



SOUTH CAROLINA
ASSOCIATION OF COUNTIES

Acts That Affect Counties 2024



FOREWARD

2024 Acts That Affect Counties is an annual report to the membership designed to provide county officials with a good place to begin a search for new law. This publication generally contains a brief description of those acts passed during the 2024 Session of the South Carolina General Assembly that affect county government operations. This publication is not designed to be the final word on laws passed in the 2024 session. It is important to consult your county attorney when you have a question regarding the law.

2024 was the second half of the two-year 125th General Assembly. Any legislation that did not pass before the end of the 2024 session will need to be filed again in the 2025 session to be considered. The General Assembly reconvenes in January 2025.

The acts in this report are generally listed in ascending order by ratification number. Each new act is entitled by its assigned act number. Underneath and to the left of the act number are two different citations: the ratification number and a Senate or House bill number. Since the act number is permanent, citing to that number is the proper reference when drafting ordinances pursuant to an act, e.g. Act No. 1 of 2024. Underneath and to the right of the act number is the effective date of the act.

The **Table of Contents** that immediately follows lists all the legislation contained in this publication by act number, ratification number, and Senate/House bill number to allow you to quickly find a piece of legislation, no matter which number you may have as a reference.

The appendix at the end of this publication lists the acts related to voting precinct designations, special purpose districts, and school districts.

TABLE OF CONTENTS

Act No. 103—ESG Pension Protection Act (R. 104, H. 3690).....	1
Act No. 104—Certificate of Franchise Authority (R. 105, H. 3782)	1
Act No. 109—Illegal Immigration Enforcement Unit (R. 110, H. 4120)	1
Act No. 111—South Carolina Constitutional Carry Act of 2023 (R. 121, H. 3594).....	1
Act No. 116—Disabled Veterans Property Tax (R. 120, H. 3116).....	2
Act No. 117—Working Agricultural Lands Preservation (R. 122, H. 3951)	3
Act No. 120—SC Telehealth and Telemedicine Modernization Act (R. 125, H. 4159).....	3
Act No. 122—Camp Lejeune Water Contamination Litigation (R. 130, S. 845)	3
Act No. 125—Recreational Trail Easement Income Tax Credit (R. 139, H. 3121)	3
Act No. 128—Seizure Safe Schools Act (R. 143, H. 3309)	4
Act No. 131—Sales Tax Exemption for Feminine Hygiene Products (R. 146, H. 3563).....	4
Act No. 133—Auditor Endorsement of Deeds (R. 148, H. 3608)	4
Act No. 134—Industry Partnership Fund Tax Credit (R. 149, H. 3811).....	4
Act No. 137—Captain Robert Johnson Act/Cellphones in Prisons (R. 152, H. 4002).....	4
Act No. 138—Antisemitism (R. 145, H. 4042)	5
Act No. 139—Ambulance Assessment Fees for Private Ambulance Services (R. 154, H. 4113).....	5
Act No. 141—Greenville Technical College Area Commission (R. 156, H. 4349)	5
Act No. 142—Unclaimed Remains of Veterans (R. 157, H. 4376).....	6
Act No. 153—State Veterans’ Cemeteries (R. 169, H. 4953).....	6
Act No. 220—Law Enforcement and Judicial Personal Privacy Protection (R. 245, H.3865).....	6
Act No. 222—Income Tax Credits (R. 247, H. 4087).....	6
Act No. 225—Commercial Decks or Marinas in Critical Areas (R. 251, H. 4843)	7
Act No. XX—Appropriations and Budget Provisos (R. 252, H. 5100).....	7
Joint Resolution—Voter Qualifications (R. 136, S. 1126)	21

Appendix A—Voting Precincts

Act No. 115—Oconee County (R. 118, S. 801).....	1A
Act No. 123—Barnwell County (R. 132, S. 971).....	1A
Act No. 150—Lancaster County (R. 166, H. 4909).....	1A
Act No. 152—Pickens County (R. 168, H. 4937)	1A

Appendix B—Special Purpose Districts

Lancaster County Natural Gas Authority (R. 167, H. 5395).....	2A
Fairmont-Larkin Area Recreation Commission (R. 114, S. 410).....	2A
Hartsville Community Center Building Commission (R. 138, S. 1285).....	2A

Appendix C—School Districts

Clarendon County School District (R. 116, S. 738).....	3A
Jasper County School District Board of Trustees (R. 117, S. 782)	3A
Florence School District 3 (R. 126, H. 4868)	3A
Dorchester County School Board District 4 (R. 127, H. 4876)	3A
Newberry County School District (R. 131, S. 916).....	3A
Greenwood County School District 50 (R. 133, S. 972).....	4A
Aiken County School Board (R. 134, S. 1025).....	4A
Anderson County School District (R. 172, H. 5153).....	4A
Kershaw County School District (R. 173, H. 5168)	4A
Bamberg County School District (R. 174, H. 5231)	4A
Saluda County School Board (R. 175, H. 5267)	5A

