

**SOUTH CAROLINA FRATERNAL ORDER OF POLICE
LEGISLATIVE UPDATE**

H.3014 *PRIVATE INFORMATION ON SOCIAL MEDIA* Rep. McKnight

Anyone harmed by the malicious publication of photographs on a social media website could file a lawsuit under the provisions of this proposed bill.

1/10/17 Introduced and read first time and referred to Judiciary

H.3187 *FIRST RESPONDER HANDGUN CARRY* Rep. Burns

Grants emergency medical service providers, firefighters, and other first responders, working during an emergency, an exemption from the offense of unlawfully carrying a handgun, under certain delineated circumstances.

1/10/17 Introduced and read first time and referred to Judiciary

H.3206 (Similar S.87) *ASSAULTING LAW ENFORCEMENT OFFICERS* Rep. Pope

Assault and battery of a high and aggravated nature would include assaults on a federal, state, or local law enforcement officer or corrections officer in the discharge of, or because of, their official duties under this criminal offense.

1/10/17 Introduced and read first time and referred to Judiciary

H.3231 *SPARTANBURG POLICE AND FIRE CIVIL SERVICE COMMISSION* Rep. Tallon Creates a Spartanburg Police Department and Fire Department Civil Service Commission under such terms and conditions as the General Assembly shall set. Spartanburg City Council shall establish the terms, conditions, membership, and procedures of the commission for the benefit of the police and fire departments. Repeals 1936 Act 612, 1965 Act 345; 1966 Act 991, and 1992 Act 618, all relating to a police and fire departments civil service commission for Spartanburg.

1/10/17 Introduced and read first time and referred to Judiciary

2/8/17 Meeting scheduled for 9am in Room 511 Blatt (withdrawn from agenda)

2/28/17 Committee Report: Favorable Spartanburg Delegation

3/1/17 House Calendar: Read the second time

3/2/17 House Calendar: Read the third time and sent to the Senate and read a first time and referred to Senate Judiciary Committee. Subcommittee assigned: Senator(s) Hutto, Shealy and

Timmons.

5/2/17 Senate Judiciary Committee will consider the bill at 11am in room 308 Gressette.

5/3/17 Senate Judiciary (favorable)

5/9/17 Senate Calendar (second reading)

5/10/17 Senate Calendar (third reading)

5/15/17 Ratified
5/19/17 Signed by the Governor

H.3240 *NATIONAL CONCEALED WEAPONS PERMIT RECIPROCALITY ACT* Rep. Clemmons
Would enact the "National Concealed Weapons Permit Reciprocity Act." Valid out-of-state concealed weapons permit holders must be allowed to carry their permitted weapon in our state.

1/10/17 Introduced and read first time and referred to Judiciary
2/14/17 Discussed in House Judiciary Committee (passed out favorably)
2/21/17 House Calendar
3/1/17 Debate Adjourned
5/3/17 House Calendar. Read 2nd time.
5/4/17 House Calendar. Read 3rd time and sent to Senate.

H.3259 (similar to S.117) *LAW ENFORCEMENT OFFICER MENTAL EVALUATION REQUIREMENTS* Rep. King
All law enforcement officers would be required to undergo a mental health evaluation before they could be certified or recertified. These evaluations must be conducted under the direction of the Law Enforcement Training Council.

1/10/17 Introduced and read first time and referred to Judiciary

H.3409 *FREE ADMISSION TO MUSEUM* Rep. Huggins
Bill provides that a SC resident who is a constable, reserve officer, police officer, member of the state guard, or volunteer firefighter may enter the State museum without charge.

1/11/17 Introduced and read first time and referred to Ways and Means

H.3523 *WORKERS COMPENSATION - PTSD* Rep. McCoy
This bill revises the definitions of "injury" and "personal injury" in workers' compensation law to modify the requirements for first responders seeking workers' compensation for personal injury caused by post traumatic stress disorder arising from his direct involvement in a significant traumatic experience.

