers, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation allows someone who is registered as a voter in South Carolina to serve as a poll worker anywhere in the state, replacing more restrictive provisions that require poll workers to reside in the area where the primary or election is being held. Each chairman and clerk appointed from among the managers of election for the various polling places must be a resident and registered elector of the respective county in which he is appointed to work or in an adjoining county. The legislation implements recommendations from the House Legislative Oversight Committee’s review of the State Election Commission.

The House returned **H.3703**, a bill dealing with the **LICENSURE EXAMINATION REQUIREMENTS FOR** **PHYSICAL THERAPY**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The bill applies to physical therapists and physical therapist assistants. Currently, an applicant may attempt the licensure examination a total of three times. This bill will increase the attempts to six. However, if an applicant fails the examination a fifth time, the applicant must take courses and furnish evidence of completing these courses before taking the examination a sixth time.

The House approved to **S.277**, a bill allowing **SPEECH-LANGUAGE PATHOLOGY ASSISTANTS** to adhere to the responsibilities set forth by the American Speech Language Hearing Association, and enrolled the bill for ratification. The legislation also provides an exemption from licensure for an educator who is certified by the State Board of Education, including an educator certified as a speech-language therapist who is not licensed as a speech-language pathologist and does not hold a certificate of clinical competence in speech-language pathology credential from the American Speech Language Hearing Association. The bill also repeals a temporary provision that exempts applicants for licensure as a speech-language pathologist assistant from having to have a bachelor degree from a regionally accredited college or university if the applicant has a bachelor degree from a nationally accredited college or university. This temporary provision expires July 1, 2019.

The House approved **S.12** and enrolled the bill for ratification. The legislation designates the third Wednesday in February of each year as **“BARBERS’ DAY”** in South Carolina.

The House returned **H.3754**, a bill addressing **VACATION TIME‑SHARING PLANS**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislationrevises vacation time sharing plan provisions, so as to define the term “timeshare instrument” and further provides for when a timeshare closing is considered to have occurred. The legislation enacts the “Vacation Time‑Sharing Plan Extensions and Termination Act”, including provisions to clarify and supplement the procedures and requirements as to how owners of vacation time‑sharing interests may terminate vacation time‑sharing plans or extend the terms of these plans.

The House returned **H.3700** to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The legislation revises beachfront management restrictions placed on **EROSION CONTROL STRUCTURES** or devices seaward of the setback line to allow for the placement of shoreline perpendicular wingwalls that extend landward at a 90 degree angle from the ends of existing erosion control structures or devices that are consistent in height with the existing erosion control structures to which they are attached, subject to any special conditions imposed by the Department of Health and Environmental Control. The legislation includes provisions for the rehabilitation, reinforcement, or protection of an existing erosion control device.

The House returned **H.4239**, a bill making provisions for **TRAWLING IN AREAS ALONG THE COAST OF HORRY COUNTY**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification.

The House returned **H.4010** to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. This bill revises provisions for land acquired under the **HERITAGE TRUST PROGRAM**, so as to remove the maximum acreage limitation. The legislation makes revisions recommended by the House Legislative Oversight Committee’s study of the Department of Natural Resources.

The House returned **H.4011**, legislation that makes necessary changes and enhances the **“WATER RESOURCE AND PLANNING COORDINATION ACT”**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. Among many things, the bill adds a “State Water Plan” as an example of a comprehensive water resource policy in which DNR provides assistance to the Governor and General Assembly in formulating. The bill allows DNR to accept and spend federal money for water resource investigation. Requires to DNR to assist with coordination of water resource activities, programs, and plans at both local and “regional” level. The bill also expands DNR’s consideration of adequate supplies of surface and groundwater from specific uses to “all” uses. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House returned **H.4012**, legislation that cleans up and updates the **LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. Among many things, the bill updates the division’s name to Land, Water and Conversation Division and it reformats the State Land Resources Conservation Commission into the Land, Water and Conservation Division Advisory Committee. The bill also removes unnecessary statutory requirements that relates to financial needs for soil and water conservation districts which is now accomplished through the budgeting process. It removes references to discontinued practices as it relates to County Agricultural Agents. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House returned **H.4013**, a bill that changes certain requirements for the **STATE GEOLOGICAL SURVEY UNIT** under the Department of Natural Resources, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. The bill requires that the state geologist become familiar with geologic hazards throughout the state. The legislation implements recommendations from the House Legislative Oversight Committee’s study of the South Carolina Department of Natural Resources.

The House returned **H.4020**, legislation addressing **PRT COMMUNITY DEVELOPMENT DUTIES**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. This bill makes revisions recommended by the House Legislative Oversight Committee’s study of the Department of Parks, Recreation and Tourism. The legislation adds duties relating to community development to the general powers and duties of the Department of Parks, Recreation and Tourism and repeals provisions relating to the agency’s division of community development.