ACT NO. 103—ESG Pension Protection Act

R. 104, H. 3690

Effective Date: February 5, 2024

This Act amends the South Carolina Code of Laws by enacting the “ESG Pension Protection Act.” The Act amends § 9-16-10, relating to retirement system funds definitions, to add a definition of “pecuniary factor” and amends § 9-16-50 and § 9-16-30(G) to specify that the Retirement System Investment Commission (RSIC) may only consider pecuniary factors when making investment decisions on the retirement system. Section 3 of the Act amends § 9-16-30(G) to require RSIC to retain the authority to exercise shareholder proxy rights for shares that are owned directly or indirectly on behalf of the system. Finally, the Act adds § 9-16-110 to grant the Attorney General’s Office the authority to bring an action to enforce the provisions of Chapter 16 of Title 9.

ACT NO. 104—Certificate of Franchise Authority

R. 105, H. 3782

Effective Date: February 5, 2024

This Act amends § 58-12-300 to modify the definitions of “cable service” and “video service,” to exclude streaming services, in relation to state-issued certificates of franchise authority. The Act also amends § 58-9-2200(2) to modify the definition of “retail telecommunications service,” related to municipal charges to telecommunications providers, to specifically exclude video programming assessed via the internet, including streaming video content, from the definition.

Act No. 109—Illegal Immigration Enforcement Unit

R. 110, H. 4120

Effective Date: February 5, 2024

This Act adds § 23-3-80 to create the “Illegal Immigration Enforcement Unit” within the South Carolina Law Enforcement Division (SLED). The unit was previously housed within the Department of Public Safety (DPS). Section 23-3-80 also requires SLED to negotiate the terms of a memorandum of agreement with the United States Immigration and Customs Enforcement Agency as soon as possible. The unit will be funded annually through the General Appropriations Act as a specific appropriation to the Illegal Immigration Enforcement Unit, separate and distinct from SLED’s other appropriations. Nothing in the Act may be construed to prevent other law enforcement agencies of the state and political subdivisions of the state, including local law enforcement agencies, from enforcing immigration laws as authorized pursuant to federal and state laws. Lastly, SLED must develop an illegal immigration enforcement training program and make the program available to all local law enforcement agencies to assist any local law enforcement agency wishing to use the program in the proper implementation, management, and enforcement of applicable immigration laws.

Act No. 111—South Carolina Constitutional Carry Act of 2023

R. 121, H. 3594

Effective Date: March 7, 2024

Section 1 enacts the “South Carolina Constitutional Carry/Second Amendment Preservation Act of 2023.” Sections 2 and 3 amend § 10-11-320(B) and § 16-23-20 to remove the requirement that a person must possess a concealed weapon permit (CWP) to carry or store a firearm in certain locations. It is unlawful—whether or not a person has a CWP—to carry any handgun (concealed or not) into: law enforcement, correctional, or detention facilities; courthouses, courtrooms, or other publicly owned buildings, whether owned by the state, a county, a municipality, or other political subdivision, where court is held and during the time that court is in session; polling places on election days; and offices of or business meetings of the governing body of a county, public school district, municipality, or special purpose district. The restrictions do not apply to, among other persons, regular, salaried law enforcement officers or reserve police officers of a state agency, municipality, or county, or employees of a law enforcement facility, correctional facility, detention facility, or courthouse while in the course

of employment and where the employment requires the possession of a firearm. Section 4 of the Act amends § 16-23-50(A)(2) to provide the penalties for unlawful possession of a firearm or ammunition by a person in prohibited locations.

Section 5 amends § 16-23-55(C) and (D), dealing with the return of handguns to individuals who find and turn over handguns, allowing law enforcement to retain and dispose of a firearm in certain circumstances. Section 9 of the Act amends § 23-21-215(K), (M), (O), and (U) to require firearm, rifle, or shotgun owners who suffer the loss or theft of such weapon to report, within 10 days, the loss or theft of each weapon to the appropriate law enforcement agency.

Section 13 of the Act amends § 23-31-600(D) to prohibit the carrying of a concealed weapon into the residence or dwelling of another person without the expressed permission of the owner or person in legal control or possession of the premises. Section 16 amends § 16-23-500 to expand the penalty schedule for unlawful possession of a firearm or ammunition by a person convicted of a crime punishable by a maximum term of imprisonment of more than one year. Section 17 amends § 22-5-910 to enable certain persons convicted of a first offense for unlawful possession of a firearm or weapon to apply for expungement of their records.

Section 18 of the Act amends § 23-31-240 to allow active county clerks of court, who possess a valid CWP, to carry a concealed weapon anywhere within the state. Section 19 adds §23-31-245 to provide that a person openly carrying a weapon in accordance with the Act does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person. However, the Act does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. Section 20 adds § 17-1-65 to allow a person to apply for an expungement of one conviction for unlawful possession of a handgun if the conviction occurred prior to the enactment of the Act as long as the application is made within five years. Section 21 adds § 23-31-215 to require SLED to provide a statewide concealed weapon permit training course, free of charge, in every county in South Carolina at least twice per month. Section 22 adds § 16-23-495 to provide enhanced penalties for committing or attempting to commit a crime involving a concealable weapon in violation of the Act. Finally, Section 23 amends § 23-31-215(A) to lower the age of a person able to receive a CWP from 21 to 18.

