

2014 SC House Legislation Overview

All of the legislation included in this overview has passed this year. The legislation has either been signed into law by the Governor, has become law without her signature, or has become law by an overturned veto.

South Carolina Restructuring Act of 2014

In its second regular session, the 120th South Carolina General Assembly authorized the most significant government restructuring that the state has seen in twenty years by approving the “South Carolina Restructuring Act of 2014” (S.22) which makes comprehensive changes to the organization and oversight of state government that are geared towards enhancing accountability and efficiency. This restructuring initiative abolishes the State Budget and Control Board and transfers the majority of the board’s functions, including facilities management, property services, vehicle fleet management, information technology, and human resources responsibilities, to a new Department of Administration that is established in the executive branch as a cabinet agency. While the Governor assumes greater responsibility over most of the day-to-day running of state government operations, certain major financial responsibilities continue to be shared among key public officials in the executive and legislative branches of government. Composed of the Governor, Treasurer, Comptroller General, Chairman of the Senate Finance Committee, and Chairman of the House Ways and Means Committee, the State Fiscal Accountability Authority houses such offices as the State Auditor, the Procurement Services Division, and the Insurance Reserve Fund, and is given approval authority over all decisions that relate to the state’s bonded indebtedness, lending, and major transactions involving state property. A Revenue and Fiscal Affairs Office is created comprising the Board of Economic Advisors and other components of the Budget and Control Board that relate to state revenue forecasts, the preparation of the state government budget in the legislature, estimation of the fiscal impact of proposed legislation, economic research, and precinct demographics. The legislation also includes new provisions for the legislative oversight of executive departments that empower legislative committees to conduct periodic reviews and launch special investigations for the purpose of determining which state government programs continue to serve worthwhile purposes and which should be reorganized, scaled back, or eliminated altogether.

Emma’s Law

The General Assembly approved new legislation (S.137) to combat drunk driving designated as “Emma’s Law” in memory of Emma Longstreet, the six-year-old Lexington County girl who was killed in a collision with a repeat DUI offender as her family was traveling to church on New Year’s Day 2012. The new law provides for a more expansive use of ignition interlock devices installed on the vehicles of driving under the influence offenders that are designed to prevent a vehicle from being started and operated by someone who has consumed alcohol. The legislation revises current requirements for ignition interlock devices to be installed on the vehicles of repeat DUI offenders and establishes a new requirement for installing an ignition interlock device on the vehicle of someone convicted of a first offense DUI violation with a breath test registering an alcohol concentration of 0.15 or higher. Those who refuse a breath test and are subsequently convicted of a first offense DUI violation are also subject to requirements for enrolling in the Ignition Interlock Device Program in order to be eligible to drive. New ignition interlock requirements are imposed upon those convicted of a DUI offense involving death or great bodily injury and those found guilty of drunk driving that has endangered at least one passenger under the age of sixteen. Emma’s Law also enhances penalties for those who fail to comply with ignition interlock device requirements.

Texting While Driving

Legislators approved a prohibition on texting while driving (S.459) which makes it unlawful for a person to use a handheld wireless electronic communication device to compose, send, or read a text based communication while operating a motor vehicle on the public streets and highways of this state. Exceptions are included to cover such circumstances as summoning emergency assistance and using a navigation system. A violation, which is not a criminal offense, is subject to a fine of up to twenty-five dollars. During the first one hundred eighty days after the law goes into effect, law enforcement officers must only issue warnings for violations. Law enforcement officers are prohibited from seizing wireless devices or performing searches in enforcing a violation of this prohibition on texting while driving, and a violation must not be included in the offender’s motor vehicle records or criminal records and must not be reported to an insurer. The legislation preempts all local government ordinances, regulations, and resolutions relating to the use of wireless electronic communication devices while driving on the public roads of this state.

