



REPORT FROM SCAC STEERING COMMITTEES



2026

Fall Advocacy Meeting • October 27

2026 SCAC Legislative Committee

W. Brian Carnes
Lancaster County Council Chairman
Chairman, SCAC Legislative Committee

ABBEVILLE COUNTY

Brian Moon
County Administrator

AIKEN COUNTY

Julie Stutts, Register of Deeds

ALLENDALE COUNTY

William E. Robinson, Council
Chairman

ANDERSON COUNTY

Robert T. Dunn, Council Chairman
Jason P. Phillips, County Treasurer

BAMBERG COUNTY

Michelle Martin, Council Chairwoman
Larry Haynes, Council Vice Chairman

BARNWELL COUNTY

Freddie L. Houston, Sr., Council Chairman
Daniel Alexander, County Council

BEAUFORT COUNTY

Alice G. Howard, Council Chairwoman
Joseph F. Passiment Jr., County Council

BERKELEY COUNTY

Johnny Cribb, County Supervisor/
Chairman

CALHOUN COUNTY

James E. Haigler, Council Chairman
Cecil M. Thornton Jr., Council Vice
Chairman

CHARLESTON COUNTY

Julie J. Armstrong, Clerk of Court
Joe Boykin, Council Chairman

CHEROKEE COUNTY

Timothy Spencer, Council Chairman
Marvin Bishop Jr., County Administrator

CHESTER COUNTY

Pete Wilson, Council Chairman

CHESTERFIELD COUNTY

Mary D. Anderson, Council
Chairwoman
Hattie Burns, County Council

CLARENDON COUNTY

John Johnson, Council Chairman

COLLETON COUNTY

Scott Biering, Council Chairman
Phillip M. Taylor Sr., County Council

DARLINGTON COUNTY

Bobby C. Hudson, Council Chairman

DILLON COUNTY

Dennis Townsend, Council Chairwoman
Tim Harper, County Administrator

DORCHESTER COUNTY

C. David Chinnis, Council Chairman

EDGEFIELD COUNTY

Albert Talbert, Council Vice Chairman

FAIRFIELD COUNTY

Clarence Gilbert, Council Chairman

FLORENCE COUNTY

Jerry W. Yarborough Jr., Council Chairman
Dr. Alphonso Bradley, County Council
Waymon Mumford, County Council

GEORGETOWN COUNTY

Clint A. Elliott, Council Chairman

GREENVILLE COUNTY

Benton Blount, Council Chairman

GREENWOOD COUNTY

Theo Lane, Council Chairman

HAMPTON COUNTY

Dr. Roy T. Hollingsworth, Council Chairman

HORRY COUNTY

Johnny Gardner, Council Chairman
Cam Crawford, County Council

JASPER COUNTY

Joey Rowell, Council Chairman

KERSHAW COUNTY

Ben Connell, Council Chairman
Sammie Tucker Jr., County Council

LANCASTER COUNTY

W. Brian Carnes, Council Chairman

LAURENS COUNTY

Jeff Carroll, Council Chairman
Brown Patterson, County Council

LEE COUNTY

Travis Windham, Council Chairman

LEXINGTON COUNTY

Darrell C. Hudson, Council Chairman
Lynn Sturkie, County Administrator

MARION COUNTY

Dewayne Tennie, Council Chairman
John Q. Atkinson Jr., Council Vice
Chairman

MARLBORO COUNTY

Damien Johnson, Council Chairman

McCORMICK COUNTY

Bernard L. Hamby, Council Chairman
Charles T. Jennings, Council Vice Chairman

NEWBERRY COUNTY

Robert Nick Shealy, Council Chairman

OCONEE COUNTY

Matthew Durham, Council Chairman

ORANGEBURG COUNTY

Johnnie Wright Sr., Council Chairman

PICKENS COUNTY

Alex Saitta, Council Chairman

RICHLAND COUNTY

Jesica Mackey, Council Chairwoman

SALUDA COUNTY

James Moore, Council Chairman

SPARTANBURG COUNTY

A. Manning Lynch, Council Chairman

SUMTER COUNTY

James T. McCain Jr., Council Chairman
Charles T. Edens, County Council

UNION COUNTY

Phillip G. Russell II, County Supervisor/
Chairman

WILLIAMSBURG COUNTY

Kelvin C. Washington, County Supervisor/
Chairman

YORK COUNTY

Christi Cox, Council Chairwoman

Reports of the SCAC Policy Steering Committees

Tuesday, October 27, 2026
Pastides Alumni Center, Columbia

County Government and
Intergovernmental Relations W. Brian Carnes, Chairman
Lancaster County Council Chairman

Land Use, Natural Resources
and Transportation..... Charles T. Edens, Chairman
Sumter County Council

Public Safety, Corrections
and Judicial..... Julie J. Armstrong, Chairwoman
Charleston County Clerk of Court

Revenue, Finance and
Economic Development Jason P. Phillips, Chairman
Anderson County Treasurer

Legislative Policy Development Process

General Statement

The South Carolina Association of Counties (SCAC) has adopted a systematic consensus building legislative policy development process. The central goal in the process is to solicit and develop the expertise of county officials from all 46 counties on legislative issues affecting county government. Through participation in four legislative policy steering committees, county officials meet, discuss, and identify issues to be considered by the Legislative Committee.

Legislative Committee and Steering Committee System

SCAC has four legislative policy committees: 1) *County Government and Intergovernmental Relations Steering Committee*; 2) *Land Use, Natural Resources and Transportation Steering Committee*; 3) *Public Safety, Corrections and Judicial Steering Committee*; and 4) *Revenue, Finance and Economic Development Steering Committee*. It is the responsibility of each committee to study the issues and analyze information that is pertinent to its designated policy area. Each committee will develop recommendations in the form of policy statements. Each committee chairman will present the committee's draft policy statements to the Legislative Committee during the Legislative Conference in December.

The Legislative Committee is composed of the 25 members of the SCAC Board of Directors and the chairman of the governing body of the county or his/her designee from each of the 46 counties. The total membership of the Legislative Committee is 69 members. It is the responsibility of the Legislative Committee to review each legislative policy steering committee's recommendations, resolve any conflicts, and adopt the legislative policy positions for the Association. The Legislative Committee is chaired by the Association's First Vice President. The Legislative Committee meets at the SCAC Legislative Conference in December. Once the formal policy statement has been approved by the Legislative Committee, it is the responsibility of the membership of the Association and the Association staff to advocate for its implementation.

During the course of a legislative session, the SCAC Board of Directors is responsible for any revision, modification, deletion, or addition to the legislative policy positions adopted by the Legislative Committee.

Timeline for Development of Legislative Policy

Late August — The membership is notified of the date of the meeting of the four policy steering committees. County officials receive a list of the steering committees and a description of their areas of responsibility. County officials are encouraged to provide their thoughts and ideas on legislative issues for inclusion on a steering committee's agenda. Staff collects this input and prepares it for the steering committee meeting.

Mid-September — Each steering committee meets to discuss and analyze legislative policy issues and draft an initial report of proposed legislative policy recommendations.

Mid-September to Mid-November — The County Council Coalition meets in October to review and discuss the initial draft of proposed legislative policy recommendations. Each steering committee chairman presents the steering committee report to the Coalition. During the Fall, various groups of county official organizations meet and determine their group's legislative agenda for the coming session of the General Assembly. This information is collected and assigned to the particular steering committee responsible for that legislative area.

Mid-November — Each steering committee meets for the second time to incorporate additional issues into their proposed legislative policy recommendations. Each steering committee adopts a final proposed legislative policy recommendation.

Early December — The SCAC Legislative Committee meets at the Legislative Conference to receive the reports of the four legislative policy steering committees. Each steering committee chairman will present his/her committee report at a general session meeting of the Legislative Committee. The members of the Legislative Committee will discuss each proposed legislative policy position, and then either amend, adopt, or reject the recommendation. If adopted by the Legislative Committee, those policy positions will then be incorporated with the other steering committees' reports into an SCAC consensus legislative report. Once the SCAC consensus legislative report has been adopted by the Legislative Committee, it is the responsibility of the membership and the SCAC staff to advocate for its implementation.

Rules and Operating Procedures

A. Legislative Committee

- 1. Committee Membership:** The Legislative Committee shall be composed of the members of the SCAC Board of Directors and the chairman of the governing body or his/her designee from each of the 46 counties. The chairman of the Legislative Committee shall be the First Vice President of the Association.
- 2. Voting Procedures:** At a Legislative Committee meeting, the Chairman shall call the meeting to order and carry out the committee meeting agenda. Each committee member has one vote. All matters coming before the committee shall be decided by a majority vote of those present and voting.

3. **Proposed Policies and Amendments:** Each steering committee chairman shall present at the Legislative Conference the committee report for the steering committee. No legislative issue shall be considered at the Legislative Conference in December that does not appear in a steering committee report unless two-thirds of those Legislative Committee members present and voting vote to place the issue on the Legislative Committee agenda for consideration.
4. **Procedural Rules:** The latest edition of Robert's Rules of Order shall be used to govern the conduct of Legislative Committee meetings.

B. Legislative Policy Steering Committees

1. **Committee Membership:** The Legislative Policy Steering Committees' membership composition is as follows: (a) the SCAC Board of Directors; (b) the Legislative Committee members who are either the chairman of the governing body of the county or his/her designee; and (c) not more than twenty-five (25) county officials who shall be appointed by the President based on the expertise of the county official in the subject matter of the particular steering committee. The President shall make steering committee assignments on an annual basis. The President shall designate a chairman for each of the four steering committees. Steering committee meetings will be held at the call of the President.
2. **Voting Procedures:** At each steering committee meeting, the committee chairman shall call the meeting to order and carry out the committee meeting agenda. Each committee member has one vote. All matters coming before the committee shall be decided by majority vote of the committee members present and voting.
3. **Proposed Policies and Amendments:** Any committee member may offer a proposed policy or an amendment to an existing Association policy. Any county official may propose a policy issue by submitting it to the Association and asking that it be included on the committee's meeting agenda. The chairman of the committee will call upon members to discuss the proposal as it has been offered. At the conclusion of the discussion, the chairman will call for a vote on the proposal.
4. **Procedural Rules:** The latest edition of Robert's Rules of Order shall be used to govern the conduct of steering committee meetings.

Statement of Purpose for the 2027 Session of the South Carolina General Assembly

The South Carolina Association of Counties hereby affirms its constitutional premise as stated in Article I, Section 2, that, “The purpose of the organization shall be to promote more efficient county government; to study, discuss, and recommend improvements in government; to investigate and provide means for the exchange of ideas and experiences between county officers; to promote and encourage education of county officials; to collect, analyze, and distribute information about county government; to cooperate with other organizations; and to promote legislation to effect more efficient administration of local government in the State of South Carolina.”

The Association believes that counties cannot exist in isolation because their futures are intertwined. We realize that, as the saying goes, “Together we stand, divided we fall.” Our problems are largely the same: if they are to be solved quickly and effectively, all counties must band together to work for the common good. Many common problems exist among South Carolina’s 46 counties, and to solve these problems, cooperation is necessary.

The South Carolina Association of Counties establishes as a principle the goal of providing control of essential services at the level of government most capable of delivering them. Counties cannot be effective partners with the state and federal governments if their primary revenue source, the property tax, is eliminated or further eroded without replacement with revenue sources that are secure and predictable. Any restructuring of responsibilities should be coupled with a restructuring of revenue sources for counties so that the revenue sources are reflective of the economy in the same proportion as those of the state.

The Association believes strongly in maximum local authority consistent with attainment of statewide objectives. County officials recognize their responsibilities to carry out policies formulated by the General Assembly. At the same time, state policy-makers should recognize the limitations of the county revenue base and the need for the state to provide the revenue necessary to implement the increasing number of mandates.

We believe that joint cooperative action between county school board members and county council members is essential to the successful delivery of good public education. Comprehensive and efficient human services, including social services, health and mental health programs, are essential to the well-being of our society. These services must be clearly defined and adequately funded. State mandated services delivered at the county level should be financed from state revenue sources in order for every citizen of South Carolina to receive a substantially similar degree of service.

The South Carolina Association of Counties has traditionally maintained that its efforts should not be utilized on behalf of individual counties seeking legislative remedy for problems not statewide in nature. The Association staff will direct its efforts toward the support of sound legislation beneficial to the administration of all counties’ affairs, and to the opposition of legislation detrimental to counties.

Working Draft

**2026 County Government and
Intergovernmental Relations
Steering Committee**



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**

Monday, November 9, 2026

2026 County Government and Intergovernmental Relations Steering Committee

The responsibilities of the County Government and Intergovernmental Relations Steering Committee include issues involving the structure of county government and all matters dealing with intergovernmental relations between counties and county officials and the federal, state, and municipal governments. Also included in the responsibilities of this committee are issues related to health and human service delivery and financing. Specific areas of concern include Home Rule authority, consolidation of political subdivisions, elections, ethics, personnel, indigent health care, indigent legal services, veterans' affairs, libraries, social services, and health boards.

Meeting Dates:

Tuesday, September 15, 2026

Monday, November 9, 2026

W. Brian Carnes, Chairman
Lancaster County Council Chairman

STEERING COMMITTEE MEMBERS*

County Representatives:

Christi Cox, York County Council Chairwoman
Robert T. Dunn, Anderson County Council Chairman
Matthew Durham, Oconee County Council Chairman
Freddie L. Houston, Sr., Barnwell County Council Chairman
Bobby C. Hudson, Darlington County Council Chairman
Darell C. Hudson, Lexington County Council Chairman
Robert Nick Shealy, Newberry County Council Chairman
Albert Talbert, Edgefield County Council Vice Chairman
Dewayne Tennie, Marion County Council Chairman
Dennis Townsend, Dillon County Council Chairman
Travis Windham, Lee County Council Chairman

SCAC Board Members:

Mary D. Anderson, Chesterfield County Council Chairwoman
Joseph F. Passiment Jr., Beaufort County Council
Brown Patterson, Laurens County Council
Lynn Sturkie, Lexington County Administrator
Johnnie Wright Sr., Orangeburg County Council Chairman

President's Appointees:

Coleman Bryant, Chesterfield County Attorney
Isaac Cramer, Charleston County Voter Registration & Elections Director
Abigail Fuller, Newberry County Library Director
Kenisha Grimes, Orangeburg County Veterans Affairs Officer
Shayla Jenkins, Calhoun County Clerk to Council
Pearly Lawson, Marlboro County Council Vice Chairwoman
Kristen Salisbury, Charleston County Clerk to Council
Bill Tuten, Charleston County Administrator
Joanie Winters, Newberry County Attorney
Nicole Workman, Chester County Attorney and Deputy Administrator

SCAC Staff Contact: Sallie S. McLeod

*As of 10/16/2026

2026 County Government and Intergovernmental Relations Steering Committee

General Statement of Policy

In November 1972, the people of South Carolina voted to empower the General Assembly to grant statutory Home Rule powers to county governments. The revised Article VIII (Local Government) to the State Constitution was implemented with the passage of Act No. 283 of 1975 and is known as the "Home Rule Act." This structural reorganization of government service providers recognized that local elected governing bodies would meet the service needs of their communities in a more efficient and cost-effective manner. The people recognized that counties must be able to respond to changing issues without being limited by inefficient and ineffective restrictions imposed by state law. County Government officials recognize that they are directly responsible for and accountable to the people in their communities for raising and allocating revenues to provide the services that their people demand.

