



SENATOR REX RICE

LEGISLATIVE UPDATE

WEEK OF APRIL 22 - APRIL 26, 2019

GREETINGS! As the South Carolina Senator of District 2, who has the great privilege of representing Pickens County, I would like to thank you for reaching out to me. I gladly welcome and encourage feedback from my constituents, and if you are receiving this, I have received an email or phone call from you concerning various legislative matters. As a way of communicating updated information during this 123rd Session of the General Assembly, I will periodically send out informational emails, such as this. I hope you find it helpful.

Please feel free to contact my Senate office with questions or if I can be of service to you. My assistant's email is deanahage@scsenate.gov or you can call 803-212-6116. If you need immediate assistance, you can reach me on my cell phone at 864-884-0408.

WEEK IN REVIEW: April 22-26, 2019

Given Second Reading

S.506 – Housing Authority Commissioners: A bill to provide that a county legislative delegation may adopt a resolution declaring that there exists a state of emergency with regard to a municipal housing authority that if convincing evidence or action or failure to act in which residents are subjected to unreasonably hazardous conditions or being subjected to conditions that led to the death or one or more residents, the commissioners are immediately suspended from office for ninety days. During this period of suspension, the mayor, or the mayor's designee, shall exercise the powers and duties of the housing authority. Concurrently, the council of the municipality shall conduct an independent investigation into the circumstances under which the state of emergency was declared. Commissioners shall have the right to be heard in person or by counsel during the mayor's investigation. If the council determines the authority took action or failed to take action meeting the conditions, the commissioners are immediately removed from office and the council shall appoint new commissioners.

S.613 – Endowment Fund: A bill to create a Development Office for the School of Science and Mathematics endowment fund. The fund must adopt an annual

operations and capital budget. The fund budget and its fundraising goals must exclusively be based on the operation and capital goals of the school as provided to the foundation by the Executive Director and the head of the school. The fund shall not accept any donations that are restricted in their use unless the proposed restriction is approved by the board prior to its acceptance and unless the funds are being used for a purpose that is needed by the school.

H.3698 – DHEC Coastal Zones: A bill to amend the Development of the Coastal Management Program to exempt from review by DHEC individual navigable waters permits for docks located in the eight coastal counties but outside critical areas, and a coastal zone consistency certification is deemed approved if review is not completed within thirty days of an administratively complete application.

H.3699 – Permit Applications: A bill to provide that permit applications to construct private recreational docks on the Atlantic Intracoastal Waterway Federal Navigation Project, in a county where more than eighty percent of the Atlantic Intracoastal Waterway is outside of the critical area, shall be deferred to the United States Army Corps of Engineers in determining the total allowable dock square footage of the structure.

H.3700 – Shoreline Erosion: A bill to allow for the placement of shoreline perpendicular wingwalls that extend landward at a 90-degree angle from the ends of the existing erosion control structures or devices that are consistent in height and composition with the existing erosion control structures.

H.3951 – Sheriff Qualifications: A bill to provide qualifications that a sheriffs and sheriff candidates must possess to serve as sheriff including, but not limited to, five years' experience as Class 1 law enforcement officer, and have not been convicted of, pled guilty to, or pardoned for a felony or crime of moral turpitude in the State.

This Week in Committee

Senate Judiciary Committee:

H.3035 – Election Managers: A bill to provide that all clerks appoint from election managers and chairmen of the board managers must be residents and registered

electors of the respective counties in which they are appointed to work or in an adjoining county.

H.3145 – Office of Regulatory Staff Authority: A bill to provide that the Office of Regulatory Staff is vested with the authority and jurisdiction to conduct audits of electric cooperatives in the same manner, terms and conditions authorized to conduct audits of regulated public utilities, and establish requirements for notice of special meetings and cooperative trustee elections.

H.3601– Public Disorderly Conduct: A bill to allow procedures for conditional discharge for first time offenders relating to public disorderly conduct. The court without entering a judgment of guilty and with the consent of the accused may defer further proceedings and be placed on probation with terms and conditions. A nonpublic record must be forwarded and retained by SLED solely for the purpose of use by the courts in determining whether a person has committed a subsequent offense. Upon dismissal and discharge, the person may apply to the court for an order of expungement a fee of \$150 must be paid before a person may be discharged and proceedings dismissed, in which the funds shall be transmitted to the Prosecution Coordination Commission.

H.3973– FGMF: A bill to provide it is unlawful for a person to knowingly mutilate, attempt to mutilate, or facilitate the mutilation of a female who is under the age of eighteen years of age or who is unable to consent. A person who violates is guilty of a felony and upon conviction must be fined not more than twenty thousand dollars or imprisoned not more than twenty years or both.

Senate Labor, Commerce and Industry Committee:

H.3263 – Armed Services Occupational Licensing: A bill to enact the “Armed Service Members and Spouses Professional and Occupational Licensing Act,” to exempt armed services members stationed in the state and their spouses from licensure for occupations and professions regulated by the Department of Consumer Affairs in certain circumstances and having met certain standards.

Senate Medical Affairs Committee:

H.3036 – Neonatal Testing: A bill to add to the required Neonatal testing to include three diseases: Krabbe Disease, Pompe Disease, Hurler Syndrome. The department shall require additional lysosomal storage disorders to be tested at the recommendation of the Newborn Screening Advisory Committee. Additionally, establishes the Newborn Screening Advisory Committee to review the feasibility and advisability of including additional metabolic, genetic and congenital disorders in the neonatal testing.

