

2023 SC Legislative Update



SOUTH CAROLINA
ASSOCIATION OF COUNTIES

2023 Legislative Update

- **Where Are We?**
- **What Got Accomplished?**
- **Where Are We Going?**





2023-2024 Legislative Session

Where Are We?

- 1st Regular Session of 125th General Assembly
 - Convened on January 10, 2023
 - Adjournment on May 11, 2023* (*Continued into June*)
 - Any Legislation Not Passed Rolls Over

South Carolina State Senate

Party	As of January 2023
 Democratic Party	15
 Republican Party	30
Other	1
Total	46

South Carolina House of Representatives

Party	As of January 2023
 Democratic Party	36
 Republican Party	88
Total	124

2023 South Carolina legislative session



General information

Session start: January 10, 2023

Session end: May 11, 2023

Leadership

Senate President

Thomas Alexander (R)

House Speaker

G. Murrell Smith Jr. (R)

Majority Leader

Senate: Shane Massey (R)

House: Davey Hiott (R)

Minority Leader

Senate: Brad Hutto (D)

House: James Rutherford (D)

Elections

Next Election: November 5, 2024

Last Election: November 8, 2022



2023-2024 Legislative Session

Where Are We?

Over 2,300 pieces of legislation were filed in 2023...

South Carolina Sessions

Year	Session	Introduced
2023-2024	125th General Assembly	2369
2021-2022	124th General Assembly	3900
2019-2020	123rd General Assembly	3897
2017-2018	122nd General Assembly	3745
2015-2016	121st General Assembly	3872
2013-2014	120th General Assembly	3782
2011-2012	119th General Assembly	3975
2009-2010	118th General Assembly	2758

Session 125 by the Numbers

Ratified Bills in Session 125 (2023 - 2024)



...of which, only 103 became law.



2023-2024 Legislative Session

What Got Accomplished?

- **Social Issues Dominated Once Again:**
 - **ABORTION**
 - Prior to the 2023 session, the SC Supreme Court struck down a six-week ban that temporarily took effect in 2022
 - Legislation that would have provided a near total-ban on abortions failed
 - Lawmakers ultimately passed another ban on abortions (with exceptions) once an ultrasound detects cardiac activity, which can occur near the six-week mark (Act No. 70)
 - SC Supreme Court upheld Act 70 in August of 2023 in a 4-1 decision
 - **ANTI-CRT LEGISLATION (H. 3728)**
 - Passed the House and Senate; Pending a Conference Committee
 - **ALIEN OWNERSHIP OF REAL PROPERTY (S. 576)**
 - Passed the Senate in March; Pending in the House Ways and Means Committee



2023-2024 Legislative Session

What Got Accomplished?

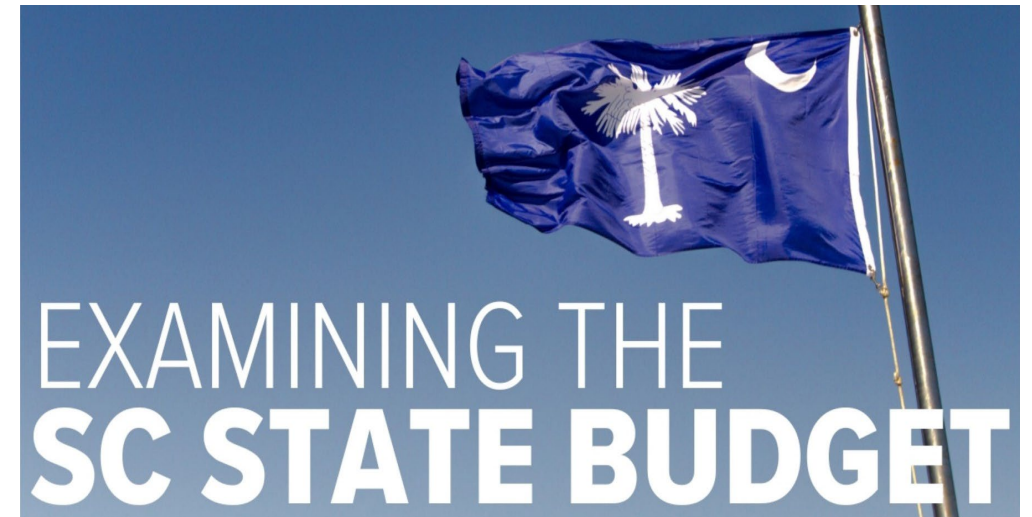
- Education Legislation / School Choice Vouchers
- Comptroller General
- Certificate of Need
- DHEC Restructuring
- Economic / Workforce Development
- Bond Reform



FY 2023-24 Budget

H. 4300: FY 23-24 Appropriations Bill

- Largest budget in State history (approx. \$41 Billion)
 - *Finalized in late June after a conference committee stalemate*
- Fewest budget vetoes in total revenue amount by any SC governor in over 20 years
 - *0.01% of the total budget*
- General Assembly decided to defer taking up the Governor's vetoes on the budget until January 2024



