**Vol. 39 January 11, 2022 No. 01**

**CONTENTS**

[**AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS 2**](#_Toc92709276)

[**EDUCATION AND PUBLIC WORKS 3**](#_Toc92709277)

[**JUDICIARY 6**](#_Toc92709278)

[**LABOR, COMMERCE AND INDUSTRY 13**](#_Toc92709279)

[**MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS 15**](#_Toc92709280)

[**WAYS AND MEANS 16**](#_Toc92709281)

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.

**PRE-FILED LEGISLATION**

# AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

**H. 4504 Maximum Tax on Sale or Lease Items Rep. Hewitt**

This bill adds that a watercraft trailer and a watercraft motor may not be taxed more than the **maximum tax** of three hundred dollars.

**H. 4525 Agriculture-Related State-Owned Surplus Property Rep. Haddon**

This legislation grants use and possession rights to the Governor’s School for Agriculture at John de la Howe of any state‑owned farming and other agriculture‑related equipment or supplies deemed **surplus property** by the Department of Administration.

**H. 4538 Dog Control Rep. Whitmire**

This legislation asserts that it is unlawful to intentionally remove or destroy an **electronic collar** or other electronic device placed on a dog by its owner to maintain control of the dog.

**H. 4587 Subsistence Saltwater Fishing Licenses Rep. Rivers**

For the privilege of **subsistence fishing** in the saltwaters surrounding the Sea Islands and the Low Country of this state, a resident must purchase an annual subsistence **saltwater fishing license** for ten dollars. The bill outlines that “subsistence” means the noncommercial, customary, and traditional taking of, fishing for, or possession of fish, shellfish, or other fisheries resources by a Gullah/Geechee or Native American individual for subsistence uses with gill net, seine, cast net, long line with or without use of a boat as are the traditional customs of these ethnic groups. The bill outlines that a portion of the funds are to be used in support of these traditional fisheries.

**H. 4590 Life Jackets Rep. S. Williams**

This bill requires anyone on a Class “A” motor boat to wear a United States Coast Guard approved **life jacket** (i.e., personal flotation device**)** during nighttime hours.

**H. 4609** **Agriculture-Related State-Owned Surplus Property Rep. Murray**

This legislation outlines that South Carolina State University 1890 Research and Extension is granted use and possession rights as to any state‑owned farming and other agriculture‑related equipment or supplies deemed **surplus property** by the Department of Administration.

**H. 4614 Wildlife Management Area Land Rep. B. Cox**

This bill adds that a person who is authorized to hunt or take wildlife on wildlife management area land may **hunt on a Sunday**.

# EDUCATION AND PUBLIC WORKS

**Elementary and Secondary Schools**

**H. 4554 Professional Certificates Rep. Gilliam**

This bill provides that a person who holds a **professional certificate** issued by the South Carolina Department of Education for twenty or more years and who teaches in this state for twenty or more years may renew annually the certificate by participating in required district professional development without having to satisfy any additional renewal requirements. This applies notwithstanding the provisions of the Certificate Renewal Plan developed by the Office of Teacher Certification or another provision of law.

**H. 4578 Required Courses Rep. Gilliard**

This bill would require one **unit of instruction** in advanced manufacturing and that one unit of instruction in harbor pilotage be offered in middle schools and high schools.

**H. 4580 Metal Detectors Rep. Gilliard**

This bill would provide for the installation and use of walk-through **metal detectors** and other metal detectors in elementary school, middle school, and high school buildings and athletic venues in South Carolina.

**H. 4582 Financial Literacy Life Skills Rep. White**

This bill relates to instructional topics required in high school **financial literacy** programs, so as to also require instruction in certain life skills topics.

**Higher Education**

**H. 4522 Tenure Rep. Taylor**

This bill would prohibit public institutions of higher learning from awarding **tenure** or entering employment contracts of more than five-years duration with employees hired after 2022.

An employment contract shall include a provision allowing the institution to dismiss the employee prior to the expiration date of the contract if the institution determines that the employee has violated policies specifically listed as reasons for termination.

The bill further requires that all full-time faculty and tenured faculty at public institutions of higher learning shall teach at least two undergraduate classes in the fall and spring semesters each year (with exceptions for faculty employed in departments or schools only offering graduate degrees). The bill also provides related reporting requirements for public institutions of higher learning and the Commission on Higher Education.

**H. 4576 Historically Black Colleges and Universities Rep. Tedder**

This bill would declare the third Tuesday in February of each year as "**Historically Black Colleges and Universities Day**."

**H. 4553 Deaf Persons' Literacy Rights and Education Rep. May**

This bill provides that individualized education program teams shall make certain considerations for children who identify as **deaf or hard-of-hearing**, that each local school district shall ensure that IEP teams consider the child's specific communication needs and address those needs as appropriate in the child's IEP.