1/18/17 Introduced and read first time and referred to Judiciary

H.3879 *ACCIDENTAL DEATH BENEFIT INCREASED THROUGH WORKERS COMPENSATION* by Reps. Davis, Yow and Thayer. In Section 42-9-290 outlining amount of compensation for death of employee due to accident, the section has been amended to increase the maximum amount payable for burial expenses under Workers' Compensation for accidental death from \$2500 to \$7500. [Amended from \\$2500 to \\$10,000. Senate amended to increase to \\$12,000 which has been adopted by both the House and the Senate.](#)

3/2/17 Introduced and read the first time and referred to House LCI.
3/8/17 House LCI subcommittee meeting @ 9am in Room 403 Blatt.

3/13/17 House LCI full committee meeting @ 9am in room 403 Blatt (reported out favorably)
 3/21/17 Read a second time as amended (amended to increase accidental death expenses from \$2500 to \$10,000)
 3/22/17 Read a third time and sent to the Senate where it was introduced the first time and referred to Senate Judiciary.
 4/20/17 Senate Judiciary Subcommittee met at 9am and passed out favorably.
 4/25/17 Full Senate Judiciary to take up bill at 11am in room 308 Gressette.
 5/2/17 Senate Calendar. Amended to increase amount to \$12,000. Received 2nd reading.
 5/3/17 Senate Calendar. Received 3rd reading and sent to the House.
 5/4/17 House concurred in Senate amendment increase the amount to \$12,000. Awaiting Ratification.
 5/9/17 Ratified
 5/11/17 Signed by the Governor

H.3930 *CONSTITUTIONAL HANDGUN CARRYING* by Pitts, Delleney, et. al. Prohibits anyone from carrying a handgun certain places without the permission of its owner, or a person in control of the premises. Revises sections relating to unlawful and lawful handgun possession, including on public school property. Also revises the issuance of concealable weapon permits [CWP's]. CWP's would not be required in order for residents to carry weapons, whether concealed or openly, in South Carolina. Carrying handguns with an unlawful intent would remain illegal. Out-of-state visitors to South Carolina, who have a valid concealed weapons permit from their state, could carry in South Carolina as well, so long as they do so in compliance with our state laws.

3/7/17 Introduced and read the first time and referred to House Judiciary
 3/22/17 Discussed in Judiciary and reported out favorably
 4/4/17 Up for debate on House Floor.
 4/6/17 Read 3rd time and sent to the Senate.
 4/11/17 Read 1st time and referred to Senate Judiciary.

H.4033 *HIGHWAY SAFETY* by Reps. Hixon, Taylor, Blackwell, Clyburn, Allison, Daning, Yow, Erickson, B. Newton, Bennett and Arrington. Creates the offense of "Endangerment of a Highway Worker" along with penalties for this offense. The legislation speaks to "highway worker" which includes law enforcement and fire fighters, an emergency medical services provider, or any other authorized person, who removes hazards from bridges, roadways, shoulders, medians, and associated rights-of-way, or who responds to accidents and other incidents on bridges, roads, shoulders, medians, associated righter-of-way, or in highway work zones.

3/22/17 Introduced and read the first time and referred to House Education and Public Works
 3/28/17 Transportation subcommittee to meet @ 10:30am in room 433 Blatt to discuss the bill.
 Subcommittee members: Daning (Chair), Bennett, Bradley, Cogswell and Govan.
 3/28/17 Full Education to meet 1.5 hours in room 433 Blatt after adjournment to discuss the bill.
 4/4/17 House Floor - read third time and sent to Senate
 4/5/17 Read first time and referred to Senate Transportation then recalled from Senate Transportation
 5/10/17 Senate Calendar (2nd reading)
 5/11/17 Senate Calendar (3rd reading)

5/17/17 Ratified (awaiting Governors action)
5/19/17 Signed by the Governor

S.6 HYCO'S LAW (similar to H.3243 by Rep. Collins) Senator Bryant

This bill provides increased penalties for injuring or killing a police dog or horse to more closely align with federal penalties. Also provides for restitution and community service options when sentencing.