South Carolina Read to Succeed Act

(S.516) was approved to establish a comprehensive K-12 initiative for promoting reading proficiency in the state’s public schools with an emphasis on early intervention to assist students who are not demonstrating an ability to read at grade level. Early grade students who are not demonstrating proficiency in reading must be provided intensive in-class and supplemental reading intervention, and, beginning with the 2017-2018 school year, students are subject to new requirements for being retained in the third grade if they fail substantially to demonstrate grade-level reading proficiency. Prior to retention, students who score the lowest in reading assessments are afforded the opportunity to enroll in a summer reading camp. Each elementary school must employ a reading coach to serve as the school’s resource for professional development in order to generate

improvement in reading and literacy instruction and student achievement. Teacher certification and professional development requirements are revised to incorporate a new emphasis on literacy instruction.

Statewide Education Standards And Assessments - Common Core

Lawmakers approved legislation (H.3893) on the adoption of statewide education standards and assessments for use in the state's K-12 public schools which addresses issues relating to national Common Core academic standards that have become aligned with federal programs and waivers offered through the U.S. Department of Education. Under the legislation, all proposed new standards and revisions to existing academic standards that are developed by anyone other than South Carolina's Department of Education must be sent to the General Assembly for review so that lawmakers may approve or reject them. The General Assembly and the Governor must be notified whenever the State Department of Education or the Education Oversight Committee seek to change an existing standard. The legislation accelerates the review of state content standards and requires new college and career readiness state content standards to be implemented for the 2015-2016 school year. A timeline is established for the prompt procurement of new assessments, with a September 2014 deadline, under a protocol that requires the advice and consent of a temporary special assessment panel. The legislation provides that South Carolina is no longer part of the Smarter Balanced Assessment Consortium. A "South Carolina Department of Education Data Use and Governance Policy" is also established that includes prohibitions on collecting individualized student data directly from students or families and transferring individualized data to the U.S. Department of Education.

First Steps To School Readiness Initiative

Legislation (H.3428) was approved to provide for the reauthorization of the South Carolina First Steps To School Readiness Initiative and to make revisions to this program for providing enhanced early childhood development, education, and family support services to enable children to reach school ready to achieve academic success. New accountability provisions are established to assess student progress, evaluate the performance of programs, and require state funds to be spent only on programs that are considered proven or promising according to research and evidence. Local First Steps partnerships are afforded flexibility to enter into multicounty arrangements and collaborate in order to maximize the efficiency and effectiveness of the services and programs they provide to children and their families.

School Safety Task Force

A temporary School Safety Task Force was created (H.3365) that is charged with developing standards for district level policies to promote effective school discipline and mental health intervention services and examining how improved collaboration and organization could make the most of mental health resources and funding for school-based mental health services. The legislation provides for the membership of the task force and requires its recommendations to be reported to the General Assembly by the end of the year, at which time the task force must be dissolved.

Back to Basics in Education Act of 2014

(H.3905) was approved to add cursive writing and memorization of multiplication tables to the required subjects of instruction in public schools and to require students to demonstrate competence in each subject before completion of the fifth grade.

Charter Schools Accountability

The General Assembly approved legislation (H.3853) to provide enhanced accountability for charter schools, particularly at the charter application and school closing stages. Charter schools are required to adhere to national industry standards for quality. The legislation also includes authorization for creating alternative education campuses designed to serve at-risk and challenging student populations.

School Bus Video Traffic Enforcement

Lawmakers approved (H.5014) new provisions for the use of digital video recordings to enforce traffic violations involving the unlawful passing of stopped school buses. Provisions are included to allow traffic citations to be issued to motorists based entirely or partially upon images obtained from a digital video recording device mounted on a school bus and for recordings to be used as evidence at hearings to corroborate the testimony of the school bus driver or any other witnesses.

South Carolina Budget

Lawmakers approved the general appropriation bill (H.4701) and the joint resolution making appropriations from the Capital Reserve Fund (H.4702) which together comprise the \$7.2 billion fiscal year 2014-2015 state government budget. The budget includes a total of \$180 million in new funding for K-12 education. A total of \$137.5 million is directed to the Education Finance Act, \$54.3 million of which is new EFA money. \$35 million is used to maintain the current base student cost of \$2,097 and an additional \$19 million is used to increase the base student cost to an estimated \$2,120 per pupil. \$83.2 million of these EFA funds represent a swap from the Education Improvement Act that is directed towards high-achieving students and students at risk of academic failure. The budget includes a revised rationale for allocating funds to the public schools that includes new weightings in the EFA distribution formula that are specifically geared towards such populations as students with limited English proficiency and pupils in poverty and places new emphasis on funding for personalized instruction in such areas as precareer and career technology, young adults pursuing adult education programs, gifted and talented education,

