



# POLICY POSITIONS *for the* 2019 SESSION

Adopted *by the* Legislative Committee  
South Carolina Association of Counties



# 2018 SCAC LEGISLATIVE COMMITTEE

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Chairman, SCAC Legislative Committee*

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Travis Windham, Council Chairman

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**SUMTER COUNTY**

James T. McCain Jr., Council Chairman

Charles T. Edens, County Council

**UNION COUNTY**

J. Frank Hart, County Supervisor/Chairman

Brad Valentine, Auditor

**WILLIAMSBURG COUNTY**

Stanley S. Pasley, County Supervisor/Chairman

W.B. Wilson, County Council

**YORK COUNTY**

Christi Cox, County Council

Robert Winkler, County Council

**POLICY POSITIONS *for the* 2019 SESSION**  
***of the* SOUTH CAROLINA GENERAL ASSEMBLY**

**ADOPTED *by the* 2018 LEGISLATIVE COMMITTEE**  
***of the* SOUTH CAROLINA ASSOCIATION OF COUNTIES**



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# **POLICY POSITIONS *for the* 2019 SESSION**

## ***of the* SOUTH CAROLINA GENERAL ASSEMBLY**

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### **CONTENTS**

#### **Legislative Policy Development Process**

General Statement.....	1
Legislative Committee and Steering Committee System .....	1
Time Line for Development of Legislative Policy .....	2
Rules and Operating Procedures.....	2

<b>Statement of Purpose.....</b>	<b>4</b>
----------------------------------	----------

#### **County Government and Intergovernmental Relations**

Steering Committee .....	6
General Statement of Policy .....	7
Policy Positions .....	8

#### **Land Use, Natural Resources and Transportation**

Steering Committee .....	12
General Statement of Policy .....	13
Policy Positions .....	14

#### **Public Safety, Corrections and Judicial**

Steering Committee .....	18
General Statement of Policy .....	19
Policy Positions .....	20

#### **Revenue, Finance and Economic Development**

Steering Committee .....	26
General Statement of Policy .....	27
Policy Positions .....	28

<b>Index to Policy Positions .....</b>	<b>32</b>
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# LEGISLATIVE POLICY DEVELOPMENT PROCESS

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## 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 29 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 75 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.

## LEGISLATIVE POLICY DEVELOPMENT PROCESS

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### TIME LINE 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.

## LEGISLATIVE POLICY DEVELOPMENT PROCESS

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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.

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## STATEMENT OF PURPOSE *for the* 2019 SESSION

### *of the* SOUTH CAROLINA GENERAL ASSEMBLY

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*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.*

**COUNTY GOVERNMENT**

**AND**

**INTERGOVERNMENTAL RELATIONS**



# COUNTY GOVERNMENT AND INTERGOVERNMENTAL RELATIONS STEERING COMMITTEE



**JOSEPH B. DILL, CHAIRMAN  
GREENVILLE COUNTY COUNCIL**

*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.*

## STEERING COMMITTEE MEMBERS

### ***County Representatives:***

Joyce Dickerson, Richland County Council Chairman  
Willard Dorriety Jr., Florence County Council Vice Chairman  
R. Tommy Dunn, Anderson County Council Chairman  
Virginia M. Dupont, Spartanburg County Attorney  
Steven C. Grice, Dillon County Council Chairman  
Ben Kinlaw, Barnwell County Council Vice Chairman  
Stanley S. Pasley, Williamsburg County Supervisor/Chairman  
A. Victor Rawl, Charleston County Council Chairman  
Lynne West, Laurens County Registration & Elections Director  
Travis Windham, Lee County Council Chairman

### ***SCAC Board Members:***

Joseph R. Branham, Chester County Council Vice Chairman  
Gonza L. Bryant, Greenwood County Council  
J. Clay Killian, Aiken County Administrator  
R. Archie Scott, Dillon County Council  
Johnnie Wright Sr., Orangeburg County Council Chairman

### ***President's Appointees:***

Mary W. Blanding, Sumter County Clerk to Council  
Mike Covert, Beaufort County Council  
Rieta Drinkwine, Union County Library Director  
Chris Eldridge, Horry County Administrator  
Samuel Lewis, Anderson County Veterans Affairs Officer  
Aline Newton, Hampton County Clerk to Council  
William P. Shanahan Jr., York County Manager  
Joan E. Winters, Chester County Attorney

**SCAC Staff Contact: M. Kent Lesesne**

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# COUNTY GOVERNMENT AND INTERGOVERNMENTAL RELATIONS

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## GENERAL STATEMENT OF POLICY

In November of 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.