FY 2023-24

Budget Highlights

- **Additional funding to the *Local Government Fund***
 - *Increase of \$13.2 Million (Fully Funded at 5%)*
- **\$12 Million for the Rural County Stabilization Fund**
 - *Counties with less than 5.35% growth in the 2020 Census*
- **\$20 Million in additional funding for CTCs**
- **Increased funding for Registers of Deeds, Coroners, Magistrates**
 - *SCAC worked to prevent provisos from being amended to withhold LGF revenues if certain funding thresholds aren't provided to Solicitors' and Public Defenders' Offices*



FY 2023-24 Budget Highlights

- **\$2,500 base pay increase for state employees making under \$50,000**
- **5% base pay increase for state employees making over \$50,000**
 - *Largest cost of living increase in over 40 years*
- **Salary increases for magistrates**
 - *Full-time Magistrates: \$10,000 increase in base salary*
 - *Part-time Magistrates: \$2,500 increase in base salary*
- **Minimum pay for teachers increased by \$2,500 across the State salary schedule**
 - *33% increase to the salary floor over the last 5 years*



FY 2023-24 Budget Highlights

- **\$200 Million to the Office of Resilience**
- **\$750,000 for PTSD treatment for first responders**
- **\$25 Million in additional money to the State Conservation Bank**
- **15% pay increase for State Class 1 Law Enforcement Officers**



Act No. 6 (S. 604) – ARPA Funds

- **Authorized the expenditure of the State’s \$586 Million in federal ARPA funds**
- **Original “Phase 2 ARPA Bill” (H. 3604) stripped in the Senate and used to provide over \$1 Billion to the Scout Motors Project**
- **Funds were appropriated to RIA – ARPA Water and Sewer Infrastructure Account**
 - *Used to fund existing SCIIP Grant applications*
- **\$100 Million reserved for additional “significant economic development projects” as determined by the Secretary of Commerce**



Act No. 60 (S. 399) – DHEC Restructuring

- **One of the largest restructuring bills in State history**
- **Splits DHEC into two new state agencies by July 1, 2024:**
 - *Department of Public Health*
 - *Department of Environmental Services*
- **Dept. of Administration tasked with restructuring process and is required to submit a report to the General Assembly**
- **Several current DHEC responsibilities transferred to other existing agencies:**
 - *Food safety program transferred to Dept. of Agriculture*
 - *Operation and management of veterans homes transferred to Dept. of Veterans' Affairs*



Act No. 57 (S. 284) – Workforce Development

- This Act would allow revenue that is collected under a local A-tax ordinance and revenue remitted back to local governments under the 2% State A-tax statute to be used for workforce housing. (Capped at 15%)
- It would also allow local governments to issue bonds to finance workforce housing projects. Those revenues used for workforce housing projects must promote home ownership.
- All local governments that have adopted a local comprehensive plan must solicit input for their analysis required in Section 6-29-510(D)(6) of the Code from homebuilders, developers, contractors, and housing finance experts.
- Includes a sunset of December 31, 2030, on the ability of a local government to use Accommodations Tax revenues for workforce housing.



Act No. 71 (S. 31) – Municipal Audits

- **Allows municipalities with less than \$500,000 in total revenues to provide a compilation of financial statements instead of an annual audit**
- **Increases the limit that municipalities may retain from court fines/fees that are collected from \$1,000 to \$2,000**
- **Gives counties flexibility in providing their annual audit report to the State before any LGF funds are withheld**
 - *Audits must be provided to the State Treasurer by January 1*
 - *Upon a showing of proper cause to the State Treasurer, a county can receive an automatic 90-day extension to the January 1 deadline*
 - *Request must be signed by the Chairman of County Council*