and academic assistance for those failing to meet state standards for mathematics and English language arts. \$5 million is included for hold-harmless transitional payments to ensure that no district receives less state funding under the new funding formula than it did under the current formula. \$18.6 million in recurring funds is used to expand the state's four-year-old kindergarten program for students who are eligible for free or reduced lunch so that it includes all school districts with a poverty index of 70% or greater. The expansion includes seven additional districts to bring the total number of districts in the 4K program to 58. \$29.5 million is included to provide for reading coaches in the state's elementary schools. \$4.5 million is devoted to expanding summer reading camps. \$29.3 million is included for a K-12 technology initiative. \$12 million is provided for digital instructional materials and \$4 million is included to train teachers on how to use the new technology in the classroom. In addition, \$8.56 million is devoted to instructional materials in the schools. \$742,500 is provided for a virtual instruction program at the State Department of Education, including 11 full-time employee positions. \$18 million is provided for purchasing or leasing new school buses. Full funding is provided for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs. The budget includes increases in recurring funds to the state's colleges and universities that amount to \$5.4 million. The budget provides \$2.6 million for a consultant to conduct a Higher Education Efficiency and Accountability Review on improvements in operations at the campus level and statewide. \$2.5 million is included for STEM (science, technology, engineering, mathematics) Education to address workforce demands. A total of \$15.2 million is provided for various worker training initiatives at the state's technical colleges. \$37.4 million 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 appropriations of \$6.5 million for the Locate SC Site Inventory, \$4 million for research initiatives, \$400,000 for the Existing Business Program, and \$250,000 for the SC Manufacturers Extension Program. Funding for rural infrastructure grants is increased with \$3 million in recurring funds. A \$15 million increase in C-Funds is included for County Transportation Committees. The budget provides for a 2% state employee pay increase, with an appropriation of \$30.6 million. \$57 million is included to cover the increased costs of operating the state's employee health insurance plan with no increases in the premiums paid by employees, no reductions in coverage, and relatively minor increases in coinsurance payments of no more than 9%. \$447.3 million fully funds the reserve accounts that the state uses to cope with revenue shortfalls. The Local Government Fund is maintained at its current level of \$212 million through the appropriation of \$30 million, \$5 million of which is recurring revenue. \$10.4 million is provided for implementing statewide information technology security upgrades recommended by the state's cyber security consultant. The budget includes \$129 million for Medicaid Maintenance of Effort. The budget legislation does not include an expansion in eligibility for the state's Medicaid Program as allowed by the federal "Patient Protection and Affordable Care Act" of 2010. The budget advances the Medicaid Accountability and Quality Improvement Initiative including: the continuation of the Healthy Outcomes Initiative for meeting the needs of chronically ill uninsured patients through home visits and care in other settings outside the emergency room; continuation of cost reimbursement for rural hospitals for uncompensated care; continued support for the Primary Care Safety Net program for the treatment of low-income, uninsured patients including \$5 million for innovative care strategies, \$8 million for Federally Qualified Health Centers, \$4 million for FQHC capital needs, and \$2 million for free clinics; and, an expansion of the state's telemedicine program and initiatives for enhancing rural provider capacity by leveraging the state's training programs to encourage physicians to work in underserved areas. New provisions are included for home and community based services for military families returning to the state. The Attorney General's office is provided \$74,750 for a full-time information technology data security specialist, \$78,000 for a full-time appellate attorney, \$78,000 for a full-time Habeas Corpus attorney, \$45,500 for an Anti-Gang Coordinator, and \$167,700 for Criminal Domestic Violence Unit of three full-time employees. The Commission on Indigent Defense receives \$136,578 for two new full-time appellate attorneys. The Prosecution Coordination Commission is allocated \$1.6 million for violent crime prosecution and \$400,00 for the SC Center for Fathers and Families. The State Law Enforcement Division receives \$475,136 for 4 full-time personnel to staff a new child fatality unit, \$697,316 for 10 full-time forensics personnel, \$2 million for 17 full-time alcohol enforcement personnel, and \$500,00 to enhance the Meth Lab Clean-Up Program. The Department of Public Safety is provided \$447,300 for 10 new highway troopers, \$1.3 million for mobile data equipment and support for highway troopers, and \$2 million for law enforcement vehicle replacement. \$1.1 million is used to establish a local law enforcement grant program. The Department of Natural Resource is provided \$1.2 million to increase enforcement officers by 8 for a total of 15 new enforcement officers and equipment, \$108,074 for a new information technology security officer, and \$450,000 for law enforcement vehicle replacement. The Forestry Commission receives \$200,000 for 4 additional full-time firefighters and \$2 million from the Capital Reserve Fund for new firefighting equipment. \$3.9 million is included for capital projects at State Parks. The Department of Parks, Recreation and Tourism receives \$500,000 for the Undiscovered SC program to showcase the state's rural areas, \$2 million for the Sports Development Fund, \$750,000 for marketing, and \$400,000 for international marketing. \$5 million is provided for the African-American History Museum. \$1 million is provided for the Patriots Point Authority Medal of Honor Museum. The Lieutenant Governor's Office on Aging receives \$2 million for respite caregivers, and \$3 million for its meal delivery and other home and community based services for the elderly. \$1 million from the Capital Reserve Fund is provided to the Election Commission for a new voting system.

