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January 26, 2018  
Representative Chip Huggins  
District 85  
*Serving Irmo and Chapin*

The House of Representatives took up two of the bills that draw upon the work of the special House Utility Ratepayer Protection Committee which was appointed by the Speaker of the House following the announcement from Santee Cooper and SCANA's South Carolina Electric and Gas that construction on the V.C. Summer nuclear reactors in Fairfield County was being abandoned after billions of dollars in fees had been collected from South Carolina's ratepayers under the Baseload Review Act to support the failed nuclear power project.

The House amended, approved, and sent the Senate **H.4379**, a bill creating a **UTILITIES CONSUMER ADVOCATE** within the Attorney General's Office to safeguard the interests of consumers in dealings with public utilities that offer such essential services as electrical power, gas pipelines for heating and cooking needs, water, sewerage, and telecommunications. The new Utilities Consumer Advocate must be an attorney qualified to practice in all the state's courts who is to be appointed by the Attorney General to serve at the pleasure of the A.G. The legislation includes provisions to prevent conflicts interests, including prohibitions on gifts and campaign contributions from public utilities. The Utilities Consumer Advocate is charged with representing the public utility interests of consumers which includes providing legal representation of the consumer interests before state and federal regulatory agencies. Along with the Public Service Commission's Office of Regulatory Staff, the consumer advocate is charged with monitoring existing regulations, rate structures, and policies of those agencies of special interest to utility consumers and report to the public through the news media proposed changes under consideration and the effect of those changes on the lives of the citizens of the state. The consumer advocate is authorized to initiate, continue, or intervene in legal proceedings on behalf of the public at large. The consumer advocate must make an annual report to the General Assembly on the year's activities on behalf of the interests of utility consumers. The legislation includes provisions to afford the consumer advocate access to records of the Office of Regulatory Staff and other state agencies. The Public Service Commission's Office of Regulatory Staff is directed to make use of its subpoena powers at the consumer advocate's request. A misdemeanor criminal penalty is established for failure to provide information requested. The financial integrity of public utilities is eliminated as a concern for the Office of Regulatory Staff.

The House amended, approved, and sent the Senate **H.4378**, a bill that replaces the Public Utilities Review Committee with a new twelve-member **UTILITY OVERSIGHT COMMITTEE** composed of six legislators holding key leadership positions, two members of the

general public appointed by legislative leaders, and four members of the general public appointed by the Governor. The legislation establishes qualifications and duties for committee members. The oversight committee is charged with screening Public Service Commission candidates and making nominations for the election of commissioners by the General Assembly, nominating a qualified candidate for the Governor to consider appointing as the Executive Director of the Office of Regulatory Staff, and reviewing candidates for appointment to the South Carolina Public Service Authority Board of Directors as submitted by the Governor to determine whether they meet the qualifications. The annual budget proposals of the Office of Regulatory Staff and the Public Service Commission must be reviewed and approved by the oversight committee and the salary of the Executive Director of the Office of Regulatory Staff is set by the oversight committee. The oversight committee is required to make annual performance reviews of the Public Service Commission, the individual commissioners, the commission's Office of Regulatory Staff, and the ORS Executive Director. The oversight committee must develop and distribute to those appearing before the PSC an anonymous and confidential survey to evaluate the commissioners on such matters as their temperament, knowledge, and whether they appear to be influenced by political considerations or the parties who appear before them. The oversight committee is authorized to evaluate the actions of the Public Service Commission so that the members of the General Assembly may better judge whether these actions serve the best interests of the citizens of South Carolina, both individual and corporate. The oversight committee must conduct an annual review of the State Energy Office's action plan. The oversight committee is authorized to conduct other studies and make other pertinent reports and recommendations to the General Assembly. The legislation includes provisions to prevent conflicts interests for those serving as committee members.

The House amended, approved, and sent the Senate **H.3920**, a bill establishing **REQUIREMENTS FOR PUBLIC SCHOOLS TO POST THE TOLL-FREE HOTLINE FOR REPORTING CHILD ABUSE, NEGLECT, AND EXPLOITATION** to the Department of Social Services. The legislation provides that, beginning in the 2018 2019 School Year, each public school and charter school shall post at least five signs that provide the statewide toll free telephone number that may be used to report incidents of child abuse, neglect, and exploitation to the Department of Social Services along with related information about reporting allegations. A school must display the sign conspicuously in at least one high traffic common area that is readily accessible to and widely used by students. Virtual schools must post the required information electronically in appropriate places in the school's learning management system.

The House amended, approved, and sent the Senate **H.3699**, legislation that authorizes the **SHARING CHILDREN'S HEALTH INFORMATION WITH CAREGIVERS** in abuse and neglect cases, placements, or adoptions. The legislation removes prohibitions from sharing with foster parents, or other caregivers, the medical, mental health, and other known, or reasonably obtainable, information about children necessary to provide them with adequate care. This disclosure requirement applies to abuse and neglect cases, placements, or adoptions. The legislation provides additional immunity protections for those who report suspected child abuse or neglect.

The House amended approved, and sent the Senate **H.3701**, a bill addressing **KINSHIP FOSTER PARENTS**, which requires the South Carolina Department of Social Services [SCDSS] to inform relatives of children, who are placed with them, about opportunities to become licensed foster parents. Potential kinship foster parents would be required to undergo background checks that include checking the Central Registry of Child Abuse and Neglect cases. The legislation sets forth the responsibilities of kinship foster parents and makes provisions for kinship care to be monitored by SCDSS. The legislation requires the agency to maintain specified kinship foster

care data. The legislation also incorporates provisions addressing children victimized by human trafficking, including sex trafficking, within definitions of 'child abuse or neglect' and 'harm'.

The House amended, approved, and sent the Senate to **H.3068**, a bill to provide for the **"UNIFORM ATHLETE AGENTS ACT OF 2017"**. The legislation updates protection of student athletes and makes extensive changes to the elements of the athlete - agent relationship. The substantial changes include the definitions of athlete agent and student agent, definitions of licensure and representation, clarifications regarding signing, requires more information regarding registering with the Department of Consumer Affairs (including social media accounts - noting the expanded impact of social media on the solicitation and recruitment of student athletes by athlete agents) and also includes information regarding previous convictions and bankruptcies. The provisions of the Administrative Procedures Act apply. More direct powers are given to the Department for the suspension or revocations of registrations. The bill also requires clear notices associated with the signing of athletes to athletic directors. Educational institutions or student athletes may bring actions if the athlete is adversely impacted by actions or omissions of the agent. The legislation also includes provisions regarding reciprocal registration between states and adds new requirements to signing agent contracts.

The House approved **S.882** and enrolled the bill for ratification. The legislation authorizes **UPDATED VERSIONS OF SOUTH CAROLINA CODE VOLUMES 15A AND 18.**

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