The House returned **H.3383**, a bill that revises provisions governing the **STATE FOREST LAND REVENUES** that the Forestry Commission shares with counties, so as to exclude the proceeds from land rentals and Wildlife Management Area payments from the proceeds that are shared with the counties, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification. Under the legislation, the Forestry Commission would retain these proceeds, but would continue to share with counties the major source of revenue generated by timber sales.

The House returned **H.3662**, a bill officially **ADOPTING REVISED CODE VOLUMES 3 AND 4 OF THE SOUTH CAROLINA CODE OF LAWS**, to the Senate with amendments. The Senate subsequently concurred in those amendments and enrolled the bill for ratification.

A conference committee has been appointed to address the differences of the House and Senate on **H.4004**, the **“PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT”**, legislation establishing a protocol that allows a patient with an advanced illness to execute a POST form that consists of a set of medical orders, signed by a patient’s physician, addressing key medical decisions consistent with patient goals of care concerning treatment at the end of life that is portable and valid across health care settings.

A conference committee has been appointed to address the differences of the House and Senate on **H.3602**, a bill expanding **THOSE WHO ARE AUTHORIZED TO MAKE HEALTH CARE DECISIONS FOR PATIENTS WHO CANNOT PROVIDE CONSENT**.

A conference committee has been appointed to address the differences of the House and Senate on **H.3821**, a bill revising the medical acts that **ADVANCE PRACTICE REGISTERED NURSES** are authorized to perform.

A conference committee has been appointed to address the differences of the House and Senate on **H.3986**, a bill redesignating the South Carolina ABLE Savings Program which was enacted to allow the establishment of savings accounts empowering individuals with a disability and their families to save private funds which can be used to provide for disability related expenses that supplement benefits provided through private insurance. Since an existing organization is named SC ABLE, the program is renamed the **PALMETTO ABLE SAVINGS PROGRAM**.

A conference committee has been appointed to address the differences of the House and Senate on **H.3789**, a bill revising provisions for **DRIVER’S LICENSES** and identification cards issued by the Department of Motor Vehicles.

A conference committee has been appointed to address the differences of the House and Senate on **H.3601**, a bill establishing a procedure that allows a court to grant a **CONDITIONAL DISCHARGE FOR A FIRST TIME OFFENDER CHARGED WITH PUBLIC DRUNKENNESS AND DISORDERLY CONDUCT**.

The House refused to concur in Senate amendments to **S.455**, the **“ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT”**.

The House refused to concur in Senate amendments to **H.3357**, a bill allowing for a **HEARING IMPAIRMENT NOTATION ON A MOTOR VEHICLE REGISTRATION** as a means of providing law enforcement officers with information that could prevent misunderstandings during traffic stops and other interactions.

The House approved and sent the Senate **H.3309**, legislation requiring the State Law Enforcement Division to create and operate a statewide **SEXUAL ASSAULT KIT TRACKING SYSTEM**.

The House returned to **S.16**, legislation that relates to **EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS**, to the Senate with amendments. Currently, under certain conditions, a pharmacist is authorized to dispense an emergency prescription refill of up to a 10-day supply of a medication once within a 12-month period. The bill increases the maximum amount of a medication that may be dispensed for an emergency prescription refill to a 14-day supply. If the qualifying medication is packaged in a way that it is not possible to dispense a 14-day supply, the pharmacist may dispense a 30-day supply. The bill also requires the pharmacist to label the medication as an emergency refill.

The House returned **S.76** to the Senate with amendments. This bill makes provisions for **EXTENDING THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM** for five additional years.

The House amended, approved, and sent the Senate **H.4327**, a bill addressing the **APPLICATION OF CERTAIN BUILDING CODES ON FARM STRUCTURES**. The legislation provides that structures without a commercial kitchen used in an agritourism activity shall fall under the group A‑3 classification as defined in the 2015 International Building Code. Such structures may accommodate up to three hundred guests without installing a sprinkler system.

The House approved and sent the Senate **H.3757**, a bill establishing the **WORKFORCE AND EDUCATION DATA OVERSIGHT COMMITTEE** to support the mission of the Coordinating Council for Workforce Development by collecting data from various state government agencies and institutions and analyzing the compiled data to improve the effectiveness of the state’s educational delivery system in providing economic opportunities.

The House approved and sent the Senate **H.3984**. This bill revises provisions for employer and **EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM** to provide that an employer, up to certain limits, may elect to pay all or a portion of required employee contributions during a fiscal year.

The House approved and sent the Senate **H.3661**, a bill that addresses the annexation of certain adjoining property by a **MUNICIPALITY LOCATED ENTIRELY WITHIN THE AREA OF A SPECIAL PURPOSE DISTRICT**.