Jaidon's Law - DSS Child Removal Changes

The General Assembly revised the manner in which the Department of Social Services and the courts address the removal of children from the custody of their parents or guardians through the passage of legislation (H.3102) designated as "Jaidon's Law" in memory of twenty-two-month-old Jaidon Morris who, in 2008, died of a drug overdose a week after being returned home from foster care. The legislation provides enhanced authority for removing children from abusive and dangerous

homes. New requirements are included for parents with substance abuse problems to submit to drug screenings and comply with court-ordered treatment programs in order to retain their parental rights. The legislation also requires the Legislative Audit Council to conduct a management performance audit of a program of the South Carolina Department of Social Services every three years.

South Carolina Children's Advocacy Medical Response System Act

(H.4347) was approved to create a system, under the administration of the University of South Carolina School of Medicine, to provide statewide coordination and medical service resources, assisting and collaborating with children's advocacy centers and state agencies charged with the investigation, assessment, treatment, and prosecution of child abuse or neglect for children in the state. The program is charged with developing, supporting, and maintaining a consistent quality standard of care and practice for services intrinsic to the assessment of children who are suspected victims of abuse or neglect, such as medical expert witness services and forensic medical examinations, assessments, and diagnoses.

Employee Protection For Reporting Child Abuse

The General Assembly approved legislation (H.3124) protecting those who report child abuse or neglect from retaliation by employers. The legislation provides that an employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee for making a report of child abuse or neglect that is required or permitted by law. A civil action for reinstatement and back pay is established to address violations.

Childcare Medication Authority

Lawmakers approved legislation (H.4665) prohibiting childcare facilities from administering medication to children without parental consent. An exception is provided for medical emergencies and a misdemeanor criminal penalty is established for violations. The legislation enhances the oversight authority that the Department of Social Services exercises in the regulation of childcare facilities by authorizing DSS to make unannounced inspections of childcare facilities, including family childcare homes, once a year. Whenever DSS receives a regulatory complaint, the department is required to conduct an unannounced inspection of the childcare facility to investigate.

K-12 Sexual Abuse Awareness & Prevention

Legislation (H.4061) was approved to provide for the development of K-12 age-appropriate instruction in sexual abuse and assault awareness and prevention to be used in the state's public schools.

Child Pornography Revisions

Legislators approved a bill (H.3959) enhancing state laws that target child pornography. The legislation revises state criminal offenses relating to the sexual exploitation of a minor through live performances or visual representations, so that these offenses apply not only to the display of a minor engaged in sexual activity but also to the appearance of a minor in a state of sexually explicit nudity when a reasonable person would infer that the purpose is sexual stimulation.

