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# House Floor Review

The House of Representatives amended, approved, and sent the Senate **H. 4880**, a bill providing for **income tax relief**. The legislation provides for a lowest individual income tax bracket that is taxed at zero percent and collapses several tax brackets, currently subject to rates of three percent, four percent, five percent, and six percent, into a single tax bracket so that incomes falling in this middle range are all taxed at three percent. The legislation gradually reduces the rate for the highest tax bracket from seven percent to six percent under a schedule that phases in the tax relief in years when the state experiences sufficient revenue growth. Under this schedule, the seven percent top marginal rate is lowered to six and one half of one percent in Tax Year 2022. Afterwards, it is decreased by one tenth of one percent in a year when the state’s general fund revenues are projected to increase by at least five percent until the top marginal rate is lowered to six percent. This legislation, beginning with tax year 2022, also exempts *all* military retirement income from South Carolina individual income tax, regardless of the taxpayer’s age.

The House approved and sent the Senate Joint Resolution **H. 3347**, a **proposed state constitutional amendment for** **increasing state financial reserve funds** that are used to cope with revenue shortfalls. The proposed amendment provides for the state’s General Reserve Fund, currently set at five percent of General Fund revenue of the latest completed fiscal year, to be increased each year by half of one percent until it equals seven percent of General Fund revenue of the latest completed fiscal year. The proposed amendment increases the state’s Capital Reserve Fund from two percent of General Fund revenue of the latest completed fiscal year to three percent of such revenues. Should the General Assembly pass the joint resolution, these proposals for amending the South Carolina Constitution would be placed before the state’s voters as ballot questions at the next general election.

The House gave third reading and sent to the Senate **H. 4939**, a bill requiring the Department of Agriculture to develop a **“Certified S.C. Raised Beef”** designation, along with developing label and application process. The bill further outlines that a beef producer located in this state that meets all criteria is entitled to this designation.

The House gave third reading and sent to the Senate **H. 4778**, a bill that adds that an entity that has contracted for the right to **store water in a reservoir** owned by the US Army Corps of Engineers has exclusive rights to any **return flows** generated to that reservoir under the “Water Resources Planning and Coordination Act.” The bill further outlines that the “return flow” means water that is discharged directly or indirectly to a reservoir from a water recovery facility.

The House gave third reading and sent to the Senate **H. 3598**, a bill that creates the **“Veterans Service Organization Burial Honor Guard Support Fund.”** The purpose of this fund is to help offset the costs paid by South Carolina chapters of congressionally chartered veterans service organizations that provide well-equipped and properly trained honor guard burial details at the funerals of qualifying South Carolina veterans. This bill requires the Secretary of the SC Department of Veterans Affairs to authorize a disbursement from the fund not to exceed $100 per funeral. Revenues to the fund may include gifts, grants, federal funds, or donations, as well as funds appropriated by the General Assembly.

The House approved **H. 4143,** as amended by the committee, gave third reading and sent to the Senate, legislation dealing with the **warning lights on tow wreckers**. This bill outlines that a wrecker must use a mounted oscillating, rotating, or flashing light at an emergency scene and at any time when rendering roadside assistance.

The House approved **H. 3538**, as amended by the committee, gave third reading and sent to the Senate, legislation that requires the Department of Natural Resources to set conditions under the Alligator Management Program for the **humane taking and disposition of alligators.** The legislation adds that a person capturing alligators must take all reasonable precautions to protect the health and safety of members of the public and prevent direct contact between the public and captured alligators. Alligators only may be relocated or moved within the boundary of the parcel described on the depredation permit, unless written permission is given by the Department. Disposal of alligator carcasses into waters, ephemeral and intermittent streams, ditches, and swales is prohibited. In addition, disposal on any property without the landowner’s permission or at any public boat ramp is prohibited. It is also noted that no alligator may be held alive for more than eight hours and no live alligator may be transferred to another person unless with written permission from the Department. In addition, the legislation outlines that the official citation issued by enforcement officers may be use to cite violations.

The House gave third reading and sent to the Senate **H. 4904**, legislation that allows the Department of Natural Resources to obtain and utilize Schedule III Nonnarcotic and Schedule IV Controlled Substances for the **capture and immobilization of wildlife**.The department must apply for a Controlled Substance Registration Certificate from DEA and a state controlled substances registration from the Department of Health and Environmental Control. Only trained and certified department employees can provide the administration of tranquilizing agents.

The House gave third reading and sent to the Senate **H. 4905**, a bill that includes the referenceof **hybrid bass** in the striped bass statutes.