1/10/17 Introduced and referred to Agriculture and Natural Resources Committee
1/26/17 A Full Agriculture and Natural Resources Committee meeting in room 209 Gressette @ 10am
RECOMMENDED ADOPTION OF S.6. The bill moves to the floor of the Senate.
2/9/17 Passed the Senate and sent to the House of Representatives
2/14/17 Referred to House Judiciary

S.54 SUBSISTENCE DEDUCTIONS Senator Bennett, Campbell, Turner and Hembree: A bill to amend several tax sections which includes increasing the subsistence deduction by one dollar (from \$8 to \$9) a day for federal, state, and local law enforcement officers paid by a political subdivision, the government of the state, or the federal government, for each regular work day in a taxable year.

1/10/17 Introduced and read first time and referred to Finance

S.61 STATE HEALTH PLAN Senator Hutto: A bill to amend SECTION 1-11-720 relating to eligibility for participation in the State Health Plan, so as to allow employees and retirees, and their dependents, of any political subdivision of the state to participate in the State Health Plan.

1/10/17 Introduced and read first time and referred to Finance
1/31/17 Senate Finance will discuss the bill at 11am in room 308 of the Gressette Building
2/7/17 Passed Senate and sent to House
2/8/17 Introduced and read first time and referred to Committee on Ways and Means
4/19/17 Ways and Means Legislative Subcommittee considered the bill (passed favorably)
5/2/17 No Ways and Means Full Committee meeting scheduled to date.
5/4/17 Recalled from Ways and Means Committee and placed on House Calendar.
5/9/17 House Calendar (read second time)
5/10/17 House Calendar (read third time)
5/15/17 Ratified (awaiting Governor's action)

S.164 (similar S.174) POST TRAUMATIC STRESS DISORDER Senator Malloy: A bill providing the definitions of "injury and personal injury in workers' compensation and provides a definition for first responder and modifies the requirements of such an employee seeking PTSD arising from the first responder's direct involvement in a significant traumatic experience.

1/10/17 Introduced and read first time and referred to Judiciary

S.174 (similar S.164) *POST TRAUMATIC STRESS DISORDER* Senator Sheheen: A bill providing the definitions of “injury and personal injury in workers’ compensation and provides a definition for first responder and modifies the requirements of such an employee seeking PTSD arising from the first responder’s direct involvement in a significant traumatic experience.

1/10/17 Introduced and read first time and referred to Judiciary

S.218 *EMPLOYEE BENEFITS* by Senator(s) Massey, Bennett, Alexander, Bryant, Rice, Gregory, Corbin, Martin, Campsen, Turner and Young. This bill provides that a political subdivision may not establish, mandate or otherwise require an employee benefit in employment relationships to which they are not a party. Signed by the Governor 4/5/17.

S.565 (similar to H4033) *CREATES THE OFFENSE OF “ENDANGERMENT OF A HIGHWAY WORKER”* along with penalties for this offense. The legislation speaks to “highway worker” which includes law enforcement and fire fighters, an emergency medical service provider, or any other authorized person, who removes hazards from bridges, roadways, shoulders, medians, and associated rights-of-way, or who responds to accidents and other incidents on bridges, roads, shoulders, medians, associated righter-of-way, or in highway work zones.

3/21/17 Introduced and read the first time and referred to Senate Transportation

3/22/17 Added to subcommittee and passed out favorably.

3/28/17 Pending: Full Senate Transportation meeting to be scheduled.

4/5/17 Wednesday at 9am in Room 209 Gressette. S.565 was polled out of Committee and placed on Calendar. Later in the day S.565 was recommitted to Committee because H.4033 (House version of S.565) is up for second reading in the Senate.

5/8/17 Senate Calendar. Up for 2nd reading.

RETIREMENT SYSTEMS REVIEW

Joint Committee on Pension Systems Review will be meeting in Room 105 Gressette at 10:30am on Tuesday, May 9, 2017 to begin Phase II. Meeting was held and information received.

