

From: Rep. Bill Hixon - District 83 - South Carolina <bill@billhixon.com>
To: Veldran, KatherineKatherineVeldran@gov.sc.gov
Date: 2/5/2013 5:50:29 PM
Subject: Identity Theft Protection, Lockdown Plans in Public Schools & Mortgage Changes - Bill Hixon Legislative Update

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Representative Bill Hixon, District 83 - Newsletter

Legislative Update - February 5, 2013

Dear Friends,

This week, Speaker of the House, Bobby Harrell shared that last year our state Legislature cut Small Business Income Taxes by 40%. This session, we are renewing our fight for a True Comprehensive Tax Reform plan.

A study by one of America's most relied-upon conservative fiscal policy organizations, The Tax Foundation, ranked South Carolina as having the lowest rate in the nation. You can visit Tax Rankings here for 2011 and 2012. South Carolinians are now the lowest taxed citizens in America due in part to the \$26 Billion in state tax cuts we have passed since 1994 - the year our state's voters first elected a GOP Majority in the House.

However, the lowest overall tax rate does not always equate to the most competitive tax rate structure. While having the lowest taxes in the nation is a good thing, we are also committed to true comprehensive tax reforms that will make our state even more competitive.

In order for me to have a strong voice in Columbia, I have to communicate with my constituents. And that is you! My website, newsletters, mailers and Facebook are the communication tools that I use. It takes extra time, staff and campaign funds to maintain these tools.

If you would like to contribute, please mail a check to Hixon For House, P.O. Box 7927, North Augusta, SC 29861 or contribute online by going [HERE](#).

I hope that you find this update helpful and informative:

Legislative Update - February 5, 2013

Identity Theft Protection:

The House of Representatives amended, approved, and sent to the Senate H.3248, a bill relating to the **ENFORCEMENT AND PROSECUTION OF IDENTITY THEFT OFFENSES**. This legislation improves identity fraud and financial identity fraud

provisions by establishing higher standards for personal identifying information and financial resources that are to be used in determining whether fraud has been committed. Also, the legislation provides the location for the prosecution of identity fraud and financial identity fraud offenses in the county in which the victim resided at the time the information was obtained or used. Language contained in financial transaction card crime has been added to provide that, in a prosecution for a violation of identity fraud offenses, the state is not required to establish and is not a defense that some of the acts constituting the crime did not occur in this state or within one city, county or local jurisdiction. This legislation also revises the provision that allows someone who learns or reasonably suspects that he or she is the victim of identity theft to initiate an investigation by reporting to a local law enforcement agency that has jurisdiction over his actual legal residence, so as to eliminate the law enforcement agency's option of referring the investigation to another law enforcement agency where the crime was committed

State Health Care Freedom Act:

The full Labor, Commerce and Industry Committee met Thursday, January 17 and gave a favorable report with amendments on H.3096, the "State Health Care Freedom Act". The bill provides that the state of South Carolina must not elect to establish or operate an American Health Benefit Exchange, must not establish a governmental agency or nonprofit entity to operate an American Health Benefit Exchange, and must not participate in a regional exchange as provided for in the federal "Patient Protection and Affordable Care Act" of 2010 or federal regulations broadcasted about that act.

School Attendance:

The Compulsory Attendance Requirement in Schools, H.3339, is legislation that increases the required age for attending school from seventeen to eighteen.

Public School Carbon Monoxide Safety Act:

This legislation, H.3363, "South Carolina Public School Carbon Monoxide Safety Act" provides that every building that houses a public school from pre-kindergarten through twelfth grade must be equipped with a carbon monoxide detection warning system before July 1, 2014. Also, this legislation requires the Department of Education to develop a program that each school district may use to develop its carbon monoxide detection and warning system as well as certain regulations concerning the program. The legislation further provides that a certificate of occupancy must not be issued for a school building that fails to comply with these provisions after June 30, 2014. The legislation limits liability for failing to detect carbon monoxide in a school building that complies with these provisions, except in certain circumstances.

Safety Lockdown Plans and Drills:

Legislation H.3364 requires each school district to develop a lockdown plan for each school in the district to use in response to situations involving safety and security on the school campus. This legislation provides minimum requirements for a lockdown plan, provides a school must communicate certain information concerning its lockdown plan and related procedures to the parents or legal guardians of its students, and it provides reporting requirements and penalties for violations. Schools should do lockdown drills as well as the "old" fire drills we all had to do back when we were in school.

Mental Health Counseling:

"Mandatory School Psychologists", legislation H.3365, requires that each public school employ a licensed psycho-educational specialist certified in school psychology by the Department of Education on a full-time basis to help school personnel identify students in need of mental health counseling, promote awareness of mental health issues and the availability of treatment, screening and identifying of students for mental health issues, and provide appropriate mental health counseling and make referrals for appropriate social service counseling.

CPR and AED Instruction:

Beginning in the 2014 to 2015 school year, the Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) Instruction legislation H.3368, will require instruction in CPR and the use of AED in each public high school. The legislation further requires successful completions of this instruction for graduates from high school.