## POLICY POSITIONS

### *County Government and Intergovernmental Relations*

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#### COUNTY OFFICERS AND EMPLOYEES

**Building Code Changes** – Oppose legislation that would remove the incorporation of the International Code Council building codes standards for South Carolina and oppose legislation to expand the building code adoption cycle beyond three years.

**Whistleblower Act** – Oppose legislation that would remove the \$2,000 cap on rewards when an employee's report results in public money savings and oppose any legislation that removes the requirement that an employee bring a suit for retaliatory employment discrimination within one year of their report.

**Workers' Compensation and Health Insurance Coverage for Psychological Injuries** – Oppose legislation that would amend § 42-1-160 to reduce the standard for mental-mental claims and support legislation that makes Proviso 62.23, which provides \$500,000 in the state budget for out-of-pocket mental health treatment expenses for first responders that are not covered through workers compensation claims, permanent law.

#### ELECTIONS

**Absentee Ballot Witness Signature** – Support legislation that would delete the legal requirement of a witness signature on an absentee ballot envelope.

**Early Voting** – Support legislation that would provide for no excuse absentee voting.

**Funding for Voter Registration and Elections** – Support legislation that provides for full funding to replace the voting machines and voting system in this state.

**Uniform Municipal Elections** – Support legislation to conduct all municipal elections in November of odd years and to designate quarterly dates for municipal elections.

**Updating Election Laws** – Support legislation that creates a study committee to look at reconciling the differences in the election laws found in Title 5 and Title 7.

**Voter Registration** – Support legislation to reduce the timeframe to be registered to vote in an upcoming election from thirty days before the election to twenty-five days before the election.

## POLICY POSITIONS

### *County Government and Intergovernmental Relations*

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#### GENERAL

**Freedom of Information Act** – While SCAC supports the disclosure of public records by citizens through FOIA, it opposes any legislative efforts or policies that would make FOIA exaggeratedly onerous or unreasonably costly for local government entities and taxpayers.

**Library Funding** – Support legislation for the annualization of FY 2019-2020 library funding at the per capita level of \$2.25 with a minimum grant of \$100,000 per county, support education lottery funding of \$2 million of the unclaimed prize money to be distributed on a county basis, and support funding of the State Library’s budget requests.

**Senior Citizens and Low Income Population Issues** – Support legislation that will facilitate a coordinated effort between federal, state, and local governments to address the needs of our senior and low income citizens. This would include, among other things, hiring personnel with expertise in senior and low income citizen issues to provide direction and serve as an advocate either at the COG level or through another governmental entity. Any legislative efforts should include funding so that any programs contemplated will not become yet another unfunded mandate on local governments.

#### HOME RULE

**PVC Piping** – Oppose any legislation that limits a county’s ability to determine which products are best suited for its water projects.

**Regulation of Tobacco Products** – Oppose any legislation that prohibits counties from adopting an order, ordinance, rule or regulation restricting the sale, age for purchase, distribution, advertising, sampling, promotion, display, ingredients, flavors, nicotine content, pricing or licensing of tobacco products, alternative tobacco products, and vapor products.

#### INTERGOVERNMENTAL RELATIONS

**Municipal Annexation and Adhesion Contracts** – Support legislation that would require all municipal annexation, including enclave annexation, by referendum as follows:

- Make adhesion contracts null and void.

## POLICY POSITIONS

### *County Government and Intergovernmental Relations*

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- 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.

