

ALERTS

South Carolina Legislative Update - December 7, 2015

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The South Carolina General Assembly is preparing for their second regular session and will officially convene on January 12, 2016. The House and Senate's various committees have diligently debated the following during the interim: costs associated with the recent flood, legislative oversight of select state agencies, eminent domain, the Abbeville lawsuit, as well as other issues. In addition, a preview of next year's session includes, and is not limited to, the following: infrastructure spending, education reform, additional revenue sources, and an election year for both the House and Senate.

Important dates for the 2016 election cycle:

- **February 20** Republican Presidential Primary
- **February 27** Democratic Presidential Primary
- **March 16** Filing opens for candidates for 2016 General Election (United States Senate, United States House of Representatives, South Carolina Senate, South Carolina House of Representatives, and other local seats).
- **March 30** Filing closes
- **June 14** Primary
- **June 28** Primary Runoff
- **November 8** General Election

Prefiled Legislation Introduced

The Senate prefiled over 30 pieces of legislation and the House prefiled over 140 pieces of legislation last week. The prefiled legislation introduced ranged from firearms regulations and background checks to assistance for victims of the flood to investigational drugs. To review prefiled legislation, please click [here](#). The Senate will prefile this week on December 9 and the House will prefile on December 10.

In The News

Flood, refugees, Charleston shooting focus of proposed SC legislation

Immigration and the Syrian refugee crisis, violence in churches and schools, and the historic flood that hit South Carolina in October are topics driving the legislative agendas of some S.C. lawmakers. State House and Senate members got an early start this week on filing legislation for the upcoming legislative session, which begins Jan. 12. Several proposals are responses to challenges South Carolina has faced this year. Here is a

sampling of the proposals:

- **Flood relief.** After historic rains flooded homes and businesses, and breached dams across the state - hitting the Midlands especially hard - lawmakers have proposed ways to offer relief to victims through tax policy and the state budget. State Rep. Chip Huggins, R-Lexington, proposes offering tax refunds to owners of flood-damaged properties. He also would extend tax payment deadlines for taxpayers. State Reps. Beth Bernstein and James Smith, both Richland Democrats, propose creating a disaster relief fund for victims. Taxpayers could contribute to the fund through their tax returns. State Sen. John Scott, D-Richland, proposes a bill to create a state fund for grants to dam owners to pay for engineering and safety studies on their dams.
- **After the church shooting.** In the wake of the racially motivated church shooting in Charleston this summer, some Democratic lawmakers want to expand the state's death-penalty law and tighten gun control. State Sens. Gerald Malloy, D-Darlington, introduced a state hate-crimes bill that would add murders committed because of a victim's "race, color, religion, national origin, gender, sexual orientation, gender identity, or disability" to the list of circumstances that can lead to the death penalty. Several lawmakers in the House and Senate propose lengthening the time a gun purchaser must wait for a background check to be completed. Proposals range from extending that waiting period to 10, 14 or 28 days from the current three days. State Sen. Marlon Kimpson, D-Charleston, proposes a bill that would require the background check to be complete before a buyer could take possession of a gun. That proposal is in response to the June shooting deaths of nine African-Americans at a Charleston AME church. Accused gunman Dylann Roof, who faces the death penalty, was able to complete his purchase of a gun after a background check was not completed within three days.
- **Curbing immigrants, refugees.** Several bills aim to curb the number of immigrants, including refugees, who come to the Palmetto State. A proposal by state Sen. Kevin Bryant, R-Anderson, would bar cities from adopting policies to limit or restrict enforcement of federal immigration laws in an effort to provide sanctuary to illegal immigrants. Bryant also wants to bar state agencies from accepting or helping others to resettle refugees in the state until the federal government puts in place new security measures, which are not defined in the bill. Two House bills also would prohibit using state resources to help with resettling refugees. Another would allow local governments to ask the state not to resettle refugees in their communities. "Most folks are just extremely nervous" about the vetting of refugees, Bryant said. "The potential infiltration of a terrorist seems risky."
- **After Spring Valley.** State Rep. Mia McLeod, D-Richland, said she has introduced a bill that would exclude students from the threat of being arrested under a state disturbing-schools law. Controversy over the law flared when a Richland County Sheriff's Department high school-resource officer forcibly removed a Spring Valley High School student from a chair after the student refused to leave class. Critics said the law criminalizes student behavior that otherwise would not be considered criminal. After firing the deputy, Richland Sheriff Leon Lott said the law has been abused. McLeod said the disturbing-schools law was intended to protect students from outsiders coming on campus, loitering, causing a disturbance or threatening their safety. Her bill revises the law to exclude students from its provisions.