In addition to being providers of essential traditional local government services, counties understand their role to help the state administer state programs at the local level. However, counties are charged with implementing costly state and federal mandates without sufficient appropriations or revenue sources to pay for meeting the state's or federal government's objectives. Counties oppose the imposition of unfunded or underfunded state and federal mandates because it breaks the line of accountability that connects the implementing government responsible for the program with the cost required to pay for the program.

Counties are mindful of their obligation to protect and preserve the health, safety, and welfare of the citizens of this state. To this end, counties play a vital role in addressing the health and human service needs of the people in their communities. The growing cost of supporting these programs and the restructuring of the role of the federal government through the block grant program are a growing concern of counties.

County Officers and Employees

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

County Veterans' Affairs Officers

Currently, § 25-11-40 provides that County Veterans' Affairs Officers (CVAs) are at-will employees of the South Carolina Department of Veterans' Affairs (SCDVA) and may be removed by the Secretary of SCDVA. However, CVA officers' salaries and expenses are currently paid by their respective counties. Previous legislation has proposed making CVA officers county employees and giving county legislative delegations a role in their appointment or removal, while other proposals have called for the state to employ and fund CVA officers and their staff.

In 2025, H. 3441 proposed making CVA officers county employees and giving county legislative delegations a role in their appointment, qualifications, and removal. The bill was referred to the House Medical, Military, Public and Municipal Affairs Committee and did not advance. H. 3510 proposed having the SCDVA Secretary appoint a CVA officer in each county and providing state funding for two full-time employees in each county veterans' affairs office. SCAC supported the bill with amendments to prevent an unfunded mandate on counties. The bill passed the House, and in May 2026, passed the Senate with amendments and returned to the House for consideration. However, the bill did not pass both chambers before the end of the legislative session.

Steering Committee's Recommended Policy Position:

- (1) Support legislation that would provide that a CVA officer is an at-will employee of the county legislative delegation and is considered a county employee.**
- (2) Support legislation that would provide that a CVA officer is subject to removal for cause, at any time, by a county delegation.**
- (3) Support legislation that would provide that the Secretary of SCDVA may offer recommendations to the county delegation after annual reviews of the local county CVA office.**
- (4) Support legislation that provides a second full-time employee in each county veterans' affairs office as long as funding for these employees is provided by the state.**

Workers' Compensation and Health Insurance Coverage for Psychological Injuries

South Carolina workers' compensation law allows benefits for mental-only injuries ("mental-mental" claims) when the condition results from employment circumstances that are extraordinary and unusual compared with normal working conditions. A recent South Carolina Supreme Court case upheld the denial of benefits to a deputy sheriff who developed PTSD after a deadly encounter with a suspect, while noting that any change to the existing standard would need to come from the General Assembly.

Mental-mental claims have a higher threshold because of the difficulty in objectively establishing the connection between a workplace event and a mental injury. In 2025, H. 3261 proposed specific criteria for first responders seeking workers' compensation for work-related mental injuries without a physical injury, but it did not advance. H. 3163 sought to expand workers' compensation protections for firefighters and ultimately passed in 2026 as Act No. 132. The 2025 state budget also provided \$750,000 in recurring funding for PTSD treatment costs for first responders.

Orangeburg County Council Member Latisha Walker requests that the steering committee support legislation recognizing occupational PTSD as a "compensable work-related injury" for qualifying law enforcement officers, firefighters, and EMS personnel when properly diagnosed by a licensed psychiatrist or psychologist. Such protections could promote earlier treatment, reduce stigma, improve recruitment and retention, and help counties preserve their investment in experienced public safety personnel.

Steering Committee's Recommended Policy Position:

- (1) Support legislation that would expand funding and healthcare to ensure that there is coverage for all first responders needing treatment for mental injuries.**
- (2) While SCAC opposes legislation that would amend § 42-1-160 to reduce the standard for mental-mental claims, in the alternative, SCAC would support a compromise reached by stakeholders that requires an employee with mental injuries to be under the care of a treating physician and only be entitled to a claim for workers' compensation after the treating physician makes a determination that the employee is disabled as a result of a work-related mental injury.**

Elections

Consolidating Polling Locations

Section 7-7-10 requires voters to cast their ballots at the designated polling place within their residential precinct. If a designated polling place becomes unavailable due to an emergency, the authority responsible for conducting the election must designate an alternative polling place for the electors in that precinct for any elections held during the emergency. If the alternative polling place is designated more than seven days prior to the election, it must be approved by a majority of the legislative delegation. If the alternative polling place is designated seven days or less before the election, the election authority must inform the members of the legislative delegation about this change.

Every effort should be made to notify voters of the alternative polling place before the election and on Election Day, using the media and by posting notices at the original polling place. In addition to the provisions of § 7-7-910, Article VII, Section 13 gives the General Assembly the discretion to establish or alter voter precincts in any county.

Across the state, many precincts face a critical shortage of suitable voting locations. In some areas, there are no facilities that can accommodate voters, creating significant barriers. Even when facilities are available, they often fail to meet the required accessibility standards for voters with disabilities, as mandated by federal law. This leaves a significant portion of the electorate unable to vote in a safe and accessible environment. Consolidating polling locations can streamline operations, reduce costs, provide accessible buildings to follow federal law, and enhance the voting experience, making Election Day smoother for both voters and election officials. Strategic consolidation ensures that voters have a more convenient and accessible location to cast their ballots, reducing travel time and providing adequate facilities.

The South Carolina Association of Registration and Election Officials (SCARE) and Laurens County Director of Voter Registration & Elections Lynne West request that SCAC support legislation to allow voting precincts to be consolidated into single, more accessible locations.

Steering Committee's Recommended Policy Position:

Support legislation allowing county boards of voter registration and elections, on an optional basis, to strategically consolidate precincts into a single, more accessible voting location.

Early Voting Expansion

With the expansion of early voting, voters have raised concerns and expressed confusion about why they cannot vote on Election Day at the same location where they participated in early voting. Under current law, early voting locations are separate from a voter's designated Election Day polling place, requiring voters to return to their assigned polling place on Election Day. The distinction between the two has caused confusion among voters who are unfamiliar with the separate polling requirements.

Horry County Administrator Barry Spivey requests that SCAC support legislation to allow counties, on an optional basis, to designate early voting locations as polling locations where registered voters may vote on Election Day.

Steering Committee's Recommended Policy Position:

Defer until the November meeting for additional information.

Early Voting Tabulation

Per state law, the early voting tabulation should begin at 7 a.m. on Election Day, aligning with the current procedures for absentee ballots. Aligning early voting tabulation with established absentee ballot procedures reinforces the integrity and transparency of the election, assuring voters that all ballots are handled with the same level of scrutiny. In 2023, S. 406 was introduced, providing that ballots cast during the early voting period may begin to be tabulated simultaneously with absentee ballots. Additionally, this bill created a new felony for those who intentionally publicly report the results of the early voting period before the polls are closed. However, the bill did not pass.

SCARE requests that SCAC support legislation to initiate the voter tabulation process early on Election Day to speed up result reporting, reduce delays, and provide timely information to candidates and the public.

Steering Committee's Recommended Policy Position:

Support legislation for initiating the early voter tabulation process early on Election Day in order to speed up result reporting, reduce delays, and provide timely information to candidates and the public.

Increase Poll Worker Pay

Currently, the State Election Commission (SEC) provides that poll managers (and poll managers' assistants) receive \$60 for attending training and \$75 for working on Election Day, totaling \$135. Clerks (lead poll managers) receive poll manager pay and \$60 for additional training and duties, totaling \$195. Counties may supplement poll manager pay. To ensure efficient management of high voter turnout and complex situations, it's crucial to offer competitive pay to county poll workers. This will attract and retain dedicated individuals, providing them with fair compensation for their crucial role in maintaining the integrity of our voting process.

Poll workers often work long hours under challenging conditions, and increasing their pay reflects the critical service they provide. SCARE requests that SCAC support legislation to increase the compensation for poll workers to \$200 and for clerks to \$260, from \$135 and \$195, respectively.

Steering Committee's Recommended Policy Position:

Support legislation amending Budget Proviso 102.2 to increase the compensation to \$200 for poll workers and \$260 for clerks, as opposed to the current compensation of \$135 and \$195, respectively.

Shifts for Poll Managers & Clerks

Poll managers and poll clerks are statutorily required to attend a three-hour training session and are compensated for their shift. However, counties are finding it increasingly difficult to recruit individuals to sign up as poll managers and poll clerks. This is mainly because of the long 12–14-hour shifts poll managers and poll clerks are required to complete. County officials have heard from individuals that some would be more willing to participate if a shorter shift or half of that shift time could be available for poll managers and poll clerks.

Horry County Administrator Barry Spivey requests that SCAC support legislation allowing individuals to split a poll manager or clerk's shift, with these individuals working together to complete the required full shift and each receiving a proportional share of the daily compensation.

Steering Committee's Recommended Policy Position:

Support legislation allowing individuals to split a poll manager or clerk's shift, with these individuals working together to complete the required full shift and each receiving a proportional share of the daily compensation.

Freedom of Information Act (FOIA)

Administrative Fees

South Carolina's Freedom of Information Act (FOIA) allows public bodies to charge reasonable fees for searching for, retrieving, redacting, and producing public records and requires public bodies to establish and make available a fee schedule. Current law generally bases these fees on the prorated hourly rate of the lowest-paid employee who has the skills and ability to fulfill the request. However, processing a FOIA request can also require administrative time, including reviewing the request, coordinating with multiple departments, identifying responsive records, and overseeing the production of records.

Sumter County Attorney Johnathan Bryan requests that SCAC support legislation to allow counties to charge a nominal administrative fee of at least \$25 in addition to fees for the actual research and production of records, while allowing the governing body to waive the fee for simple requests.

Steering Committee's Recommended Policy Position:

Support legislation to allow counties to charge a nominal administrative fee of at least \$25 in addition to fees for the actual research and production of records, while allowing the governing body to waive the fee for simple requests.

Defining “Citizen of the State” & Removing the Word “Person”

Currently, § 30-4-20(b) of the FOIA definition of “person” includes any individual, corporation, partnership, firm, organization or association. Nothing in the definition requires the individual or organization to be domiciled or located in this state. Section 30-4-30(A)(1) gives a “person” the right to inspect, copy, or receive an electronic transmission of any public record of a public body. On the other hand, § 30-4-100(A) specifically states that a citizen of the state may apply to the circuit court for a declaratory judgment, injunctive relief, or both, to enforce the provisions of FOIA. This conflict in the provisions of FOIA allows individuals and organizations that are not located in South Carolina to make FOIA requests and bring FOIA actions in this state.

Aiken County Attorney Bradley Farrar and Sumter County Attorney Johnathan Bryan request that SCAC support legislation to amend the provisions of FOIA by removing the definition of “person” and replacing it with a definition for “citizen of the state.”

Steering Committee's Recommended Policy Position:

Support legislation to amend the provisions of FOIA by removing the definition of “person” and replacing it with a definition for “citizen of the state.”

Definition of "Public Record"

FOIA defines a public record broadly to include documentary materials prepared, owned, used, possessed, or retained by a public body. Questions can arise, however, when a request seeks information in a format or compilation that does not already exist but could potentially be created using the public body’s available technology.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to amend the definition of “public record” to clarify that FOIA requires public bodies to provide existing public records but does not require them to create new records, reports, compilations, or formats in response to a request.

Steering Committee's Recommended Policy Position:

Support legislation to amend the definition of "public record" in Section 30-4-20(c) to provide that a "public record does not include reports, spreadsheets, or compilations that a public body has the hardware, software, or other technological capability to create but has not created or does not have copies of at the time of a public records request."

Matters Exempt from Disclosure - Cast Vote Records

Questions have arisen over whether cast vote records (CVRs) and ballot images should be subject to public disclosure under South Carolina's FOIA. Following the 2020 election, a legal dispute involving the South Carolina Election Commission and several county election boards addressed requests for these records. The court upheld the position that releasing records that could identify how an individual voted would conflict with South Carolina's constitutional requirement for a secret ballot.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to clarify that ballot images and cast vote records are exempt from disclosure under FOIA to protect the confidentiality and integrity of South Carolina elections.

Steering Committee's Recommended Policy Position:

Support legislation to amend Section 30-4-40 to provide that ballot images or "cast vote records" are exempt from disclosure from any election conducted pursuant to Section 7-1-10 *et seq.* This would help ensure that election voting records are kept confidential.

Matters Exempt from Disclosure – County Code Enforcement

County Code Enforcement Officers perform important duties related to enforcing local ordinances and regulations, but their classification and treatment under state law can vary depending on the context. This has created uncertainty regarding whether code enforcement officers are considered law enforcement or peace officers for purposes of certain legal requirements and protections.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to provide that records, video or audio recordings, or other information compiled for law enforcement purposes also applies for county code enforcement purposes.

Steering Committee's Recommended Policy Position:

Support legislation to provide that records, video or audio recordings, or other information compiled for law enforcement purposes also applies for county code enforcement purposes.

Right to Inspect or Copy Public Records

FOIA gives the public the right to access existing records maintained by public bodies, subject to applicable exemptions. Current law already provides that a public body is not required to create an electronic version of a record when one does not exist, but questions may arise when a request seeks information that could be compiled or generated using existing technology.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to provide that a public body is not required to create a record that does not exist at the time a request is made, even if the public body has the capability to create the requested record.

Steering Committee's Recommended Policy Position:

Support legislation to amend Section 30-4-30 to provide that a public body is not required to create a record that does not exist at the time a request is made, even if the public body has the capability to create the requested record.

Using Public Information for Commercial Solicitation

South Carolina law prohibits individuals and businesses from knowingly using personal information obtained from public records for commercial solicitation. Public bodies are also required to notify records requestors of this prohibition and take reasonable steps to prevent the misuse of personal information. Violations may result in criminal penalties.

However, counties are still required to provide personal information through a public records request even when there are clear indications that the information will be used for commercial solicitation. This can be particularly concerning when companies request information about

delinquent property owners or large landowners and use that information to target individuals with aggressive sales tactics, excessive fees, or potentially fraudulent services.

Current law prohibits the commercial use of this information but does not clearly give public bodies the authority to withhold the information when they know or have reason to believe it will be used for commercial solicitation.

Georgetown County Attorney John Watson requests that SCAC support legislation that would change “commercial solicitation” to “commercial purposes” and require all commercial requestors to provide a sworn affidavit attesting that the information will not be used for commercial purposes.

Steering Committee’s Recommended Policy Position:

Support legislation to authorize counties and other public bodies to refuse to disclose public information when it is reasonable to expect it to be used for commercial solicitation. Additionally, support the ability to require an affidavit attesting that the information will not be used for such purposes.

General

Board of Assessment Appeals

Various county boards of assessment appeals were created by local laws prior to the Home Rule Act. Local law often requires board members to be appointed by the governor at the recommendation of the local legislative delegation. Since the implementation of Home Rule, many county councils appoint members to their county's board of assessment appeals. However, there is a question as to whether these local laws were automatically repealed with the passage of Home Rule and whether the authority to appoint members to these boards devolved to the counties as with other county boards and commissions.

Newberry County Attorney Joanie Winters requests that SCAC support legislation to repeal all local laws created prior to the enactment of Home Rule in 1975 requiring board of assessments and appeals to be appointed by the governor upon recommendation of the local delegation, and to authorize county councils to appoint and remove members of the counties' boards of assessment appeals.