The House gave third reading and sent to Senate **H. 4906**. In an effort to prevent the introduction or distribution of a disease, in particular the chronic waste disease, that affects the deer population, the bill outlines that upon declaration of a **wildlife disease emergency** by the Director of the Department of Natural Resources, after consulting with the Director of the Livestock Poultry Health Division (Clemson University), may promulgate regulations, among many things, to delineate disease management zones at any geographic scale; and declare temporary emergency open seasons.

The House gave third reading and sent to Senate **H. 4907**, legislation that updates the freshwater game fish laws to include other specifies of bass, such as the **Alabama bass,** and **trout hybrids**. The legislation outlines that it is illegal to sale game fish in this state.

The House gave third reading and sent to the Senate **H. 4600**, a bill that revises the priority list of persons who can make **healthcare decisions** for persons who are unable to do so. This bill is a result of a recommendation arising from the House Legislative Oversight Committee's study of the Department of Mental Health completed in 2020. This bill modernizes the code of laws pertaining to persons authorized to make healthcare decisions for a DMH patient unable to consent so as to be consistent with 2019 legislative changes to a statute governing care for all adults unable to provide consent for treatment.

The House gave third reading and sent to Senate **H. 4597**, a bill that outlines that an individual who is in need of an **anatomical gift** shall not be deemed ineligible to receive an anatomical gift solely because of the individual’s physical or mental disability.

The House approved **H. 3599**, as amended by the committee, gave third reading and sent to Senate, a bill that enacts the **Occupational Therapy Licensure Compact**. This bill allows South Carolina to enter into a multistate licensure compact to provide for the reciprocal practice of occupation therapy among the states that are part of the compact. The purpose of this compact is to facilitate interstate practice of occupational therapy with the goal of improving public access to occupational therapy services. Nine states have enacted legislation to join the compact with several others underway. South Carolina currently has membership with the nursing and physical therapy compacts. The bill adds requirements for fingerprinting and criminal SLED background checks.

The House approved **H. 3833**, as amended by the committee, gave third reading and sent to Senate, a bill that allows for South Carolina Board of Examiners in Psychology Board to enter into the **Psychology Inter-jurisdictional Compact (PSYPACT)**. This bill permits eligible psychologists to practice telepsychology and temporary in-person psychology across state boundaries. The bill additionally establishes the qualifications for licensure as a psychologist under PSYPACT and provides for the compact states' rights and obligations. This bill will increase the deliverability of behavioral services to the citizens across South Carolina. The bill also adds the language requirements for fingerprinting and criminal SLED background checks.

The Senate non-concurred in the amendments proposed by the House to **S. 16**. On the motion of Rep. Allison, the House insisted upon its amendments. The Chair appointed Reps. Allison, Felder and Henderson-Myers to the Committee of Conference on the part of the House. The House amendment struck the bill in its entirety and inserts a new graduation requirement for both traditional and charter school students. Beginning with students entering ninth grade in the 2026-27 school year, a one-half credit course in **basic personal finance** must be completed to earn a diploma. This does not replace the economics course requirement as required in the original bill. Instead, students will take 6.5 units of elective credit instead of the seven now

required. The standards must include the following: basic principles of personal finance; internet safety; use and responsibilities of loans and credit products; and health, life, automobile, and other insurance products.

After informing the House that it non-concurred in the amendments proposed by the House to [**S. 203**](http://scstatehouse.gov/billsearch.php?billnumbers=203&session=124&summary=B) (on the subject of the removal of **school district trustees** and filling of vacancies) and after the House insisted on its amendments (appointing Reps. Felder, Brittain and Alexander to the committee of conference on the part of the House), the Senate appointed Senators Hembree, Bennett and Matthews to the Committee of Conference on the part of the Senate.

# House Committees

**Education**

The Committee on Education and Public Works met and passed five bills.

The Committee amended **H. 3242** to require the Department of Education to create, publish, and provide to all public schools a list of **alternative education programs** that can award a high school degree or high school equivalency credential. The list must include, but not be limited to, the Wil Lou Gray Opportunity School and the South Carolina Youth Challenge Academy. As part of each student's annual review of his Individualized Graduation Plan, school counselors shall distribute information provided by the Wil Lou Gray Opportunity School, the South Carolina Youth Challenge Academy, and any other alternative education program to students who are not on track for on-time graduation or who otherwise are at risk of dropping out of school. School counselors shall provide those institutions the names and addresses of all students who are not on track for on-time graduation except for students who have opted out of disclosure of directory information under the Family Educational Rights and Privacy Act. Parents or students age eighteen or older may complete a form to opt the student out of the disclosure of student contact information with these institutions.