The bill focuses on providing a wide spectrum for the child's individual communication mode or language; the availability of age, cognitive, academic, and language peers of similar abilities; adult models of the child's communication mode or language; the provision of direct and ongoing language access to teachers of the deaf and hard-of-hearing, interpreters, psychologists, educational audiologists, speech-language pathologists; the provision of communication-accessible academic instruction, school services, and direct access to all components of the educational process, including recess, lunch, extracurricular social and athletic activities. And the equal opportunity to participate in advanced coursework, technical vocational coursework, and academic classes as identified by the IEP team. The bill also references appropriate assistive technology across a full spectrum.

The bill prohibits that a child identified as deaf or hard-of-hearing may not be denied the opportunity for instruction in a particular communication mode or language because another communication mode or language was originally chosen for the child.

**H. 4605 Ideological Coercion and Indoctrination Rep. Bennett**

This bill would protect the dignity and rights of all individuals to be free from **ideological coercion and indoctrination** in places of learning, childcare, and employment that receive, or benefit from, state funds or accommodations, directly or indirectly.

**H. 4608 “Save Women's Sports Act” Rep. Trantham**

This bill would enact the "**Save Women's Sports Act**." The bill would require gender-based or coeducational designation of certain public secondary and postsecondary school sports teams. The bill would also provide such sports teams designated for males may be open to female student participants; provide such sports teams designated for females may not be open to male participants; provide assumptions concerning the correctness of biological gender statements on official birth certificates of students; and, provide remedies to students and schools for violations of the provisions of this act.

**Motor Vehicles and Plates**

**H. 4543 Safety Features For Rebuilt Vehicles Rep. Taylor**

This bill adds the requirement that a **rebuilt** salvage, salvage flood, or salvage fire **vehicle** may not be issued a certificate of title unless the vehicle is equipped with certain safety features.

**H. 4539 Prohibitions on Certain Vehicular Modifications Rep. Burns**

This bill relates to unlawful **height differential** for vehicles. The bill increases penalties. Similar bill: H. 4574

**H. 4540 Abandoned or Derelict Aircraft Rep. Bustos**

This bill provides for (upon written notice) the disposal of abandoned or **derelict aircraft** by an airport manager.

**H. 4570 United States Space Force Plates Rep. Calhoon**

This bill relates to the issuance of special license plates so as to provide for the issuance of "**United States Space Force**" special license plates.

**H. 4574 Vehicle Height Differential Rep. Wooten**

This bill relates to the unlawful elevating or lowering of certain motor vehicles and the penalty for a violation, so as to provide passenger motor vehicles driven on the state's highways shall not be modified, altered, or changed to have a **height differential** between the back and front of more than five inches when not towing another vehicle. The change applies to pickup trucks, deleting the current exemption. The bill retains the current misdemeanor penalty and range of fines. This bill is similar to H. 4539.

**H. 4573 Roadway Obstructions Rep. Willis**

This bill relates to exceptions to the requirement that a vehicle must be driven on the right half of a roadway. The bill adds circumstances (when passing a pedestrian, bicycle, tractor, golf cart, or another slow-moving vehicle) for driving on the left side of the road to avoid **roadway** **obstructions** and clarifies that yielding right-of-way includes yielding to traffic approaching in the opposite direction.

**H. 4592 Dealer License Plates Rep. W. Cox**

This bill relates to the issuance of motor vehicle **dealer license plates**, so as to provide the Department of Motor Vehicles may not restrict the number of dealer license plates issued to a dealer.

**H. 4618 Stopping Requirements at Railroad Tracks Rep. Morgan**

The bill modifies the definition of “**bus**” requiring those vehicles to stop before crossing any **railroad tracks**.

**H. 4619 Emanuel 9 Rep. Murray**

This bill provides that the Department of Motor Vehicles may issue "**Emanuel 9**" special license plates.

# JUDICIARY

**Abortion**

**H. 4568 Chemically Induced Abortion Medical Information Rep. Oremus**

If enacted, this legislation would require a medical disclosure of specific effectiveness information to anyone seeking a mifepristone or misoprostol **induced abortion**, including, but not limited to a Plan B or a “morning after pill,” with a few stated exceptions.

**Children**

**H. 4555 "Parental Bill of Rights" Rep. May**

Seeks enactment of a "**Parental Bill of Rights**." It would prohibit specified government infringement on the fundamental rights of parents. They include parents’ rights to direct the upbringing, education, health care, and mental health care of their children. Exceptions to this prohibition in limited circumstances are set out, and include safety demonstrations, regular educational instruction, security or surveillance measures, and photograph school identification badging. Public education institutions and health care providers would be obligated to parents in specified circumstances. It would increase the age of consent to eighteen.

**H. 4566 Adult Adoptee Access to Adoption Records Rep. May**

The right of adult adopted persons to access their sealed **original birth certificates** would apply retroactively, once this bill becomes law, to all adoptions processed in this state.