Steering Committee's Recommended Policy Position:

Support legislation to repeal all local laws created prior to the enactment of Home Rule in 1975 requiring board of assessments and appeals to be appointed by the governor upon recommendation of the local delegation, and to authorize county councils to appoint and remove members of the counties' boards of assessment appeals.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

County Elector Challenges and Hearing Timeframes

Section 7-5-230 deals with challenges to whether someone has met the qualifications to be an elector for purposes of voting in an election. Under the provisions of the statute, once a person is registered, challenges to the qualifications of any elector must be made in writing to the county board of voter registration and elections in the county of registration. The board must, within 10 days following the challenge and after first giving notice to the elector and the challenger, hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications. The statute is silent as to whether the 10 days are business days or calendar days.

Steering Committee's Recommended Policy Position:

Support legislation to amend Section 7-5-230 to specify that the elector challenge hearing must be scheduled within 10 business days.

Definitions of “Responsible Bidder or Offeror,” “Responsive Bidder or Offeror” & “Invitation for Bids”

A recent S.C. Supreme Court decision, *Ruh v. Metal Recycling Services, LLC*, raised concerns that a government entity could potentially be held liable for negligently selecting an independent contractor. Under current procurement practices, contracts awarded through competitive bidding generally go to the responsible bidder submitting the lowest responsive bid.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to strengthen the definitions of “responsible” and “responsive” bidders by requiring contractors to indemnify the government against certain claims related to the selection of the contractor. It would also emphasize that state and local governments should consider a contractor’s merit, qualifications, and ability to perform the work, not solely the lowest bid, when selecting contractors. This would help protect counties from potential liability and provide greater flexibility to prioritize quality and contractor qualifications in the procurement process.

Steering Committee's Recommended Policy Position:

Support legislation to strengthen the definitions of “responsible” and “responsive” bidders by requiring contractors to indemnify the government against certain claims related to the selection of the contractor.

Void Contract Terms or Conditions

As technology and business practices have evolved, contracts have increasingly become standardized, often relying on lengthy boilerplate provisions that can limit a party’s rights or create unfavorable terms that may not receive meaningful review. Some counties have adopted ordinances establishing expectations for contracts with government vendors and seeking to protect the county’s interests when entering into agreements, provide greater consistency and safeguards

in government contracting by addressing provisions such as limitations of liability, automatic renewals, warranty disclaimers, and requirements for attorneys to provide legal opinions on behalf of parties other than their governmental clients.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to provide greater consistency and safeguards in government contracting by establishing protections for the state and political subdivisions and restricting contractual provisions that could limit governmental rights, impose unauthorized obligations, or create unfavorable terms for governmental entities.

Steering Committee's Recommended Policy Position:

Support legislation to provide greater consistency and safeguards in government contracting by establishing protections for the state and political subdivisions and restricting contractual provisions that could limit governmental rights, impose unauthorized obligations, or create unfavorable terms for governmental entities.

Intergovernmental Relations

County Border Realignment Consent Agreement

Where county boundaries are ill-defined, unmarked, or poorly marked, the South Carolina Geodetic Survey, on a cooperative basis, shall assist counties in defining the locations of county boundaries and positioning the monuments using geodetic surveys. Over time, the exact boundaries may not have been properly maintained and consequently become lost or unclear. Correctly identifying the county boundary pursuant to state law aids in the proper administration of government and services. Uncertainty regarding the location of the boundary also causes problems with voting, property taxes, emergency services, school attendance, property transactions, zoning, and other services.

The South Carolina Geodetic Survey (SCGS) seeks to clarify the county boundaries as defined in Chapter 3, Title 4. The SCGS must analyze archival and other evidence and perform field surveys geographically to position all county boundaries in accordance with statutory descriptions. Physical and descriptive points defining boundaries must be referenced using South Carolina State Plane Coordinates. The county boundary is not moved or changed by this process. This program is designed to identify the true location as described in state law. The result may identify discrepancies, other descriptions, or markings that are inconsistent with state law and need to be changed.

Frank Rainwater, the Executive Director of the South Carolina Revenue and Fiscal Affairs Office, has requested that SCAC support legislation aimed at establishing an alternative consent procedure for annexing a section of a county resulting from a boundary clarification.

Steering Committee's Recommended Policy Position:

Support legislation aimed at establishing an alternative consent procedure for annexing a section of a county resulting from a boundary clarification.

Municipal Annexation

Annexation has been a longstanding issue of contention between counties and municipalities. As the law is currently written, municipal annexation and adhesion contracts negatively impact county governments with respect to county revenues, taxation, and land use.

Aiken County Attorney Bradley Farrar requests that SCAC continue to support legislation to support the longstanding issue of, among other things, addressing adhesion contracts.

SCAC previously adopted a comprehensive approach to this issue as outlined below:

- Make adhesion contracts null and void.
- Provide a procedure for municipal DE annexation in a manner similar to county boundary changes.
- Create a mechanism to freeze revenue from business licenses upon the annexation of a business by a municipality in the same manner that local hospitality taxes are treated when annexation occurs.
- Grant legal standing to counties for all annexations within their jurisdiction.
- Require municipalities to notify counties of proposed annexations. Notice should be given in time for the county to actively participate and provide input into the proposed annexation.
- Require municipalities to conduct a study to analyze and mitigate the potential impact of proposed annexations on the delivery and level of service of public services and facilities

in order to assure that adequate public services and facilities will be available to serve development after annexation.

- Prohibit the creation of enclaves (donut holes) and provide incentives for municipalities to not create enclaves. The incentives would not require approval from landowners that would be affected by the annexation.
- Strengthen the Priority Investment Act (enacted in 2007 to improve the local government comprehensive planning process) by mandating that any municipal annexation that violates the Act would result in a reduction of the Local Aid to Subdivision funds the municipality receives.

Steering Committee's Recommended Policy Position:

Support legislation that would grant legal standing to county governments to challenge municipal annexations within their jurisdiction. Further, support legislation that would require all municipal annexation, including enclave annexation, by referendum as follows:

- **Support legislation prohibiting pre-facto and post-facto adhesion contracts.**
- **Provide a procedure for municipal deannexation in a manner similar to county boundary changes.**
- **Create a mechanism to freeze revenue from business licenses upon the annexation of a business by a municipality in the same manner that local hospitality taxes are treated when annexation occurs.**
- **Grant legal standing to counties for all annexations within their jurisdiction.**
- **Require municipalities to notify counties of proposed annexations. Notice should be given in time for the county to actively participate and provide input into the proposed annexation.**
- **Require municipalities to conduct a study to analyze and mitigate the potential impact of proposed annexations on the delivery and level of service of public services and facilities, in order to assure that adequate public services and facilities will be available to serve development after annexation.**

- **Prohibit the creation of enclaves (donut holes) and provide incentives for municipalities to not create enclaves. The incentives would not require approval from landowners that would be affected by the annexation.**
- **Strengthen the Priority Investment Act (enacted in 2007 to improve the local government comprehensive planning process) by mandating that any municipal annexation that violates the Act would result in a reduction of the Local Aid to Subdivision funds the municipality receives.**

Municipal Annexation – Street Right-of-Way

South Carolina law allows municipalities to annex certain roadways and rights-of-way as part of the annexation process. Current law also recognizes that roads may be maintained by a municipality, county, or SCDOT, and in some circumstances requires the consent of the agency currently responsible for maintenance before a roadway right-of-way is annexed.

Concerns have arisen when a municipality annexes property that includes or surrounds a county-maintained roadway, creating uncertainty over which government is responsible for maintaining the portion of the roadway within the newly expanded municipal boundaries. The proposed policy would clarify that a county does not assume responsibility for maintaining a roadway simply because the roadway is located within an annexed area. Instead, responsibility would remain with the appropriate entity, such as the annexing municipality or SCDOT, depending on the roadway and applicable circumstances.

Aiken County Attorney Bradley Farrar requests that SCAC support legislation to clarify roadway maintenance responsibilities following municipal annexation and ensure that annexation does not automatically create a maintenance obligation for the county.

Steering Committee's Recommended Policy Position:

Support legislation to clarify roadway maintenance responsibilities following municipal annexation and ensure that annexation does not automatically create a maintenance obligation for the county.

Working Draft

**2026 Land Use, Natural Resources
and Transportation
Steering Committee**



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**

Tuesday, November 10, 2026

2026 Land Use, Natural Resources and Transportation Steering Committee

The responsibilities of the Land Use, Natural Resources and Transportation Steering Committee include growth policies, environmental issues, as well as transportation and other infrastructure issues. Specific areas of concern include issues related to land use; zoning and building code programs; solid and hazardous waste management programs; water resource systems; air quality; wetlands; energy conservation; eminent domain; parks and recreation; and state/federal transportation funding programs, to include "C" funds.

Meeting Dates:

Wednesday, September 16, 2026

Tuesday, November 10, 2026

Charles T. Edens, Chairman
Sumter County Council

Steering Committee Members *

County Representatives:

Scott Biering, Colleton County Council Chairman
Clint A. Elliott, Georgetown County Council Chairman
Johnny Gardner, Horry County Council Chairman
Bernard L. Hamby, McCormick County Council Chairman
Alice G. Howard, Beaufort County Council Chairwoman
John Johnson, Clarendon County Council Chairman
A. Manning Lynch, Spartanburg County Council Chairman
Michelle Martin, Bamberg County Council Chairwoman
Brian Moon, Abbeville County Administrator
James Moore, Saluda County Council Chairman
Joey Rowell, Jasper County Council Chairman
Damien Johnson, Marlboro County Council Chairman
Jerry W. Yarborough Jr., Florence County Council Chairman
Pete Wilson, Chester County Council Chairman

SCAC Board Members:

John Q. Atkinson Jr., Marion County Council Vice Chairman
Dr. Alphonso Bradley, Florence County Council
Larry Haynes, Bamberg County Council Vice Chairman
Theo Lane, Greenwood County Council Chairman
Cecil M. Thornton Jr., Calhoun County Council Vice Chairman

President's Appointees:

J. Shawn Brashear, Florence County Director of Planning & Building
Danny R. Bright, Union County Council
Jared Fraxlix, Beaufort County
York Glover, Beaufort County Council
Richard Hall, Calhoun County Administrator
Danny Knight, Horry County Solid Waste Authority Executive Director
Jose Luis, Lancaster County Council
Andrea N. Melocik, Charleston County Planning & Zoning Deputy Director
Virginia Merck-Dupont, Lancaster County Attorney
Danny Templar, Kershaw County Administrator
Steve Thigpen, Charleston County Deputy Administrator – Public Services

SCAC Staff Contact: Weber M. Wilson

*As of 10/16/2026

2026 Land Use, Natural Resources and Transportation Steering Committee

General Statement of Policy

South Carolina's counties have played a vital role in maintaining natural resources, governing the wise use of land, and making public infrastructure decisions. Protection of natural resources must be a shared effort between the state and local governments. Counties recognize the importance of Home Rule and community input regarding land use, natural resources, and infrastructure decisions and have traditionally opposed statewide legislation that would preempt community input and solutions tailored to local situations involving these matters. County officials acknowledge their responsibility to carry out policies formulated by the General Assembly regarding matters of statewide concern. To that end, if state law mandates that local governments assume new or expanded responsibilities, the General Assembly should provide adequate guidance and funding to accomplish legislative aims.

Land Use

Land Use Policy Statement

Counties and municipalities are the only entities vested with the jurisdiction to adopt and enforce zoning ordinances, development regulations, and other land use measures. County governments encourage adequate open space that contributes to the quality of life of our citizens by providing recreational opportunities, enhancing air and water quality, and preserving and protecting South Carolina's unique natural beauty. Local communities are best able to understand the most beneficial use of land. To that end, local citizens require and expect local governments to establish and enforce local land use and zoning ordinances. The South Carolina Association of Counties believes that the state and other outside entities should avoid interfering in local land use matters.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Affordable Housing

Affordable housing is an issue likely to be discussed during this legislative session. As more people and businesses continue to move to South Carolina, the value of land and residences in urban areas continues to rise. As a result of a shortage of affordable housing, many people are unable to afford to live close to their workplace and getting to work becomes more costly and time consuming. Several bills have been introduced over the years to address the problem. These bills range from allowing counties to use inclusionary zoning strategies to increase the availability of affordable housing to statewide tax credits for affordable housing. Currently, no state law prohibits a county from adopting a land use regulation or plan to offer developers incentives to build affordable housing units. Possible incentives could include whole or partial waivers of development or impact fees, tax adjustments, or density adjustments.

Although the General Assembly allotted \$3 million in one-time funds to the SC Housing Finance and Development Authority for the “Made it Home!” program relating to affordable housing for the 2026-2027 fiscal year, this funding is not guaranteed in the future. Additionally, there have been efforts to impose limits on impact fees and tap fees that a county can impose.

Steering Committee's Recommended Policy Position:

- (1) Support legislation providing statewide tax benefits for affordable housing to developers and landowners.**
- (2) Oppose legislation that would impose limits on impact fees and tap fees.**

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Balcony Inspections

There has been legislation introduced in the past that would require counties to perform inspections of all exterior balconies on residential properties every five years. The Building Codes Council would be required to develop and administer a database of the results of the balcony inspections. Counties could assess and collect a fee for each balcony inspected. SCAC staff has provided alternative methods, including the creation of a division under the Department of Labor, Licensing, and Regulation (LLR), which would perform balcony inspections in a similar manner to elevator inspections.

Steering Committee's Recommended Policy Position:

Oppose legislation requiring counties to perform inspections of residential balconies and buildings.

Concurrency

A concurrency program attempts to ensure that public infrastructure, services and facility development occur concurrently with the rate of growth. While many local governments in South Carolina feel they currently have the authority to enact concurrency programs and have already done so, the power does not exist explicitly in statute. As population growth in South Carolina continues to increase at a staggering scale, discussions regarding the possibility of statewide concurrency have become more popular.

Bill S. 227 in the 2026 legislative session defined concurrency programs and explicitly granted local governments the authority to enact them. This was initially well received by local governments. As the bill progressed, it was met with heavy resistance from homebuilders and

developer groups. Proposed amendments from these groups would have made enacting concurrency programs, as defined by S.227, regulatorily burdensome and infeasible for many counties and municipalities.

Dorchester County Council Member Todd Friddle requests that the steering committee support legislation instituting a statewide concurrency program.

Steering Committee's Recommended Policy Position:

- (1) Support legislation clarifying counties' authority to enact concurrency programs;
and**
- (2) Oppose legislation that institutes state mandated and regulated concurrency programs.**

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Data Centers

Recent advancements in technology have led to companies looking to locate data centers in many South Carolina counties. Concerns have been raised by lawmakers, regulators, and the public regarding the ability of South Carolina to keep up with the growing energy demand throughout the state. During recent meetings, several lawmakers expressed concerns over the amount of energy and water that is required to power data centers. It was stated several times that data centers only benefit the county in which they are located, yet the cost of providing power and water to these centers is spread among all ratepayers. As a result, SCAC anticipates legislation potentially preempting or limiting a county's authority to offer financial incentives to attract new data centers. Additionally, in the previous legislative session, several bills were introduced that would entirely preempt a county's authority regarding the siting or zoning data centers. At least 13 S.C. counties currently have enacted temporary moratoriums on data centers, and others are reviewing comprehensive zoning ordinances addressing them.