Vulnerable Adult Guardian Program

The General Assembly approved legislation (S.764) creating the Vulnerable Adult Guardian ad Litem Program within the Lieutenant Governor's Office on Aging to serve as a statewide system to recruit, train, and supervise volunteers to serve as court-appointed representatives of vulnerable adults' best interests in family court abuse, neglect, and exploitation proceedings.

Bail and Bond Revisions

Lawmakers approved legislation (S.19) revising bail and bond provisions in criminal court proceedings, including more stringent bond provisions that apply to someone who is charged with committing a violent crime while already out on bond for a previous violent offense. The legislation requires judges and magistrates to consider whether a charged person appears in the State Law Enforcement Division's gang database when making a determination about bond. A temporary legislative Study Committee on Bonds is created to review the state's bond laws and report its recommended changes to the General Assembly by the end of the year.

Restaurant Carry Provisions

Legislators approved a bill (S.308) that replaces South Carolina's current prohibition on carrying a pistol or firearm into a business that sells alcoholic liquor, beer, or wine for on-premises consumption with new provisions, commonly referred to as restaurant carry provisions, that afford concealed weapon permit holders new legal authority to carry their firearms into bars, restaurants, and other establishments that serve alcohol. A concealed weapon permit holder making use of these restaurant carry provisions is not allowed to consume alcohol on the premises and proprietors may restrict or prohibit the carrying of concealed weapons into their businesses by posting the proper signs. A CWP holder who violates these restrictions is subject to a misdemeanor criminal offense and must have his concealed weapon permit revoked for five years.

South Carolina Military Service Integrity and Preservation Act

(H.4259) was approved to establish a criminal penalty for those who make false claims about serving in the U.S. Armed

Forces or receiving a medal, ribbon, or other military decoration. The misdemeanor violation covers falsified resumes or any other fraudulent claim designed to secure a tangible benefit.

South Carolina Prisoner of War ‘POW’ Medal

Lawmakers created (S.1173) a South Carolina Prisoner of War ‘POW’ Medal that the Governor may present on behalf of the people of South Carolina to current and former residents of the state who have been held as a prisoner of war in the course of their military service.

Spirit of ‘45 Day

Legislation (H.4788) was approved to designate the second Sunday in August as “Spirit of ‘45 Day” to commemorate the anniversary of the end of World War II.

Veterans’ Spouses and Families Day Recognition

Lawmakers approved legislation (H.4527) designating the Friday after Thanksgiving as “A Day of Recognition for Veterans’ Spouses and Families” to acknowledge the invaluable support and sacrifice of veterans’ family members.

Hiring Preferences For Veterans

Legislation (H.4922) was enacted to authorize hiring preferences for veterans by specifying that it is not an unlawful employment practice for a private employer to give preference in employment to a veteran. This preference is also extended to the veteran’s spouse if the veteran has a service connected permanent and total disability.

Military Personnel Tax Breaks

The General Assembly approved legislation (H.3027) extending certain property tax breaks to military personnel who are deployed or reassigned. The legislation allows active duty members of the U.S. Armed Forces to keep their special owner occupied residential property tax assessment even if they are deployed or transferred away from home. They also remain eligible for this favorable 4% assessment ratio even if they rent out their home while they are deployed. The new legislation allows military members who receive a permanent or long term change of station to claim the owner-occupied assessment ratio on two residences in the state for up to two years so long as they are attempting to sell the first of these homes. Service members’ spouses who are joint owners of the property are also included in these favorable tax provisions. Lawmakers also approved (S.999) a ninety day extension on the expiration of a driver’s license for a member of the U.S. Armed Forces who is deployed or reassigned outside the state and for dependents who live with them. The extension is also allowed for civilian employees of the Department of Defense whose duties in support of the military take them out of state.