**Courts**

**H. 4533 Revised Senior Citizens’ Age Exemption from Jury Service Rep. Jefferson**

The existing age **exemption from jury service** of sixty-five years of age or older would be increased to seventy-six years of age or older if this bill becomes law.

**H. 4544 Family Court Jury Trials Rep. Bennett**

If passed, this bill would require **Family Court jury trials** in divorce and private child custody actions. It also would revise court-ordered child custody case determinations. As a final piece, it would require all guardians *ad litem* in divorce and private custody actions to be licensed to practice law.

**H. 4615 Reporting Perjury Incidents Rep. J. E. Johnson**

Judges and other judicial officials would have to report all cases of suspected **false statements or misrepresentations** about conducting a business of insurance to the Insurance Fraud Division of the Office of Attorney General should this legislative initiative become law.

**Crimes**

**H. 4531 Hazing Crime Reforms Rep. Burns**

Revises criminal hazing, so as to update terms and restructure the penalties associated with unlawful **hazing**, which would include, but not be limited to, aggravated coercion, causing great bodily injury, physical harm, or permanent impairment.

**H. 4532 Offensive Contact as Criminal Sexual Conduct Rep. Garvin**

An effort to add a definition of "**offensive contact**” that would include touch that offends a reasonable sense of personal dignity. It would be added as a potential element of the crime of **criminal sexual conduct in the third degree**, which is punishable by up to 10 years in jail. The definition would also include touching someone after removing a condom without first having obtained consent to do so.

**H. 4534 Legal Scrap Metal Purchasing and Transportation Rep. Rutherford**

This proposal would revise the process and restrictions on **nonferrous metal** purchases, transportation, and sales. Nonferrous metals include copper. It also seeks to update various criminal offenses associated with nonferrous metals, including redefining “intent” and clarifying other aspects of these violations, including presumptions created by actions taken in specified situations.

**H. 4558 Aggravated Assault and Battery of EMS and Healthcare Workers Rep. Moss**

Seeks to create the crime of high and aggravated assault and battery in instances where a person injures a **health care worker** or **emergency response employee** who is in the discharge of--or because--of their official duties.

**H. 4559 Civil Offense Littering Rep. D. C. Moss**

Establishes a civil offense of littering when less than 15 pounds of **litter** is involved. Civil fines could be levied between $75 and $150. As an additional proposed feature of dumping litter on private or public property, it proposes to revise the penalties for littering offenses.

**H. 4585 Penalties for Attempted Murder Rep. Gilliard**

A proposal for a mandatory minimum sentence of ten years in jail, and increase the maximum penalty to life in jail, for **attempted murder** cases.

**H. 4612 Disorderly Conduct Revisions Rep. Hixon**

Public **disorderly conduct** criminal laws would be updated, after decisions in federal courts determining our existing laws have vagaries in them, to restructure this offense and to include disrupting or disturbing a religious or funeral service within its purview. It also sets out revised graduated penalties for violations

**H. 4613 Criminal Terrorist Activities Redefinitions Rep. G. R. Smith**

An effort to redefine "**terrorism**" to require that it include consultation, coordination, or collusion with a foreign terrorist organization, state sponsor of terrorism, or individual or organization designated by Presidential Executive Order as defined under federal law. In addition, it would prohibit participation in the prosecution of any person for terrorism if any alleged actions do not conform with this revised definition.

**Criminal Procedure**

**H. 4524 Corrections Officers Serving Warrants Rep. Collins**

After becoming law, this bill would allow **correctional officers** to serve **warrants** issued by municipal courts within the same county, on inmates housed where that officer works, without a magistrate first having to endorse it.

**H. 4526 Appealing Immunity from Prosecution Revocations Rep. Rutherford**

Anyone granted **immunity from prosecution** would be extended an immediate right to appeal any court finding that the person is not entitled to immunity. This situation would remain so even if a guilty plea is entered to the same underlying offense.

**H. 4562 “Stand Your Ground” Burden of Proof Rep. Rutherford**

If passed, this bill would squarely place the burden of proof on the state to prove that **“stand your ground” immunity** is inapplicable after a defendant asserts entitlement to this immunity in a pretrial hearing.

**H. 4583 No More No Drug Parole Rep. Rutherford**

If passed, this legislation would remove the **controlled substance offenses** of trafficking in drugs, cocaine, or methamphetamine as violent crimes. In addition, these offenses would no longer be considered no **parole offenses**.

**H. 4586 Nonviolent Crime Conviction Expungements Rep. S. Williams**

This legislation would allow nonviolent offenders’ convictions to be **expunged** ten years after their sentence and probation is completed. It sets out a proposed procedure for these expungements to be processed.