Steering Committee's Recommended Policy Position:

Defer until the November meeting for additional information.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Disposal of Lithium-ion Batteries

As the popularity of electric vehicles continues to grow, concerns have been raised regarding the handling and disposal of the lithium-ion batteries that power such vehicles. Currently, the lithium-ion battery industry lacks a clear path to large-scale economical recycling. One of the major factors currently driving the recycling of lithium-ion batteries is the price of cobalt, a major component of battery systems. If the market price of cobalt drops, recycled cobalt would struggle to compete with mined cobalt, severely decreasing the likelihood of a lithium-ion battery being recycled. Additionally, if the lithium-ion batteries are placed into landfills, lithium, cobalt, manganese, and other metals found in batteries could leak from the casing of buried batteries and contaminate soil and groundwater.

Steering Committee's Recommended Policy Position:

Support legislation or regulations to provide state oversight with manufacturer or distributor participation and funding in the disposal process of lithium-ion batteries.

Disposal of Solar Panels

The current nationwide regulatory scheme for managing the end-of-life process for solar panels is complex and often varies by jurisdiction. Beginning in the early 2000s, the residential use of solar panels became increasingly popular as a renewable form of energy due to its affordability to a much wider market across the country. Although solar power is a form of clean energy, many solar panels are often composed of hazardous metals and other materials that aid in the energy generation process and must be considered when the panels are discarded.

Horry County has previously expressed concerns regarding the challenges of identifying these potentially hazardous materials contained in discarded solar panels due to their diverse composition that is dependent upon each manufacturer's specific design. As a result, Horry County is not accepting rooftop solar panels into the county's solid waste facilities currently.

Beaufort County Council Chairwoman Alice Howard requests the steering committee support legislation requiring a surcharge on solar panels paid for by the installer, to help offset the cost of their disposal.

Steering Committee's Recommended Policy Position:

Support legislation or regulations to provide state oversight with manufacturer or distributor participation and funding in the disposal process of solar panels.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Exemptions from Building Codes Requirements for Agriculture Buildings

In addition to the uncertainty that many counties across the state currently face regarding the taxation of farm structures due to definition changes in Act 236 of 2022, counties are also seeing an increase in applications for agriculture structures to be exempted from building code requirements under §6-9-65(C) of the Code. Currently, §6-9-10 requires local governments to enforce state building codes. However, there are several exemptions, including §6-9-65(B), which provides that the governing body of a county or municipality may not enforce portions of nationally recognized building codes which regulate the construction or improvement of a “farm structure.”

§ 6-9-65(A) defines a farm structure as:

“a structure that is constructed on a farm, other than a residence or a structure attached to it, for use on the farm including, but not limited to, barns, sheds and poultry houses, but not public livestock areas. For the purposes of this section, “farm structure” does not include a structure originally qualifying as a “farm structure” but later converted to another use.”

In previous years, legislation was introduced which would further expand the exemption from building code requirements for farm structures that were converted to another use that can accommodate up to 300 people and is used for public or private events such as weddings or receptions. Additional attempts to expand exemptions for farm structures may occur in the upcoming legislative session.

Steering Committee’s Recommended Policy Position:

Oppose legislative efforts to expand the definition of farm structures in the Code.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Expansion of Broadband

Many rural and remote communities in South Carolina continue to lack reliable and high-speed internet access and need additional funding and assistance to develop infrastructure.

In 2022, Gov. Henry McMaster signed Act 244 into law, which allocated American Rescue Plan Act (ARPA) funding to a variety of state agencies – including \$400 million to the SC Office of Regulatory Staff (ORS) to expand broadband infrastructure.

In June 2024, the South Carolina Broadband Office (SCBBO), which is part of ORS, announced the conclusion of its ARPA grant programs that resulted in the commitment of \$400 million to expand high-speed internet access to over 112,380 unserved or underserved Broadband Serviceable Locations statewide. The SCBBO’s ARPA programs resulted in an estimated \$663,059,112 broadband infrastructure investment for South Carolina.

While the initiatives to expand broadband access in South Carolina have been widely successful, opportunities still exist to maintain and increase the accessibility and reliability of broadband across the state.

Steering Committee’s Recommended Policy Position:

Support legislation to continue to push the expansion of broadband access for everyone.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Growth Challenges for Counties

South Carolina remains one of the fastest-growing states in the nation. The increase in population is also likely to continue to put a strain on existing infrastructure, utilities, and other resources, like schools and public services.

Some counties have approved moratoriums to pause rapid growth, and some have imposed impact fees to help pay for the services and infrastructure additional residents will require. Additionally, during the 2025-2026 session, lawmakers introduced several pieces of legislation that would potentially aid counties in their planning and development processes.

While using concurrency programs to address growth has become a popular topic at the local level, it is only a single potential tool in the greater toolbox counties and municipalities have. Legislative action could provide new methods and strengthen existing ones for managing growth challenges.

In the past, the steering committee has been asked to support legislation that would clearly authorize, while not requiring, jurisdictions to implement sound planning measures to address growth occurring across the state. Additionally, bills that seek to expedite land development and building permit approvals without providing funding necessary for local government officials to meet reduced timeframes should be opposed as such legislation conflicts with existing regulations and review processes in Title 6, Chapter 29.

Steering Committee's Recommended Policy Position:

- (1) Support legislation clearly authorizing, while not requiring, jurisdictions to implement sound planning measures to address growth; and**
- (2) Oppose legislation that would allow third-party building inspectors that are not contracted by the county.**

Local Planning – Land Use Regulations

Article 7 within Chapter 29 of Title 6 of the Code, lays out local planning land development regulations. § 6-29-1145 specifically relates to the determination of the existence of a restrictive covenant.

Under current law, local planning agencies are not required to conduct searches for restrictive covenants in permitting decisions. They are, however, required to acknowledge any restrictive covenants they are given actual notice of and may not issue a permit unless the restrictive covenant has been released.

Recently, some counties have faced challenges regarding what bodies are required to acknowledge restrictive covenants in their decision making. In one example, a landowner took issue with a proposed cell tower being reviewed by the county planning commission in his area. The landowner

claimed that an existing restrictive covenant blocked the approval of the cell tower. This put the burden of determining what a restrictive covenant meant on the county planning commission.

Aiken County Attorney Bradley Farrar argues that since county planning commissions evaluate proposals based on their adherence to local land use regulations but do not issue building permits, they do not need to consider restrictive covenants in their decision making. He requests the steering committee support legislation, amending § 6-29-1145, to clarify that a “local planning agency” means the department of local government responsible for issuing permits and does not include a county planning commission or a county board of appeals.

Steering Committee’s Recommended Policy Position:

Defer until the November meeting for additional information.

Lot Cleanup

Counties have general powers under § 4-9-25 to enact ordinances to preserve health within the county, including allowing for the cleanup of property constituting a public nuisance. While they may not interfere with the rights of the general public sufficient enough to constitute a public nuisance, counties do have limited authority to address dwellings unfit for habitation. This authority is found in §§ 31-15-310 et seq. Section 31-15-310 allows counties to take corrective actions on dwellings unfit for habitation and add these costs to the property owner’s tax bill. If the property owner then fails to pay this portion of their property tax bill, the county may place a lien on the property. While this may temporarily alleviate the conditions, there is significant concern over the priority of the tax lien and the county’s ability to recover the money spent on the corrective actions.

Counties have the authority under § 6-9-50 to adopt the International Property Maintenance Code (IPMC), made available by the International Code Council. The IPMC provides specific maintenance requirements as well as requirements intended to maintain a minimum level of safety and sanitation for both the general public and occupants of a structure—residential or commercial. Counties that have adopted the IPMC have the authority under Section 109 to make emergency repairs to structures that pose a threat of imminent danger or under Section 110 to order the owner or owner’s agent to demolish structures that are unable to be repaired. Counties can then seek a judicial action against the owner for the recovery of the costs.

While counties can clean up or demolish structures in emergency situations, they do not have the power to clean up lots or to collect the cost as property taxes. Recovering costs from the owner of

the property is not guaranteed, as many times the owner does not live in South Carolina and has no incentive or ability to clean up the low value property. As a result, county taxpayers often end up paying for the cleanup of private property.

Aiken County Attorney Bradley Farrar, Marlboro County Council Vice Chairwoman Pearly Lawson and Sumter County Council Chairman James T. McCain, Jr. request the steering committee support legislation that gives counties the same enforcement authority that municipalities have.

Steering Committee's Recommended Policy Position:

Support legislation giving counties the authority to clean up both structures and lots and to recover the costs associated with the cleanup from the property owner on the tax bill.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Preemption of Land Use Measures

Each session there are attempts made to restrict local governments' ability to regulate land use or to preempt local zoning authority. An example might include any regulation of installation of solar collectors. A policy of removing barriers to installation of solar panels may be laudable, but certain installations in historical or scenic areas may not be a good thing, and local governments are in the best position for understanding these land use issues.

Steering Committee's Recommended Policy Position:

Oppose legislative preemption of local zoning or other restrictions on local land use regulations.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Short-Term Rentals

Each session there are attempts made to restrict local governments' ability to regulate land use or to preempt local authority. An example of previously filed legislation would have prohibited political subdivisions from enacting ordinances or regulations that would prohibit the rental of a residential dwelling to a short-term guest. The proposed legislation would have also defined short-term guests as any person who rents a short-term rental for fewer than 29 days. Counties have traditionally recognized the importance of Home Rule in regard to land use decisions and have opposed statewide legislation that would preempt community input and solutions involving these issues. The state and other outside entities should avoid interfering in local decisions regarding land use measures because local governments are in the best position for understanding how these issues impact their locality.

Steering Committee's Recommended Policy Position:

Oppose legislative preemption of local regulations regarding short-term rentals.

Natural Resources

Natural Resources Policy Statement

The task of preserving and maintaining South Carolina's natural resources encompasses numerous areas of concern and involves the exercise of authority by federal, state, and local governments. Since counties are charged with the task of balancing various interests, local community input and decision-making needs to be preserved. Counties have long recognized that efforts to ensure clean water and air and to protect wetlands transcend governmental boundaries. These efforts require close cooperation between federal, state, and local governments. To that end, the Association of Counties, and those directly impacted counties, should be included in any decisions concerning state and federal efforts to protect natural resources.

Chumming Adjacent to a Beach

In recent years, discussions over the safety risks involved in the practice of “chumming” (releasing chunks of meat or fish into bodies of water to attract large game marine animals) have become prevalent. Opponents of chumming have highlighted that when done in populated areas, such as beaches or swimming areas, it can cause an increased likelihood of shark attacks on swimmers. Many states, like Alabama and Florida, have prohibited chumming near beaches or outright banned the practice.

The use of fishing equipment is regulated under Article 5 of Chapter 5 (*Marine Resources Act*), Title 50 in the SC Code.

Aiken County Attorney Bradley Farrar has requested the steering committee support legislation that prohibits the act of chumming or wade fishing immediately adjacent to a beach by amending Article 5, Chapter 5 of Title 50 to include a new section, as follows:

“It is unlawful for any person to place chum in the water for the purposes of fishing from a beach or wade fishing in waters immediately adjacent to a beach. This shall not be construed to prohibit the use of a baited hook when fishing with hook and line gear, or placing bait in an authorized trap.”

The proposed amendment would also include definitions of “chum” and “beach.”

Steering Committee's Recommended Policy Position:

Defer until the November meeting for additional information.

Increasing Participation in Waste Diversion and Recycling

Across the state, Class III and Class II landfills are reaching capacity. As populations grow and the available capacity of landfills decreases, waste management systems will have to accommodate. The Solid Waste Policy and Management Act of 1991 created waste reduction and recycling programming that, for a time, reduced the total volume of waste ending up in landfills. In recent years, involvement in this alternative programming has plateaued. This has caused concern that, without legislative action encouraging waste diversion, reduced disposal capacity will drive up disposal costs beyond current precedent.

Ed Marr, Horry County Solid Waste Authority Assistant Executive Director, requests the steering committee support legislation that incentivizes waste dispersion and recycling by one, or multiple, of the methods listed below:

1. Recycling Mandate – requiring a particular material like cardboard, or a more inclusive list including other traditional curbside materials, to be recycled to increase waste diversion volumes.
2. Extended Producer Responsibility (EPR) legislation - As with the electronics law, EPR has become a popular tool of local and state governments across the country to bring manufacturers and others involved in the supply chain to contribute to the development of the systems and the cost of their implementation.
3. Waste Hauler Licensing – Recycling is often limited simply because the local service providers do not offer the recycling services needed. A standard licensing policy requiring waste haulers operating in South Carolina to provide recycling services would create more availability for people to participate in recycling at their homes, schools, and places of business.
4. Legislation to Support Market Development – Recently, H.4709, the U.S. Steel and Iron bill, was passed requiring construction projects in the state to use domestic steel products that meet certain criteria. This type of legislation, if created for items found in the traditional recycling stream, would create an increased demand for materials generated by recycling.

Steering Committee's Recommended Policy Position:

Support legislation to promote and explore increased market development opportunities regarding recycling and the end use of recycled products.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Solid Waste Flow Control

There will be strong continued legislative efforts to undermine counties' responsibilities under state law and Home Rule to determine what is in the best interests of their residents regarding disposal of solid waste. If successful, these efforts will greatly erode counties' ability to regulate solid waste in order to comply with the Solid Waste Management Act and Department of Environmental Services regulations.

"Flow control" is simply a local government determining where solid waste within its jurisdiction may go. Constitutional issues with such ordinances have been raised in the past, but in a 2007 U.S. Supreme Court case, a narrow set of circumstances was deemed constitutionally permissible; and in 2013, the South Carolina Supreme Court upheld Horry County's flow control ordinance.

Steering Committee's Recommended Policy Position:

- (1) Oppose legislative efforts to undermine counties' authority to address their responsibilities regarding the disposal of solid waste.**
- (2) Support legislation providing counties with increased flexibility and accessibility to solid waste disposal.**

Transportation and Other Infrastructure

Transportation and Other Infrastructure Policy Statement

As communities across South Carolina grow, many counties are faced with increasing stress on public infrastructure. This has accelerated the demand for new and expanded airports, roads, bridges, water and sewer systems, and solid waste disposal. Counties should take a proactive role in determining the direction of infrastructure and should be included in decisions at the state level affecting local infrastructure.

Infrastructure Definitions

The Infrastructure Investment and Jobs Act was passed into law in November 2021 with the goal of increasing federal spending on “infrastructure” by approximately \$550 billion over the next decade through grants to state and local governments. The Act defines infrastructure in § 70912(5) as:

“structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.”

Currently, the South Carolina Code of Laws does not formally define the term “infrastructure” and its meaning changes frequently, even within the same Title of the Code. For example, infrastructure in Section 11-42-30 is defined as:

“basic facilities, services, and installations needed for the functioning of government including, but not limited to, water, sewer, and public sector communication facilities...”

While under Section 11-41-20, infrastructure means:

“(a) land acquisition; (b) site preparation; (c) road and highway improvements; (d) rail spur construction; (e) water service; (f) wastewater treatment; (g) employee training which may include equipment used for such purpose; (h) environmental mitigation; (i) training and research facilities and the necessary equipment therefor; and (j) buildings and renovations to buildings whether new or existing...”

Beaufort County Council Member Joe Passiment requests the steering committee support legislation to make the state’s definition of infrastructure consistent with that of the federal government. This would likely help streamline a county’s ability to request grants from the federal government for in-state transportation projects.