The Committee passed **H. 3337**, a bill that enacts the "**Military Temporary Remote School Enrollment Act**" to require a school district to accept an application for enrollment and course registration by electronic means for a pupil whose parent or legal guardian is transferred to or is pending transfer to a military installation while on active duty pursuant to an official military order. The parent or legal guardian must provide proof of residence to the school district within ten days after the arrival date provided on official documentation. Any ambiguity in construing the provisions of this bill must be resolved in favor of the enrolling pupil.

The Committee amended **H. 4618** regarding bus stopping requirements at railroad tracks.

The Committee amended **H. 4319**, a bill to provide that upon the request of a person, the DMV must issue a Real ID compliant driver's license that contains the person's **name as it appears on their current driver's license**. Acceptable evidence when applying for or renewing a driver's license, beginner's permit, or identification card that proves the applicants date of birth, place

of birth, gender, Social Security number, principal residential address, full legal name, when applicable, legal name change, and when applicable, authorized length of stay in the United States.

Other provisions provide for a **name change that occurred after the applicant's birth** – the applicant must present documentation to the Department to show name traceability: court orders, a marriage license issued signed by the official that performed the wedding ceremony and signed by both parties to the marriage, or an equivalent marriage license issued by a foreign jurisdiction, a change of name allowance following a divorce or an equivalent change of name document following a divorce issued by a foreign jurisdiction, or an unexpired, United States Passport or Passport Card that includes the applicant's full legal name.

If any one of the above documents does not show a link to the applicant's evidence of full legal name, the Department may require the applicant to submit more than one document to show traceability from the applicant's original name to their current name.

The Department may issue any driver's license or identification card in the applicant's preferred name if the applicant presents to the Department at least three different documents, acceptable to the Department, showing the applicant's full name with the preferred name being the one used for at least fifteen years.

The applicant's social security number must be validated with the Social Security Administration using the applicant's preferred and full name presented to the Department before the Department may issue a driver's license, permit, or identification card to the applicant. In the case of the social security number not validating, the Department shall not issue any type of REAL ID permit, license, or identification card.

The Committee passed **H. 3600**, a bill that extensively addresses the subject of **utility terrain vehicles** (UTV). This bill would define the term utility terrain vehicle and provide for the registration and operation of them on highways and streets (to include side-by-side, four-wheel drive, off-road vehicle, transporting individuals and cargo or both, tires, width, steering and seating). The bill also addresses speed and engine power to ensure it is over the size of UTVs designed for young people. They must be registered like a passenger vehicle. The UTV is exempt from county property tax and is subject for registration renewal biennially. It is subject to user fees for electric, hydrogen, and fuels other than motor fuel. Other requirements are: unobscured license plate, registration, proof of ownership, liability insurance and a ten-dollar biennial fee. UTVs may only travel on roads with a fifty-five mph speed limit or less within twenty miles of registered address of the owner. UTVs may cross a faster road within twenty miles of the registered address of the owner. It may be operated on an island road not accessible by a bridge designed for use by automobile. Operator must be at least sixteen years old and hold a valid driver’s license. The operator must have in his possession while operating on a street or highway: license plate and registration certificate, proof of liability insurance and driver’s license. If operator is sixteen and hold a conditional driver’s license, the vehicle may only be driven during daylight hours. Registered UTVs may NOT be operated by anyone who holds a beginner’s permit holder, even if accompanied by a licensed driver, a moped operator’s permit, a temporary alcohol license, a route restricted license, a provisional driver’s license; or solely a motorcycle license. A child under eight years old may not be a passenger. Drivers and passengers are required to have helmets and googles. Registered UTVs must be equipped with: Type Two seat belt assembly (pelvic and upper torso restraints), operable headlights, brake lights, taillights and turn signals. Drivers and passengers of a registered UTV, while being operated on a roadway, must wear a fastened safety belt. SCDMV must not register or renew the registration of a UTV unless a certificate of title has been issued to owner or application delivered by owner to SCDMV. The SCDMV may require a bill of sale, invoice, or other sales document to properly title. Certificates of titles issued under this subsection must be branded “off road use only.” UTVs are exempt from the State Infrastructure Tax, but subject to sales tax.

The Committee approved **S. 947** that exempts the Electric Cooperatives of South Carolina from being regulated as a **driving school** by exempting an association formed by a group of electric cooperatives pursuant to the extent that it trains member cooperative employees.