H.3726, Rat. 22, Act No. 13 Pension Reform Bills (PORS and SCRS):

1. Effective July 1, 2017, lowers the current assumed annual rate of return from 7.5% to 7.25% and the scenario includes a 7% annual rate of return July 1, 2019. *See Chart.*
2. Decouples employer/employee contributions in current statute.
3. Changes employer and employee contribution rates beginning July 1, 2017 (FY 18). *See Chart.*

4. Reduces the funding period (or amortization period) of unfunded liabilities. After 30 years of PORS members contributing 9.75% in employee contributions and 21.24% in employer contributions, the system will still have roughly a \$373 million unfunded liability. SCRS members, on the other hand, will pay off their funded liability completely in approximately 27 years based on the 9% employee contribution and 18.56% employer contribution. PORS members enjoy certain benefits that SCRS members do not enjoy – such as a 2.14% annuity factor (as opposed to a 1.82% factor for SCRS members), disability retirement (SCRS members must meet the Social Security Disability standards), early retirement at age 55 (as opposed to age 60 for SCRS members), and the salary cap exemption at age 57 (as opposed to age 62 for SCRS members). These benefits create greater costs for PORS members than SCRS members. Therefore, our members must pay more in order to maintain those benefits. The fact that SCRS can pay off over \$18 billion in unfunded liabilities more than 3 years faster than PORS members can pay off \$2.2 billion in unfunded liabilities is tough to grasp, but we have to understand that the disparity in benefits justifies the disparity in contribution rates.

	SCRS Employee	PORS Employee	SCRS Employer	PORS Employer	SCRS Period (years)	PORS Period (years)	RATE of Return
July 1, 2016	8.66%	9.24%	11.56%	14.24%	23	20	7.5%
July 1, 2017*	9.0	9.75	13.56	16.24	25	24	7.25
July 1, 2018	9.0	9.75	14.56	17.24	24	23	7.25
July 1, 2019**	9.0	9.75	15.56	18.24	26	26	7.0
July 1, 2020	9.0	9.75	16.56	19.24	24	25	7.0
July 1, 2021***	9.0	9.75	17.56	20.24	22	23	7.0
July 1, 2022	9.0	9.75	18.56	21.24	21	24	7.0
July 1, 2023	9.0	9.75	18.56	21.24	21	23	7.0
July 1, 2024	9.0	9.75	18.56	21.24	20	23	7.0
July 1, 2025	9.0	9.75	18.56	21.24	19	22	7.0
July 1, 2026	9.0	9.75	18.56	21.24	18	21	7.0
July 1, 2027	9.0	9.75	18.56	21.24	17	20	7.0
July 1, 2028****							

* PORS Employee contribution rate is higher because PORS members have disability retirement benefit while SCRS members do not.

**Scenario includes 7% rate of return although is not statutorily required.

***No later than January 1, 2021, and every subsequent four years, PEBA must submit a proposed annual rate of return which is developed based on the recommendation of its actuary and in consultation with the RSIC, as well as submitted to the Chairmen of the Senate Finance Committee and House Ways and Means Committee. If the General Assembly fails to enact a joint resolution to enact a rate of return, the submitted rate stands.

****July 1, 2028 (PEBA Board of Directors may adjust the employer contribution rate by no more than .5% in any year based on the actuarial valuation and requires PEBA to notify employers in SCRS of any contribution rate increase required as a result of not meeting the funding period schedule one year before the increase takes effect.

5. Should employer and employee contribution rates be decreased after FY27, and the funded ratio, thereafter, fall below 85% (currently 90%), both employer and employee rates may be increased in equal amounts, subject, however, to the employee contribution rate cap of SCRS 9% and PORS 9.75%. Any increase required after the

employee rate equals SCRS 9% and PORS 9.75% must be an increase in the employer rate. If the General Assembly provides a line item appropriation to cover a portion of the required increase in a given year, the contribution rate increase otherwise expected would be reduced accordingly.

6. Should the General Assembly fund the PORS employer rate increases for general fund agencies, the cost would be \$6.8 M for FY 18, and an additional \$3.4 M for each of the next five years (FY 19-23). The total cost contemplated for both SCRS and PORS is \$73.6 M for FY 18, and an additional \$36.8 M for each of the next 5 years.

7. There is no reduction in the current COLA allowances for retirees.

3/29/17 Pending Question: Will the House concur with the Senate amendments. The House did not concur

and a Conference Committee was appointed. Members of Conference Committee: Senators Sheheen, Bennette, Gambrell and Representatives Herbkersman, Cobb-Hunter and

Stringer.