Steering Committee’s Recommended Policy Position:

Support legislation to make the state definition of infrastructure match the federal definition and to add solid waste to the definition of infrastructure.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Transfer of Roads from SCDOT to Counties

There have been past proposals to transfer over 19,000 centerline miles of state roads to local governments. Legislators and the SC Department of Transportation (SCDOT) acknowledge these roads are in poor condition and contend that state funds are not available to continually maintain them. Further, they believe that many of these roads have no reason for being under the state system in the first place. A bill was previously filed that would have transferred these non-federal aid secondary roads to local governments at the option of county council with an increase in C funds to pay for their maintenance. Members of the legislature have repeatedly stated that any legislation including the transfer of roads to counties would be optional at the county council level and that funding would be adequate to maintain these roads.

While Act 177 of 2026, SCDOT Modernization, expressly requires mutual consent for the transfer of roads from SCDOT to counties, changing this policy remains a possibility.

Steering Committee’s Recommended Policy Position:

Oppose legislation that would require a mandatory transfer of roads from SCDOT to local governments.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Transportation Infrastructure Project Funding

Several counties have stressed that the current system and formulas used by SCDOT are not adequate to address the growing needs for construction and maintenance of highways and roadways throughout the state. SCDOT states that it does not have sufficient funds to fix all roads in the state, and it is safe to say that local governments who wish to have their transportation projects completed will likely need to look to more local revenue-producing methods. Several funding proposals including the selective use of tolls or high occupancy vehicle lanes have been previously considered by the legislature.

Steering Committee's Recommended Policy Position:

Support legislation providing alternative funding resources and methodologies to expedite project recovery for all transportation infrastructure projects.

Uniform Process for the Dedication of Roads to Local Governments

Unlike states in which dedication procedures for roads are set by statute, S.C. dedication rules derive from case law and are often viewed as ambiguous and provide little certainty. S.C. courts have held that there are two key elements involving road dedication: (1) an offer to dedicate the road to the public and (2) acceptance by the public. While evidence of the first element is usually found to be more concrete, “proof of acceptance by the public” under the second element is often more difficult to decipher. As a result, uncertainty is created as to whom the rights and liabilities associated with roads should accrue. Establishing a statutory form of road dedication, executed by both the landowning offeror and the government counterpart, and recorded in the chain of title, would provide every county and municipality with a uniform process. This would benefit counties and municipalities from inadvertently becoming responsible for roads through public use.

Lancaster County requests that the steering committee support legislation that would provide for a statutory scheme of road dedication to provide legal certainty and a uniform process for local governments.

Steering Committee's Recommended Policy Position:

Defer until the November meeting for additional information.

Working Draft

**2026 Public Safety, Corrections and
Judicial Steering Committee**



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**

Monday, November 9, 2026

2026 Public Safety, Corrections and Judicial Steering Committee

The responsibilities of the Public Safety, Corrections and Judicial Steering Committee include issues relating to the funding and administration of law enforcement; corrections and jails; the judicial system; fire and life safety programs; and emergency disaster preparedness. Specific areas of concern include issues related to law enforcement; adult and juvenile detention; the court system, including clerks of court and registers of deeds, magistrates, and probate judges; E-9-1-1 service programs; fire protection services; emergency medical services; and emergency preparedness programs.

Meeting Dates:

Tuesday, September 15, 2026: Association Offices

Monday, November 9, 2026

**Julie J. Armstrong, Chairwoman
Charleston County Clerk of Court**

Steering Committee Members*

County Representatives:

Jeff Carroll, Laurens County Council Chairman
Clarence Gilbert, Fairfield County Council Chairman
James T. McCain Jr., Sumter County Council Chairman
Phillip G. Russell II, Union County Supervisor/Chairman
Alex Saitta, Pickens County Council Chairman
Julie Stutts, Aiken County Register of Deeds
Kelvin C. Washington, Williamsburg County Supervisor/ Chairman

SCAC Board Members:

Cam Crawford, Horry County Council
Waymon Mumford, Florence County Council
William E. Robinson, Allendale County Council Chairman
Sammie Tucker Jr., Kershaw County Council

President's Appointees:

Johnathan W. Bryan, Sumter County Attorney
Kathy Brown, Calhoun County Probate Judge
Doug Bryson, Spartanburg County Emergency Services Director
Kristy Burch, Florence County Emergency Management Director
Hattie Burns, Chesterfield County Council Member
James C. Campbell, Sumter County Clerk of Court
Tonia Capers, Allendale County Jail Administrator
Mario Formisano, Dorchester County Deputy Administrator for Public Safety
Brian Hester, Chester County Administrator
John C. Hicks, York County Chief Jail Administrator
Tyra Little, Richland County Council
Amy McCulloch, Richland County Probate Judge
Timothy L. Nanney, Greenville County Register of Deeds
Bobbi Jo O'Neal, Charleston County Coroner

SCAC Staff Contact: John Wienges, Jr.

*As of 10/16/2026

2026 Public Safety, Corrections and Judicial Steering Committee

General Statement of Policy

One of the primary responsibilities of government is to protect its citizens from those who threaten their life, liberty, and property. County government resources are being strained to the limit to provide sufficient law enforcement, to deal with the escalating complexities and backlog in the judicial system, and to cope with the crises in jail overcrowding and juvenile crime. Many of these responsibilities fall on the counties as state mandates with either inadequate or no state funding.

County government officials feel that the critical issues facing our counties cannot be solved in a vacuum, but only through partnerships with the federal, state, and local governments; the private sector; volunteer organizations; community groups; and others. The state must take a leadership role in examining the causes of crime so that we do not have to continually build more jails, to find better methods to deal with high recidivism rates, and to make improvements in a judicial system that moves at a less-than-acceptable pace and has not adequately kept up with societal changes. The federal and state governments must not only support these efforts through strong leadership, but sufficient financial support must be provided if we are to solve these issues and improve the quality of life of all South Carolinians.

Corrections

Corrections Policy Statement

There must be an equitable relationship between the state and the counties for the growing demands of adult and juvenile incarceration. Crime policies enacted in recent years have compounded the problems of jail overcrowding, insufficient staffing, inadequate funding, and increased violence. Continual expansion and construction of jails are poor and unacceptable answers to jail overcrowding. The state and federal governments must provide financial support and alternatives to incarceration if we are to make any headway in the criminal justice system.

Amending the Safekeeper Statute

Section 24-3-80 of the SC Code allows the director of the Department of Corrections (SCDC), at the request of the governor, to admit and detain in SCDC any prisoner tendered by any law enforcement in this state as long as the prisoner was issued an arrest warrant within 48 hours of their commitment. This is commonly referred to as the Safekeeper Statute. This statute allowed local detention centers to house an inmate designated as a high security risk at SCDC. For years this was a great benefit to the counties. However, several years ago, SCDC became concerned that they could be personally held accountable/liable if a county inmate being housed at SCDC under the Safekeeper Statute was injured or killed. Based on their concern, SCDC has refused to admit any county inmates for the last several years. This has created a significant security risk to officers and other inmates in county detention centers who do not have the resources/staff to safely house high security risk inmates.

The detention center and jail administrators request that SCAC support an amendment to § 24-3-80 that SCDC has indicated they would not oppose, which would authorize a general sessions court to issue a safekeeper order to transfer an extraordinary security risk prisoner in a pretrial detention facility to SCDC custody.

Steering Committee's Recommended Policy Position:

Defer until the November meeting for additional information.

Assaults on Public Employees

In 2010, the General Assembly rewrote the assault and battery statutes and repealed several sections of state law that provided harsher penalties for assaults on correctional facility employees, emergency medical service providers, firefighters, and home healthcare workers.

S.C. Code §16-3-630, one section repealed, provided that a person convicted of assault upon a state or local correctional facility employee must serve a mandatory sentence of not less than six months nor more than five years. This sentence must be served consecutively with any other sentence the person is serving. By repealing this section, there is no “special treatment” provided to these employees whose jobs continually put them at risk for assault. Similarly, § 16-3-635 was repealed, which provided harsher penalties for assaults on emergency medical service providers, firefighters, and home healthcare workers. These public employees are more at risk for assault because of the nature of their duties. York County Chief Jail Administrator John Hicks has requested that SCAC support legislation to reinstate those repealed sections.

Steering Committee's Recommended Policy Position:

Support legislation to reinstate § 16-3-630, dealing with the assault on state and local correctional facility employees, and to reinstate § 16-3-635, dealing with the assault on emergency medical service providers, firefighters, and home health workers.

Juveniles in Local Detention Facilities

Beginning on July 1, 2019, the age of juveniles for criminal justice purposes was raised to include 17-year-olds pursuant to Act 268 of 2016. The Senate Select Committee on Raise the Age studied the implementation of Act 268 of 2016. The Committee produced a report in 2020 with recommendations to the General Assembly and since that time, several bills were introduced to amend the Constitution to provide for separate confinement of juveniles from “under the age of

17” to “under the age of 18.”

H. 4151, introduced in 2025, redefined “juvenile,” and certain offenses committed by a juvenile would be remanded to family court at the discretion of the solicitor. Additional legislation filed in 2025 sought to prohibit people under 18 from being sentenced to death or life imprisonment without the chance of parole for certain crimes, but both bills failed to pass. The jail administrators and detention center facility managers request that SCAC support legislation to amend the Constitution to provide for separate confinement of juveniles from “under the age of 17” to “under the age of 18.”

Steering Committee’s Recommended Policy Position:

Support legislation to amend the Constitution to change the age of juvenile offenders from “under the age of 17” to “under the age of 18.”

Judicial

Judicial Policy Statement

The operation of the court system is a function performed by counties in their role as an arm of state government. More than 260,000 cases were pending in circuit and family courts at the end of August 2026. This workload, as well as increased demands on county judicial staff and resources, has put a strain on county government finances. The state must look at methods to address the overload in the judicial system and to stop mandating additional requirements without providing sources of funding. Counties should not be the last in line to receive their portion of fines, fees, assessments, and surcharges.

Controlled Substances: Kratom

Kratom, an herbal substance originating from a Southeast Asian tree, is often used due to its stimulant and opioid-like effects and often results in addiction or dependence in individuals that consume it. Kratom products containing concentrated or synthetic 7-hydroxymitragynine (7-OH) are widely sold in tobacco and vape stores. Although 7-OH occurs naturally in trace amounts in kratom, commercial products may contain highly potent laboratory-produced concentrations that can cause opioid-like dependence and withdrawal. The Drug Enforcement Administration announced its intention to ban 7-OH and related substances on August 5, 2026. Several states already regulate or prohibit kratom, while South Carolina and Georgia have pending legislation addressing the issue.

Act 35 of 2025 established the “South Carolina Kratom Consumer Protection Act” that established statewide requirements for the manufacture, sale, labeling, and retail display of kratom products. H. 4636 was also introduced last year to add kratom to the list of “Schedule 1 Controlled Substances” and repeal the existing “South Carolina Kratom Consumer Protection Act,” but did not pass.

Dorchester County Deputy Administrator Mario Formisano requests that the steering committee support legislation to place kratom on the list of controlled substances listed in “Schedule 1.”

Steering Committee's Recommended Policy Position:

Support legislation to classify kratom as a Schedule I controlled substance.

Deed Standardization

Several states have minimum requirements regarding the formatting of documents, such as deeds, prior to their submission. Deeds often contain many important pieces of information when filed as a part of the recording process. Because South Carolina has no uniform standard as to where this information is placed on the deed, it is often hard to find. Also, it is common that an attorney preparing the deed often fails to leave space for the deed stamps on the document, creating additional issues.

Dorchester County Register of Deeds Margaret Bailey requests that SCAC support legislation to establish some uniform standards regarding the formatting of deeds as well as a non-compliance fee if the deed does not meet the proposed statutory requirements.

Steering Committee's Recommended Policy Position:

Support legislation to establish a uniform standard regarding the formatting of deeds.

Electronic Filing Process for Warrants

Processing warrants from multiple magistrates and courts remains a manual, paper-based process that is costly and time-consuming. This often results in a continual struggle to meet deadlines for the processing of warrants. While the processing of warrants has remained a paper-based process, the state has mandated an electronic ticketing process for law enforcement for many years.

Horry County Administrator Barry Spivey requests that the steering committee support legislation to mandate an electronic filing process for warrants.

Steering Committee's Recommended Policy Position:

Support legislation to authorize an electronic filing process for warrants.

Recording of Land Records

While the South Carolina Code of Laws establishes many universal prerequisites for recording documents, the Code currently does not contain a blanket requirement that a “prepared by” clause or disclosure must be included on real estate instruments. Counties across the state often request or require this line to ensure accountability and to verify the origin of documents that are being placed on the public record.

Aiken County Register of Deeds Julie Stutts requests that the steering committee support legislation to update the Code to include a “prepared by” clause or notation on documents relating to land records that are being filed in county offices.

Steering Committee's Recommended Policy Position:

Support legislation to update the Code to include a “prepared by” clause or notation, including a name and a physical address, on documents relating to land records that are being filed and recorded in county offices.

Master-in-Equity Commission Fees

Master-in-Equity Court fees have not kept pace with rising personnel, supply, occupancy, security, and other operating costs. The current fee on land sales is generally 1% of the bid or funds passing through the court, whichever is greater. The maximum commission amount is capped at \$2,500—a limit established many years ago and not adjusted for inflation or increased property values.

Horry County Administrator Barry Spivey requests the steering committee to support legislation to raise the maximum commission from fees for the sale of land from \$2,500 to \$10,000, allowing the court to collect 1% on sales up to \$1 million and providing additional revenue to

better cover the actual costs of operating the Master-in-Equity's Office.

Steering Committee's Recommended Policy Position:

Support legislation to raise the maximum commission on fees for the sale of land from \$2,500 to \$10,000, allowing the court to collect 1% on each sale up to \$1 million, and requiring that the additional revenue be allocated to the county's general fund.

Mortgage Satisfaction Form Update

In June 2014, a standard "Satisfaction of Mortgage Form" went into effect as a result of Act No. 198 of 2014. Although recording offices appreciate that there is a standard form that can be used to satisfy mortgages, the statute does not provide a place on the form to list the name of the mortgagor(s), only the name of the mortgagee(s). Recording offices index all documents by name and many offices across the state have requested that entities filing "Satisfaction of Mortgage Forms" include the name of the mortgagor(s). Issues arise when an entity refuses to list or provide the name of the mortgagor because it is not specifically required on the form created under the statute. Additionally, the practice of providing the name of the mortgagor(s) is required on other forms such as for Attorney's Satisfaction and for Documents of Recission.

Aiken County Register of Deeds Julie Stutts and Dorchester County Register of Deeds Margaret Bailey request that SCAC support legislation to amend the current statute to require that "Satisfaction of Mortgage Forms" include a place for the name of the mortgagor(s).

Steering Committee's Recommended Policy Position:

Support legislation to amend the current statute to require that "Satisfaction of Mortgage Forms" include a place for the name of the mortgagor(s).

Recording Process for HOA Documents

Section 27-30-130(D) states that the recording of the rules, regulations, bylaws, and amendments to rules and regulations of a homeowner's association (HOA), are not subject to the requirements of witnesses and acknowledgements required under Section 30-5-30. This means that anyone can file purported HOA documents, and there is no way for a register of deeds to validate any of the information, or to ensure compliance with basic recording principles.

Dorchester County Register of Deeds Margaret Bailey requests that SCAC support legislation to amend § 27-30-130(D) to require that the recording of governing documents must be subject to the requirements of witnesses and acknowledgements under § 30-5-30.

Steering Committee's Recommended Policy Position:

Support legislation to amend § 27-30-130(D) to require that the recording of governing documents be subject to the requirements of witnesses and acknowledgements under § 30-5-30 and to require two signatures from the governing body.