H.3602 – Health Care Decisions: A bill relating to the persons who may make health care decisions for a patient who is unable to consent, to add a person who has an established relationship with the patient, acting in good faith and who can reliably convey the patient's wishes but is not a paid caregiver or provider of health care services to the patient. The person must sign and date a notarized acknowledgement form provided by the hospital or other facility where the patient is located.

H.3821 – Advanced Practice Registered Nurses: A bill to enact the "Advanced Practice Registered Nurse Act" to provide that APRNs may certify the manner and cause of death pursuant to the provisions of the State Code of Laws. APRNs may have prescriptive authority on Schedule II narcotics for patients in long-term care facilities, all other restrictions of law remain the same.

H.4004 – POST Act: A bill to enact the "Physician's Orders for Scope of Treatment (POST) Act." The South Carolina Department of Health and Environmental Control must administer, create access and manage improvements to the POST form, develop process to identify patients utilizing POST and other advance directives, develop educational efforts for public and health care professionals and promulgate necessary regulations. The POST form must be a uniform document based on the standards recommended by the National Physical Order for Life-Sustaining Treatment (POLST) paradigm and must include certain criteria. A POST may be revoked at any time by an oral or written statement by the patient or patient's legal representative.

Senate Agriculture and Natural Resources Committee:

H.4011 – Water Resource Planning: A bill relating to the Department of Natural Resources Duties in regards to the water resources planning and coordination to make changes to reflect the duties of the Department. Inclusions added to the responsibilities for the Department to consider: studies on saltwater intrusion into groundwater and surface water, and measures to protect the state’s fisheries and other aquatic resources.

H.4012 – Land, Water and Conservation Division: A bill to redefine references in statute of Land Resources and Conservations Districts Division to the “Land, Water, and Conservation Division” to make conforming changes. To additionally delete the requirements of the Department to transmit to the Governor certain requirements and forms.

H.4013 – State Geological Survey Unit: A bill to change certain requirements for the state geologist, powers and duties of the state geologist. The person must be hired by the Director of the Department of Natural Resources and have at least eight years of practical work experience, academic, governmental, or industrial in geology. The unit shall make surface and subsurface data available to governmental agencies, private business, and the public by disseminating published geological information as bulletins, maps, economic reports, and related series and open file reports. When appropriate, the unit shall provide unsolicited advice to the other state and governmental agencies concerning geologic hazards including but not limited to earthquakes, ground liquefactions, sinkhole development and collapse, landslide development, and coastal vulnerability.

H.4245 – Misrepresentation of Meat: A bill to provide that it is unlawful for a person to engage in any misleading or deceptive practices, labeling, or misrepresenting a product as “meat” or “clean meat” that is cell-cultured meat/protein, or not derived from harvested production livestock, poultry, fish or crustaceans. A person who violates is guilty of a misdemeanor, and upon conviction, must be imprisoned not more than one year, or fined not more than one thousand dollars or both.

Senate Transportation Committee:

S.656 – Disposition of Abandoned Vehicles: A bill to replace ‘demolisher’ with ‘automotive dismantler or recycler’ relating to the sale of unclaimed vehicles and re-establishes penalties for persons who violate the section. In addition to the penalties, the Department of Motor Vehicles may issue and administrative fine to a dismantler or recycler.

H.3174 – Electric-Assist Bicycles: A bill to define “electric-assist bicycles’ and ‘bicycles with helper-motors.’ Manufacturers and distributors of e-assist bicycles shall apply a label permanently affixed to each e-assist bicycle indicating its wattage and maximum electrically assisted speed. If the wattage is modified or changed, a new label must be affixed stating the new wattage and maximum electrically assisted speed. For purposes of the section, e-assist bicycles or bicycles with helper motors and not mopeds.

H.3357 – Deaf or Hard of Hearing Registration: A bill to provide that the Department of Motor Vehicles may add a notation to a private passenger motor vehicle registration to indicate that the driver may be deaf or hard of hearing. Application must include a certificate from a licensed physician or licensed audiologist that certifies that the applicant has a permanent, uncorrectable hearing loss of forty decibels or more in one or both ears. The notation would only appear when a law enforcement check is run on the vehicle's license plate to alert the officer that the driver may be deaf or hard of hearing.

H.3789 – Driver’s Licenses: A bill to expand options to prove veteran’s status, raises validity period for certain types of licenses and ID cards, allows the Department of Motor Vehicles to charge differing amounts for licenses depending on the validity periods. Members of the Armed Services and their dependents DL validity is extended from 4 years to 8 years. Veteran’s status extends to both national guardsmen and members of the reserve components who qualify. Establishes two options for commercial driver’s license: HAZMAT endorsement valid for 5 years upon individual which passes TSA threat assessment or without HAZMAT endorsement valid for 8 years, and additional conforming changes.

H.4380 – Ridesharing Safety: A bill to update provisions relating to ridesharing applications, safety and inspections of Transportation Network Company (TNC) vehicles. A TNC vehicle must include an illuminated TNC provided sign displaying the company’s proprietary trademark or logo that is patently visible so as to be seen in the darkness. All TNC dress and signage must be returned to the TNC when a driver ceases to be employed by or work for the TNC. A TNC that does not receive back signage shall report the name of the driver to the Office of Regulatory Staff.