**H. 4594 Traffic Stop Prerequisites Rep. Gilliard**

Law enforcement officers could initiate **motor vehicle stops** for failure to register a motor vehicle, improper tag, defective lights, or driving with an obstructed view only if another motor vehicle offense is also observed prior to the stop.

**H. 4610 No Sniffing Out Marijuana Crimes Rep. Tedder**

The scent of marijuana alone could no longer provide law enforcement with reasonable suspicion, or probable cause, to support a stop, search, seizure, or arrest of anyone for any crime under the provisions of this bill.

**Elections**

**H. 4523 Paper Ballots for All Elections Rep. Burns**

All voting systems purchased would be required to use hand-marked **paper ballots** tabulated by optical scanners if this submission becomes law.

**H. 4550 “Restore Election Integrity Now" Committee Rep. Jones**

A bill to create a joint committee to be known as the "**Restore Election Integrity Now" (REIN**) Committee. It would examine issues related to election integrity. These issues would include the security of the vote before, during, and after election day; the accuracy and security of the election process; the uniformity of the election processes across the state; the impact and role of the state election commission in issuing interpretations, guidance, and instructions regarding the election process; the impact and role of the judiciary on the election process; and other election-related issues. These other issues could include the audit of 2020 primary and general election results. Also, it contains several provisions on organizing the committee operations and responsibilities. It will make annual findings and recommendations to the General Assembly before January first each year.

**H. 4551 General Election Study Committee Rep. Long**

Under this proposed joint resolution, a 2020 **General Election Study Committee** would be set up to examine the 2020 general election in South Carolina. It sets out the particulars for the study committee's membership and organization. After finishing its work, this group would issue a report with findings and recommendations, and then dissolve.

**H. 4620 Voter Domicile Rep. W. Newton**

For purposes of voter registration, the definition of "domicile" would be clarified to set out the circumstances when voters have changed **domicile** for voting. It also would revise the factors used to determine voters’ intention regarding their domicile.

**H. 4621 Private Entity Voter Registration Rep. W. Newton**

An effort to require the State Election Commission Executive Director to establish rules and regulations for any **voter registration** campaigns performed by private entities. It also would require county boards of voter registration and elections to require voters to take an oath of residence, and date stamp all voter registration applications delivered by hand or by mail.

**H. 4622 Absentee Ballot and Mailing Requirements Rep. W. Newton**

Once enacted, this comprehensive set of reforms to existing practices for **voter registration** and election commission operations would, among other things, require return-addressed envelopes to be marked on their front face "return to sender" in the event the envelope is undeliverable. It also adds a definition of "proof of identity." Another new restriction prohibits a person from serving as a witness for more than five absentee ballot applicants. County Registration Boards would have to provide printed instructions to absentee ballot applicants who share proof of identity together with their signed oaths. They will similarly have to mark their return-addressed envelopes "return to sender" in the event their envelopes are undeliverable. An additional proposed feature of this legislation is that a candidate or a member of a candidate's paid campaign staff, including campaign volunteers, is not permitted to serve as an authorized **absentee ballot** returnee for any person unless the person is a member of the voter's immediate family. Absentee ballot applicants who fail to include their required proof of identity, would have their ballots treated as provisional.

**Education**

**H. 4577 Commission for Comprehensive Education Rep. White**

An effort to abolish the Education Oversight Committee and the Commission on Higher Education on July 1, 2022. All of their duties, responsibilities, and functions would instead be performed by a new South Carolina **Commission for Comprehensive Education**. It would become the lead agency to coordinate and implement initiatives for lifelong learning and provide a seamless system of educational initiatives. These would cover every level of education from early childhood education through graduate level studies. This new systematic approach would be known as the "P-20 Educational System for Preschool Through Age Twenty" to become effective July 1, 2022.

**H. 4607 "Keep Students in School Act" Rep. Tedder**

Enacts the "**Keep Students in School Act**" by creating a **Restorative Justice Study Committee**. It would review our juvenile justice laws, and make recommendations for proposed changes to facilitate and encourage diversion of juveniles from the juvenile justice system to restorative justice practices in an effort to reduce recidivism. This study committee would make recommendations concerning related pilot programs, including specific requirements for it. Any school districts adopting common sense zero-tolerance policies could not rigorously apply these policies to petty acts of misconduct, or misdemeanor crimes. These policies would also have to be applied equally to all students regardless of their economic status, race, or disability. Additionally, the criminal justice academy would have to develop and implement a cultural competency model training program curriculum for school resource officers. As a final significant change to existing law, it would repeal laws allowing student expulsions.

**H. 4606 Study Committee on Jim Crow Laws and Slavery Rep. Rivers**

A proposed study committee to examine the impact of the **Jim Crow laws and slavery** on public education in this state. This bill sets out the membership, duties, and report, with findings, to be filed with the General Assembly, and then dissolve.