[Read more here.](#)

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2016 GENERAL ASSEMBLY

Other bills introduced this week would:

- Make police dash-camera recordings available for public review through open records requests
- Require school bus drivers, crossing guards and resource officers to wear body cameras
- Let voters weigh in on whether the Confederate Flag, removed this summer from the State House grounds, should fly there again
- Create a committee to study putting a permanent memorial in Charleston's Marion Square to the nine slain in a church this summer
- Require food-stamp recipients to pass drug tests to be eligible for the benefits

[Read more here.](#)

Lawmakers split on need to borrow for roads, flood damage, education

Top lawmakers meeting to discuss roads, flood damage and other projects disagreed Monday on the need to borrow hundreds of millions of dollars as revenue predictions continue to climb. The split among members of the Joint Capital Bond Study Committee is likely to carry over into the next session in January as lawmakers resume the debate how to pay for a growing list of repairs and improvements to crumbling highways and bridges, campus building and restoring armories. The committee was formed toward the end of this year's session to study and prioritize infrastructure and other needs after two bond bills were doomed by opposition from Gov. Nikki Haley and her allies in the Legislature who argued the state would be running up its credit card to pay for a wish list. [Read more here.](#)

Time ripe to eliminate state income tax, senators said

Two state lawmakers believe 2016 is ripe for eliminating South Carolina's income tax. A recent study by the National Center for Policy Analysis revealed that income tax reform efforts by North Carolina's governor and General Assembly have made the state more competitive with South Carolina. At the same time, South Carolina's tax revenues have risen as the state's economy rebounded from the financial crash of 2008. Next fiscal year, the state expects tax revenues will exceed the current year's by at least \$380 million. [Read more here.](#)

Transportation commission approves step toward Interstate 73

The S.C. Department of Transportation Commission revived efforts Thursday to build Interstate 73, a controversial freeway long sought as a way to bring tourists to the Grand Strand. The commission approved a new plan that members hope will appease environmental concerns about the project. The plan calls for preserving Gunter's Island in Horry County in exchange for wetlands that would be destroyed during construction of the interstate. [Read more here.](#)

Meeting Schedule

Monday, December 7

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- **2:00 pm** -- Gressette Room 105 -- Special Senate Committee Regarding Flood Relief Efforts in South Carolina
- **3:00 pm** -- Blatt Room 110 -- Executive Subcommittee of the Legislative Oversight Committee

Tuesday, December 8

- **10:30 am** -- Gressette Room 105 -- Joint Bond Review Committee
- **10:30 am** -- Gressette Room 408 -- Education Legislative Oversight Subcommittee on Museums
- **1:00 pm** -- Gressette Room 308 -- Joint Capital Bond Study Committee
- **1:00 pm** -- Gressette Room 105 -- Special Senate Subcommittee In Response to the Abbeville Lawsuit
- **1:30 pm** -- Blatt Room 521 -- Ways and Means Healthcare Budget Subcommittee

I. Department of Health and Human Services

Wednesday, December 9

- **10:00 am** -- Blatt Room 521 -- Ways and Means Law Enforcement and Criminal Justice Subcommittee

I. Prosecution Coordination Commission

II. State Law Enforcement Division

III. Administrative Law Court

IV. Criminal Justice Academy

V. State Ethics Commission

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2:00 pm -- Gressette Room 308 -- Judiciary Subcommittee on S.123, S.267 and H.3014

I. S. 123 – Annual Session of the General Assembly

II. S. 267 – Annual Session of the General Assembly

III. H. 3014 – Annual Session of the General Assembly

Thursday, December 10

- **11:00 am** -- Gressette Room 105 -- Sickle Cell Disease Study Committee

Friday, December 11

- **10:00 am** -- Blatt Room 110 -- Education and Cultural Subcommittee of the Legislative Oversight Committee

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- **1:00 pm** -- Blatt Room 521 -- Ways and Means Healthcare Budget Subcommittee

I. Department of Health and Environmental Control