Public Safety

Public Safety Policy Statement

Public safety services continue to be one of the largest budget items for South Carolina counties. Growth and changes in our communities have necessitated additional expenditures for first-responder services including fire and rescue, emergency management and response, and law enforcement at a time when staff and resources are in short supply. High incidences of crime along with implementation of homeland security safeguards at the federal and state level both have placed additional demands on law enforcement and emergency services personnel.

Continued devolvement of programs at the local level has resulted in more flexibility, but there is insufficient funding to address these critical needs.

Authorized Emergency Vehicles

As currently written, Section 56-5-170 does not include Emergency Management or Emergency Preparedness Vehicles as “Authorized Emergency Vehicles” in the state of South Carolina. Whether these vehicles are owned by a county or municipal government, they are frequently required to respond to emergencies and disasters along with police, fire, and EMS vehicles. As a result of not recognizing such vehicles as “Authorized Emergency Vehicles,” liability is created for employees and governmental entities operating these vehicles while responding to emergencies.

Spartanburg County Director of Emergency Services Doug Bryson requests the steering committee support legislation to include and formally recognize Emergency Management or Emergency Preparedness Vehicles as “Authorized Emergency Vehicles.”

Steering Committee’s Recommended Policy Position:

Support legislation to authorize counties to designate emergency management or emergency preparedness vehicles as formally recognized “authorized emergency vehicles.”

Coroner Qualifications

South Carolina is one of the only states in the country with established educational and/or experience-based qualification requirements for those running for the office of coroner. Medicolegal death investigation personnel are proud of these requirements as this profession has become more specialized, technical, research-based, and scientific. The public has also become more aware of the vital role of coroners.

SC Code Section 17-5-130 details the requirements to run for this important office. Currently, a candidate is considered qualified to run if they are:

“enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner.”

The medicolegal death investigation profession does not consider someone “enrolled” in the program to be qualified. Also, citizens expect their elected officials to be qualified at the time they take office, not within one year of being elected. Further, there is no process to confirm that an individual is “enrolled” in a program or that they complete the program within one year. There is also no consequence for those who do not follow the law by failing to complete the program within one year of being elected.

Charleston County Coroner Bobbi Jo O’Neal and Sumter County Coroner Robert Baker request that SCAC support legislation to delete the provision found in § 17-5-130(A)(2)(e) that qualifies a candidate to run if they are “enrolled” in a program. They would also like the legislation to require a background check for candidates for coroner, similar to sheriff candidates.

Steering Committee’s Recommended Policy Position:

Support legislation to amend the coroner qualifications found in § 17-5-130 by: (1) Deleting the provision in § 17-5-130(A)(2) that allows a candidate to run for coroner if they are “enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner.” (2) Adding a provision to require a candidate to submit a SLED background fingerprint check as well as a sworn affidavit along with supporting documents at the time of filing certifying that they meet the qualifications to serve as a coroner.

Final Disposition of Indigent or Unclaimed Decedents – Managed Care Facilities

This proposal addresses concerns that nursing homes and skilled rehabilitation facilities may admit patients without securing arrangements for the disposition of the individuals after their death, leaving counties responsible for the unclaimed remains and related expenses. Although these facilities receive patient income and public funding through programs like Medicare and Medicaid, counties may ultimately bear funeral and burial costs when no arrangements have been made.

Dorchester County Coroner Paul Brothers requests that the steering committee support legislation to require that all licensed nursing homes and skilled rehabilitation facilities must set up a fund to deal with unclaimed persons that die while in the care of a facility; or to require that the patient have a funded prearrangement contract on file with a funeral home and must provide a copy of the file that is to be included in the patient's record at the facility upon their admission.

Steering Committee's Recommended Policy Position:

Defer until the November meeting for additional information.

Modernizing South Carolina's "Stray Hold" Law

As currently written, South Carolina law requires shelters to hold stray animals for at least five days, and in some cases, up to 14 days, before preparing the animal for disposition. These timeframes were established in 2000 and no longer reflect the realities of modern reunification practices, including the widespread use of microchips, social media, and online lost-and-found tools. Another difficulty that county animal shelters often run into is the current requirement that a veterinarian must be present to administer rabies vaccinations. Given the lack of vets in the state, this requirement can be quite onerous.

Florence County, along with its partnership with the Charleston Animal Society, requests that the steering committee support legislation to establish a uniform 72-hour (three-day) hold period, replacing the current statutory requirements mentioned above, that will provide significant cost savings to local governments, improved animal welfare, and increased shelter capacity. Additionally, the requirement that a vet must be present for the administration of rabies vaccinations is also requested to be removed in an effort to further modernize the current statute.

Steering Committee's Recommended Policy Position:

(1) Support legislation to establish a uniform 72-hour hold period, replacing the current statutory requirements, for non-identifiable or non-microchipped animals. (2) Remove the current requirement that a veterinarian be present and directly supervise the administration of rabies vaccinations at county animal shelters.

Non-Emergency 911 Calls

Florence County often receives calls to their 911 dispatchers that are either non-emergency matters or outright false claims of an emergency. For example, someone called in complaining about a health emergency that resulted in an ambulance being dispatched and transporting the person only for them to get to the ER and walk away once they got out of the ambulance. It turns out they were simply using 911 to get an ambulance as a means of transportation. In another example, a parent called 911 because they could not get their child to get out of bed to go to school. These calls waste county resources and there should be some type of penalty to discourage them. Section 16-17-725 provides that it is unlawful for a person to knowingly make false complaints to a law enforcement officer concerning the alleged commission of a crime by another, or for a person to knowingly give false information to a rescue squad or fire department concerning the alleged occurrence of a health emergency or fire. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than \$200 or imprisoned for no more than 30 days.

Florence County Administrator Kevin Yokim requests that SCAC support legislation similar to §16-17-725 to make it a criminal offense to knowingly make a non-emergency 911 call.

Steering Committee's Recommended Policy Position:

Support legislation to make it a criminal offense to knowingly make a non-emergency 911 call.

Rights, Duties, and Powers of Deputy Sheriffs

Section 23-13-280 of the Code currently outlines the rights, powers, and duties of deputy sheriffs. Specifically, subsection (1) states any such deputy sheriff:

“Shall have, do and exercise all the rights, duties and powers prescribed by law for constables or magistrates and such powers as are usually exercised by marshals and policemen of towns and cities....”

Aiken County Attorney Bradley Farrar requests that the steering committee support legislation to amend Section 23-13-280 by striking the reference to magistrates within the current Code.

Steering Committee’s Recommended Policy Position:

Defer until the November meeting for additional information.

Working Draft

2026

**Revenue, Finance and Economic
Development
Steering Committee**



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**

Tuesday, November 10, 2026

2026 Revenue, Finance and Economic Development Steering Committee

The responsibilities of the Revenue, Finance and Economic Development Steering Committee include issues relating to the ad valorem tax system, to include assessment, collection, and administrative functions; Local Option Sales Tax and other specific authorizations for local use of sales taxes; business license taxes; service and user fees; franchise fees; State Aid to Subdivisions' Local Government Fund; lease-purchase financing; Fee-in-Lieu-of-Tax Agreements; and economic development incentive programs.

Meeting Dates

Wednesday, September 16, 2026

Tuesday, November 10, 2026

Jason Phillips

Anderson County Treasurer

Steering Committee Members*

County Representatives:

Marvin Bishop Jr., Cherokee County Administrator
Johnny Cribb, Berkeley County Supervisor/Chairman
James E. Haigler, Calhoun County Council Chairman
Dr. Roy T. Hollingsworth Jr., Hampton County Council Chairman

SCAC Board Members:

Daniel Alexander, Barnwell County Council
Benton Blount, Greenville County Council Chairman
C. David Chinnis, Dorchester County Council Chairman
Tim Harper, Dillon County Administrator
Charles T. Jennings, McCormick County Council Vice Chairman
Jessica Mackey, Richland County Council Chairwoman
Timothy Spencer, Cherokee County Council Chairman
Phillip M. Taylor Sr., Colleton County Council

President's Appointees:

Vic Carpenter, Fairfield County Administrator
Cindy Chitty, Dorchester County Treasurer
Rick Dolan, Lexington County Assessor
A. Watts Huckabee Sr., York County Council
Robert McLean, Anderson County Assessor
Gary M. Mixon, Sumter County Administrator
Brandy Roberson, Calhoun County Human Resources Director/Risk Manager
Barry Spivey, Horry County Administrator
Michelle Stanley, Chesterfield County Administrator
Anna Maria "Tab" Tabernik, Beaufort County Council Vice Chairwoman
Peter Tecklenburg, Charleston County Auditor
Brad Valentine, Union County Auditor
Kevin V. Yokim, Florence County Administrator

SCAC Staff Contact: Owen A. McBride

* As of 10/16/2026

2026 Revenue, Finance and Economic Development Steering Committee

General Statement of Policy

The South Carolina Association of Counties is committed to the concept of Home Rule. It is only by allowing the citizens of the state's counties and communities to govern themselves by electing their own local governing bodies, that local communities are able to tailor the governmental services available to each community's individual needs and wishes. An integral part of providing services for the community is the ability to both adequately fund and fund in a fair and balanced manner the services provided.

In the same manner that no two communities want or need the same services or level of services, no two communities need or want the same package of revenue-raising measures. The South Carolina Association of Counties is committed to providing a menu of revenue-raising mechanisms to ensure that local governments can provide the services and levels of service that the citizens demand and expect. By allowing each community a range of revenue-producing mechanisms, each community is better able to fund public services in a manner that is fair and balanced for that particular locality.

The South Carolina Association of Counties believes that no matter what revenue-raising mechanisms are used, the mechanisms must be fair to both the individual taxpayer and the community of taxpayers as a whole. Efficiency, manageability, and stability of the revenue sources used must also be factors in determining the proper method of funding locally-provided services.

Airplane Situs

According to South Carolina law, all aircraft housed in South Carolina are subject to property tax. The Federal Aviation Administration registered address is used to determine the county in which an aircraft is subject to tax. Pursuant to § 12-43-220(f) the statewide assessment ratio on aircraft is 10.5%, but many counties have utilized § 12-43-360 to lower this over the years. The lowest assessment ratio allowed by state law is 4%. An issue has arisen over the years where many owners will register their aircraft in one county or even state but maintain a hangar in another county or state where the aircraft may be principally located. This is especially true for airplanes used primarily for business purposes in South Carolina that are owned by out-of-state companies.

Charleston County Auditor Peter Tecklenburg requests the steering committee support legislation to remove the December 31 loophole on aircraft classified as tangible property and to provide a method to prorate the taxes due if the airplane is sold or traded during the property tax year.

Steering Committee's Recommended Policy Position:

Support legislation to create a situs element for the taxation of aircraft based on the aircraft spending a majority of its time in a South Carolina county and removing the December 31 loophole on aircraft classified as tangible property.

Annual Vehicle Registration Fees

The South Carolina Association of Auditors, Treasurers, and Tax Collectors (SCATT) asks the steering committee to support legislation to amend § 56-3-610 to apply the vehicle registration fees imposed by the Department of Motor Vehicles (DMV) annually as opposed to biennially.

Steering Committee's Recommended Policy Position:

Support amending § 56-3-610, et seq., to apply an annual vehicle registration fee by the DMV that is revenue neutral and support language requiring all counties to be compliant with the latest version of the County Issuance of Decals and Registration System.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Assessment Ratios

Previous legislative sessions have seen a major push to reduce the assessment ratio on manufacturing and business personal property and to reduce the assessment ratio on second homes and commercial property from 6 to 5%. Last year, the General Assembly provided an exemption on boats and outboard motors to effectively reduce the assessment ratio from 10.5% to 6%.

All these proposals have ramifications for both property taxpayers and local governments. To the extent that these changes reduce revenue, county and municipal governments would have to find some combination of service cuts and millage rate increases to maintain a balanced budget. Making up the difference caused by assessment ratio changes becomes even more difficult when faced with the millage cap imposed by the General Assembly.

Any increase in the millage rates would shift the tax burden to other classes of tax property, including owner-occupied residences and individual motor vehicles. Thus, the property tax relief programs adopted by the General Assembly in the past several years would be taken away. More likely, because of the millage cap, a reduction in services will become necessary should additional changes in assessment ratios take place.

Steering Committee's Recommended Policy Position:

Oppose a reduction in the assessment ratio of classes of property that would negatively impact county finances.

Auditor and Treasurer Qualifications

Anderson County Treasurer Jason Phillips requests SCAC support legislation to require certain qualifications for the office of county auditor and county treasurer. These qualifications for office include:

- (A) a four-year bachelor's degree from an accredited post-secondary institution; or
- (B) at least five years of experience as an employee in the auditor or treasurer's office in this state; or
- (C) at least 10 years of experience in the fields of law, finance, or accounting.

SCATT would also like the legislation to include a training requirement for auditors and treasurers to complete once elected or appointed. The auditor or treasurer would be required to attend a 40-hour training session that the Department of Revenue establishes, and failure to complete the

courses would result in the auditor or treasurer forfeiting \$5,000 of their state salary supplement each year for failure to complete the training.

Steering Committee's Recommended Policy Position:

Support legislation to require certain qualifications for the office of county auditor and county treasurer. These qualifications for office include:

- (A) a four-year bachelor's degree from an accredited post-secondary institution; or**
- (B) at least five years of experience as an employee in the county auditor, treasurer, or finance office in this state; or**
- (C) at least 10 years of experience in the fields of law, finance, or accounting.**

Also support requiring that an auditor or treasurer attend a 40-hour training session that the Department of Revenue establishes. Failure to complete the course would result in the auditor or treasurer forfeiting \$5,000 of their state salary supplement each year until the course is completed.

Capital Project Sales Tax Flexibility

Greenwood County Treasurer Steffanie Dorn and Florence County Administrator Kevin Yokim request that the steering committee support legislation to provide flexibility to counties in the imposition of a Capital Project Sales Tax (CPST). Specifically, they would like the steering committee to support legislation to extend the list of allowable uses of CPST revenue for purchasing capital assets such as fire trucks, ambulances, street and sanitation equipment, etc. Although § 4-10-330 allows for the purchase of new equipment, this is limited to equipment associated with the construction of new buildings. There have also been discussions regarding potential legislation that would extend the imposition time of the CPST for up to 12 years.

Steering Committee's Recommended Policy Position:

- (1) Support legislation to extend the list of allowable uses of CPST revenue for purchasing capital assets such as fire trucks, street and sanitation equipment, etc.;**
- (2) Support amending the definition of transportation facilities set out in § 4-37-30(A)(1)(a)(i) to match the definition set out in the bipartisan infrastructure law that was passed by Congress in 2021 to allow for the revenue of a local Transportation Sales Tax to be used for a broader range of projects; and**
- (3) Support legislation to extend the imposition time of the CPST to up to 12 years.**

Capital Project Sales Tax Committee

Under § 4-10-320, the governing body of a county is authorized to create a commission of six members to consider proposals for funding capital projects and to formulate the referendum question that is to appear on the ballot. The commission must be made up of three members appointed by the county and three members appointed by municipalities within the county. This often leads to the lack of a majority on project decisions and the content of the referendum.

Florence County Administrator Kevin Yokim requests that the steering committee support legislation to amend the composition of the Capital Project Sales Tax Committee to increase the number of county representatives on the committee to ensure that counties acquire a majority of the votes on the committee.