**Judiciary**

The committee tendered a favorable report on **H. 3788**, which would add the **Attorney General**, or his designee, as a **Commission on Prosecution Coordination member**, if enacted.

A favorable report, with proposed amendments, was given to **H. 4919**, an **absentee ballot and other comprehensive voting reforms** proposal. This bill would establish Monday through Saturday from 8:30 a.m. to 6:00 p.m. early voting in South Carolina for the two weeks preceding any general election, and enact various other voting reforms as well. A county’s population and square mileage would determine the number of early voting locations to be established.

These reforms would include prohibiting candidates from filing more than one intention of candidacy statement for a particular election. It also would prohibit candidates from being nominated by more than one political party for a single office, or candidates' names appearing on a ballot more than once.

In addition, voter registration applicants would have to make an additional oath that they, to the best of their knowledge, are not already a registered voter in any other state. While their registration information may be used for operating the voting system in place in our state, the State Election Commission [SEC] Director would have to certify annually that this information is being securely maintained in accordance with listed national standards. Before any new voting systems could be purchased, the SEC would be required to receive input from the public, academia, public interest organizations, local election officials, and policy makers. Optical scanners in existing, or proposed, systems would have to meet strict standards as specified in this bill.

Voter registration lists would have to be amended within seven days of the SEC receiving any information that disqualifies any registered voter.

Absentee ballot oaths would be required to have the printed name of the witness, in addition to their signature and address. For anyone qualified to vote by absentee ballot, a new reason to vote absentee would be that a voter is going to be absent from the county for the duration of the early voting period and on Election Day. Being on vacation during early voting or on Election Day would no longer be a valid reason for obtaining an absentee ballot. Applications for these ballots would include the last four digits of the voter’s social security number. No more than ten absentee ballot applications could be distributed to any one person.

Absentee ballot delivery would require an authorized returnee to produce a current and valid form of government-issued photo identification. Receipt and opening absentee ballot return envelopes would be able to begin at 6:01 p.m. on the Saturday before Election Day, and tabulating absentee ballots could start at 7:00 a.m. on the calendar day before Election Day. Anyone reporting absentee ballot results before the polls are closed would face criminal penalties of up to five years in jail, or fines of up to $1,000.

Any voter who has already voted absentee could cast a provisional ballot on Election Day. This provisional ballot could be counted only if that voter's absentee ballot is not received in the county voter registration and election commission offices by 7:00 p.m. on Election Day.

As a last item of business, it gave a favorable report to **S. 430**,a bill to require that our state **Commission for the Blind** meet at least once each year. Current law requires this Commission to meet at least monthly.

**Labor, Commerce and Industry Committee**

The House Labor, Commerce and Industry Committee met on Thursday, February 24, and reported out several bills.

The committee gave a report of favorable with amendments on **H. 4220**, a bill establishing a protocol for the **mutual rescission of a life insurance policy**. The legislation details how mutual rescission of a life insurance policy may be accomplished through an agreement entered into by the involved parties that rescinds and voids a policy in instances when false statements were made in the application for insurance.

The committee gave a report of favorable with amendments on **H. 4839**, the **“Living Donor Protection Act.”** The bill establishes provisions to prohibit insurers from discriminating against living organ donors through declining or limiting coverage or imposing special costs or conditions. The legislation addresses issuers of individual life insurance, group life insurance, disability income insurance, and long term care insurance policies.

The committee gave a report of favorable with amendments on **H. 3729**, a bill addressing **charges for storing towed vehicles**. The legislation establishes notification requirements that must be followed before a towing company, storage facility, garage, or repair shop may collect storage costs from vehicle owners or lienholders.

The committee gave a report of favorable with amendments on **H. 4983**, a bill that revises provisions for the licensing and regulation of **continuing care retirement communities**. The legislation establishes a two-tiered system of licensure with the Department of Consumer Affairs involving the issuance of preliminary and final licenses.

**Ways and Means**

The Ways and Means Committee approved **H. 5150**, the General Appropriation Bill, and **H. 5151**, the joint resolution making appropriations from the Capital Reserve Fund, which together comprise the **Fiscal Year 2022-2023 State Government Budget**. The budget includes $10.9 billion in recurring state general fund revenue, after $662 million is transferred to the Tax Relief Trust Fund that provides for the residential property tax caps, and $1.6 billion in new recurring revenue. The budget’s nonrecurring funds include $1.9 billion in surplus funds estimated for Fiscal Year 2021-2022, $1 billion in the Contingency Reserve Fund, and $184 million in Capital Reserve Funds.