**LAND USE,  
NATURAL RESOURCES  
AND TRANSPORTATION**



# **LAND USE, NATURAL RESOURCES AND TRANSPORTATION STEERING COMMITTEE**



**CHARLES T. EDENS, CHAIRMAN  
SUMTER COUNTY COUNCIL**

*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.*

## **STEERING COMMITTEE MEMBERS**

### ***County Representatives:***

Clinton M. Carter, Bamberg County Council Chairman  
Steven R. Harper, Lancaster County Council Chairman  
D. Thomas Johnson, Jasper County Council Chairman  
Derrick W. Jones, Saluda County Council Chairman  
Herman G. Kirven Jr., Greenville County Council Chairman  
R. Bryan McClain, Abbeville County Council Chairman  
Dr. Carolyn A. Prince, Marlboro County Council Chairman  
William E. Robinson, Allendale County Council Chairman  
W. Gene Whetsell, Colleton County Council Vice Chairman

### ***SCAC Board Members:***

John Q. Atkinson Jr., Marion County Council  
Alphonso Bradley, Florence County Council  
Paul A. Cain, Oconee County Council  
L. Gregory Pearce Jr., Richland County Council  
D. Paul Sommerville, Beaufort County Council Chairman  
Dwight L. Stewart Jr., Clarendon County Council Chairman

### ***President’s Appointees:***

James D. Armstrong, Charleston County Deputy Administrator  
Arthur Braswell, Richland County Director of Solid Waste  
Barbara B. Clark, Jasper County Council Vice Chairman  
Rose N. Dobson-Elliott, Hampton County Administrator  
Danny Knight, Horry County Solid Waste Authority Executive Director  
Phillip L. Lindler, Greenwood County Planning and Zoning Director  
Andrea N. Pietras, Charleston County Planning & Zoning Deputy Director  
Michael Smith, Richland County Building Official  
Columbus Stephens, McCormick County Administrator

**SCAC Staff Contact: Owen A. McBride**

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## **LAND USE, NATURAL RESOURCES AND TRANSPORTATION**

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### **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.**

## POLICY POSITIONS

### *Land Use, Natural Resources and Transportation*

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#### LAND USE

**C**ounties 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.

**Affordable Housing** – Support legislation providing statewide tax benefits for affordable housing to developers and landowners.

**Balcony Inspections** – Oppose legislation requiring counties to perform inspections of residential balconies.

**Highway Construction Exempt from Local Permits** – Oppose legislation exempting the S.C. Department of Transportation from obtaining local permits for highway construction projects.

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

**Plastic Bag Ban** – Oppose legislative efforts to preempt a county's ability to adopt an ordinance banning the use, sale, or taxation of auxiliary containers.

**Preemption of Land Use Measures** – Oppose legislative preemption of local zoning or other restrictions on local land use regulation.

## POLICY POSITIONS

### *Land Use, Natural Resources and Transportation*

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## NATURAL RESOURCES

***T**he 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.*

**Solid Waste Flow Control** – Oppose legislative efforts to undermine counties' authority to address their responsibilities regarding the disposal of solid waste.

**Storm Water** – Oppose any legislative efforts to shift all storm water pollution control from the Department of Health and Environmental Control to county governments without sufficient funding.

## POLICY POSITIONS

### *Land Use, Natural Resources and Transportation*

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#### TRANSPORTATION AND OTHER INFRASTRUCTURE

***A***s 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.

**Municipal Roads** – Support legislation requiring municipalities to maintain roads within the municipal limits and further define municipal limits to the half way point of the right of way.

**Road Funding** – Support legislation allowing for the selective use of tolls and capping motor carrier fees and shifting any revenue growth and out of state revenue from these fees to state roads.

**Transfer of Roads from SCDOT to Counties** – Oppose legislation that would require a mandatory transfer of roads from SCDOT to local governments.

**Utility Relocation** – Support the compromise agreed to by the public water and sewer utilities and the S.C. Department of Transportation. The compromise should include language stating that the legislation does not apply to utilities with prior rights. Also, the legislation should state an effective date which ensures that transportation projects where the costs have already been estimated and approved are not affected.