Military Family Quality of Life Enhancement Act of 2014

(S.825) was approved to establish several initiatives that are geared towards benefitting military service members and their families. The legislation includes: more expansive provisions for military members and their families to vote by absentee ballot in all elections; a comprehensive annual report on the K-12 educational performance of military-connected children; Medicaid waiver status protections for reassigned military families; the creation of a Military-Connected Children’s Welfare Task Force to improve communication between the state’s child welfare agencies and local military installations; and, a real property tax exemption for leased military housing facilities on bases and installations.

Veterans Treatment Court Program Act

(H.3014) was approved to address the criminal justice system’s encounters with veterans who have returned from their military service having sustained traumatic brain injuries or suffering from service-related mental health impairments, such as post-traumatic stress disorder, depression, anxiety or acute stress. This legislation provides authority for each circuit solicitor to establish a veterans treatment court program to divert qualifying nonviolent military veteran offenders away from the criminal justice system and into appropriate mental health and substance abuse treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative.

Adjutant General Appointed by the Governor

The General Assembly approved (H.3541) a proposed constitutional amendment for the Adjutant General to be appointed by the Governor rather than elected. This proposal must be submitted to the state’s voters at the next general election as a ballot question to decide whether the South Carolina Constitution should be amended by removing the Adjutant General from the list of statewide elected officials and providing instead for this head of the state’s National Guard and other military resources to be appointed by the Governor, upon the advice and consent of the Senate. If the constitution is amended, the new appointment process (H.3540) would begin with the expiration of the term of the Adjutant General who is serving in office when the amendment is ratified.

State Constables Tax Deduction

Legislation (H.3089) was enacted to provide for a maximum three thousand dollar a year individual income tax deduction for volunteer state constables.

Multi Lot Property Tax Discount

Lawmakers approved (H.4944) an extension of the multiple lot property tax discounts that have been provided for homebuilders and property developers during recent years of recession.

South Carolina Distributed Energy Resource Program

The General Assembly approved legislation (S.1189) which makes revisions relating to the generation, distribution, and sale of electrical power that are geared towards reshaping South Carolina's electrical power grid so that it is devoted not only to a few, major, centrally-located power plants run by traditional investor-owned utilities but can also better accommodate electrical generation resources that are distributed throughout the grid, such as rooftop solar arrays, as well as other distributed energy resources such as energy storage and managed loads, including electric vehicle charging. The legislation makes provisions for a South Carolina Distributed Energy Resource Program to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for the state. The initiative includes changes in the way that investor-owned utilities purchase power from other, smaller, providers of electricity to encourage investment in renewable energy in the form of both relatively large facilities, such as wind farms, and smaller resources such as the solar power collectors installed by residential and commercial net-metering customers. The legislation also includes provisions to accommodate customers in leasing solar panels and other renewable electric generation resources rather than undertaking the significant costs involved in purchasing them outright.

Clean Energy Industry Manufacturing Market Development Advisory Commission

(H.3125) was created to assist in the development of manufacturing in this state of technology, materials, and products related to clean energy, including solar, wind, hydroelectric, biomass, energy-efficiency, alternative fuels, hydrogen storage and fuel cells. The commission is charged with performing a market analysis and recommending incentives or other actions, with a final report due by September 30, 2015, at which point, the commission is set to dissolve.

Microenterprise Development Act

(H.3125) was approved in order to establish a program in the Department of Commerce for awarding grants to community organizations in order to make loans and develop loan sources that will facilitate the development of microenterprises, which are new and existing businesses, including startup, home based, and self-employment arrangements, with five or fewer employees. Funds appropriated for grants must be matched by non-state funds and used to develop the kind of small-scale lending opportunities that assist South Carolina's microenterprises in realizing their full potential to create jobs, enhance entrepreneurial skills, and increase the capacity of low income households to become self sufficient.

Alcohol Sales Provisions

Lawmakers approved a bill (H.3512) revising alcohol sales provisions including changes relating to breweries that are offered as a means of fostering the craft brewing industry in the state. The legislation includes authorization for breweries to operate on-site dining facilities where their beer can be served and allows breweries to apply for retail on-premises consumption permits for the sale of beer and wine produced by others. The legislation provides that retail liquor sales are allowed on state-wide election days but are prohibited on Christmas Day.