Act No. 116—Disabled Veterans Property Tax

R. 120, H. 3116

Effective Date: See Below

Section 1 of this Act amends § 12-37-610(B) to allow a veteran of the U.S. Armed Forces who is permanently and totally disabled because of a service-connected disability to claim the homestead exemption immediately, instead of the following tax year. Surviving spouses may also claim the exemption in the same manner as the veteran, regardless of whether the veteran applied, filed, or claimed the exemption.

Section 2 amends § 12-37-220(B)(1)(f)(iii) to clarify that the homestead exemption also applies to the qualified surviving spouse of an eligible owner, regardless of whether the deceased spouse applied, filed, or claimed the exemption.

Section 3 amends § 12-37-220(B)(3) to expand the current private passenger vehicle property tax exemption for a disabled veteran to specify that a vehicle that is held in trust for and used by an individual who would otherwise qualify for the exemption is also exempt from property taxes.

Sections 1 and 2 take effect March 11, 2024, and apply to tax years beginning after 2023 and any open period less than three years. Section 3 takes effect March 11, 2024, and applies to tax years beginning after 2023.

Act No. 117—Working Agricultural Lands Preservation

R. 122, H. 3951

Effective Date: March 11, 2024

This Act amends § 48-59-40 of the Code of Laws to increase the number of board members governing the South Carolina Conservation Bank from 14 to 17. The three additional members shall include the Commissioner of Agriculture, the Secretary of Commerce, and the Secretary of Transportation, or their respective designee.

This Act also adds § 48-59-150 to establish the Working Farmland Protection Fund. The purpose is to provide permanent protection to working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of the agricultural economic sector. The Conservation Bank must use the Fund only for the purpose of awarding grants to eligible trust fund recipients for the purchase of interests in farmland on which a landowner derives at least 50% of his income. Balances in the Fund must be retained and carried forward annually and any interest earned on balances in the Fund must be credited to the Fund.

Act No. 120—SC Telehealth and Telemedicine Modernization Act

R. 125, H. 4159

Effective Date: March 11, 2024

This Act adds § 40-42-10 et seq. to the Code of Laws to establish the “South Carolina Telehealth and Telemedicine Modernization Act.” This Act defines necessary terms and provides requirements for certain regulated health care professionals who provide health care by means of telehealth except for additional or more specific standards provided in a licensee’s respective practice act. This Act also amends several other sections within Title 40 of the Code to further define telehealth, telemedicine, and to update provisions related to the various practice acts of medical professionals authorized to provide telehealth services.

Act No. 122—Camp LeJeune Water Contamination Litigation

R. 130, S. 845

Effective Date: May 13, 2024

This Act amends § 62-3-108 of the South Carolina Probate Code to allow an informal probate or appointment proceeding or formal testacy or appointment proceeding to be maintained in relation to the estate of an individual for the sole purpose of allowing a claim to be made pursuant to Section 804 of the “Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022,” United States Public Law 117-168, as amended, regardless of the date of that individual’s death

Act No. 125—Recreational Trail Easement Income Tax Credit

R. 139, H. 3121

Effective Date: See Below

This Act adds § 12-6-3810 to the Code of Laws to create an income tax credit to a property owner who encumbers his property with a perpetual recreational trail easement and right of way. The easement and right of way must be held by a county, municipality, or special purpose district within the state or by a Land Trust Alliance, accredited land trust, and must be recorded with the appropriate Register of Deeds. The easement must also include an agreement with the county, municipality, or land trust to grant access to the general public and address improvements to the trail, which could include pavement or soft-surface trails and maintenance. The trail must provide a connection between a regional trail system plan and a local or regional attraction or point of interest. To receive the credit, the taxpayer shall claim the credit on his income tax or withholding return in a manner prescribed by the Department of Revenue (DOR). The maximum amount of tax credits allowed to all qualifying taxpayers pursuant to this section may not exceed \$1 million for each calendar year. This Act takes effect on May 13, 2024, and applies to income tax years beginning after 2023. This Act is repealed on January 1, 2029, and is no longer effective for any income tax year after 2028.

Act No. 128—Seizure Safe Schools Act

R. 143, H. 3309

Effective Date: July 1, 2025

This Act adds § 59-10-215 to the Code of Laws to establish the “Seizure Safe Schools Act.” This Act requires each school district and charter school to adopt a seizure training program that provides instruction in understanding the basics of epilepsy and its impact on student learning, recognizing signs and symptoms of seizures, appropriate responses to seizures, and the proper administration of seizure medications. The training may be provided virtually or in person by district staff or by an individual trained to deliver such information. The school district or charter school must document the completion of this training program. This Act also amends § 59-63-80, relating to individual health care plans (IHP) for students with special health care needs, to include definitions for an emergency action plan and a seizure action plan. A school district and its employees or agents are not liable for any injury arising from an administration of medication authorized by an IHP and the parent or guardian must indemnify and hold harmless the district and its employees or agents against such claims.