**PUBLIC SAFETY,  
CORRECTIONS  
AND JUDICIAL**



# **PUBLIC SAFETY, CORRECTIONS AND JUDICIAL STEERING COMMITTEE**



***JULIE J. ARMSTRONG, CHAIRMAN  
CHARLESTON COUNTY CLERK OF COURT***

***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.***

## **STEERING COMMITTEE MEMBERS**

### ***County Representatives:***

Steven J. Brown, Greenwood County Council Chairman  
Gary Bunker, Aiken County Council Chairman  
Hattie Burns, Chesterfield County Council  
Darroll N. Collins, Marion County Council Chairman  
Bobby C. Hudson, Darlington County Council Chairman  
James T. McCain Jr., Sumter County Council Chairman  
Johnny Morant, Georgetown County Council Chairman  
Thomas L. Paradise, Edgefield County Administrator  
W. Bryan Smith Jr., Fairfield County Council Chairman

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Lois H. Roddey, Chester County Probate Judge  
W.B. Wilson, Williamsburg County Council

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Doug Bryson, Spartanburg County Emergency Preparedness Director  
James C. Campbell, Sumter County Clerk of Court  
J. Frank Daniel Sr., Saluda County Council  
Ray Graham, Anderson County Council Vice Chairman  
Kelvin Jones, Hampton County Detention Center Director  
David W. Kerr, Lexington County Public Safety Director  
Amy McCulloch, Richland County Probate Judge  
Ronaldo D. Myers, Richland County Detention Center Director  
Timothy L. Nanney, Greenville County Register of Deeds  
Susanne D. Peeples, Hampton County Emergency Management Director

**SCAC Staff Contact: James F. Knox**

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## **PUBLIC SAFETY, CORRECTIONS AND JUDICIAL**

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### **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.**

## POLICY POSITIONS

### *Public Safety, Corrections and Judicial*

#### PUBLIC SAFETY

***E**xpenditures for public safety continue to be the largest program outlay for South Carolina counties, with increased spending of \$308 million from FY 2008-2014, representing a 22.7 percent increase. Higher incidences of crime, particularly juvenile crime, have placed demands on law enforcement for more and better services. Growth and changes in our communities have necessitated additional expenditures for fire and safety services.*

*The implementation of homeland security safeguards at the federal and state levels 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 insufficient funding to address these critical needs.*

**Body Cameras** – Strongly encourage the legislature to assist local governments with funding for law enforcement body cameras.

**EMS Personnel Liability** – Support legislation that would provide an exemption to the S.C. Tort Claims Act so that EMS providers are not subject to liability while acting in the scope of their official duties.

**Medical Marijuana** – Oppose the legalization of medicinal marijuana due to the lack of FDA approval.

**Public Embezzlement** – Support amending § 16-13-210 to provide mandatory minimum sentencing for public embezzlement and to provide that no part of the sentence may be suspended.

**Zika Virus Assistance** – Support any state funding that would assist local efforts to combat any and all mosquito borne illnesses.

**Regulation of Animal Shelters** – Oppose any legislation that would require county shelters to report to a state agency or otherwise be regulated by a state agency.

## POLICY POSITIONS

### *Public Safety, Corrections and Judicial*

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## CORRECTIONS

*N*ational jail occupancy has increased 13,384 since midyear 2013, representing a 1.8 percent increase, and South Carolina still ranked sixth in the country for the number of inmates under the age of 18 as of 2006.

*There must be an equitable relationship between the state and the counties for the growing demands of adult and juvenile incarceration. The “get tough on 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.*

**Assaults on Public Employees** – Support legislation to reinstate sections of law repealed in the Sentencing Reform Act that provided harsher penalties for assault on correctional facility employees, EMS providers, and firefighters.

**Bodily Fluids in Jails** – Support legislation that would criminalize the exposure of bodily fluids to another person by an inmate not suffering from mental health issues.

**Cell Phones in Jails** – Support legislation that would aid in the elimination of cell phone use by inmates.

## POLICY POSITIONS

### *Public Safety, Corrections and Judicial*

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#### JUDICIAL

***T***he operation of the court system is a function performed by counties in their role as an arm of state government. As of July 31, 2014, a total of 193,702 cases were pending in circuit and family courts. 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.