Steering Committee's Recommended Policy Position:

Support legislation to amend the composition of the Capital Project Sales Tax Committee to increase the number of county representatives to four to ensure that counties acquire a majority of the votes on the committee.

Class Action Lawsuits

Section 12-60-80 of the S.C. Code lacks clarity as to whether or not taxpayers in South Carolina are able to file class action lawsuits against taxing authorities for the refund of taxes. Aiken County Attorney Bradley Farrar requests the steering committee support legislation affirming that class action lawsuits against taxing authorities in the state for the refund of taxes are prohibited.

Steering Committee's Recommended Policy Position:

Support legislation affirming that class action lawsuits against taxing authorities in the state are prohibited.

Condemnation Notification

The current condemnation statute does not require that the condemner notify the county tax assessor of each condemnation. As a result, assessors are unaware of the need to remove the property from the tax record unless the parties reach an agreement and a deed is filed, which does trigger notification. This can lead to all types of confusion and problems down the line for the assessor and treasurer offices. Sumter County Attorney Johnathan Bryan requests that the steering

committee support legislation to require notification to the county tax assessor when property is condemned.

Steering Committee's Recommended Policy Position:

Support legislation to require notification to the county tax assessor when property is condemned. Also, support legislation to allow a county to prorate the property taxes due following a condemnation.

County Insurance Premium Taxes and Franchise Fees

Municipalities in South Carolina have the authority to impose taxes on insurance premiums, grant franchises and charge for those franchises. Section 38-7-160 allows municipalities to impose insurance premium taxes. Counties do not have this authority. Article VIII, Section 15 of the SC Constitution and § 4-9-30(11) provide counties with the authority to grant franchises in general, but exempt counties' ability to grant them or impose charges for telephone, telegraph, gas and electric utilities, or suppliers, or utilities owned and operated by a municipality. Municipalities have the authority to grant franchises for all of these activities in the Constitution and in § 5-7-30.

Horry County Administrator Barry Spivey requests the committee to support legislation allowing counties the same authority as municipalities in imposing both insurance premium taxes and franchise fees in the unincorporated areas of the county.

Steering Committee's Recommended Policy Position:

Support legislation allowing counties the same authority as municipalities in imposing both insurance premium taxes and franchise fees in the unincorporated areas of the county.

Delinquent Tax Sales Online

SCATT asks the committee to support legislation to allow counties to conduct delinquent tax sales online. Section 12-51-50 currently allows the person officially charged with delinquent tax collection to sell the property at public auction at the courthouse or other convenient place within the county.

Steering Committee's Recommended Policy Position:

Support legislation to allow counties to conduct delinquent tax sales online.

Department of Revenue Disputes

Aiken County Attorney Bradley Farrar requests that the steering committee support legislation to confirm that the Revenue Procedures Act governs disputes with local government taxing and fee-imposing authorities for such things as property taxes and road maintenance or other fees or uniform service charges. As a result, these disputes would be brought to the South Carolina Administrative Law Court. Mr. Farrar also requests that the steering committee support legislation to provide that the Administrative Law Court may not stay or prevent a political subdivision charged with the duty in the collection of taxes, from acting to collect a tax, whether the tax is legally due or not.

Steering Committee's Recommended Policy Position:

Support legislation to confirm that the Revenue Procedures Act governs disputes with local government taxing and fee-imposing authorities for such things as property taxes and road maintenance or other fees or uniform service charges. Also, support legislation prohibiting the Administrative Law Court from staying or preventing a political subdivision charged with the duty in the collection of taxes, from acting to collect a tax, whether the tax is legally due or not.

Elimination of the Penny

With pennies decreasing in circulation, the impact is already affecting county offices. Anderson County Treasurer Jason Phillips requests that the steering committee support legislation to allow counties to round to the nearest \$.05 or \$.10 on property tax notices.

Steering Committee's Recommended Policy Position:

Support legislation to allow counties to round to the nearest \$0.05 or \$0.10 on property tax notices.

Emergency Medical Technician Retirement

Aiken County Attorney Bradley Farrar requests that Emergency Medical Technicians (EMTs) be allowed to participate in the Police Officers Retirement System (PORS). Full-time firefighters were added to the PORS recently. While SCAC has not received a fiscal impact on EMTs being included into the system, there would be a significant financial burden on counties if this legislation were to be enacted.

Steering Committee's Recommended Policy Position:

Defer consideration until the November meeting for more information.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Farm Structures Tax Exemption Relief

Act 236 of 2022 included a provision adding “all farm buildings and agricultural structures owned by a producer in this State used to house livestock, poultry, crops, farm equipment, or farm supplies” to the list of exemptions from property taxes provided for in § 12-37-220(B)(14). SCAC anticipates potential legislation that would help alleviate the financial burden that this provision in Act 236 of 2022 placed on counties.

Steering Committee's Recommended Policy Position:

Support legislation that would help alleviate the financial burden that the farm exemption in Act 236 of 2022 placed on counties. Such legislation should define who qualifies as a producer in § 12-37-220(B)(14) and ensure that producers file a Schedule F with their federal income tax return to report income and expenses of their farming business. Also, support legislation to prohibit structures from qualifying for the exemption if they are used as event space for rent.

Financial Incentives

The data center debates this year sparked numerous conversations over whether counties should be able to offer incentives, specifically fee-in-lieu of property tax agreements, to data center companies. This type of rhetoric threatens the entire premise of home rule and could lead to more intrusive ideas surrounding the role that the state should play in a council's ability to attract industries to their county.

Steering Committee's Recommended Policy Position:

Support legislation to protect a county's ability to offer financial incentives to all industries, including data centers.

Heavy-Duty Truck Taxes

Per the South Carolina Constitution, all medium and heavy-duty trucks, with an empty weight of over 9,000 lbs. and/or a gross vehicle weight exceeding 11,000 lbs., are currently assessed at a ratio of 10.5% of their market value. All other personally owned vehicles, including motorcycles, are at 6%. As a result, many, if not most, personally owned trucks used as "personal motor vehicles" fall under the 10.5% assessment due to their weight. This places a burden on the taxpayers who must own these vehicles to pull their campers, cattle trailers, and boats.

Union County Auditor Brad Valentine and Anderson County Treasurer Jason Phillips request that SCAC support legislation to define personally owned vehicles to include "any personally owned vehicle under 26,000 pounds." Any vehicle 26,001 lbs. or over is already handled by DMV for tax purposes.

Steering Committee's Recommended Policy Position:

Support legislation to define personally owned vehicles to include "any personally owned vehicle under 26,000 pounds."

Homestead Exemption

Calhoun County Assessor Steve Hamilton requests SCAC support legislation to require that a qualifying dwelling for purposes of the homestead exemption also meet all requirements for the 4% special assessment ratio and be receiving the 4% special assessment ratio. In 2026, the General Assembly, by proviso, increased the exemption from the first \$50,000 to the first \$70,000. Legislation will be needed next session to codify the increase, to require legal permanent residence, and to guarantee state funding for the exemption.

Steering Committee's Recommended Policy Position:

Support legislation to codify the homestead exemption increase provided in Proviso 117.220, including language to ensure the state continues to reimburse counties for the exemption. Also, support legislation to require legal permanent residence on any property applying for the homestead exemption.

Impact Fees

Sections 6-1-910 through 6-1-2010 of the Code are the Development Impact Fee Act. The statutes contain the restrictions and procedures involved in adopting, implementing and administering a development impact fee. Currently, the impact fee statutes place cumbersome requirements on local governments, which often make it cost prohibitive to explore the possibility of implementing an impact fee. Before an impact fee ordinance may be adopted, a governmental entity must have adopted a comprehensive plan or a capital improvements plan which complies with § 6-1-960(B). Additionally, a governmental entity must prepare a report that estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the political jurisdiction of the governmental entity.

Prior to adoption of an impact fee, the governing body must enact a resolution directing the local planning commission to conduct a study and recommend an impact fee ordinance. Upon receipt of this resolution, the local planning commission has to prepare and adopt its recommendation in the same manner used in the development of recommendations for a comprehensive plan. The ordinance imposing the impact fee must be approved by a positive majority.

To help offset the economic impact of growth, Greenville County Council Chairman Benton Blount, asks the steering committee to support legislation allowing counties to make impact fees easier to impose and administer. Such legislation would give counties broader, clearer authority to assess impact fees that reflect the true infrastructure cost of new development, including public safety and transportation.

Steering Committee's Recommended Policy Position:

Support legislation allowing counties to broaden the allowable scope of impact fees, and to make them more flexible and easier to impose and administer.

Installment Purchase Revenue Bonds/Agreements

Installment Purchase Revenue Bonds (IPRB) are vital for county governments to fund public infrastructure and capital projects (such as courthouses, E911 centers, or detention facilities) that would otherwise not get funded. In 2026, several Senators introduced S. 891 which would expand the definition of financing agreements subject to constitutional debt limits to include lease purchase agreements. Further, the bill would provide that any member of a local governing body who knows or should have known that a proposed action violates the debt limits set forth under the state Constitution or enters into lease purchase agreements as an alternative to issuing general obligation bonds to fund capital projects and votes in favor of such an action would be guilty of misconduct in office.

Steering Committee's Recommended Policy Position:

Oppose legislation that threatens a county's ability to enter into Installment Purchase Agreements or subjects these agreements to constitutional debt limits.

License Plates

Florence County Administrator Kevin Yokim requests that the steering committee support legislation to require the DMV to put the name of the county where a vehicle is registered on license plates.

Steering Committee's Recommended Policy Position:

Support legislation to require the name of the county where a vehicle is registered to be placed on license plates issued by the DMV.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Local Government Fund

The Local Government Fund (LGF) is likely the oldest example of state-shared revenue intended as property tax relief. Prior to the adoption of the Home Rule Act, the legislative delegations produced the county budget, or supply bill. When property tax rates across the state began to get high or new services were being adopted across the state, a portion of an existing state tax or some increment of a new tax would be earmarked for "aid to subdivisions." Later, when the various earmarked revenue sources became increasingly difficult to predict, those sources of revenue were converted into a percentage of the State General Fund and the resulting money was called the LGF. The old statutory formula required the LGF to be funded at 4.5% of the State General Fund.

Act 84 of 2019 enacted a new formula for the LGF that mirrored the policy position taken by this steering committee that year. Under the new formula, in any fiscal year in which state general fund revenues are projected to increase or decrease, the appropriation to the LGF for the upcoming fiscal year must be adjusted by the same projected percentage change, but not to exceed five percent.

Steering Committee's Recommended Policy Position:

Support the current Local Government Fund formula with a yearly increase in the fund corresponding with the growth in the State General Fund, up to 5 percent.

Local Sales Tax Flexibility

Section 4-37-40 provides “At no time may any portion of the county area be subject to more than 1% sales tax levied pursuant to this chapter (Optional Methods for Financing Transportation Facilities), Article 3, Chapter 10 of this title (the Capital Project Sales Tax Act), or pursuant to any local legislation enacted by the General Assembly.”

This language prohibits a county from imposing more than one cent in transportation sales tax, Capital Project Sales Tax and any other sales tax authorized pursuant to local legislation combined. The Capital Project Sales Tax Act (which can be imposed for road projects) contains a similar prohibition against sales tax in excess of 1% at Section 4-10-310: “at no time may any portion of the county area be subject to more than 1% sales tax levied pursuant to this article (the Capital Project Sales Tax Act), pursuant to Chapter 37, Title 4 (the transportation sales tax), or pursuant to any local law enacted by the General Assembly.”

These sections severely limit the ability for counties to meet additional infrastructure needs, even if the citizens are willing to vote for the additional taxes necessary to provide them.

Also, Section 4-10-470(B)(4) of the S.C. Code states that “[n]otwithstanding any other provision of law, if, within a county there is imposed the Education Capital Improvement Sales and Use Tax pursuant to this section, then no other local sales tax may be imposed in that county if the subsequent imposition causes the total sales tax to exceed two percent in any portion of the county.” This provision precludes counties from raising money for an educational system that is often considered to be failing the children of this state.

Anderson County Treasurer Jason Phillips asks SCAC adopt a position allowing for county flexibility to raise revenue through local sales taxes and to give counties the ability to stack multiple local sales taxes without restrictions.

Steering Committee's Recommended Policy Position:

Support legislation to allow for county flexibility to raise revenue through local sales taxes and to give counties the ability to stack multiple local sales taxes without restrictions.

Low Income Reporting Requirements

Section 12-37-220(B)(11)(e) of the S.C. Code provides a property tax exemption for “all property of nonprofit housing corporations or instrumentalities of these corporations when the property is devoted to providing housing to low or very low-income residents” as long as the corporation or its instrumentality satisfies the safe harbor provisions of Revenue Procedure 96-32. These provisions contain income and rent requirements upon acquiring the property. There is nothing in statute that requires property owners to annually report that they continue to meet the qualifications in subsequent years after they acquire the property. Per the statute, the exemption is ongoing unless there is a change in ownership or a change in status that is reported to the Department of Revenue (DOR) by the taxpayer, residents, concerned citizens or county representatives. The General Assembly passed Act 227 of 2026 which included language prohibiting DOR from granting final approval of applications for the low-income housing exemption provided for in Section 12-37-220(B)(11)(e). DOR must hold any application filed after June 30, 2026, in abeyance. This provision should give stakeholders and members of the General Assembly time to pass legislation addressing the matter next session.

Chester County Assessor Rick Anderson is concerned that owners of highly valuable property may be taking advantage of this and are paying no property taxes on properties that have a very high tax value. He requests that the steering committee support legislation requiring yearly reporting by the property owner in order to continue receiving the above property tax exemption.

Steering Committee's Recommended Policy Position:

Support legislation requiring yearly reporting by property owners qualifying for the property tax exemption in § 12-37-220(B)(11)(e) of the Code in order to continue to receive the exemption.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Magistrates' Salaries

Section 22-8-40 provides the amount magistrates are to be paid by county governments and the salary supplements for chief magistrates. Magistrates' salaries are based on years of service, education requirements, and the population of the counties in which they serve. In counties with a population greater than 150,000, a magistrate is paid 55% of a circuit judge's salary. In counties with a population range of 50,000 to 150,000, a magistrate is paid 45% of a circuit judge's salary. In counties with a population less than 50,000, a magistrate is paid 35% of a circuit judge's salary. Proviso 117.127, in the FY 26-27 SC Appropriations Act, provides that a magistrates' salary should be calculated using the salary for a circuit judge that was in effect during FY 2018-2019. This effectively decoupled magistrates' salaries from the circuit judges' salaries and froze magistrates' salaries at FY18-19 levels. Subsequently, the legislature amended Proviso 113.3 to provide full-time magistrates with a \$10,000 salary supplement and part-time magistrates with a \$2,500 salary supplement.

Legislation has previously been introduced to provide that all magistrates be paid a base salary of 55% of a circuit judge's salary regardless of the size of the county. The bills also increased the salary supplements for full-time chief magistrates from \$3,000 to \$10,000, part-time chief magistrates from \$1,500 to \$5,000 and created two new salary supplements of \$5,000 and \$2,500 for full-time and part-time associate chief magistrates, respectively. The bills imposed a \$15 assessment on all civil filings in magistrate's court to fund the increase. The legislation also required the South Carolina Court Administration to monitor counties' compliance with funding these positions and to report to the legislature by January 20, any noncompliance. Other legislation has been introduced to increase all judges' salaries, which would increase magistrate salaries with no state funding provided. It is important that Proviso 117.127 not be deleted before a permanent statutory change is effective. Magistrates' salaries must remain decoupled from circuit judges' salaries to avoid a large and immediate fiscal impact to counties.