$604 million in recurring funds is devoted to an Income Tax Relief Account to provide for the individual income tax reduction initiative approved by the House in H. 4880.

The Department of Transportation receives $120 million in recurring funds for the state’s match in the Federal Infrastructure Investment and Jobs Act, and $177 million in nonrecurring funds for rural Interstate funding.

$250 million in nonrecurring funds is allocated to the County Transportation Committees to accelerate projects on the state’s lower volume and secondary roads.

$73 million in recurring funds is provided for a 3 percent state employee salary increase.

$46 million in nonrecurring funds is used for paying each state employee a one-time bonus of $1,500.

$102 million in recurring funds is included to cover the increased costs of operating the state's health and dental insurance plans and to provide coverage for adult well visits with no additional monthly premium costs.

In public education, $103 million in recurring Education Improvement Act funds is provided for State Aid to Classrooms and $124 million in recurring general funds is provided for State Aid to Classrooms and a teacher pay increase.

The funding represents average per pupil of $4,834 in State Aid to Classrooms.

The budget provides for a $4,000 teacher pay increase across all salary levels. This allows the state’s starting salary for teachers to increase from $36,000 to $40,000.

The budget includes a provision authorizing school districts to hire noncertified teachers in critical needs geographic areas and subject areas if a certified teacher is not available. All noncertified teachers must possess baccalaureate degrees or graduate degrees from a regionally accredited college or university in the subject they are hired to teach.

$2.3 million in recurring funds is provided for teacher supplies to increase the amount that each teacher is afforded for purchasing classroom supplies to $300.

The budget provides for Capital Funding for Disadvantaged Schools with $110 million in nonrecurring funds and $40 million in nonrecurring Education Improvement Act funds ($25 million of this funding is allocated as an incentive for school district consolidation).

$100 million in nonrecurring Education Improvement Act funds is provided for instructional materials.

$5.4 million in recurring funds is devoted to VirtualSC.

$4.3 million in recurring funds is appropriated to provide a five percent salary increase for school bus drivers.

$12 million in nonrecurring funds is allocated for purchasing and leasing school buses.

Full funding is provided in Education Lottery funds for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs.

The Commission on Higher Education (CHE) is afforded $60 million in lottery funds for need-based grants.

The Higher Education Tuition Grant Commission is allocated $20 million in lottery funds.

CHE receives $4 million in lottery funds for college transition program scholarships.

$20 million in lottery funds is provided through CHE and the Board of Technical and Comprehensive Education for tuition grants.

The Board of Technical and Comprehensive Education is afforded $17 million in lottery funds for SC Workforce Industry Needs scholarships that help provide full tuition at technical colleges for SC WINS recipients seeking degrees in industry sectors with critical workforce needs.

The Board of Technical and Comprehensive Education is provided $78 million in lottery funds for workforce scholarships and grants.

The Tech Board is afforded $7 million in lottery funds for high demand job skill training equipment.

$2 million in capital reserve funds is allocated to the Ready SC Program which provides worker training at the state’s technical colleges that is customized to the needs of new and expanding business and industry.

The budget includes a higher education tuition mitigation initiative in which a total of $55 million in additional recurring funds is distributed among the state’s institutions of higher learning. In order to retain these appropriations, the institutions must comply with provisions for freezing in-state tuition and mandatory fees during the 2022-2023 academic year.

The Capital Reserve Fund is devoted to capital needs at the state’s colleges, universities, and technical schools with most of the $184 million in these nonrecurring funds allocated among the institutions for repairs, renovations, and maintenance of various facilities.

The Strategic Economic Development Fund established within the Department of Commerce is afforded $83 million in nonrecurring funds for the purpose of funding projects that are essential to South Carolina’s ongoing and future economic development success.

$25 million in nonrecurring funds is provided for the Deal Closing Fund that the Department of Commerce uses to recruit new business to the state.

The Department of Commerce is afforded $10 million in nonrecurring funds for the Locate SC Site Inventory, $2 million in nonrecurring funds for the SC Association for Community Economic Development, and $9 million in nonrecurring funds for the SC Technology and Aviation Center.

The Rural Infrastructure Authority is afforded $1.5 million in recurring funds for planning and technical assistance for small and rural utilities.

The State Ports Authority receives $127 million in nonrecurring state funds and $223 million in nonrecurring Savannah River Site (SRS) settlement funds for naval base intermodal facility and container barge infrastructure.

$65 million in nonrecurring funds is provided to the Division of Aeronautics for statewide airport growth response.