Act No. 131—Sales Tax Exemption for Feminine Hygiene Products

R. 146, H. 3563

Effective Date: May 13, 2024

This Act adds § 12-36-2120(84) to exempt the gross proceeds of sales, or sales price of feminine hygiene products from sales tax.

Act No. 133—Auditor Endorsement of Deeds

R. 148, H. 3608

Effective Date: May 13, 2024

This Act amends § 12-39-260(A) and repeals § 30-5-80 to eliminate the requirement that any deed of conveyance of real property must be endorsed and recorded by the county auditor before the deed can be recorded in the office of the clerk of courts or register of deeds. The Act also repeals § 8-31-130 to eliminate the associated county auditor fee of \$0.25 for making such endorsements. Finally, the Act prescribes that all conveyances of real estate recorded by a clerk of court or register of deeds that meet the statutory prerequisites for recording are to be valid and binding, even without the endorsement of the county auditor.

Act No. 134—Industry Partnership Fund Tax Credit

R. 149, H. 3811

Effective Date: May 13, 2024

This Act amends § 12-6-3585(A), relating to the Industry Partnership Fund Tax Credit, to increase the total amount of tax credits that may be issued from \$9 million to \$12million for tax years after 2022.

Act No. 137—Captain Robert Johnson Act/Cellphones in Prisons

R. 152, H. 4002

Effective Date: May 14, 2024

This Act adds § 24-3-980 et seq. to provide that it is unlawful for an inmate under the jurisdiction of the Department of Corrections to possess a cell phone or any other type of telecommunication device unless authorized by the director of the Department. Any person violating this provision, upon conviction, is guilty of a misdemeanor and must not be imprisoned for not more than one year. For a second and subsequent offense, the person is guilty of a felony and must be imprisoned for not more than five years. If a judge or finder of fact finds beyond a reasonable doubt that a violation of this provision was the proximate cause of any subsequent felony offense, the person is guilty of a felony and must be imprisoned no more than 10 years.

Act No. 138—Antisemitism

R. 145, H. 4042

Effective Date: May 13, 2024

This Act adds § 1-1-1710 to the Code of Laws to establish the statutory definition of antisemitism, which includes the definition adopted on May 26, 2016, by the International Holocaust Remembrance Alliance (IHRA), contemporary examples of antisemitism identified by the IHRA, and does not include criticism of Israel similar to that leveled against any other country. The Act also specifies that courts or other relevant authorities must apply the same legal standard to an alleged act of antisemitism as applicable to similar claims of discrimination under state laws protecting civil rights.

Act No. 139—Ambulance Assessment Fees for Private Ambulance Services

R. 154, H. 4113

Effective Date: May 13, 2024

This Act adds § 44-6-1110 et seq. of the Code of Laws to provide that the Department of Health and Human Services (DHHS) may charge a uniform ambulance assessment fee to an “ambulance service.” “Ambulance service” is defined as any entity under Section 44-61-20, which is currently certified or licensed by the Department of Health and Environmental Control (DHEC) pursuant to Chapter 61, Title 44, but does not include a municipal fire or police department or any other county, district, municipality, or metropolitan government or agency that provides emergency medical services, including entities that exclusively provide air ambulance services and providers that are required to pay indigent care assessment tax pursuant to the South Carolina Medically Indigent Assistance Tax. The uniform ambulance assessment fee charged by DHHS must be equal to the product of the ratio of the ambulance service’s net revenue to all ambulance services’ net revenue statewide multiplied by the total ambulance services assessment amount. DHHS may impose a penalty of up to 5% of the fee for any ambulance service that fails to pay the fee within the time period required by the Department for each month, or a fraction thereof, if the fee is overdue.

The Act also establishes the Ambulance Fee Trust Fund within the State Treasury that is separate and distinct from the state’s general fund in which earnings and interest within the Fund must be credited to it with any remaining balances to be carried forward in the succeeding fiscal year. The amounts in the Fund must be provided to DHHS solely for Medicaid payments to ambulance services as provided in Section 44-6-1130 and must not be expended for any other purpose. The ambulance assessment program must be used to supplement, not supplant, general fund appropriations to support ambulance services reimbursements as of the Act’s effective date.

Act No. 141—Greenville Technical College Area Commission

R. 156, H. 4349

Effective Date: May 13, 2024

This Act amends § 59-53-1500 of the Code of Laws relating to the Greenville Technical College Area Commission to revise residency requirements and updates the absence policy for members of the Commission which serves as the governing body of Greenville Technical College. The Act also removes obsolete references and provides for the appointment of commission members following any redistricting of election districts in the South Carolina House of Representatives.