The House gave second reading approval to **S.11**, a bill to provide that, if the United States Congress authorizes states to observe **DAYLIGHT SAVING TIME YEAR ROUND**, it is the intent of the South Carolina General Assembly that daylight saving time be the year‑round standard of the entire state and all of its political subdivisions.

**HOUSE COMMITTEE ACTION**

AGRICULTURE, NATURAL RESOURCES AND

**ENVIRONMENTAL AFFAIRS**

The Agriculture, Natural Resources and Environmental Affairs Committee met on Tuesday, May 7, 2019. As a result, the committee gave a favorable report to **S.525**, legislation that **REMOVES THE ABOLITION OF ENVIRONMENTAL IMPACT FEES SUNSET PROVISION FOR THE STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE BANK (SUPERB) ACCOUNT.**

**JUDICIARY**

The full Judiciary Committee met on May 7, 2019 and reported out the following legislation:

A favorable report was given to **S.11** **YEAR ROUND DAYLIGHT SAVING TIME.** This legislation expresses our intent, after the blessings of our US Congress are given, to expand daylight saving time year round instead of just during the months of March to November.

They gave a favorable report with amendments to **S.156** **NO CELL PHONES AT STATE PRISONS**. This bill would makeit illegal to carry, or deliver, defined "telecommunication devices" on the grounds of any correctional facility with an intent to distribute them to inmates. These devices include pagers, walkie-talkies, cellphones, PDAs, laptop computers, and similar devices that can be used to communicate with others. Sets penalties for violations. Also allows a mechanism for reactivating any telecommunication devices shut down in error.

Receiving a favorable report with amendments was **S.194** **UPDATING PROSTITUTION PENALTIES****.** It increases the penalties for soliciting prostitution, establishing or keeping a house of prostitution, or inducing another to participate in prostitution. Permits, as an affirmative defense to these charges, that an accused is a victim of human trafficking. Makes it a felony offense for defendants soliciting, causing, or inducing another into prostitution when the prostitute has a mental disability.

Also receiving a favorable report was **S.342 RESPONSIBLE ALCOHOL SERVER TRAINING ACT****.** Under the "Responsible Alcohol Server Training Act," mandatory alcohol server training and education is required for all on-premises alcoholic beverage servers. Sets up the training program curricula to be approved by SCDOR. Requires coordination among SCDOR, SLED, and other state and local agencies for implementation and enforcement of these requirements. Sets penalties and suspensions for violations.

One final bill receiving a favorable report as amended at this meeting was **S.397 EXPANDED SHERIFF AUTHORITY TO MAKE ALCOHOL CASES.** County sheriffs in all 46 South Carolina counties would be confirmed to have the same power as constables within city limits to enforce all of the provisions of our state alcohol beverage control act, except for the offense of drinking alcohol in public.

**BILLS INTRODUCED IN THE**

**HOUSE THIS WEEK**

**EDUCATION AND PUBLIC WORKS**

 **S.635 *“DRIVERS FOR A CURE”* Sen. Young**

This bill provides that the DMV may issue “Drivers for a Cure” special license plates.

 **H.4575 *SCHOLARSHIPS* Rep. White**

This bill relates to the Palmetto Fellows Scholarship program, so as to provide that beginning in school year 2019‑2020 a student shall receive the scholarship based on credit hours attempted; and amends the same relating to the Life Scholarship, so as to provide that beginning in school year 2019‑2020, a student shall receive the scholarship based on credit hours attempted.

 **H.4599 *ASSESSMENTS* Rep. Funderburk**

This joint resolution creates a study committee to determine whether the South Carolina College and Career Ready Assessments (SC Ready) and the South Carolina Palmetto Assessment of State Standards (SC PASS) should be summative assessments or formative assessments. The bill provides for the composition of the committee, provides that the study committee shall make certain recommendations to the General Assembly before January 1, 2021, and provides staffing for the committee.

**JUDICIARY**

 **S.506 *EMERGENCY REPLACEMENT OF HOUSING AUTHORITY COMMISSIONS***

 **Senator Jackson**

States that legislative delegations have the authority to adopt a resolution declaring an emergency results after the suspension of municipal housing authority commissioners. Allows for a mayoral review of any suspensions. Allows permanent removal from office of housing commissioners under certain circumstances. Sets out procedures for naming new commissioners, when necessary.

 **H.4563 *REGISTERING SEX OFFENDERS* Rep. Bryant**

Responsibility for registering sex offenders, at the time of their release, would be transferred from county sheriffs to the SC Department of Probation, Parole and Pardon Services under this legislation.

 **H.4573 *LIQUOR DRINKS AT THE MOVIES* Rep. Finlay**

Removes the table-service-of-meals requirement for liquor drink service licensing for businesses engaged in the preparation and service of meals. Also would allow liquor drinks in movie theater complexes that meet certain requirements.

