



END OF SESSION LEGISLATIVE REPORT

This session was marked by attention being focused on: (1) lingering issues from last session, such as ethics and roads, (2) issues from the events of last fall, such as flood relief to farmers, and (3) media-grabbing issues, such as prohibiting transgender persons from using the bathroom facilities of the gender with which they identify.

During the last two weeks of session, the legislators gave retirement speeches and hung a portrait of the late Senator Clementa Pinckney in a place of honor in the Senate chamber. The final week was marked by a flurry of bills passing at the 11th hour, which is commonplace during the last week of session. Some of the legislation that passed include bills which: (1) give military retirees a tax cut, (2) shorten South Carolina's legislative session by three weeks, (3) ban ticket quotas in law enforcement, (4) give reciprocity to Georgia residents who hold a concealed weapons permit, (5) raise the age for operating a moped from 14 to 15, (6) provide for state actions in patent infringement cases, and (7) provide omnibus changes to the probate code. During the special session on the 15th and 16th, there was a long debate in the Senate on foster care legislation, and a compromise was finally reached on the ethics legislation that has been batted back and forth between the House and Senate for years.

One bill of significance to SCCADVASA that passed this year was H. 3114, the 20-week abortion ban. After a “compromise” was reached at the end of last session during special session, the legislature returned this year need to get free-conference powers to pass the conference report. The Senate granted free conference powers earlier in the session and passed the conference report. It took the House 10 weeks to get the votes for free conference powers. The House did give free conference powers on and pass the conference report. The bill does not include rape and incest as an exception for an abortion after 20 weeks.

http://www.scstatehouse.gov/sess121_2015-2016/bills/3114.htm

Budget:

Last year, for the 2015-2016 fiscal year, the general appropriations bill included 500,000 in non-recurring money for domestic violence services. This year, for the 2016-2017 fiscal year, that amount was increased by \$300,000 to \$800,000. Next year, we will continue to ask for an

increase in the amount provided and for that money to become a recurring line item in the state budget.

There are several bills of interests to SCCADVASA, some pro and some con, which did not pass this year but will likely return for the 2017 legislative session:

Confidentiality

S. 1275: This bill, sponsored by Senator Larry Martin, would provide that sexual assault center and domestic violence center providers are not required to disclose certain confidences acquired by clients during the provision of services to those clients. Certain exceptions are provided.

http://www.scstatehouse.gov/sess121_2015-2016/bills/1275.htm

Dating Violence

S. 19: This bill, sponsored by Senator Jackson, is one of a number of dating violence bills introduced in the House and Senate during the 2015-2016 legislative sessions. It is the only dating violence bill to receive a hearing. The hearing was held after the May 1st deadline during the 2016 session, so the bill did not have a likely chance of passing at that late date, but testimony was taken on the issue. The bill would create the crime of dating violence and provide that a person under the age of 18 could not be charged with the offense.

http://www.scstatehouse.gov/sess121_2015-2016/prever/19_20141203.htm

Indecent Exposure in Correctional Facilities:

S. 524: This bill, sponsored by Senator Hembree, would provide that it is unlawful for a person to wilfully, maliciously, and indecently expose his person in a corrections or detention facility. The penalty is imprisonment for up to one year. The sentence must be served consecutively to any other sentence the person is serving.

The bill passed the Senate, but like the majority of Senate bills, it was not given a hearing in the House Criminal Laws Subcommittee.

Prostitution:

S. 986: This bill, sponsored by Senator Shealy, would increase the penalties for solicitation of prostitution and provide an affirmative defense of being a victim of human trafficking. There was also a companion bill, H. 4831.

The bill passed the Senate and was heard by the criminal laws subcommittee in the House. A vote was never taken by the criminal laws subcommittee.

http://www.scstatehouse.gov/sess121_2015-2016/bills/986.ht

Personhood:

S. 719: This joint resolution, sponsored by Senator Bright, et al, and referred to as the “personhood” bill, would amend Article I, Section III of the State Constitution by adding that the privileges, immunities, and rights of the citizens of South Carolina and the United States shall extend to both born and preborn persons beginning at conception. A companion joint resolution, H. 4093, was introduced in the House.

The joint resolution was adopted by the Senate Judiciary Committee with a minority report being signed by Senators Hutto and M.B. Matthews. The Senate tried to set the joint resolution for special order but the joint resolution did not receive the required number of votes. The resolution was finally recommitted to the Judiciary Committee on May 31, 2016.

http://www.scstatehouse.gov/sess121_2015-2016/bills/719.htm

Prohibition for a Transgender Person to Use the Bathroom of the Gender with which he/she Identifies

The bill, sponsored by Senator Bright, was referred to the General Committee, and two public hearings were held where extensive testimony was provided by proponents and opponents. The bill was never voted out of the General Committee.

http://www.scstatehouse.gov/sess121_2015-2016/bills/1203.htm

Guns/ Background Checks

S. 941: This bill, sponsored by Senator Kimpson, would require that a background check must be completed through SLED and the National Instant Criminal Background Check System (NICS) before any person, or any federally licensed importer, manufacturer, or dealer, can sell, exchange, or transfer a firearm to any other person.

This bill was one of a number of “firearm” bills introduced this session – many of them by Senator Kimpson. Several other bills regarding background checks were also introduced by other Senators and House members. NONE of the bills received a hearing. The lack of a hearing became a point of discord between Senator Kimpson and Judiciary Chairman Larry Martin

toward the end of session. Senator Kimpson threatened to block a gun bill allowing Georgia concealed weapons permit holders to carry a firearm in SC without a SC permit. Senator Martin agreed to hold hearings on Senator Kimpson's gun bills during the interim, and in exchange, the Georgia permit bill passed the last week of session.

http://www.scstatehouse.gov/sess121_2015-2016/bills/1203.htm