Steering Committee's Recommended Policy Position:

Support increasing magistrates' salaries as long as the legislation doing so is revenue positive and the salaries remain decoupled from circuit judges' salaries.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Masters in Equity Judicial Retirement

SCAC staff anticipates the Masters in Equity requesting legislation allowing them to participate in the Judges and Solicitors Retirement System (JSRS). As a result, counties with Masters in Equity would be contributing sponsors of the plan and would share the cost and financial risk with the state. With the current unfunded accrued liability of JSRS over \$240 million and the funded ratio of the system having decreased significantly, there would be a significant fiscal impact on counties if such legislation were to be enacted.

Steering Committee's Recommended Policy Position:

Oppose legislation allowing Masters in Equity to participate in the Judges and JSRS because of the increased financial burden this would place on counties.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Online Public Notice

There are several instances throughout the code requiring notice to the public of a public hearing before an action can be taken by a political subdivision. In each of these instances, the political subdivision is required to advertise the public hearing in at least one South Carolina newspaper of general circulation in the area. With almost all newspapers offering online reading and the decreasing demand for printed publications Florence County Administrator Kevin Yokim requests the steering committee support legislation allowing for online publications to meet the requirement for public notice.

Steering Committee's Recommended Policy Position:

Support legislation to allow for online publications to meet the requirement for public notice.

Property Tax System Overhaul

There has been a lot of talk on the national level and among certain states about eliminating property taxes. While currently every state has property taxes, some have significantly reduced

them over the years. North Dakota, Florida, Texas, and Pennsylvania have made significant legislative efforts to reform or even eliminate them. South Carolina continues to chip away at property tax liability, and therefore county revenue, every year. Just the past few years, we have seen the General Assembly attempt (and sometimes succeed) in reducing property tax liability on farm structures, business personal property, manufacturing property, and boat taxes. Eliminating property taxes entirely is not likely to occur soon as it would take a Constitutional amendment championed by strong and unified support from the General Assembly. However, the Senate is putting together a Property Tax Study Committee to examine our current system and put forth recommendations for the General Assembly's consideration.

Steering Committee's Recommended Policy Position:

Support legislation to protect a county's ability to collect the taxes necessary to continue to provide the services required by law.

Protection of Delinquent Taxpayers

Under Section 12-51-130 of the Code, the seller of property at a tax sale is entitled to any overage if the tax sale of an item produces more cash than the full amount due. However, due to inadequate protections in the Code, opportunists can purchase delinquent property at the last moment and claim the overage without informing the seller that there is an overage. The sellers are also vulnerable to scams such as overage "finders" where oftentimes non-attorneys act on behalf of the sellers and charge the sellers to collect the overage and people using quitclaim "jackpot" deeds to take advantage of desperate property owners who are unaware that they are entitled to the overage. There have also been cases reported across the State of people being denied the ability to pay tax bills for real property on behalf of others. In the 2026-27 budget, the General Assembly added Proviso 117.122 which states:

Notwithstanding any other provision of law, for the current fiscal year, any person including, but not limited to, individuals, corporations, associations, nonprofit organizations, or other entities may pay the property tax bill for any real or personal property located in South Carolina. County treasurers and auditors shall accept such payments made on behalf of the property owner of record without requiring proof of authorization from the owner, provided the payment includes the correct tax notice number, parcel identification number, or other sufficient identifying information as required by the county. Payment by a third-party does not confer any ownership interest, lien rights (beyond standard redemption rights under existing law), or other legal claim to the property, except as existing law may allow as to adverse possession. Counties may continue to apply standard processing, convenience fees, if any, and receipt

procedures to such payments. Nothing in this proviso authorizes or shall be interpreted to authorize a tax collector to change, update, or substitute the mailing address for subsequent tax notices unless such change is expressly requested by the property owner of record or the owner's duly authorized agent.

Aiken County Attorney Bradley Farrar requests that the committee support legislation to protect delinquent taxpayers. Such measures should include:

- (1) requiring the seller to sign a statement outlining that they are the owner of record and have been advised of their rights and entitlements with respect to any overages upon the sale of their property and that they have been made aware of their right to appeal;
- (2) allowing a public body to exempt from disclosure the identity of anyone who bids at a delinquent tax sale, unless the bidder consents in writing, until the expiration of the redemption period or until the successful bidder has received a tax title;
- (3) defining the assistance in the collection of a tax sale overage as the practice of law in South Carolina; and
- (4) allow anyone acting on behalf of the defaulting taxpayer to pay the delinquent taxes, assessments, penalties, and costs for the property being sold at any point before the property is sold to the highest bidder at the sale. Anyone other than the defaulting taxpayer who pays shall be listed as an "in care of" party in the notes page or beside the taxpayer's name.

Steering Committee's Recommended Policy Position:

- (1) Support legislation to amend § 12-51-130 to require a statement signed by the owner of record immediately before the end of the redemption period acknowledging that the owner has been advised that they are entitled to claim any tax sale overage.**
- (2) Support legislation to add § 30-4-40 (20) allowing a public body to exempt from disclosure the identity or personal identifying information of anyone who bids at a delinquent tax sale unless the bidder consents in writing to the release of such information in a manner satisfactory to the delinquent tax collector who conducted or was responsible for overseeing the conduct of the sale where the bidder's information was obtained; provided, however, that upon the expiration of the redemption period, the identity of the successful bidder of the sale at issue shall be subject to release; and**
- (3) Support legislation to add § 40-5-400 to clarify that any assistance offered or provided for a fee, consideration, or compensation to anyone in the collection of a tax sale overage shall constitute the practice of law.**

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Public Deposits in Credit Unions

Public deposits are public funds deposited in a financial institution by the treasurer of a state or local government, or any agency thereof. State and local governments deposit billions of dollars in financial institutions, primarily in banks. Credit unions want the ability to accept these deposits; however, some state credit union acts don't allow credit unions to accept public deposits, and some state laws preclude government entities from depositing funds in credit unions.

Advocates of public deposits for credit unions have asserted that credit unions carry similar levels of deposit insurance as banks; credit unions often pay higher interest rates on deposits than banks; state and local governments want and can benefit from a choice of where they deposit their funds; allowing credit unions to accept public deposits is in the public interest because it could spur competition and lead to higher earnings for public entities.

Credit unions routinely provide depositors and borrowers with substantially and sustainably more attractive interest rates (i.e., higher and lower) than commercial banks. Additionally, allowing credit unions to accept public funds could reduce deposit risk for state treasurers by spreading the risk of such deposits over a greater number of financial institutions.

The benefits of allowing public entities to deposit funds in credit unions include more than just better interest rates. There are many very small communities in the United States without a commercial bank, where a credit union is present. For public entities in these communities, the ability to deposit funds in the local credit union is of significant value. Since many of these communities are also low-income areas with special economic challenges, much of the cost of the inefficient public policy of restricting credit unions from participating in the public deposit market falls on those least able to afford it. Currently there are 25 states that have laws that expressly permit state-chartered credit unions to accept public funds. SCAC staff anticipates legislation will be introduced to allow local governments to use credit unions for public deposits.

Steering Committee's Recommended Policy Position:

Support legislation to allow local governments to use credit unions for public deposits.

Restricted Delivery Requirement

Section 12-51-40(B) requires the county treasurer or tax collector to “mail a notice of delinquent property taxes, assessments, penalties, and costs to the defaulting taxpayer and any grantee of record of the property at the address shown on the tax receipt or to an address of which the [tax collector] has actual knowledge, by ‘certified mail, return receipt requested-restricted delivery.’” Section 12-51-120 requires the treasurer or tax collector to “mail a notice by ‘certified mail, return receipt requested-restricted delivery’ to the defaulting taxpayer and to a grantee, mortgagee, or lessee of the property of record in the appropriate public records of the county.” Anderson County is currently paying \$8.40 for their certified mailers to meet these requirements. Since COVID-19, postal officials have stated that they are delivering the mail and allowing anyone to sign, thereby eliminating the need for the requirement.

Anderson County Treasurer Jason Phillips requests that SCAC support removing the restricted delivery requirement for delinquent tax mailings so that certified mail would be sufficient notification to the delinquent taxpayer.

Steering Committee’s Recommended Policy Position:

Support legislation to remove the restricted delivery requirement for delinquent tax mailings so that certified mail would be sufficient notification to the delinquent taxpayer.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Return to Work

For the last several years, the state budget has contained provisos removing the earnings limitation for the South Carolina Retirement System and the Police Officers’ Retirement System for certain retired employees to return to work. These provisos have also reduced the amount of time that an employee must be separated from employment before they can return to work. If legislation is filed again in 2027, it will likely include language relating to return-to-work earning limitations as well as language affecting the time period an employee must remain out of work before they can return to work.

Steering Committee's Recommended Policy Position:

Support legislation removing the \$10,000 earnings limitation and reducing the time an employee must remain out of work before they can return to work.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Sales Tax Exemption for Capital Purchases

Capital equipment purchased by local governments is currently subject to applicable sales taxes. Sen. Michael Johnson of York and Lancaster counties filed S. 462 in 2025 to exempt the purchase of capital equipment from sales taxes.

Steering Committee's Recommended Policy Position:

Support legislation to exempt the purchase of capital equipment from sales taxes.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Short-Term Rentals

Section 6-1-500, et al. provides that if a county imposes a local accommodations tax by ordinance, then the tax is imposed on every person engaged in the business of furnishing accommodations to transients for consideration. In recent years, several apps and websites have been developed to allow private residences to be posted online to be rented to transients for consideration. These rentals fall under the requirements of the local accommodations tax, but many of these property owners are failing to remit the tax. Additionally, the hosting sites, e.g., Airbnb, Home Away, Vrbo, etc. are refusing to collect the local taxes and remit them to the appropriate taxing authority. Staff anticipates several bills being filed in 2027 to address short-term rentals and counties' ability to collect local accommodations tax revenue from these properties.

Steering Committee's Recommended Policy Position:

Support legislation requiring the remittance of local accommodations taxes on short term rentals to counties.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

South Carolina Retirement System

County governments and their employees have participated in the state retirement system since its inception. The enabling act (Act No. 157 of 1945) creating the SCRS allowed for the inclusion of county governments as employers and their employees as participants in the system upon application to the Retirement Board. Similarly, Act No. 799 of 1962 allowed any county to become an employer under the PORS upon applying to the board and a majority vote of all persons employed as police officers by the county. County government participation in SCRS and PORS has enabled South Carolina counties and sheriffs to hire and retain excellent employees and deputies. It is important to all counties that the retirement systems remain financially strong and attractive to current and future employees.

Like the General Assembly, county budgets have been significantly impacted by the failure of the system to meet the assumed rate of return on investments. Seventy-one percent of the participating employers in SCRS are comprised of cities, counties and other local subdivisions of government. These entities employ 28% (53,532) of the active members of the system.

The statutorily mandated increases in employer and employee contribution rates have hit county governments hard. County governments' ability to raise revenue is severely limited. To a large degree, counties must rely on property taxes for general operating revenue. This stream of revenue is restricted by the millage cap contained in §6-1-320 (population plus Consumer Price Index.) Other sources of revenue have either been limited by the General Assembly (Local Government Fund) or are limited by use (for instance the Capital Projects Sales tax, or state grants.) The instability of the retirement system requires a greater allocation of property tax revenue to employee benefits, which reduces the ability for counties to improve the services they want to provide to their citizens. Additionally, static salaries combined with increasing employee retirement contributions make it difficult to hire and retain employees, also leading to a reduction in county service packages.

Steering Committee's Recommended Policy Position:

SCAC understands the dilemma facing the state with regards to the unfunded liability of the retirement system; however, any fundamental change to the system must not affect promises made to current employees and retirees in the existing state pension system. SCAC supports having county government be involved in the administration of any new system. If the state decides to go to a defined contribution plan, SCAC supports county governments being allowed to develop and operate their own independent defined contribution plan.

State Revenue vs. Local Revenue

Section 14-1-208 requires counties and cities to provide audited financial statements annually to the State Treasurer. Proviso 98.9 in FY 2025-26 state budget provides penalties for municipalities that fail to meet this requirement within 13 months of the end of the fiscal year. Under the proviso, the Treasurer must withhold all state payments to that municipality until the required audited financial statement is received. This year, the State Treasurer withheld local sales tax revenue. The Treasurer relied on an Attorney General's opinion to opine that local sales tax revenue was state revenue and therefore should be withheld. This determination by the State Treasurer could have unintended consequences and could set a dangerous precedent if not corrected.

Florence County Administrator Kevin Yokim requests that the steering committee support legislation clarifying that local sales tax revenue is local revenue and not state revenue.

Steering Committee's Recommended Policy Position:

Support legislation to clarify that local sales tax revenue is local revenue and not state revenue.

Tax Sale Advertisement

Section 12-51-40 (d) requires that property of delinquent taxpayers must be advertised for sale at a public auction and that the "advertisement must be in a newspaper of general circulation within the county or municipality, if applicable." With almost all newspapers seeing a decrease in printed publications, Anderson County Treasurer Jason Phillips asks that SCAC support legislation to allow counties to advertise the tax sale on their county website, instead of in a newspaper of general circulation.

Steering Committee's Recommended Policy Position:

Support legislation to allow counties to advertise tax sales on their county website, instead of in a newspaper of general circulation.

The following issue is likely to arise in the next session of the General Assembly and is not raised by any specific group or county.

Tort Claims Act

In the past there have been several attempts to increase the limits on damages that can be recovered from governmental entities pursuant to the South Carolina Tort Claims Act (TCA), § 15-78-10, et seq. The TCA was enacted in 1986 and waived sovereign immunity from certain torts committed by governmental entities. In the findings of the Act, § 15-78-20, the General Assembly noted that while total immunity wasn't desirable, damages owed by tortious governmental actors should be limited because the government must act for the public good. There are also the stringent financial limitations of government entities, and ultimately of taxpayers, which necessitate restrictions on damages owed. When the TCA was enacted, the limits were set at \$250,000 per individual claim and \$500,000 per occurrence. In 1988 the TCA was amended to provide a \$1 million limit for medical malpractice committed by a physician or dentist employed by a government entity. In a 1997 State Budget Part II proviso these limits were increased to \$300,000, \$600,000, and \$1.2 million, respectively. There have been several attempts over the years to further increase the limits with the several bills being introduced to increase the limits from \$300,000 to \$500,000 per individual and from \$600,000 to \$1 million per occurrence. SCAC has been successful in slowing down the bill, but the issue is likely to come up again in the upcoming session. If the limits found in the TCA were increased as proposed by the most recent bill, then that would drastically increase insurance costs for counties and could possibly force county government out of some areas in which it currently provides services.

Steering Committee's Recommended Policy Position:

Although SCAC believes the current tort claims limits are appropriate, SCAC staff will monitor any amendments and ensure county interests are protected to the greatest extent possible.

Volunteer Firefighter Retirement

Florence County would like the steering committee to support legislation to provide retirement benefits to volunteer firefighters. Full-time firefighters were added to the PORS a few years ago,

and while adding volunteers to PORS would create a significant financial burden on counties, there may be other retirement benefits that the state could offer volunteer firefighters. North Carolina offers volunteer firefighters a small pension, as well as other benefits such as a lifetime hunting license. With a shortage of volunteer firefighters across the state, incentives such as these could help counties recruit and retain volunteers.

Steering Committee's Recommended Policy Position:

Defer consideration until the November meeting for more information.



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**