Act No. 142—Unclaimed Remains of Veterans

R. 157, H. 4376

Effective Date: May 13, 2024

This Act amends several provisions in Chapter 12, Title 25 of the Code of Laws and § 17-5-590 relating to the disposal of unclaimed human remains of a deceased veteran. The Act requires that a coroner must release the human remains that have been identified and determined to be those of an unclaimed veteran to a funeral home, a funeral establishment, or mortuary for disposition.

Act No. 153—State Veterans' Cemeteries

R. 169, H. 4953

Effective Date: May 13, 2024

This Act amends § 25-11-80 of the Code of Laws to remove residency requirements for a veteran to qualify for a plot in a state veterans' cemetery. As a result, a veteran or their immediate family member would qualify for burial at a state veterans' cemetery if the veteran received an honorable discharge from the Armed Forces.

Act No. 220—Law Enforcement and Judicial Personal Privacy Protection

R. 245, H. 3865

Effective Date: See Below

This Act amends Section 5 of Act 56 of 2023, "Law Enforcement and Personal Privacy Protection Act" and the "Judicial Privacy Protection Act," by delaying the enactment date from July 1, 2024, until July 1, 2025.

Act No. 222—Income Tax Credits

R. 247, H. 4087

Effective Date: See Below

Section 1 of this Act amends § 12-6-3410 by expanding the corporate headquarters income tax credit to apply to pass-through businesses and makes changes to the job and investment requirements. These credits may be carried forward for 10 years.

Section 2 of amends § 12-6-3460 regarding the recycling facilities recycling tax credit by lowering the investment threshold from \$300 million to \$150 million and expanding the credit to include manufacture and fabrication of products from qualifying post-consumer waste materials and to include used batteries, solar panels, turbines and related materials, in addition to the current list of scrap metal, iron, used plastics, paper, glass, and rubber. The minimum level of investment for a qualified recycling facility must be at least \$150 million incurred by the end of the fifth calendar year after the year in which the taxpayer begins construction or operation of the facility.

Section 3 amends §§ 12-10-20 through 12-10-80 regarding the Job Development Credit (JDC) requirements to allow remote employees working who reside in South Carolina, North Carolina, or Georgia, to count for JDC purposes at the Coordinating Council for Economic Development's discretion.

Section 4 amends § 12-10-95 regarding the job retraining credits by expanding qualifying industries to include warehousing and distribution and expanding qualifying retraining programs to include upskilling, management development, or recertification in production-related competencies.

Section 5 amends § 12-6-1120 pertaining to gross income by adding § 12-6-1120(11): For taxable years beginning on or after January 1, 2023, and prior to January 1, 2029, there shall be subtracted from taxable income any grant or subgrant pursuant to the Broadband Equity, Access, and Deployment Program established pursuant to 47 U.S.C. 1702, or the American Rescue Plan Act of 2021, Public Law 117-2, received for the purpose

of making investments in broadband infrastructure but only to the extent that such grant or subgrant is included in the corporation's taxable income, as defined under the Internal Revenue Code of 1986.

Sections 1, 2, 4, and 5 of the Act take effect on July 2, 2024, and first applies to income tax years beginning after 2023. Section 3 takes effect on July 2, 2024, and first applies to income tax years beginning after 2020.

Act No. 225—Commercial Decks or Marinas in Critical Areas

R. 251, H. 4843

Effective Date: July 3, 2024

This Act amends § 48-39-148 of the Code of Laws clarifying that, notwithstanding any statutory or regulatory provision of law to the contrary, a business that contains a grandfathered or permitted commercial deck or marina that is located in a critical area may utilize such structures for the purposes of providing food and beverage services for consumption by patrons of the business.

Act No. XX—Appropriations and Budget Provisos

R. 252, H. 5100

Effective Date: July 1, 2024

The Appropriations Act generally contains a number of temporary statutory provisions, which are referred to as provisos. Temporary provisos are effective only for the fiscal year addressed in the budget act and appear in Part IB of the Act, hence the label Part I provisos or temporary provisos. Many Part I provisos are adopted every year as part of the budget process with little or no changes, while others are truly temporary in nature and only appear for one or two years. The effective date of all Part IB provisos is the fiscal year in which the act has been passed, Fiscal Year 2024 -2025.

Part 1A:

Part 1A contains the appropriation of recurring dollars. The FY 24-25 Appropriations bill includes, among other items of interest, **increased funding to the Local Government Fund (LGF) by \$13,872,845 statewide**. The budget also includes **\$12 million** for the Rural Stabilization Fund, the same amount that was allocated last year (*see proviso 113.8 below*).

