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# House Floor Review

The House amended and sent back to the Senate **H. 3444,** proposed legislation to **clarify State Election Commission Statewide Authority and Responsibilities**. It would establish the ultimate authority of the State Election Commission to ensure standardized performance, conduct, and practices by county boards of elections and voter registration and that these local commissions are complying with applicable state or federal laws, as well as all State Election Commission policies, procedures, and regulations. It would also establish election audit methodologies. In addition, all candidates would have to pay filing fees, and may have to pay certification fees, whether or not they face a primary challenge. County boards would conduct all municipal elections. In its current form, this revised legislation also clarifies a voter’s domicile for voting purposes.

The House passed, as amended, and sent to the Senate **H. 4766** which merges the Education and Economic Development Act Coordinating Council (EEDA CC) with the **Coordinating Council for Workforce Development** (CCWD). Currently, the Secretary of the Department of Commerce, the State Superintendent of Education, the Executive Director of the State Board for Technical and Comprehensive Education, and the Executive Director of the Commission on Higher Education or their designees serve on the CCWD. The bill removes reference to designees and requires the principals to serve. The State Superintendent of Education is directed to appoint a school district superintendent, a school counselor, and a career and technology education director to the merged council.  The Chairs of the House Education and Public Works Committee and Senate Education Committee each have one appointment to the CCWD in the same manner as their appointment to the EEDA CC. The Governor must appoint two representatives from the business community who have professional expertise in economic development and workforce issues.  Language requiring the President of the South Carolina Chamber of Commerce to make an appointment is removed. CCWD is given the additional requirement of facilitating and coordinating a unified statewide workforce plan. CCWD must also take on the EEDA CC role of ensuring that the EEDA is properly implemented. Language limiting CCWD’s focus to people age twenty-one and over is removed. The bill does not specifically repeal the EEDA CC, so, to remedy this, the committee recommended an amendment repealing the EEDA CC.

The House passed, as amended, and sent to the Senate [**H. 4570**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4570&session=124&summary=B) which relates to the issuance of **special license plates to service members** associated with various military components or designations, so as to provide for a military license plate clean-up. The bill allows the DMV to issue US Space Force license plates for private passenger motor vehicles or motorcycles to active or prior service members. The bill reinserts the provision that disabled veterans are exempt from the regular motor vehicle registration fee. This provision was erroneously struck last year. The bill adds the Meritorious Service Medal to the list of special license plates for active or prior service members. It also reinserts the Support Our Troops special license plate that was erroneously struck last year. The bill repeals the Members of Foreign Consulates special license plate as the US State Department has requested that all states repeal the plate due to misuse of the plate in other states. This act would take effect on May 6, 2022.

**H. 4797** revises language regarding the issuance of the special commemorative "**Public Education: A Great Investment**" license plate by specifying that the funds from the plates must be used to provide classroom technology to the public schools, instead of restricting the funds solely to providing computers. This language is more encompassing and updates the statute to reflect the changes in technology that have occurred over the last several years in the classroom.

The House amended, gave third reading and sent to the Senate **H. 4504**, a bill stating that the purchase of a **watercraft motor may not be taxed more than the maximum sales tax**.

# House Committees

**Ways and Means**

The Ways and Means Committee met on Wednesday, February 9, and reported out several bills.

The committee gave a report of favorable with amendments on **H. 4408**, a joint resolution authorizing **expenditure of American Rescue Plan Act funds**. The legislation provides for the initial allocation of federal funds available to South Carolina under the “American Rescue Plan Act of 2021.”

The South Carolina Department of Transportation is allocated over $453 million dollars to be placed in a separate Transportation Infrastructure Acceleration Account and used to accelerate completion of projects included in the Statewide Transportation Improvement Program. The total allocated to SCDOT represents reimbursement for general fund and Education Improvement Act revenue not collected and motor fuel user fee revenue not collected due to the COVID-19 pandemic as calculated by the Executive Budget Office.

$800 million is allocated to the Rural Infrastructure Authority to be placed in a separate ARPA Water and Sewer Infrastructure Account which must be used to administer and operate three grant programs designed to provide for improvements in water, wastewater, and stormwater infrastructure throughout the state. In each of the three grant programs, units of local government, special purpose districts, commissions of public works, and joint municipal organizations may apply for grants. A unit of local government may apply for a grant on behalf of nonprofit water and sewer systems. The amounts of required local matching funds are based upon the size of the population served by the system.