The Department of Parks, Recreation and Tourism receives $15 million in nonrecurring funds for destination specific tourism marketing grants, $4 million in nonrecurring funds for regional tourism advertising, $1.7 million for SC Association of Tourism Regions, and $19 million in nonrecurring funds for state park enhancements.

The Arts Commission is afforded $2 million in recurring funds and $3 million in nonrecurring funds to support community arts organizations.

The Department of Archives and History receives $100,000 in nonrecurring funds for an African American History Curriculum, $1 million for the Historic Preservation State Grant Fund, and $4.7 million for the SC American Revolution Sestercentennial Commission.

The Department of Natural Resources is afforded $68.3 million in nonrecurring funds for land conservation.

The Conservation Bank is provided $32 million for conservation grant funding.

The Department of Agriculture receives $200,000 in recurring funds for the Agribusiness Center for Research and Entrepreneurship, $300,000 in recurring funds for market news reporting, and $3 million in nonrecurring funds for enhancements to local farmers’ markets.

Clemson PSA is afforded $2 million in recurring funds for rural health cooperative extension and research and $3.6 million in nonrecurring funds for critical infrastructure.

SC State PSA receives $2 million for expansion of emerging agribusiness programs and $2 million in nonrecurring funds for the SC Limnology Research Center.

The Department of Health and Human Services receives $200 million in recurring funds for maintenance of effort annualization, $18.6 million in recurring funds for provider rate adjustments, $9 million in recurring funds for long term care services, $6 million in nonrecurring funds for rural health network revitalization, $5 million in nonrecurring funds for healthcare compliance programs, and $2.4 million in nonrecurring funds for pregnancy crisis centers.

$61.5 million in nonrecurring funds is allocated to DHHS for a comprehensive behavioral health capacity enhancement initiative.

The Department of Health and Environmental Control is afforded $104 million in nonrecurring funds for a new public health laboratory, $3 million for Emergency Medical Services Association recruitment and retention, $50 million in nonrecurring funds for water quality, $25 million in nonrecurring funds for PFAS chemical water pollution remediation, and $10 million in nonrecurring funds for ocean outfalls.

The Department of Mental Health is afforded $34.9 million for veterans nursing homes and $1.4 million in recurring funds for the sexually violent predator treatment program.

The Attorney General’s Office receives $1.7 million in recurring funds for the Human Trafficking Task Force, $25.4 million in nonrecurring funds for crime victim assistance, and $3 million in nonrecurring funds for the SC Child ID Program.

The budget emphasizes funding for step salary increases and retention programs for law enforcement and correctional officers across the seven agencies that employ officers.

The State Law Enforcement Division is allocated $2.5 million in nonrecurring funds for forensic breath testing units and $1 million in nonrecurring funds for vehicle rotation.

The Department of Public Safety receives $3 million in nonrecurring funds for vehicle rotation and $20 million in nonrecurring funds for grant programs to equip local law enforcement officers with body cameras, bulletproof vests, and other protective gear.

$10 million nonrecurring funds is allocated to the Criminal Justice Academy’s Center for Excellence in Policing and Public Safety.

The Department of Corrections is afforded $2.9 million in recurring funds for primary inmate care health services positions, $4.5 million in recurring funds for health services retention, $4.1 million in recurring funds for expansion of behavioral health, $37 million in nonrecurring funds for critical equipment replacement, and $10 million in nonrecurring funds for critical deferred maintenance projects.

$87.5 million in nonrecurring funds is provided for the Disaster Relief and Resilience Reserve Fund at the Office of Resilience.

$138 million in nonrecurring funds is allocated to the Disaster Trust Fund.

The Adjutant General’s Office receives $2 million in recurring funds for funding armory operations.

The Department of Veterans’ Affairs is afforded $10.2 million for veteran transition homes, $10 million in nonrecurring funds for the Military Enhancement Fund, and $1.3 million for mobile service capability.

The Election Commission receives $2.8 million in recurring funds for the election integrity and compliance auditor program and $1.3 million in recurring funds for election security funding.

$9 million is devoted to digital government transformation at the Department of Administration.

The budget funds the constitutional reserve accounts that the state uses to cope with revenue shortfalls.

$12.6 million in recurring funds is included for full funding of the Local Government Fund that is consistent with the revised approach for sending revenue to political subdivisions established in Act 84 of 2019. $2 million is provided for a rural stabilization fund to aid those local governments that will be negatively impacted, because of the 2020 Census, under the funding formula for the Local Government Fund.