Teacher Protection Act of 2013

This legislation, H.3351, allows a teacher to bring a civil action against a student who commits a criminal offense against the teacher if the offense occurs on school grounds or at a school-related event, or if the offense is directly related to the teacher's professional responsibilities. Nothing in this provision is intended to limit the civil remedies available to another party as a result of the same criminal act. In addition to the protections granted under the South Carolina Tort Claims Act, no teacher has civil liability to a student or to a party acting in the interest of the student for an act or omission by the teacher if the: (1) teacher was acting within the scope of the teacher's employment; (2) actions of the teacher violated no state, local, or federal law including regulations set forth by the individual district or school; (3) acts or omissions were not the result of will-full or intentional conduct or gross negligence; (4) acts or omissions were not the result of the teacher operating a motor vehicle or watercraft; and (5) actions of the teacher do not constitute a violation of the student's civil rights.

Moped Registration:

The Moped Registration and Regulation bill, H.3345, establishes new provisions for the registration of mopeds by the Department of Motor Vehicles. The legislation revises definitions as well as provisions governing the operation of mopeds. Among other things, the legislation includes a provision that no person may operate a moped at a speed in excess of 30 miles an hour, rather than 25, or on a highway with a maximum speed limit that is greater than 45 miles an hour.

Golf Cart Regulation:

Operation of All-Terrain Vehicles along the State's Highways, H.3353, is legislation that makes the provisions relating to the operation of golf carts along the state's highways also apply to the operation of all-terrain vehicles.

Adding and Removing Roads from the State Highway System:

Bill H.3360 revises the procedure for adding and removing roads from the state highway system. Under this legislation, a county or municipality and the Department of Transportation (DOT) may by mutual consent agree to transfer a road from the county or municipal road system to the state highway system. The transfer may be of a road "as is", without further improvement to the road or upon such terms and conditions as the parties mutually agree. If the DOT determines that a road in the county or municipal road system is necessary for the interconnectivity of the state highway system, and the

municipality or county does not consent to the transfer, the DOT may initiate a condemnation action to acquire the road, or a portion of it, and the county or municipality is not required to make any further improvements to it. The bill authorizes DOT to transfer from the state highway secondary system any road under its jurisdiction determined to be of low traffic importance to a county or municipality, a school, a governmental agency, a nongovernmental entity, or a person, with mutual consent. A county or municipality shall have first right of refusal to accept roads into their maintenance responsibility when roads are considered for transfer from the secondary highway system to a non-governmental entity or person. The legislation includes provisions about when maintenance jurisdiction begins for transferred roads. Also, this bill repeals a provision relating to belt lines and spurs.

Traffic Stops:

Legislation H.3325 provides that when a motor vehicle is stopped by a law enforcement officer during nighttime hours, it is required of the driver to immediately turn on the vehicle's interior lights. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than \$100.

Personhood Act of South Carolina:

The "Personhood Act of South Carolina", H.3323, provides that the right to life for each born and preborn human being vests at fertilization. The legislation further provides that the rights guaranteed by Section 3, Article I of the State Constitution, that no person shall be deprived of life without due process of law, nor shall any person be denied the equal protection of laws, vest at fertilization for each born and preborn human person.

Clean Air Act of 2013

Bill H.3344 changes the citation of the "Clean Indoor Air Act of 1990" to the "Clean Air Act of 2013". Relating to areas where smoking is prohibited, this legislation provides that smoking is prohibited within 15 feet of the entrance to or exit from these areas. The bill deletes references to "indoor" and prohibits smoking in public outdoor gated facilities where athletic events or other events are held.

Mortgage Payments:

Legislation H.3321 establishes a mandatory minimum grace period of twenty days for a mortgage payment. The grace period provisions do not apply to a simple interest or other mortgage in which interest accrues daily.

Bill H.3322 provides that, despite another provision of law or contract, when a mortgagee makes a payment on a loan secured by a mortgage, the mortgagor shall apply at least 30 percent of the payment received toward the principal balance of the loan secured by the mortgage. A penalty is established for a violation of the requirement.

Senator Tom Young:

Tom Young was elected to represent Aiken County District 24 in the South Carolina Senate. You can contact him by phone at his office (803) 649-0000, on his cell (803) 215-3631, by mail at 505 Gressette Bldg, Columbia, SC 29201, by email tom@senatortomyoung.com, or visit his website by clicking [here](#). Senator Tom Young also has a weekly newsletter and you can subscribe to it by visiting his website above.

Please be sure to stay up to date with all that is going on in Columbia. If you have any questions, comments or concerns, I am always available.

As a reminder, you can go to my [website](#) for links to my voting record and bills that I have sponsored or co-sponsored.

Also, you can view Live Broadcasts of the South Carolina House of Representatives daily legislative sessions by clicking [Here](#).

As always you can go to my [FACEBOOK](#) page and hit the like button or visit my [Website](#) for the latest information.

Go to the new [House Roll Call Votes Page](#) to see how all the representatives have voted on all the important bills.

Thank you for the privilege of serving you in Columbia. If I can ever be of assistance to you, or if you have ideas on issues you want me to share with the rest of the General Assembly, please don't hesitate to contact me at Home at 803-278-0892 or at work 803-279-8855.

Sincerely,
Bill Hixon

For more information, please visit my website...

www.billhixon.com

Check out my FACEBOOK page...

[Bill on FACEBOOK](#)

Contact Information

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Please FORWARD this email to a friend

This email was sent to katherineveldran@gov.sc.gov by bill@billhixon.com |
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