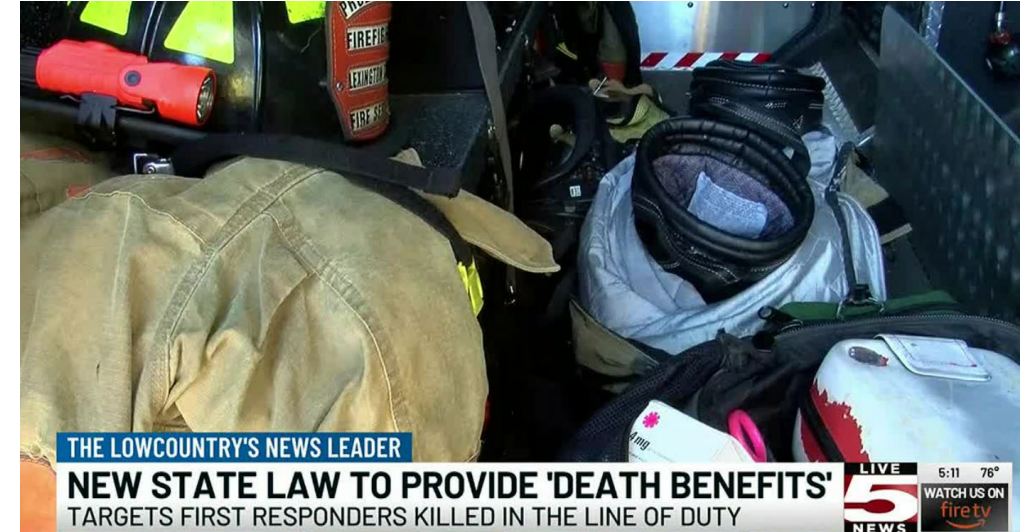
Act No. 83 (H. 3532) – Bond Reform

- Requires a full cash bond to be paid by persons who have been charged with certain crimes
- Creates a new felony charge for a person out on bond for a violent crime and commits an additional violent crime
 - *Carries up to a five-year penalty (can run concurrently)*
- Gives SLED regulatory authority over the GPS ankle monitoring industry
 - *Electronic monitoring requires approval and certification from SLED*
 - *Bond companies must report bond violations to authorities within two hours*
- Gov. McMaster not satisfied that legislation didn't include expanded penalties for illegal gun possession



Act No. 75 (S. 108) – Death Benefits for First Responders Killed in the Line of Duty

- \$150,000 death benefit provided for a law enforcement officers or volunteer officers killed in the line of duty as a result of unlawful/intentional acts
- Expanded the benefit to include emergency medical services providers (and volunteers), a fire department worker (or volunteer), and a coroner or deputy coroner who is directly engaged in examining, treating, or directing people during an emergency
 - *Payments to beneficiaries of full-time first responders will be paid by PEBA through the Preretirement Death Benefit Program under PORS or SCRS*
 - *Payments to beneficiaries of volunteers will be paid from the State Accident Fund*



Act No. 56 (S. 252) – Law Enforcement/Judicial Privacy Information Protection Act

- Gives law enforcement officers the option of making personal contact information held by state or local governments confidential (with limited exceptions)
- Gives active or former members of the judiciary the option of making personal contact information held by state or local governments confidential (with limited exceptions)



Looking Ahead: 2024 Legislative Session

Where Are We Going?

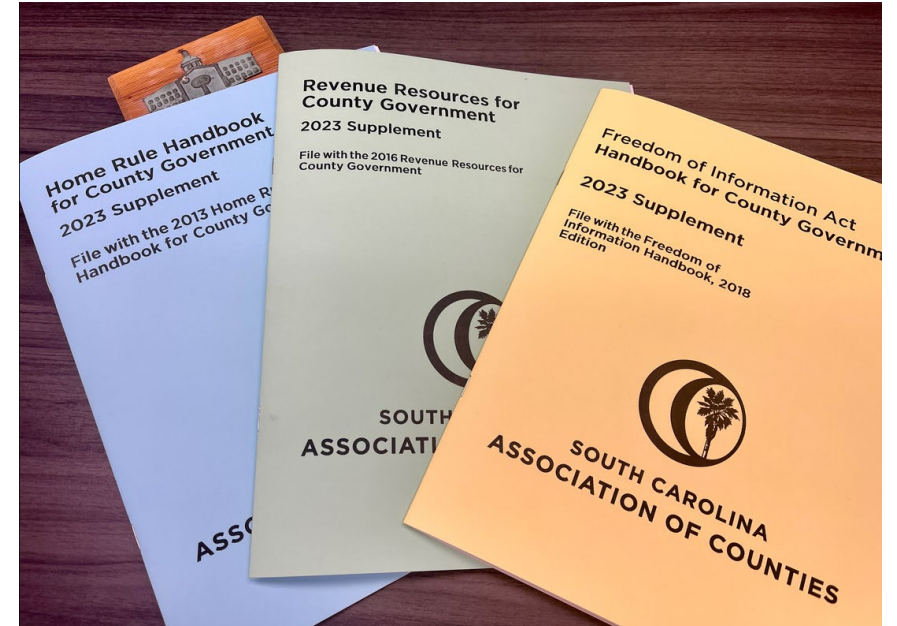
- **House and Senate Prefiled Legislation:**
 - House: November 16th & December 14th
 - Senate: November 30th
- **2024 Elections:**
 - All 170 Members of the General Assembly
 - 46 Senators
 - 124 House Members
- **Issues to Look Out for in 2024:**
 - *Open Carrying of Firearms*
 - *Medical Marijuana*
 - *Hate Crimes Legislation*
 - *Additional Tax / Judicial Reform*
 - *Local Government Issues*



Looking Ahead: 2024 Legislative Session

Where Are We Going?

- **SCAC Legislative Steering Committees**
 - *Finalizing 2024 Legislative Policy Positions in December*
- **SCAC Publications Available Online**
 - **2023 Acts That Affect Counties**
 - **2023 Revenue Resources for County Government**
 - **2023 FOIA Handbook for County Government**
 - **2023 Home Rule Handbook**
 - www.sccounties.org



Thank You!

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