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February 9, 2018
Representative Chip Huggins
District 85
Serving Irmo and Chapin

The House of Representatives concurred in Senate amendments to **H.3653**, a bill imposing **LIMITATIONS ON NUISANCE SUITS RELATED TO MANUFACTURING AND INDUSTRIAL USES OF REAL PROPERTY**, and enrolled the legislation for ratification. Addressing situations where urban growth has prompted residential development to expand into previously outlying areas where established industrial facilities have been operating, the legislation imposes limitations on nuisance suits that nearby residents can bring against pre-existing industrial, manufacturing, transportation, and warehousing facilities that are complying with environmental permits and are otherwise operating lawfully. Affording legal protections like those already provided for agricultural operations, the legislation proposes to codify the common law defense of 'coming to the nuisance' as a means of promoting economic development.

The House amended, approved, and sent the Senate **H.3529**, a bill establishing the **GENERAL ASSEMBLY'S EXCLUSIVE AUTHORITY OVER THE REGULATION OF AUXILIARY CONTAINERS**, such as plastic grocery bags, disposable cups, and takeout food boxes. This legislation provides that any regulation regarding the use, disposition, sale, or any imposition of any prohibition, restriction, fee imposition, or taxation of auxiliary containers must be done only by the General Assembly. This authority supersedes and preempts any local ordinance enacted by a political subdivision, but the legislation does not apply to auxiliary container regulations adopted before January 31, 2018, including regulations with a delayed implementation date or that are conditioned on future municipal action. A municipality located within a county that has adopted an ordinance before January 31, 2018, may pass the same or similar ordinance. The legislation does not impose limitations on county or municipal ordinances regulating solid waste disposal or recycling programs. The legislation does not apply to the use of auxiliary containers within the boundaries of a State park, on a property owned by a county or municipality, such as coastal tidelands and wetlands, or on a public beach, river, or other body of water maintained by a county or municipality.

The House approved **S.297**, a bill relating to **PERFORMING SECURITY OFFICER DUTIES PENDING THE ISSUANCE OF A REGISTRATION CERTIFICATE**, and enrolled the legislation for ratification. The legislation revises provisions relating to private security officer registration certificates issued by the State Law Enforcement Division, to provide that, pending issuance of a registration certificate, a security officer may perform professional duties for up to thirty days, rather than twenty days, after receipt by SLED of his application for registration.

The House returned **S.185**, a bill providing **FUNERAL SERVICE CONSUMER PROTECTIONS** that address solicitations from remote, out-of-state companies, to the Senate with amendments. The legislation establishes provisions that target the practice of allowing or permitting an Internet service provider, unlicensed person, establishment, or entity to engage in the practice of funeral service, embalming, cremation, or conducting business as a funeral home, funeral establishment, crematory, or mortuary. Under the legislation, an advertisement must include the physical address of the funeral home, funeral establishment, mortuary, or crematory where the advertised services will be provided. The State Board of Funeral Service is charged with promulgating regulations establishing additional requirements for advertisements relating to providing funeral services, including Internet advertisements.

The House amended, approved, and sent the Senate **H.4655**, the “**SOUTH CAROLINA INSURANCE DATA SECURITY ACT**”. The legislation establishes standards for data security and standards for the investigation of and notification to the Director of the Department of Insurance of a cybersecurity event that impacts insurance licensees.

The House approved and sent the Senate **H.4654**, a bill **REVISING FINGERPRINTING REQUIREMENTS FOR INSURANCE PRODUCER LICENSURE** including provisions that allow these criminal background screening requirements to be satisfied without submitting a new set of fingerprints when a set of fingerprints is already on file, such as when a license is being renewed.

The House approved and sent the Senate **H.4656**, a bill **UPDATING AND ENHANCING FINANCIAL SOLVENCY REQUIREMENTS FOR REINSURERS** to bring South Carolina into compliance with the most recent standards of the National Association of Insurance Commissioners so that the state can retain NAIC accreditation and continue to enjoy legal reciprocity with other states.

The House amended, approved, and sent the Senate **H.4612**, legislation authorizing **SURETY BONDS FOR GENERAL AND MECHANICAL LICENSURE APPLICANTS**. Rather than providing financial statements showing a minimum net worth, this legislation affords applicants for general and mechanical licensure the option of satisfying financial requirements by providing a surety bond in an amount of two times the required net worth for the applicant’s license group. The surety bond option is offered as a means of accommodating those who operate under an employee option stock program arrangement which makes it difficult to satisfy minimum asset requirements.

The House approved and sent the Senate **H.4827**, a joint resolution providing an **EXTENSION FOR THE SEIZURE SAFETY IN SCHOOLS STUDY COMMITTEE** so that the deadline for the committee to submit its report is January 31, 2019.

The House approved and sent the Senate **H.4868**, a bill that establishes a staggered timeline for performing required **AUDITS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY**.

The House approved and sent the Senate **H.4869**, a bill **REMOVING NOTARIZATION REQUIREMENTS FOR CERTAIN SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY TRANSACTIONS** in order to better accommodate online filing.

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