COMMITTEE REPORT

April 20, 2022

**H. 4601**

Introduced by Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews

S. Printed 4/20/22--S.

Read the first time March 15, 2022.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4601) to amend the Code of Laws of South Carolina, 1976, by adding Section 6‑1‑2020 so as to, among other things, designate ambulance service as an, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 11, 2022**

**Local Expenditure**

This bill requires the governing body of each county to ensure that at least one licensed ambulance service is available within the county. The service may be provided by the county directly, by a license or franchise to a private company, by a contract with another entity, by an intergovernmental agreement with one or more local governments, or by an agreement with a health care facility. Each local governing body may adopt and enforce reasonable regulations to control a private or nonprofit ambulance service.

RFA contacted all county governments and the MASC regarding the fiscal impact of this bill and received two responses. Both Charleston and Clarendon Counties currently provide ambulance services within the counties. In addition, Clarendon County reports that agreements are in place to provide these services within the boundaries of each of its four municipalities. Due to the limited number of responses from the surveyed counties and the permissive nature regarding the implementation of the bill, our office is not able to determine the expenditure impact of this bill on county governments. However, there may be an expenditure impact on counties that do not currently provide ambulance services.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 1, Title 6 of the 1976 Code is amended by adding:

“Section 6‑1‑2020. (A) As used in this section:

(1) ‘Ambulance service’ means a public or private entity that is a licensed provider who has obtained the necessary permits and licenses for the transportation of persons who are sick, injured, wounded, or otherwise incapacitated.

(2) ‘County’ means a county of this State.

(3) ‘Municipality’ means a municipal corporation created pursuant to Chapter 1, Title 5 or a municipal government or governing body as the use of the term dictates.

(B)(1) Ambulance service is hereby designated as an essential service in this State.

(2) Each county governing body in this State shall ensure that at least one licensed ambulance service is available within the county. This may be provided as a county service, but also may be accomplished through other means including, but not limited to:

(a) providing a license or franchise to a private company;

(b) contracting with a public, private, or nonprofit entity for the service;

(c) entering into an intergovernmental agreement with one or more local governments; or

(d) entering into an agreement with a hospital or other health care facility.

(3) A county is not required to appropriate county revenues for ambulance service if the service can be provided by any other means.

(C) Municipal governing bodies also are authorized to make provisions for ambulance service within the boundaries of the municipality. A municipality may not provide and maintain, license, franchise, or contract for ambulance service outside its corporate boundaries without the approval of the county governing body, in the case of unincorporated areas, or the municipal governing body if the area to be served lies within the boundaries of another municipality.

(D) A county may not provide and maintain, license, franchise, or contract for ambulance service within the boundaries of a municipality that has made provisions for ambulance service without the approval of the municipal governing body of the area to be served.

(E) The governing body of any county or municipality may adopt and enforce reasonable regulations to control the provision of private or nonprofit ambulance service.

(F) Two or more counties and municipalities may enter into agreements with each other and with persons providing both emergency and nonemergency ambulance service for a county or counties on a countywide basis, for joint or cooperative action to provide for ambulance service.”

SECTION 2. This act takes effect upon approval by the Governor.

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