**Flags**

**H. 4515 Public Building Flag and Motto Poster Displays Rep. Burns**

An initiative to require the display framed copies or durable **posters** of the South Carolina state flag, the United States flag, and our national motto In God We Trustin state public buildings, including public school classrooms and libraries.

**H. 4530 Restricting Public Building Flag Displays Rep. May**

If enacted, this legislation would prohibit **flags and banners** that intend to promote a social or political cause from being displayed in, flown upon, or placed near public buildings.

**General Law**

**H. 4512 Legal Drinking Age to be Eighteen Years Old Rep. Rutherford**

This pending bill would establish the **legal drinking** age in South Carolina to be eighteenyears old, and amend all related codes sections to reflect this change.

**H. 4513 Increased Charitable, Non-Profit Contributions and Raffle Prize Values Rep. G. R. Smith**

If enacted, this legislation would increase individual donation limits before triggering a **charitable organization**’s need to register from $20,000 to $36,000. It also would allow raffle total prize amounts for these groups to increase from $950 to $2,000.

**H. 4520 African American Heritage Commission Reforms Rep. J. A. Moore**

Among other things, this proposed legislation would replace the **African American Heritage Commission’s** current commission members with members appointed by our Governor, but with recommendations from listed Historic Black College Presidents as to who to appoint. Also, it would revise the composition and method for appointing commission members. Staggers board members' terms.

**H. 4548 Civil Air Patrol Protections Rep. Bustos**

All re-employment protections extended to members of the South Carolina National Guard and South Carolina State Guard, who serve state duty at the discretion of the governor, would be extended to members of the South Carolina Wing of the **Civil Air Patrol**. These protections would kick in when these members are ordered into service to perform civil air patrol missions at the request of the Governor, the South Carolina Emergency Management Division, or the Federal Emergency Management Agency.

**H. 4547 No Local Short-Term Rental Restrictions Rep. Hewitt**

No city, county, or other political subdivision of the state could enact any ordinance, resolution, or regulation that prohibits the **rental of residential dwellings to short-term guests**, if this legislation becomes law.

**Government**

**H. 4601 County Minimum Ambulance Service Standards Rep. W. Cox**

County councils would need to have at least one licensed ambulance service operating within its jurisdiction under this proposal. Cities could set up, or contract for these services as well.

**Guns**

**H. 4602 Illegal Gun Sales and Confiscations Rep. Gilliard**

An effort to increase the penalty for the unlawful sale, delivery, lease, rent, barter, loan, exchange, or transportation of certain **handguns**. In addition, the records of all handguns confiscated by law enforcement agencies would have to be made available to the public, and this published information would have to include the origins of these handguns, if this bill is enacted.

**H. 4616 Microchipped Handguns Rep. Gilliard**

All **guns** manufactured in this state would have to have an **electronic chip** that will identify its owner, should this bill become law.

**Health**

**H. 4507 State Entity Mask Mandate Ban Rep. Jones**

A proposal to prohibit state agencies, departments, institutions, commissions, boards, or political subdivisions, including school districts, from requiring any individuals to wear **face masks** on their premises.

**H. 4508 State Entity Vaccine Mandate Ban Rep. Jones**

A proposed joint resolution to prohibit state agencies, departments, institutions, commissions, boards, or political subdivisions, including school districts, from requiring any individuals to be **vaccinated**.

**H. 4509 SCDHEC COVID-19 Expenditure Restrictions Rep. Jones**

This proposed joint resolution would prevent the SC Department of Health and Environmental Control (**DHEC**) from **spending** any of its funds for mandatory enforcement, coercion, requirement, or guidance regarding face masks, **COVID-19** testing, or **COVID-19** vaccines. If this bill is enacted, and SCDHEC violates any of its provisions, then the State treasurer is direct to freeze all of this agency’s funds.

**H. 4516 No No-Vaccination Punishments or Retaliations Rep. Bustos**

When effective, this legislation would prevent employers from terminating any employees who decline a **COVID-19** vaccination, as long as the **employee** receives monoclonal therapy, or has been previously diagnosed with **COVID-19**.

**H. 4545 Requiring Vaccinated Patrons and Visitors Equals Civil Liability Rep. Burns**

**Civil liability** would extend to circumstances when any entity requires anyone seeking admission on their premises to be vaccinated for **COVID-19**.

**H. 4552 No Public Higher Learning Institutional Mask or Vaccine Mandates Rep. Bustos**

Upon becoming law, this legislation would prevent public **higher learning** (i.e. post-secondary) institutions from requiring students or employees to receive **COVID-19 vaccinations** in order to be employed or enrolled. In addition, it would prohibit them from announcing or enforcing any policies prohibited by this joint resolution, which would expire July 1, 2023.

**H. 4556 Vaccination Status Protection for Public School Students Rep. White**

Students would be entitled to attend **public schools** regardless of their **COVID-19 vaccination** status should this bill be enacted. It also would prohibit SCDHEC and public school districts from requiring **COVID-19** vaccinations in order for students to attend K-12 public schools.