 **H.4574 *ILLEGAL LARGE LIVESTOCK-KILLING DOGS* Rep. Finlay**

Applies the criminal offense of malicious injury of animals to "large livestock-killing dogs." Adds a definition of "large livestock." Also preserves the right of self-protection for anyone lawfully on any property who is the victim of an unprovoked attack by a vicious animal.

 **H.4576 *HIGHER EDUCATION OPPORTUNITY ACT* Rep. White**

Increases funding to public institutions of higher learning at the same percentage as general fund revenues increase. Sets out additional scholarship funding for certain scholarships and to provide eligibility criteria for the funding. Establishes a higher education facilities repair and renovation fund. Normalizes the ten-point grading scale for purposes of eligibility for certain scholarships, including the Hope Scholarship, need-based grants, and others. Allows stipends to be available when a science or mathematics student becomes a junior. Requires the Commission on Higher Education to submit policy statements and rules as regulations. Directs procurement of a student loan default aversion and financial literacy program. Creates a "State Institution of Higher Education Enterprise Act." This institution would be exempt from the state procurement code. [Similar Bills: S.283, S.298].

 **H.4580 *DIRECTING EDUCATION LOTTERY FUNDS TO EDUCATION* Rep. White**

Proposes an amendment to our State Constitution to clarify that education lottery proceeds may be used only for higher education tuition assistance and scholarships.

 **H.4594 *NO JUDGESHIPS FOR LEGISLATORS OR LEGISLATOR FAMILY MEMBERS***

 **Rep. Blackwell**

Extends the one-year prohibition against legislators running for judicial office, to family members of that legislator.

 **H.4595 *NO GIFTS TO PUBLIC OFFICIALS FROM BIDDERS* Rep. Finlay**

Prohibits the receipt of travel, reimbursement for travel, or anything of value from any government contract bidder, when the public official, public member, or public employee will perform any official function relating to the contract being let.

 **H.4596 *COLLEGE OR UNIVERSITY BOARD OR COMMISSION MEMBERSHIP INELIGIBILITY***

 **Rep. Finlay**

Vacancies on college and university boards and commissions could not be filled by anyone who made a campaign contribution to a member of, or a candidate for, the General Assembly within the previous year.

 [**H.4598**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4598&session=123&summary=B) ***SUBDIVISION REGULATION REVISIONS* Rep. Burns**

This proposal adds a definition of "plat." It also revises what is to be considered to be a "subdivision" of land by specifically exempting resurveys that involve combining lots so long as the number of lots in a previously-approved subdivision are not increased, or that involve one acre, or more, and do not create any new streets, or resurveys that do not create any new lines, easements, or rights-of-way. Also exempted are divisions due to the settlement of estates or title-clearing actions, so long as these actions are not intended for immediate sale, lease, or building development. These plats would also be exempt from any review, comment, or being approved or denied by any political subdivisions of this state including any county or municipal government or any of its departments, divisions, boards, or commissions.

**LABOR, COMMERCE AND INDUSTRY**

 **H.4541 *DISPOSITION OF MOTOR VEHICLES BY A SALVAGE POOL OPERATOR SUBJECT***

 ***TO AN INSURANCE CLAIM OR CHARITY DONATION* Rep. Herbkersman**

This bill makes provisions that address the disposition of a motor vehicle in the possession of a salvage pool operator who, upon the request of an insurance company or charity, takes possession of a motor vehicle that is the subject of an insurance claim or a charity donation and subsequently insurance coverage is denied or the charity does not take ownership of the motor vehicle.

 **H.4593 *MUNICIPAL WATER AND SEWER SERVICES PROVIDED TO NONRESIDENTS***

 **Rep. McGinnis**

This bill prohibits a municipality that provides water service or water and sewer service to customers both within and without its corporate boundaries from requiring or demanding a nonmunicipal resident’s permission or consent to annexation by the municipality as a condition for establishing or maintaining the service. The legislation provides that, if a municipality offers to provide water service or water and sewer service to property owners in another jurisdiction, then the service must be offered at the same price as is offered to property owners located inside the municipality.

**WAYS AND MEANS**

 **H.4564 *PROPERTY TAX EXEMPTION ON DISABLED VETERANS’ VEHICLES* Rep. Forrester**

This bill revises the property tax exemption on certain private passenger vehicles of disabled veterans so that the exemption applies to vehicles owned or leased, either solely or jointly, by the disabled veteran.

 **H.4597 *CONTINUED IMPOSITION OF ESTABLISHED COUNTY HOSPITALITY FEES* Rep. Fry**

This bill revises local hospitality tax provisions to provide that if a county hospitality fee was imposed or adopted as of December 31, 1996, and has been imposed in the county area at the same rate without interruption since its original imposition date, then the governing body of the county may continue to impose that fee in the same amount.

**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.**

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