The budget provides for the appropriation of $525 million in settlement funds paid to South Carolina by the federal government for storing plutonium at the Savannah River Site. Funds are appropriated for various capital projects within counties in the vicinity of the SRS facility.

$2.2 million in recurring funds is provided for increased state aid to libraries.

The budget includes a provision for coordination between PalmettoPride and the Department of Transportation to maximize the state’s litter removal initiatives.

The Committee gave a favorable with amendment report on **H. 4880**, a bill providing for **income tax relief**. The legislation provides for a lowest individual income tax bracket that is taxed at zero percent and collapses several tax brackets, currently subject to rates of three percent, four percent, five percent, and six percent, into a single tax bracket so that incomes falling in this middle range are all taxed at three percent. The legislation gradually reduces the rate for the highest tax bracket from seven percent to six percent under a schedule that phases in the tax relief in years when the state experiences sufficient revenue growth. Under this schedule, the seven percent top marginal rate is lowered to six and one half of one percent in Tax Year 2022. Afterwards, it is decreased by one tenth of one percent in a year when the state’s general fund revenues are projected to increase by at least five percent until the top marginal rate is lowered to six percent. This legislation, beginning with tax year 2022, also exempts *all* military retirement income from South Carolina individual income tax, regardless of the taxpayer’s age.

The Committee approved Senate Joint Resolution **H. 3347**, a **proposed state constitutional amendment for** **increasing state financial reserve funds** that are used to cope with revenue shortfalls. The proposed amendment provides for the state’s General Reserve Fund, currently set at five percent of General Fund revenue of the latest completed fiscal year, to be increased each year by half of one percent until it equals seven percent of General Fund revenue of the latest completed fiscal year. The proposed amendment increases the state’s Capital Reserve Fund from two percent of General Fund revenue of the latest completed fiscal year to three percent of such revenues. Should the General Assembly pass the joint resolution, these proposals for amending the South Carolina Constitution would be placed before the state’s voters as ballot questions at the next general election.

# Introduced Bills

**Agriculture Natural Resources and Environmental Affairs**

**S. 980 Finfish (Red Snapper) Catch Limits Senator Goldfinch**

The bill adds that the lawful catch limit for red snapper is two per person per day. The bill also outlines that the minimum size for red snapper is twenty inches in total length and that there is no closed season.

**S. 1010 Water Supply Sen. Gambrell**

This bill adds that an entity that has contracted for the right to store water in a reservoir owned by the US Army Corps of Engineers has exclusive rights to any return flows generated to that reservoir under the “Water Resources Planning and Coordination Act.” The bill further outlines that the “return flow” means water that is discharged directly or indirectly to a reservoir from a water recovery facility.

**H. 4999 Hazardous Waste Cleanup Rep. Hiott**

This bill provides standards for conducting certain cleanup, removal, and remediation. This also provides for site-specific remediation standards.

**H. 5001 State Agency Fees Rep. Forrest**

This Joint Resolution outlines that no state agency, department, or entity by regulation may administratively increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction without the specific approval of the increased or new fee, fine, or penalty by the General Assembly by joint resolution on a recorded roll call vote.

**H. 5037 Statewide Program for Economic Stimulation Rep. Pendarvis**

While conducting an adequate statewide program, the bill adds that the Department of Commerce must provide a certain quality of life, as well as balance the use and protection of state’s natural resources. The bill also outlines that the Department may not use state funds or other funds under certain conditions.

**Education**

**H. 5030 Instruction in United States Government Rep. Fry**

This bill would provide that every student in an accredited high school shall complete at least one unit of instruction on the subject of the United States government as a requirement for high school graduation. These provisions apply to students entering the ninth grade in the 2023-2024 school year.

**H. 5031 Youth Patriotic Societies Rep. Bannister**

This bill provides that youth patriotic societies may address public school students during the weeks of Patriot Day, Constitution Day, and Patriotism Week about how involvement in the youth patriotic society may further the education and civic involvement of students. This bill makes observation of Patriotism Week in public schools mandatory instead of optional and provides this observation must include time allocated for youth patriotic societies.

**H. 5010 General Educational Development (GED) Rep. Ott**

This bill provides that the General Educational Development (GED) test battery must be given in any language offered by the GED testing service in the United States.

**S. 946 Duty-Free Lunch Periods Sen. Goldfinch**

This bill establishes duty-free lunch periods for public elementary school teachers. The bill also provides that the policy also directs a principal of any elementary, middle, or high school to provide at least thirty minutes of unencumbered time on each regular school day to any teacher who is responsible for instructing a student who is removed from the general education setting for more than twenty percent of the day.