**Clerks of Court Carrying Firearms** – Support legislation authorizing clerks of court to carry a concealable weapon anywhere in the state, including courthouses, when carrying out their duties so long as they possess a concealed weapons permit.

**Clerks of Court and Register of Deeds Qualifications** – Support legislation requiring candidates for the offices of clerk of court and register of deeds to be at least 21 years of age, reside in the county in which they are seeking office, and possess either a bachelor's degree or 8 years' experience working in the field. Current officeholders not meeting these requirements should be grandfathered in.

**Indigent Screening** – Support legislation that provides counties with the flexibility to determine who should conduct indigency screening for the appointment of public defenders.

**SLED Case Reporting** – If the General Assembly requires the clerks of court to expedite the reporting of documents to SLED pursuant to Title 14, Chapter 17, the deadline should be a minimum of 5 business days and the reporting should be done in the Case Management System. Any court orders that do not involve case dispositions in General Sessions, but are to be reported to SLED, should be notated as such by the issuing judge or by a standard court form.

#### PROBATE JUDGES

**Abolishment of Common-Law Marriages** – Support legislation to abolish common-law marriages in South Carolina and to provide that those in existence prior to a certain date are valid if there is clear and convincing proof to the satisfaction of the court called upon to adjudicate the validity of the marriage.

## **POLICY POSITIONS**

### ***Public Safety, Corrections and Judicial***

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## **RECORDING**

**Internet Accessible Tax Lien Notices** – Support legislation that would have the Department of Revenue implement an internet accessible tax lien notice system to be used in lieu of the filing requirements with the county clerk or register of deeds.



**REVENUE,  
FINANCE AND  
ECONOMIC DEVELOPMENT**



# REVENUE, FINANCE AND ECONOMIC DEVELOPMENT STEERING COMMITTEE



**BELINDA D. COPELAND, CHAIRMAN  
DARLINGTON COUNTY**

*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.*

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Julian Burns Jr., Kershaw County Council Chairman  
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Kevin V. Yokim, Florence County Finance Director

**SCAC Staff Contact: Joshua C. Rhodes & Timothy C. Winslow**

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# **REVENUE, FINANCE AND ECONOMIC DEVELOPMENT**

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## **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 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.**

## POLICY POSITIONS

### *Revenue, Finance and Economic Development*

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**Alternative Energy Property Tax Exemptions** – While SCAC supports the use of alternative energy, SCAC opposes legislation to create statewide property tax exemptions for alternative energy as it impacts a county's ability to offer local incentives to attract these projects.

**Annual DMV Registration Fees** – Support amending § 56-3-610, et seq., to apply an annual registration fee by the Department of Motor Vehicles that is revenue neutral.

**Assessment Ratios** – Oppose legislation to decrease the manufacturing assessment ratio from 9% to 6% as it limits the county's ability to provide local economic development incentives. Oppose legislation reducing the commercial property assessment ratio from 6% to 5% because of its drastic negative impacts on local property tax revenue.

**Business License Fee Restrictions** – Support legislation to standardize the imposition and collection of business license taxes and/or fees but oppose any provisions that inhibit a county's ability to impose business license taxes and/or fees. Any legislation amending business license taxes and/or fees must be revenue neutral.

**Capital Project Sales Tax for Economic Development** – Support legislation amending § 4-10-330 to allow a Capital Project Sales Tax be imposed for economic development purposes.

**Community Development Block Grants – Disaster Recovery Funds (CDBG-DR)** – Support legislation that requires the Disaster Recovery Office to consult with the affected county governments in developing and implementing plans for the CDBG-DR funding allocated to South Carolina.

**County Budget Flexibility** – Support any legislation that provides county budget flexibility. Support legislation to allow a county to conduct a referendum for voters in the county to approve an exemption from the millage cap found in § 6-1-320 for any local government function.

**Dealer Tags** – Oppose any further reduction in the amount of vehicles required to be sold in order to receive dealer license plates.