**H. 4560 "South Carolina Vaccination Rights Act of 2022" Rep. Hiott**

The "South Carolina **Vaccination Rights Act of 2022**" would set out certain unlawful discriminatory practices. They would include demanding to know anyone’s **vaccination status** or the possession of an **immunity passport**. Proposes definitions of "vaccination status" and "immunity passport.” Sets out the absolute privacy of medical records, and what constitutes “discrimination by vaccination status.”

**H. 4561 No First Responders Vaccine Mandate Rep. Wooten**

A proposed state and political subdivision prohibition against requiring a **COVID-19** vaccination for **first responders**.

**H. 4565 "South Carolina Medical Privacy Act" Rep. Hill**

The "**South Carolina Medical Privacy Act**" would prohibit the required disclosure of personal medical records or medical care information as a condition of employment. This information similarly could not be required to secure, receive, or access any public facility, benefit, or service. This proposal goes on to prohibit schools from promoting and administering **vaccinations** to students.

**H. 4598 Hospital Violent Incident Reporting Rep. Gilliard**

**Workplace violence in hospitals** would have to be documented if this legislation becomes law. In addition, these hospitals would then have to report these incidents to law enforcement and SCDHEC. It also sets out the specific information that must be included in these reports.

**Internet**

**H. 4528 Stop Social Media Censorship Act Rep. Burns**

This bill, to be known the “**Stop Social Media Censorship Act**,” adds new state code sections to stop social media censorship by levying penalties, but allowing exceptions to what may be considered a violation, including, but not limited to, “shadowbanning,” using algorithms to ferret out religious speech or targeted political speech, and otherwise censuring accounts.

**H. 4535 “Youth Protection from Internet Pornography Act” Rep. Bennett**

This bill entitled “**Youth Protection from Internet Pornography Act**” is a legislative effort to protect children from viewing harmful pornography on their electronic devices, by requiring these devices to be sold in this state with automatic filtering devices installed. Manufacturers, individuals, and others would be subject to civil and criminal liability for violating the requirements of this proposed law. Contributing to the delinquency of a minor would include providing a passcode to remove the pornography filter on an internet accessible device by someone other than a minor's parent or legal guardian.

**H. 4563 Cyber Sexual Harassment Rep. Wooten**

Creates a **cyber-sexual harassment** criminal offense with penalties. It also sets out exceptions to what can be considered cyber-sexual harassment, including images taken in public or commercial settings, disclosures made in the public interest by law enforcement, in legal proceedings, for medical treatment, or for educational purposes.

**Law Enforcement**

**H. 4542 Limiting Military Materiel for Law Enforcement Use Rep. J. A. Moore**

**Law enforcement** agencies could no longer acquire specified **military materiel** if this proposal becomes law.

**H. 4593 Taser Training for Law Enforcement Rep. Gilliard**

The Criminal Justice Academy would be required to conduct training, and facilitate continuing education courses, on the proper use of **tasers** before certifying law enforcement officers for duty. This training will include de-escalation techniques, conflict management, barriers to communication, and deflecting verbal abuse.

**H. 4595 Law Enforcement Agency Licensed Mental Health Professional Staff**

**Rep. J.L. Johnson**

All law enforcement agencies would be required to employ, or contract with, licensed mental **health professionals** if this bill is enacted.

# LABOR, COMMERCE AND INDUSTRY

**H. 4502 Prohibition on the Collection of Bank Account Information by Tax Agencies Rep. Burns**

This bill provides that a bank may not allow a governmental tax collection agency to collect **customer data** relating to a customer’s account balances, deposits, or withdrawals.

**H. 4510 Local Licensing Fees Rep. May**

This bill revises provisions establishing situations in which **local licensing fees** may or may not be imposed, so as to provide that a municipality or county that is the location of a carrier’s principal place of business may not impose a license fee or license tax on certain certificate holders.

**H. 4517 “Racially Restrictive Covenant Removal Act” Rep. Gilliard**

This bill, the “**Racially Restrictive Covenant Removal Act**,” establishes procedures allowing certain individuals to record new instruments to remove racially restrictive covenants and certain other restrictive covenants from deeds to real property.

**H. 4518 “Coastal Structural Stability Study Committee” Rep. Gilliard**

This joint resolution creates a temporary “**Coastal Structural Stability Study Committee**” to examine current measures for inspecting commercial buildings that are six floors or more in height constructed along the South Carolina coast and on the Charleston peninsula to evaluate their structural soundness. The study committee is charged with reporting of its findings and recommendations to the General Assembly by January 1, 2023, when it is set to expire.

**H. 4536 Prohibition on Professional Control of Optometrists and Opticians by Health Insurers**

**Rep. Daning**

This bill prohibits health insurers offering vision insurance from controlling or attempting to control the professional judgment, manner of practice, or practice of an optometrist, therapeutic certified optometrist, or optician.