**Judiciary**

**H. 4998 Alcoholic Consumables as Alcoholic Beverages Rep. Caskey**

If enacted, this bill would treat alcoholic consumables as alcoholic beverages for all legal intents and purposes. Alcoholic consumables are proposed to be wine, beer, porter, ale, or other malted or fermented beverages in frozen, gum, gelatin, or other non-liquid form.

**H. 5000 Original Birth Certificates Available to All Adult Adoptees Rep. Matthews**

All adult adopted persons submitting a written request to the records registrar would be given access to their original birth certificates if this proposal becomes law in our state. This access would be contingent upon the permission of the biological parent, or the certification that the biological parent is deceased.

**H. 5009 No State Commerce Department Offices in Mainland China Rep. Haddon**

Under this initiative, our Department of Commerce would have to close all of its offices anywhere in mainland China, and consolidate them with their offices in Taiwan, once this bill is enacted.

**H. 5020 Search Warrant Service Reforms Rep. Pendarvis**

An effort to establish more modern procedures for issuing and executing search warrants in South Carolina. So-called ‘no-knock’ warrants could only be issued in murder, kidnapping, or other exigent circumstances as defined in this bill.

**H. 5021 Nuisance Property Abatement Liens Rep. Pendarvis**

If passed, this bill would expand county authority to allow enactment of property maintenance standards for areas outside of rural areas, and not within municipality limits, that would require keeping properties clean and free of rubbish. When counties incur costs to bring

nonconforming properties into compliance with these ordinances, they could place liens against these nonconforming properties. These liens could be foreclosed upon in the same way counties enforce collection of their property taxes.

**H. 5022 Heirs’ Property Tax Sales Rep. Wheeler**

Heirs’ property owners who are successful bidders at delinquent property tax sales would receive a tax sale deed after the expiration of the tax sale redemption period under this proposal. The added feature to existing law under this bill would be that, upon the expiration of this redemption period, cotenants in this heirs’ property would no longer have any ownership rights in it, whatsoever.

**Labor, Commerce and Industry**

**S. 934 South Carolina Building Codes Council Membership Sen. Davis**

This bill revises provisions relating to the membership of the South Carolina Building Codes Council. The legislation requires each member of the Council to be a South Carolina resident. The legislation provides that the member who is an architect licensed in South Carolina must be selected from a list of qualified candidates submitted to the Governor by the South Carolina Chapter of the American Institute of Architects.

**H. 5036 Buildings Unfit for Habitation Rep. Sandifer**

This bill revises provisions relating to buildings unfit for habitation in counties, so as to: extend these provisions to buildings unfit for occupation; add a cause for which police powers may be used regarding rubbish; and, eliminate an approval requirement.

**Medical, Military, Public and Municipal Affairs**

**H. 5018 “No Patient Left Alone Act” Rep. D. C. Moss**

This bill enacts the “No Patient Left Alone Act” which safeguards patient and resident visitation rights in certain health care facilities during declared disasters and emergencies. The bill also provides civil penalties for violation.

**H. 5019 “Essential Caregivers Act of 2022” Rep. Howard**

This bill enacts the “Essential Caregivers Act of 2022,” requiring certain health care facilities to permit essential caregivers access to residents during a public health emergency.

**H. 5028 Dental Hygienists Rep. Wetmore**

The bill outlines that dental hygienists practicing interdependently in public health settings without supervision must be recognized by Medicaid and other payers and can be directly reimbursed. The bill also removes dental hygienist supervision restrictions applicable in school or nursing home settings.

**Ways and Means**

**H. 5029 South Carolina Beach Preservation Trust Fund Rep. Wetmore**

This bill establishes a revised Beach Preservation Trust Act that renames the Beach Restoration and Improvement Trust Fund the South Carolina Beach Preservation Trust Fund and places it under the authority of the Department of Parks, Recreation and Tourism. The legislation requires The General Assembly to appropriate a certain amount of dollars for the fund annually. The legislation provides that the funding for annual monitoring and evaluation of erosion rates and beach profiles must be provided by the trust fund.

**H. 5032 Unemployment Tax Rates and Penalties Rep. Nutt**

This bill authorizes the Department of Employment and Workforce to provide a one-time waiver, dismissal, or reduction of penalties or a one-time reduction of the tax rate class assigned. The legislation revises unemployment tax rate provisions to make it permissive, rather than mandatory, to assign the tax class twenty rate and to set a time limit for the rate.

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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) nor 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.

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