**Dissolution of State Programs Funded by Property Taxes** – Support giving county government authority over statewide programs and/or buildings that counties are responsible for funding.

**DOR Withholding County Transportation Tax Revenue** – Oppose any legislative or regulatory attempt by the S.C. Department of Revenue to withhold any revenue derived from any locally imposed tax.

## POLICY POSITIONS

### *Revenue, Finance and Economic Development*

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**Elimination of the Tourism Expenditure Review Committee (TERC)** – Support legislation to eliminate TERC.

**Filing Business Personal Property Returns** – Oppose legislation to require all business personal property tax returns to be filed with the Department of Revenue.

**Homestead Exemption** – 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.

**Impact Fees** – Support legislation allowing South Carolina counties to make impact fees easier to impose and administer.

**Internet Sales Tax** – Support legislation requiring online retailers to remit all sales taxes to the appropriate taxing authority, including county government in the case of locally imposed sales taxes.

**Items Exempted from Local Sales Tax** – Oppose legislation that diminishes or eliminates the county's authority to accept or reject specific sales tax exemptions.

**Legal Residence for Foreign Nationals** – Support legislation to clarify the requirements for foreign nationals to receive legal residence.

**Legal Residence when Separated** – Support legislation to amend § 12-43-220(c) to reflect the appropriate separation language when couples are separated.

**Local Government Fund** – Support amending the Local Government Fund Formula to set the base funding level at \$223.2 million with a yearly increase in the fund that corresponds with the growth in the State General Fund up to 5%. Also, standardize a list of state mandates that all counties are responsible for in order to quantify the need for the LGF.

**Local Option Infrastructure Funding Limitations** – Support legislation allowing for an overlay of the various infrastructure pennies, allowing for an additional penny to be added to these authorizations, or both.

**Magistrates' Salaries** – Support increasing magistrates' salaries as long as the legislation doing so is revenue positive.

## POLICY POSITIONS

### *Revenue, Finance and Economic Development*

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**Millage Cap Opt-Out** – Support legislation to allow a county to opt out of the millage cap limitation found in § 6-1-320.

**Mobile Home Titles** – Support legislation to require mobile homes to be titled similarly to vehicles.

**Multi-family Dwelling Recycling Systems** – Support legislation requiring recycling facilities at new or significantly remodeled multi-family and high-rise buildings if accommodations are made for solid waste disposal.

**Municipal Capital Projects Sales Tax** – Oppose legislation creating a Municipal Project Sales Tax.

**Out-of-State License Tags** – Support legislation to ensure that nonresidents pay their property taxes upon establishing a domicile in this state or operating a vehicle for more than 150 days in South Carolina.

**Penalty for Failing to Register a Motor Vehicle** – Support increasing the penalty for failing to register a motor vehicle from \$100 to \$1,000 and provide that all violations of the registration requirements be heard in summary court.

**Private Residence Vacation Rentals** – Support legislation to require short-term residential rental services to collect and remit all local taxes to the appropriate local taxing authority, including the local accommodations tax.

**Professional Licenses for Military Personnel and their Spouses** – Support legislation that allows active duty military personnel and their spouses to be exempt from state occupational licensing requirements if they maintain a valid occupational license in another state.

**Publicly Owned Buildings** – Support legislative efforts to provide incentives to local governments for developing and implementing environment-friendly sustainability policies relative to the management of publicly owned facilities and the building of new facilities.

**South Carolina Retirement System** – 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.

## POLICY POSITIONS

### *Revenue, Finance and Economic Development*

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**State Health Plan Employer Premiums** – SCAC supports legislation requesting PEBA to reevaluate the three categories for experience rating under the State Health Plan, expanding the small group classification from 100 covered lives to 150 covered lives.

**Taxation of Private Aircraft** – Support legislation that would subject private aircraft to the same property tax situs requirements as boats in South Carolina.

**Tiny Homes** – Support legislation that would standardize the treatment of tiny homes for taxation, inspection, and code enforcement.

**Tort Claims Act** – 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.

**Voting Machine Funding** – Support legislation that provides for full funding to replace the voting machines and voting system in this state.