Other funding of note in part 1A includes:

- \$62 million to cover a \$1,125 base pay increase for state employees making \$50,000 or less and a 2.25% base pay increase for state employees making more than \$50,000;
- \$107 million to cover the state's share of a projected 11.8% increase in premiums for the State Health Plan (*see proviso 108.6 below*);
- \$750,000 for PTSD treatment for first responders;
- \$3 million to Labor Licensing and Regulation for the V-SAFE Fund;
- \$3.784 million for the Firefighter Cancer Benefit Plan;
- \$1 million to supplement the Councils of Governments;
- \$1.1 million in additional recurring funding for State Aid to County Libraries;
- \$1.1 million in additional money to the Department of Parks, Recreation and Tourism (PRT) for regional tourism;
- \$10 million to PRT for destination-specific tourism grants;
- \$2 million to PRT for tourism development;
- \$30 million to the Office of Resiliency for the Disaster Relief and Resilience Reserve Fund;
- \$18 million in additional money to the Conservation Bank for grant funding;
- \$11.5 million in additional money to the State Election Commission for election operations;

- \$750,000 to the State Election Commission for a “Certified Poll Clerk Program;”
- \$2.5 million to the Department of Mental Health (DMH) for the Alternative Transportation Program;
- \$5 million in additional money to the Department of Commerce for the Closing Fund;
- \$100 million to the Department of Transportation (SCDOT) for bridge modification on interstate and primary highways (*see proviso 118.22 below*);
- \$100 million to SCDOT for the Bridge Acceleration Fund;
- \$117.4 million to SCDOT for the Rural Road Safety Program (*see proviso 118.22 below*);
- \$1 million to SCDOT for the “off-state roads” litter program;
- \$200 million to the County Transportation Committee Acceleration Fund (*see proviso 118.22 below*);
- \$11.4 million in additional funding to the Rural Infrastructure Authority (RIA) for the Water Quality Revolving Loan Fund;
- \$16 million to the RIA for the Rural Infrastructure Fund and \$15 million for the Statewide Water and Sewer Fund (*see proviso 118.22 below*);
- \$20 million to the Department of Commerce’s SC NEXUS Program for Advanced Resilient Energy;
- \$1.5 million to the Department of Environmental Services (DES) for the air quality program;
- \$900,000 to DES for a Per- and Polyfluoroalkyl Substances (PFAS) Pilot Program (*see proviso 55.28*);
- \$1 million to the Department of Administration (DOA) for first responder 800MHz communication modernization (*see proviso 93.7 below*);
- \$10 million to the Department of Corrections (SCDC) for cell phone interdiction;
- More than \$75 million to the Department of Veterans’ Affairs for veteran homes;
- \$1.28 million to the Department of Veterans’ Affairs for the Veterans’ Cemetery;
- \$1 million for the Veterans’ Trust Fund;
- \$1 million in income tax credits to comply with the Act 125, Recreational Trail Easement Tax Credit;
- \$5 million to the Attorney General (AG)’s Office for a new Crime Victim Assistance “SAVS” Program;
- \$45,000 to DPS for the Governor’s Law Enforcement Officer of the Year Award (*see proviso 63.9*);
- \$345,000 to registers of deeds (*This represents the same funding as FY23-24*);
- \$690,000 to coroners (*This represents the same funding as FY23-24*);
- \$690,000 to clerks of court (*This represents the same funding as FY23-24*);
- \$690,000 to sheriffs (*This represents the same funding as FY23-24*);
- \$690,000 to probate judges (*This represents the same funding as FY23-24*);
- \$1,063,214 to county auditors (*This represents the same funding as FY23-24*);
- \$1,063,213 to county treasurers (*This represents the same funding as FY23-24*);
- \$1.5 million for magistrate salary increases (*This represents the same funding as FY23-24*); and
- \$2 million in recurring dollars and \$2 million in nonrecurring funds to SLED for the Concealed Weapon

Permit Training Program that was included in the Constitutional Carry Act of 2024.

Part 1B:

* *The following provisos of interest were **added or substantially amended by the General Assembly in this year’s budget**:*

27.1. LIB: Aid to Counties: Libraries Allotment. The General Assembly amended the proviso to require that prior to receiving any of the funds allotted to them, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children younger than 17 in the children’s, youth, or teen book sections of libraries and are only made available with explicit parental consent.

35.11. DMH: 988 Call Centers. The General Assembly amended the proviso to update fiscal year references regarding funds appropriated in this act for 988 call centers. DMH is authorized to provide grants to call centers under a current network agreement with the 988 Suicide and Crisis Lifeline in the state. Call centers qualifying for the grants shall use the funds for costs associated with answering calls, chats, or texts to the 988 hotline. DMH shall provide a report on the use of the funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by June 30 of the current fiscal year. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and DMH may spend the funds for the same purposes.

42.6. HFDA: SC Housing Statewide Assessment. The General Assembly adopted the deletion of the existing proviso that provided \$100,000 be used by the Housing Finance and Development Authority (HFDA) for a statewide housing needs assessment prepared by the Darla Moore School of Business.

42.7. HFDA: Collaboration. The General Assembly adopted this new proviso directing the HFDA to collaborate with Habitat for Humanity to explore funding opportunities to increase and preserve the supply of affordable and workforce housing.