$400 million is allocated to the Office of Regulatory Staff to be placed in a separate ARPA Broadband Account which must be used to expand broadband infrastructure to households, businesses, and communities in the state that are unserved or underserved by the broadband services that allow for high-speed Internet connections.

$100 million is allocated to the Office of Resilience to be placed in a separate account that must be used to complete stormwater infrastructure projects and acquisitions of property in the floodplain throughout the state to lessen the impacts of future flood events.

Eight million dollars is allocated to the Department of Administration for contracting for professional grant management services of ARPA funds and other federal COVID-19 relief funds.

The committee gave a favorable report on **H. 3346**, a bill **increasing state financial reserve funds**. The legislation 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 one half of one percent until it equals seven percent of General Fund revenue of the latest completed fiscal year. The legislation 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. These statutory provisions are to take effect upon ratification of pertinent amendments to the South Carolina Constitution.

The committee gave a report of favorable with amendments on **H. 4879**, the **“Parental Choice in Education Act”** which establishes a three-year pilot program for up to five thousand public elementary school students that awards scholarships to expand educational options. This joint resolution establishes a fund with seventy-five million dollars from the state’s contingency reserve fund that is to be used for awarding scholarships to economically disadvantaged families and active duty military families to address tuition and other costs of receiving instruction at participating independent schools or alternate public schools. In the first year in which the account is funded, scholarships may be awarded in an amount not exceeding five thousand dollars or the cost of attendance, whichever is lower, to a qualifying student at an eligible school to be disbursed each semester. Scholarships apply to such attendance costs as tuition, fees, and textbooks, but do not cover transportation or tutoring. In the event the number of eligible students exceeds five thousand by the yearly deadline, the Department of Education shall use a lottery system to award scholarships. Students already participating in the program are automatically approved for participation in the immediate subsequent year.

The committee gave a report of favorable with amendments on **H. 3247**, the **“Workforce Enhancement and Military Recognition Act.”** The bill eliminates current limits to allow all military retirement income to be deducted from an individual’s South Carolina income taxes.

The committee gave a report of favorable with amendments on **H. 3348**, a bill establishing **tax credits for employment apprenticeship programs**. The legislation makes provisions for a tax credit for any taxpayer who employs in an apprenticeship program a veteran of the U.S. Armed Forces who was honorably discharged or released from such service due to a service‑connected disability. The legislation makes provisions for a tax credit for any taxpayer who employs in an apprenticeship program an individual who was formerly incarcerated for nonviolent offenses. These apprenticeship tax credits may be claimed for no more than three years. The amount of the credit is set at three thousand dollars for each eligible employee for the first year it is earned and is reduced to two thousand five hundred dollars for a second year, and one thousand dollars for a third year.

The committee gave a favorable report on **H. 4161**, a bill that revises provisions relating to prohibited gaming machines to allow the production, manufacturing, and keeping of **gaming machines and equipment designated for out-of-state use**.

# Introduced Bills

**Agriculture and Natural Resources**

**H. 4939 Certified South Carolina Raised Beef Designation Rep. Haddon**

This bill directs the Department of Agriculture to develop a “Certified S.C. Raised Beef” designation as well as label and application. As a result, the bill also allows for beef producers in the state to carry this designation.

**H. 4946 South Carolina Agricultural Tax Exemption Rep. Haddon**

The bill places certain conditions on the manner in which eligibility for certain sales tax exemptions are determined.

**Education and Public Works**

**[H. 4944](https://www.scstatehouse.gov/billsearch.php?billnumbers=4944&session=124&summary=B) Coastal Carolina University Board Meetings Rep. McGinnis**

This bill relates to meetings of the Coastal Carolina University board of trustees. The bill provides that mandatory notice of board meetings must be sent either electronically or through the United States mail to each trustee not less than five days before each meeting.

[**H. 4945**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4945&session=124&summary=B) **Repeal of Road Use Fees Rep. Pendarvis**

This bill would repeal the biennial road use fee upon motor vehicles powered by electricity, hydrogen or any fuel other than motor fuel (including a combination of motor fuel and any fuel other than motor fuel).

[**H. 4947**](https://www.scstatehouse.gov/billsearch.php?billnumbers=4947&session=124&summary=B) **In-State Tuition Rep. Jordan**

This bill pertains to the authority of offering in-state tuition to students whose legal residence is in certain border counties to South Carolina. This bill expands that authority to Francis Marion University regarding certain counties in North Carolina. The bill makes such ability contingent upon North Carolina continuing its NC Promise Tuition Plan. Francis Marion is limited to 250 eligible students each academic year from North Carolina.