Industrial Hemp Cultivation

The General Assembly approved legislation (S.839) that distinguishes hemp grown for scientific, economic, and environmental uses from the narcotic marijuana, a genetically different cultivar of the same plant species, and provides authorization for cultivating industrial hemp in South Carolina to be used for any lawful purpose, including its use to manufacture twine, rope, paper, construction materials, carpeting, and clothing, its applications in manufacturing industrial oils, cosmetics, medicines, and food, and its potential use as a cellulosic ethanol biofuel. Criminal penalties are established to address the cultivation of industrial hemp as a means of disguising marijuana production or distribution operations.

Julian's Law - Medical Marijuana

The General Assembly approved legislation (S.1035) addressing access to cannabidiol, a substance derived from marijuana, for treatment of severe forms of epilepsy. Named for the Summerville child whose severe seizures prompted his family to move to Colorado in order to gain lawful access to CBD oil treatments, "Julian's Law" is enacted to provide authorization for the state's academic medical centers to conduct expanded access clinical trials approved by the federal Food and Drug Administration (FDA) to investigate the value of cannabidiol as a treatment for patients suffering from severe forms of epilepsy that are not adequately treated by traditional medical therapies. The legislation establishes certain exemptions for cannabidiol under state laws governing narcotics and controlled substances and provides an exemption that allows a South Carolina-licensed physician to issue a written certification for the medical use of cannabidiol to a patient who has been diagnosed with severe forms of epilepsy. The legislation also creates a temporary study committee whose purpose is to develop a plan for the sale and use of medical marijuana in South Carolina should the federal Drug Enforcement Administration declassify or reclassify marijuana as a controlled substance.

Identity Theft Safeguards

The General Assembly approved legislation (S.148) that establishes identity theft safeguards for protected consumers, a special class of consumers composed of children as well as adults who are incapacitated or otherwise under another's guardianship. To help prevent the identities of these protected consumers from being stolen and used for such purposes as opening fraudulent credit accounts, the legislation establishes requirements for consumer reporting agencies to place security freezes on the records of those under the age of sixteen, as well as incapacitated individuals and protected individuals for whom a guardian or conservator has been appointed, upon the request of parents or other representatives who can produce sufficient proof of their authority to act on behalf of the protected consumers. A consumer reporting agency may not charge any fees for implementing security freezes for protected consumers or for creating any consumer credit files needed to implement such security freezes.

Precious Metal Holding Requirements

Lawmakers approved (H.3149) more stringent requirements for precious metal dealers. Notably, the legislation triples the mandatory holding period so that pawnshops and other dealers are required to keep silverware, gold jewelry, and other precious metal items, except coins, for twenty-one days following the purchase date without reselling, melting, or altering them in any way. The extension affords law enforcement officials more time to investigate reports of stolen property.

State Election Commission Oversight

Legislators approved a bill (S.815) to provide for State Election Commission oversight of county boards of voter registration and elections to ensure that those boards and all who are involved in the elections process comply with state voting law requirements, applicable federal law, and commission policies and procedures regarding the conduct of elections or the voter registration process. In order ensure compliance, the State Election Commission is directed to conduct reviews, audits, or other postelection analysis and is empowered to intervene when it finds that local election authorities have failed to comply with election or voter registration requirements or when local election authorities fail to certify the results of an election or referendum in a timely manner. The legislation provides a statewide protocol establishing consolidated county boards of voter registration and elections. The State Election Commission must provide public notice on its website of all new state and local changes to voting procedures, including changes to precincts.

Motorcycle Protection

The General Assembly approved legislation (H.3231) prohibiting discrimination against motorcycles in public transportation policies. Under the legislation, the state Department of Transportation and Transportation Commission are prohibited from adopting plans or policies that would discriminate against motorcycles or restrict their access to any highway, bridge, tunnel, or other transportation facility. Local governments are required to make reasonable accommodations for motorcycles in their parking garages and other transportation facilities.

Hunting Game Zone Changes

The General Assembly approved legislation (S.1071) providing for further game zone consolidation by reducing the state's current six game zones into four larger game zones in order to bring greater standardization and simplification to the laws governing the hunting of wild game in South Carolina.