55.15. DES: Water Recreational Resources. The General Assembly adopted this new proviso that requires the Department of Natural Resources (DNR) to transfer \$708,000 from the special water recreational resources fund to DES for the hydrology and aquatics nuisance species program.

55.19. DES: Grant Authority. The General Assembly adopted this new proviso that authorizes DES to make grants to nonprofits and governmental entities for environmental programs and directs DES to develop policies, procedures, and promulgate regulations.

55.22. DES: Innovative Reusable Byproduct Pilot Program. The General Assembly adopted this new proviso that establishes the Innovative Reusable Byproduct Pilot Program using funds appropriated to DES. The program is intended to determine whether innovations in manufacturing, food production, timber, and other similar industries can provide new opportunities to use byproducts that would otherwise require management as solid waste. DES is required to submit a program report to the General Assembly by June 30, 2025.

55.24. DES: Dam Repair Assistance Fund. The General Assembly adopted this new proviso to provide that, of the funds appropriated for system upgrades beginning with the FY 24-25 Appropriation Act, there is established within DES a Dam Repair Assistance Grant Program. The proviso outlines how the interest-bearing fund should be used for cost-sharing grants to correct dam deficiencies identified by DES for high- and significant-hazard dams regulated under the Dams and Reservoir Safety Act. A grant of up to 75% of the total cost to correct the dam deficiency identified by DES may be provided. DES may also use funds to administer and manage the grant program. DES shall draft policies, criteria, and guidance for the grant program by Oct. 15, 2024. This will be posted on the DES website.

55.28. DES: PFAS Pilot Program: This new proviso establishes within DES a PFAS Removal Evaluation Fund to create and implement a PFAS Removal Evaluation Pilot Program. The purpose of the Pilot Program is to evaluate and facilitate the implementation of emerging technologies to remove PFAS compounds from industrial wastewater. DES must submit a progress report on the viability of the piloted technologies to the General Assembly no later than June 30, 2025.

74.4. WCC: Workers' Compensation Hearings. This new proviso requires that every county shall provide a space to conduct hearings for the Workers' Compensation Commission upon request of the Chairman of the Workers' Compensation Commission. This space shall be in a secure existing facility and include all utilities.

92D.1. SCOR: Catastrophic Weather Event. The General Assembly amended the existing proviso to update fiscal year references directing improvements to real or personal property used as a residence, such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015, Hurricane Matthew in 2016, or Hurricane Florence in 2018, after the event and before June 30, 2025, are not considered an improvement and may not be reassessed at a higher rate as a result of the assistance provided. This provision only applies if, as a result of the catastrophic weather event, the improvements made to the property were funded by the U.S. Department of Housing and Urban Development Block Grant Disaster Recovery program implemented by the Office of Resilience, or its predecessor the Disaster Recovery Office. This provision also applies if, at the discretion of the county and using qualifications determined by the county, the improvements were made with the assistance of a volunteer organization active in disaster recovery, or a similar volunteer organization. Also, during the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

99.2. RSIC: Unfunded Liability Study. The General Assembly adopted the new proviso to direct that the Retirement System Investment Commission undergo a study on alternative methods to reduce the state's unfunded liability in the pension system and to report any findings to the General Assembly.

100.14. ADJ: Disasters Expenditure Status Report. The General Assembly amended the existing proviso requiring the Emergency Management Division (EMD) of the Office of the Adjutant General to prepare a quarterly report on the status of the expenditure of the funds appropriated in the current fiscal year or in a previous fiscal year for a Federal Emergency Management Agency (FEMA) match for all open federally declared disasters (previously only the 2015 flooding, Hurricane Matthew, and the Pinnacle Mountain Fire). The quarterly report must include, but is not limited to, expenditure by category of work by state/local and by county and be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

103.6. RFAO: Revenue Forecast. The General Assembly adopted a new proviso to allow the Revenue and Fiscal Affairs Office (RFA) to extend the delivery of the November revenue forecast.

106.2. SEB: Suspend SCRS & PORS Employer Contribution Rate Increase. The General Assembly deleted this existing proviso that suspends the increase in the employer contribution rate pursuant to Section 9-1-1085, relating to employer and employee contribution rates, and Section 9-11-225, relating to employer and employee contribution rates, for FY 23-24 and directs that the contribution rate for S.C. Retirement System (SCRS) and the Police Officers Retirement System (PORS) shall increase by 1% from the FY 22-23 rates set in Act 239 of 2022.

108.6. PEBA: State Health Plan. The General Assembly amended this proviso, relating to employer premium increases, to update the plan year reference and premium increase percentage to 11.8%.

108.12. PEBA: COVID-19 Return to Work Extension. The General Assembly deleted this existing proviso stating that the earnings limitation does not apply to retired SCRS or PORS members who return to covered employment to participate in the state's public health preparedness and response to COVID-19.