**Judiciary**

**H. 4940 “Uniform Child Abduction Prevention Act” Rep. Bennett**

The “Uniform Child Abduction Prevention Act” represents an effort to provide a mechanism for protecting children from credible risks of abduction in custody or visitation legal actions.

**H. 4941 COVID-19 Vaccinations Informed Consent Rep. Chumley**

If this bill becomes law, all vaccine administrators would be required to obtain written informed consent from recipients before administering any COVID‑19 vaccinations. Violations of this requirement would bring potential criminal penalties of up to a year in jail, fines of up to $25,000, or both.

**H. 4949 *Ex Parte* Emergency Domestic Violence Protection Magistrate Court Orders Rep. McKnight**

An effort to allow magistrates to issue *ex parte* domestic violence protection orders without notice to a perpetrator, or a perpetrator’s lawyer. These orders would be limited to instances where a serious likelihood of further harm to a domestic violence survivor is expected. A hearing on the issuance of these *ex parte* orders would have to be held within seven days after it has been issued to determine if it should remain in effect. Survivors of these incidents would be allowed to go to their dwelling or residence with an appropriate law enforcement officer to retrieve personal belongings pending any hearing being held.

**H. 4957 "Election Integrity Act" Rep. May**

The proposed "Election Integrity Act" would make several changes to running elections and obtaining voter registrations in this state. Among other things, it proposes adding proof of citizenship in order to register to vote, prohibiting changes or agreements to modify election laws -- which would have to be strictly followed, and requiring any voting system used in our state to have scanable, hand-marked paper ballots.

The State Election Commission and county election boards would be required to conduct post-election risk-limiting audits beginning with the 2022 General Election. The Executive Director of the State Election Commission would be required to ensure deceased registered voters identified by SCDHEC are timely removed from the official list of eligible voters.

For drivers’ license address changes to double as voter registration address changes, the SCDMV would be required to timely transmit these updates within specified deadlines. The information required to be provided in absentee ballot applications would be expanded to include a voter’s date of birth and driver's license number, identification number from another SCDMV-issued photo identification, a photocopy of another valid form of SCDMV-approved photo identification, or a photocopy of other types of identifications that are valid under state law.

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

**H. 4948 Persons Authorized to View Photographs and Videos of an Autopsy Rep. Rutherford**

This bill adds that photographs, videos, or other visual images and audio recordings of, or related to the performance of, an autopsy are allowed to be viewed by and may be disseminated, at the discretion of the coroner, to parents of the deceased, surviving spouse, children, guardian, personal representative, next of kin, and any other person given permission or authorization to view or possess the visual images by the personal representative of the deceased’s estate.

**Ways and Means**

**H. 4942 Written Informed Consent Required Before Administering COVID-19 Vaccinations**

**Rep. Burns**

This bill provides that any COVID-19 vaccination administrator in the State of South Carolina must obtain written informed consent before administering a COVID-19 vaccination to a person. The Department of Health and Environmental Control shall develop a template to be used statewide by COVID-19 vaccination administrators when obtaining written informed consent that lists all potential side effects and contraindications of a COVID-19 vaccination. The General Assembly shall appropriate $50,000 to DHEC for the costs associated with developing and distributing the template.

**H. 4943 Using Impact Fee Revenues to Pay Down Indebtedness for System Improvements**

**Rep. Felder**

This bill makes revisions relating to the application of impact fees that existed before 1999 utilized by any governmental entity or school district, so as to allow for the use of revenues from any impact fees to pay down indebtedness for system improvements. A governmental entity may not prevent a school district from using the revenues to pay down such indebtedness.

**H. 4956 “South Carolina Conservation Enhancement Act” Rep. G. M. Smith**

This bill provides for twenty-five cents of each one dollar thirty cents of the deed recording fee to be credited to the South Carolina Conservation Bank Trust Fund. The dollar portion of the fee credited to the state’s General Fund is, accordingly, reduced to seventy-five cents. The legislation expands the membership of the Board of the South Carolina Conservation Bank from fourteen to seventeen by adding the Commissioner of Agriculture, the Secretary of Commerce, and the Secretary of Transportation, or their designees, to serve in an *ex officio* capacity without voting privileges. Experience in farming is added to the list as a type of expertise that can qualify someone to be a gubernatorial or legislative appointee to the Conservation Bank’s governing board.

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