**H. 4537 “Kidney Donor Protection Act” Rep. Jefferson**

This bill, known as the “**Kidney Donor Protection Act**,” prohibits issuers of individual life insurance policies, issuers of group life insurance policies, issuers of disability income insurance policies, and issuers of long term care insurance policies from discriminating against living kidney donors. The legislation requires employers to extend benefits of the **Family Medical Leave Act of 2003** to individuals undergoing surgery related to kidney donation.

**H. 4569 Health and Safety Hazards Prohibited on Property Adjacent to Childcare Facilities Rep. May**

This bill provides that an owner or tenant of any lot or property adjacent to a licensed **childcare facility** must maintain outdoor space free from hazards, litter, and noxious odors, such as livestock, feral animals, and animal waste, that could pose a danger to the health and safety of children. Any livestock, including chickens, maintained on the premises in accordance with a municipal or county ordinance must be confined in a coop, pen, or other secure cage at least fifty feet from the property line of the childcare facility. A violator is subject to a civil penalty not to exceed five thousand dollars per day for each day of violation.

**H. 4581 Prohibition on Using Credit Scores as the Basis for Personnel Actions Rep. Gilliard**

This bill provides that an individual’s **credit score** must not be the basis of any personnel action, such as granting an interview to a prospective employee or decisions concerning hiring, terminating, demoting, or promoting an employee. A violation is a misdemeanor subject to a fine of not less than ten nor more than fifty dollars or imprisonment for not less than ten nor more than thirty days.

**H. 4588 Alternative Benefit Clauses Prohibited in Dental Insurance Policies Rep. Tedder**

This bill prohibits the inclusion of **alternative benefit clauses in dental insurance policies** issued in this state. An alternate benefit clause in a dental policy provides that, when a less expensive dental procedure that serves the same function is available, the insurer only will provide coverage for the less expensive procedure, despite the recommendation of a different procedure by the dentist.

**H. 4589 Exclusion of Preexisting Conditions Prohibited in Dental Insurance Policies Rep. Tedder**

This bill provides that a **dental plan** issued in this state may not deny a benefit for covered dental services to treat conditions existing prior to the date the coverage begins.

# MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

**H. 4519 Beauty Salons and Barbering Rep. Huggins**

The legislation revises the definition of beauty salons to include barbering within the scope of professional services that may be performed in addition to cosmetology.

**H. 4541 Pregnant and Postpartum Inmates Rep. Haddon**

This bill provides for the treatment of **pregnant and postpartum inmates**.

**H. 4567 Treatment for an Infection, illness, or other Health Condition Caused by a Declared Epidemic or Pandemic Disease Rep. Oremus**

The legislation authorizes the use of **investigational drugs or treatments** for certain patients who contract an infection, illness or other health condition caused by a declared **epidemic or pandemic disease**.

**H. 4579 Bedbug Infestation Disclosure Rep. Gilliard**

Every boardinghouse, hotel, motel, bed and breakfast, residential‑type lodging facility, tourist camp, roadhouse, or other similar lodging where transient guests are lodged shall conspicuously post a notice of **bedbug infestation** in any guestroom in which there has been a bedbug infestation about which the owner, manager, or other responsible party is aware.

**H. 4597 Nondiscrimination in Access to Anatomical Gift and Organ Transplants Rep. Bustos**

This legislation prohibits discrimination against individuals with disabilities in accessing **anatomical gifts and organ transplants**. The legislation establishes requirements.

**H. 4599 Spinal Muscular Atrophy Rep. K. O. Johnson**

The legislation adds **spinal muscular atrophy** to the list of the neonatal testing conducted on newborns.

**H. 4600 Health Care Decisions for Patients Rep. West**

As a result of the March 2020 review conducted by the Legislative Oversight Committee, this legislation is at the request of the South Carolina Department of Mental Health to modernize a statute pertaining topersons authorized to make health care decisions for a **DMH patient** unable to consent. This legislation would be consistent with the 2019 legislative changes to a statute governing care for all adults unable to provide consent for treatment.

# WAYS AND MEANS

**H. 4501 Expenditure Requirements for Rural Roads Rep. Brawley**

This bill revises gasoline user fee funds requirements, to provide that at least fifteen percent of a county’s apportionment of “C” funds must be expended on the state highway system for improvements and maintenance of **rural roads** that were once maintained by a county.

**H. 4503 School Tuition Rebates Rep. Burns**

This bill establishes provisions that allow a family with at least one child attending a K-12 public school outside of his school district, a private school, or a homeschool to receive a school **tuition rebate**.

**H. 4529 Agency Head Salary Commission Recommendations Rep. King**

This bill revises provisions governing **Agency Head Salary Commission** recommendations to provide that a salary increase shall not become effective until approved by a majority of the Senate and a majority of the House of Representatives in separate votes held only on the question of each individual increase.