4/5/17 Conference report received and adopted

4/6/17 **Enrolled for Ratification.** The House version of the Appropriations bill provides funding to offset 1% of the local government employer increase required under H.3726. The Senate version of the budget would require the full 2% to be paid by local government; however, the Senate appropriated \$33 million to the Local Government Fund to offset the mandated increase.

The Association of Counties reports that the Senate appropriation represents more money returning to the county taxpayers.

4/19/17 Ratified.

4/25/17 Signed by the Governor. Effective Date 7/1/17

H.3720 - 62.23 APPROPRIATIONS BILL PTSD Proviso and Funding (\$500,000): The proviso has been adopted in both the House and Senate versions of the bill. Funding of the proviso differs. The Senate funded the full \$500K whereas the House funded \$1 in their amended version sent back to the Senate which is not unusual for negotiating purposes as the bill moves into conference committee. The proviso reads :

62.23. (SLED: First Responder PTSD Treatment) From the funds provided for First Responder PTSD Treatment, the State Law Enforcement Division shall distribute 50% percent to the South Carolina Law Enforcement Assistance Program to reimburse law enforcement officers who incur mental injury as a result of a critical incident during the scope of employment for actual out-of-pocket expenses not covered through worker's compensation claims and/or other insurance and can also be utilized to provide services through the South Carolina Law Enforcement Assistance Program. The State Law Enforcement Division shall distribute 50% percent to the South Carolina State Firefighters Association for the South Carolina Firefighter Assistance Support Team to reimburse firefighters and emergency medical technicians who incur mental injury as a result of a critical incident during the scope of employment for actual out-of-pocket expenses not covered through worker's compensation claims and/or other insurance and can also be utilized to provide services through the South Carolina Firefighter Assistance Support

Team. The State Law Enforcement Division shall promulgate any administrative regulations necessary to carry out the provisions of this section.

- 3/13/17 Proviso adopted; however no funding was included in the Ways and Means version of the Appropriations Bill. The House will debate the appropriations bill on the Floor of the House this week.
- 3/15/17 The Senate Finance Criminal Justice Subcommittee will discuss provisos @ 9am in room 209 Gressette. Working with Senators for \$500,000 funding for the continuation of the PTSD program.
- 3/21-3/23 SFC met to debate the State Appropriations bill. 62.23 proviso has been adopted. Funding pending.
- 3/28/17 SFC to meet upon adjournment of Full Senate (staff working on spreadsheets).
- 4/4/17 SFC recommended funding of \$500,000 along with adoption of the proviso.
- 4/5/17 Senate recommended funding of \$500,000 along with adoption of the proviso. The bill received 2nd reading.
- 4/6/17 Senate gave the Appropriations Bill 3rd reading and sent back to the House with amendments.
- 4/26/17 House amended the bill further and sent back to Senate where the Senate non-concurred in the amendments.
- House
- 5/16/17 Conference Committee to meet at 2pm in 105 Gressette.
- 5/28/17 Nonrecurring Funding of \$500,000 was recommended by Conferees for proviso 62.23. House Conferees: Rep(s) White, Pitts and Stavrinakis Senate Conferees: Sen(s) Leatherman, Bennett
- Setzler and
- 6/6/17 The appropriations bill will move to the House of Representatives and the Senate on Tuesday, June 6, 2017.

H.3720 - 118.14 APPROPRIATIONS BILL nonrecurring revenue of \$500,000 was placed in the Appropriations Bill for PTSD treatment. Funding is located in this proviso.

- 4/5/17 Proviso included in Senate version of H.3720 which was given 2nd reading.
- 4/6/17 Senate gave the Appropriations Bill 3rd reading and sent back to the House with amendments.
- 4/26/17 House amended the bill further and sent back to Senate where the Senate non-concurred in the amendments.
- House
- 5/16/17 Conference Committee to meet at 2pm in 105 Gressette.
- 5/28/17 Nonrecurring Funding of \$500,000 was recommended by Conferees for proviso 62.23. House Conferees: Rep(s) White, Pitts and Stavrinakis Senate Conferees: Sen(s) Leatherman, Bennett
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