# INDEX

## A

Affordable Housing .....	14
Aircraft.....	31
Alternative Energy Property Tax Exemptions .....	28
Animal Shelters .....	20
Annexation .....	9
Assessment Ratios .....	28,

## B

Balcony Inspections.....	14
Body Cameras .....	20
Building Code.....	8
Business License .....	28
Business Personal Property .....	29

## C

Capital Project Sales Tax.....	28
Clerks of Court .....	22
Community Development Block Grants .....	28
Corrections.....	21

## D

Dealer Tags.....	28
Department of Revenue.....	23, 28, 29

## E

Elections .....	1, 6, 8
-----------------	---------

## F

Flow Control.....	15
Freedom of Information Act.....	9

## H

Homestead Exemption .....	29
---------------------------	----

## I

Impact Fees .....	29
Indigent Screening .....	22
Infrastructure.....	16

## J

Jails .....	21
Judicial .....	22

## L

Legal Residence.....	29
Library Funding .....	9
Local Government Fund.....	26, 29
Lot Cleanup.....	14
Low Income .....	9

## M

Medical Marijuana.....	20
Military .....	30
Mobile Home .....	30

## P

PEBA .....	31
Permits .....	14
Plastic Bag Ban .....	14
Probate Judges .....	22
Professional Licenses.....	30
property tax .....	4, 28, 29, 31
Public Safety .....	20
PVC Piping .....	9

## R

Recording.....	23
Recycling .....	30
Register of Deeds.....	22
Retirement.....	30, 35, 37

## S

Sales Tax.....	26, 28, 29, 30
----------------	----------------

## INDEX

Senior Citizens.....	9
SLED.....	22
State Health Plan .....	31
Storm Water.....	15

---

### *T*

Tiny Homes .....	31
Tobacco .....	9
Tort Claims Act.....	20, 31
Tourism Expenditure Review Committee.....	29
Transportation.....	16
Transportation Tax .....	28

---

### *U*

Utility Relocation .....	16
--------------------------	----

---

### *V*

Vacation Rentals .....	30
Voting Machine .....	31

---

### *W*

Whistleblower Act .....	8
Workers' Compensation .....	8

---

### *Z*

Zika Virus .....	20
------------------	----

## ***What is SCAC?***

The South Carolina Association of Counties was chartered on June 22, 1967, and is the only organization dedicated to statewide representation of county government in South Carolina. Membership in SCAC includes all 46 counties, which are represented by elected and appointed county officials dedicated to improving county government. SCAC is a nonpartisan, non-profit organization which operates with a full-time staff in its Columbia offices. It is governed by a 29-member Board of Directors composed of county officials from across South Carolina, selected by county officials at the Association's Annual Conference. The Association strives to "*Build Stronger Counties for Tomorrow*" by working with member counties in the fields of research, information exchange, educational promotion, and legislative reporting.

## **SCAC STAFF**

**Michael B. Cone, Executive Director**

**Robert E. Lyon Jr., Deputy Executive Director and General Counsel**

Timothy C. Winslow, Executive Director-Elect

Joshua C. Rhodes, Deputy General Counsel

Tish F. Anderson  
Deputy Director of Administrative Services

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Director of Risk Management Services

Anna B. Berger, Director of Research and Training

Sharon D. Berkowitz, Special Program Asst. Coord.

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H. Warren Counts Jr., CPA, Controller

Caroline Deevey, CIC, AAI, CISR, CRIS, INS  
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Alexander W. Smith, Staff Attorney

Ryan C. Tooley, Special Projects Coord.

Susan B. Turkopuls, Senior Research Associate

Rick K. Ucinski, Field Representative

Mary E. Williams, Administrative Assistant



# ... Building Stronger Counties for Tomorrow

## CONFERENCES

SCAC provides many opportunities for county officials to meet and learn, among them:

**Mid-Year Conference** — Held in late winter in Columbia, this conference enables all county officials to become better informed about the Association's legislative program. The Association also hosts a reception for all members of the legislature during the conference.