**H. 4546 Home Health Agencies Exempted from Certificate of Need Requirements Rep. Davis**

This bill revises the exemptions from obtaining a certificate of need from the Department of Health and Environmental Control in order to make certificate of need requirements inapplicable to **home health agencies**.

**H. 4549 Acute Hospital Care at Home Rep. M. M. Smith**

This bill makes provisions for acute hospital care at home. Certificate of need program exemptions are revised to exempt “**acute hospital care at home**” programs and services. The Department of Health and Environmental Control is required to promulgate regulations for licensing acute hospital care at home programs and services.

**H. 4557 State Fire Marshal Included on the Coordinating Council for Economic Development Rep. White**

This bill adds the **State Fire Marshal** to the membership of the **Coordinating Council for Economic Development**.

**H. 4564** **Opioid Treatment Exempted from Certificate of Need Requirements** **Rep. Davis**

This bill revises the exemptions from obtaining a certificate of need from the Department of Health and Environmental Control in order to make certificate of need requirements inapplicable to **opioid treatment programs**.

**H. 4584 Additional In-District Compensation for Members of the General Assembly Rep. Gilliard**

This bill makes provisions for all members of the **General Assembly** to receive additional in-district compensation of one thousand five hundred dollars each month.

**H. 4591 State Health Insurance Plan Option for a Covered Spouse Rep. S. Williams**

This bill provides that, beginning January 1, 2023, a person insured by the **state health plan** as a covered spouse who obtains employment making him eligible for coverage under the state plan may remain covered under the family plan of his spouse.

**H. 4603 *PalmettoPride* Initiatives to Combat Litter Rep. Erickson**

This bill adds the Secretary of the Department of Transportation to the Board of Directors of *PalmettoPride*. The legislation provides that funds allocated to *PalmettoPride* shall flow through the Department of Transportation, and the Department of Parks, Recreation and Tourism shall transfer certain funds to SCDOT.

**H. 4604 “George Stinney Fund” Rep. McKnight**

This bill establishes the “**George Stinney Fund**” from which the Department of Administration shall operate a grant program to compensate the family of a person who was wrongfully executed. Ten million dollars from the Contingency Reserve Fund is appropriated to the new fund.

**Lottery**

**H. 4514 Education Lottery Contractual Arrangements with Agencies Rep. West**

This bill revises Education Lottery Account provisions to remove certain provisions authorizing contracting with agencies for the treatment of **compulsive gambling disorder** and related educational programs. The legislation implements an update to statutory language proposed by the House Legislative Oversight Committee’s study of the Department of Alcohol and Other Drug Abuse Services.

**H. 4521 Lottery Commission Games of Skill Machines Rep. Rutherford**

This bill provides that the Lottery Commission may lawfully own, market, and regulate **games of skill machines that may be activated by depositing cash** into the machines and that allow skilled players to earn prizes, provided the Lottery Commission shall maintain ownership and control of these games of skill machines. A person eighteen years of age or older lawfully may play these machines and an establishment approved by the commission may lawfully possess these machines if the commission maintains ownership and control of these machines at all times.

**Taxes**

**H. 4506 Motorcycle Property Tax Exemption Rep. Jones**

This bill establishes a property tax exemption for one third of the value of any **motorcycle**.

**H. 4511 Property Tax Exemption on Vehicles for Disabled Former Law Enforcement Officers and Firefighters Rep. Pendarvis**

This bill establishes a property tax exemption for two private passenger vehicles owned or leased by any permanently and totally disabled **former** **law enforcement officer or former firefighter**. The exemption extends to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse.

**H. 4575 Income Tax Credit for Those Who Homeschool Their Children Rep. Elliott**

This bill establishes an **income tax credit** for a parent or guardian who teaches a qualifying student at home for **instruction-related** expenses.

**H. 4527 Military Retirement Income Tax Deduction Rep. Bustos**

This bill revises **military retirement** **income deduction** provisions by removing certain limits so that, beginning in tax year 2022, all military retirement income may be deducted from South Carolina taxable income.

**H. 4611 State Income Tax Credit for Home Offices Rep. White**

This bill authorizes a **state individual income tax credit** to any taxpayer that claims a federal deduction for expenses related to the business use of the taxpayer’s home. The credit is equal to fifteen percent of the amount of the same federal deduction. The legislation provides that South Carolina gross income does not include any gain resulting from the sale of a taxpayer’s home that was not excluded from federal gross income solely because the taxpayer claimed the federal deduction for expenses related to the business use of the home.

###

For an index, see the INDEX version

The **Legislative Update** is on the internet. 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 in two forms:  Word documents and hypertext links. Click on the date you need. Also available under Publications is a bill **summary index**, where bills referenced in the Legislative Updates are listed in numeric order. Links to 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 left-side vertical menu bar).