**Annual Conference** — Held in August, this event is open to all elected and appointed officials. The conference includes a business session, general session, workshops, group meetings, and exhibits of county products and services.

**Legislative Conference** — Held in December, this conference allows members of the Legislative Committee to discuss and adopt a legislative program for the upcoming year. The committee is composed of each council chairman and members of the Association's Board of Directors.

## EDUCATION

The Association, in cooperation with the Joseph P. Riley Jr. Center for Livable Communities at the College of Charleston and the Strom Thurmond Institute at Clemson University, conducts an Institute of Government for County Officials (Levels I, II, and Advanced). This certificate program helps county officials enhance their skills and abilities. Courses are offered at the Annual and Mid-Year Conferences and at the County Council Coalition Meeting in the Fall.

SCAC sponsors a number of continuing education webcasts for county officials and employees throughout the year at no charge to counties. Within a few weeks after the training is broadcast live, county officials and employees are able to access the session as a video on demand via <http://www.sccounties.org>.

## FINANCIAL SERVICES

SCAC offers a number of financial services to its member counties. The Association sponsors two self-funded insurance trusts, designed specifically to meet the needs and requirements of local government agencies, including the Workers' Compensation Trust and the Property & Liability Trust.

SCAC also participates with Tax Management Associates, Inc. to provide property tax audit and discovery services for county business personal property and residential property tax programs.

SCAC and the National Association of Counties are sponsors of U.S. Communities, the leading national government purchasing cooperative. U.S. Communities offers counties access to competitively-solicited contracts with national suppliers. SCAC also created a new purchasing program in cooperation with Forms and Supply, Inc. to offer substantial discounts for routine office supplies and forms.

GovDeals provides a platform for counties to sell non-essential equipment and other surplus assets via internet auction. The primary benefits of using GovDeals are increased revenue, reduced asset depreciation, and reduced storage costs.

## LEGAL ASSISTANCE

SCAC provides legal assistance to county governments by rendering legal opinions, drafting ordinances, preparing amicus briefs, and consulting with other county officials. The Association provides support to counties involved in litigation which might affect other counties. It also sponsors the Local Government Attorneys' Institute which provides six hours of continuing legal education for local government attorneys.

## LEGISLATIVE INFORMATION

The S.C. General Assembly convenes each January in Columbia and adjourns sine die in May. One in every four bills introduced affects county governments. SCAC monitors each bill as it is introduced and keeps its members up-to-date on all legislative activity with a weekly *Friday Report*. The Association also dispatches Legislative Action Alerts and publishes *Acts that Affect Counties*.

## PUBLIC INFORMATION

SCAC publishes an annual *Directory of County Officials* listing addresses and telephone numbers of county offices and their elected and appointed officials. The Association also publishes *Carolina Counties* newsletter five times per year to keep the Association's membership informed about legislation and county news. *County Focus* magazine is published four times a year and features articles about county trends, innovation, and other subjects of interest to county officials — including a "County Update" section.

## RESEARCH AND TECHNICAL ASSISTANCE

SCAC provides research and technical assistance in many areas to those counties which request it. The Association's staff annually responds to hundreds of inquiries from county officials ranging from simple requests for a sample ordinance to more complex questions requiring considerable research. The Association also develops technical research bulletins and conducts surveys on a variety of subjects. Regular publications such as the *Annual Wage and Salary Report*, *Acts that Affect Counties*, *Home Rule Handbook*, *Handbook for County Government in South Carolina*, and *Case Law Affecting Local Government* are made available to county officials.

The SCAC website provides county officials with the latest information on SCAC programs, services, and meetings as well as legislative information, research and survey results, and links to other local government resources. Visit the Association's website at: <http://www.sccounties.org>.

## SETOFF DEBT PROGRAM

Counties are able to collect delinquent emergency medical services debts, magistrate and family court fines, hospital debts, as well as other fees owed to the counties through SCAC's Setoff Debt Collection Program. Debts are submitted through the Association to the S.C. Department of Revenue to be matched with income tax refunds. The debt is deducted from a refund and returned through SCAC to the claimant.



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