108.16. PEBA: PORS and SCRS Return to Work. The General Assembly adopted this existing proviso that provides, for compensation earnings during the current fiscal year, the earnings limitation does not apply to a **PORS member** or an **SCRS member** if the member has not been engaged to perform services for a participating employer in the system or any other system provided in Title 9 for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least 12 consecutive months subsequent to retirement. The exemption under this provision does not

apply unless the member first certifies to the system that they satisfy the requirements for the exemption. If a member inaccurately certifies that they satisfy the requirements for the exemption in this provision, the member is responsible for reimbursing the system for any benefits they were wrongly paid.

117.82. GP: Civil Conspiracy and Defense Costs. The General Assembly amended the existing proviso by striking the proviso in its entirety and inserting new language for the current fiscal year. It states that for any claim that has not reached a judgment, if a state or local government employee or former state or local government employee (“government employee”) is personally sued for civil conspiracy, the employee must be provided legal counsel by the governmental entity and/or their insurer upon the submission of an affidavit executed by the agency head or his designee that the employee was acting within the scope of employment or in good faith. No insurer that provides insurance for any governmental entity may exclude coverage for civil conspiracy. Prior to trial, the court must make a final determination whether the action or decision giving rise to the suit was made by the government employee within the scope of their official duty or in good faith. If the court finds that the government employee was acting outside the scope of the employee’s official duties or not in good faith, the government or their insurer shall not expend any funds to pay or defend the claim including funds for the employee’s legal counsel. If the court finds the government employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee was acting within the scope of their official duties or in good faith. Nothing in this proviso prevents an insurance provider from defending and paying, respectively, any claims that the provider has contractually agreed to defend and pay.

117.115. GP: SCRS & PORS Trust Fund. The General Assembly amended this existing proviso to update fiscal year references. This proviso directs that the funds allocated to Public Employee Benefit Authority (PEBA) for the SCRS or PORS Trust Funds be credited toward contributions due from participating employers in those systems for FY 2024-25; directs that no credits shall be issued for covered employees of special purpose districts, joint authorities, non-profits, hospitals, participating associations or service organizations as defined in Section 9-1-10(11)(e), relating to retirement systems definitions, and state employees whose salaries are paid with federal funds. The proviso excludes the S.C. Ports Authority, the S.C. Public Service Authority, and the Medical University Hospital Authority from this prohibition. It directs PEBA to collaborate with the DOA, Executive Budget Office, and RFA to determine the amount of credit exclusion for federally funded state employees.

117.117. GP: Opioid Abuse and Prevention Treatment Plan. The General Assembly amended this existing proviso to delete references to DHEC and replace these references with the Department of Public Health (DPH). The Department of Alcohol and Other Drug Abuse Services and DHHS are directed to establish a coalition of state agencies, providers, and other related entities to coordinate opioid abuse prevention and treatment services throughout the state.

117.126. GP: School Resource Officer Critical Needs. The General Assembly amended this existing proviso to provide that any Class 1 Law Enforcement Officer who retired under PORS on or before Dec. 31, 2023, may return to employment with a public school district as a critical needs school resource officer without affecting the monthly retirement allowance that they are receiving from PORS.

117.131. GP: Offshore Oil. The General Assembly amended this existing proviso to change references from DHEC to DES. The proviso prohibits funds appropriated or authorized to DES or to local government entities to be expended to approve a plan, permit, license application or other authorization for: (1) the transportation of unrefined or unprocessed oil or gas into the state’s territorial waters or onto its lands, from offshore oil and gas production platforms and related infrastructure in the Atlantic Ocean; (2) for exploration, development, or production of unrefined or unprocessed oil or gas from within the state’s territorial waters; and (3) for

exploration, development, or production of unrefined or unprocessed oil or gas in the Atlantic Ocean. It also provides definitions for development, exploration, production, and territorial waters of the state.

117.142. GP: Employee Compensation. The General Assembly amended this proviso to provide a \$1,125 base pay increase for state employees making \$50,000 or less and a 2.25% base pay increase for state employees making more than \$50,000.

117.149. GP: Homestead Exemption Fund. The General Assembly amended the existing proviso to update fiscal year references to provide that for FY 24-25, Section 11-11-156(C) of the Code of Laws, relating to remaining balances of the Homestead Exemption Fund at the end of a fiscal year, is suspended.

117.159. GP: Statewide Mobile Health Units. The General Assembly amended this existing proviso to change the fiscal year reference to “current fiscal year” and change references from DHEC to DPH. The S.C. Center for Rural and Primary Healthcare is authorized to provide coordination and assistance to mobile health units in South Carolina. The proviso outlines the actions the center may take in support of increasing access to health care and reducing health inequities in the state. It directs the center to be available to support implementation strategies and provide organization for and collaboration with mobile health units.

117.178. GP: Polling Locations and Availability. The General Assembly adopted this new proviso to direct that if a county library denies a request by the County Elections Board to use available space at the library as a polling location, then the county shall have a portion of its State Library, Aid to County Libraries funds withheld and directs the Executive Director of the State Election Commission to notify the State Library and legislative delegation of any refusal.

118.22. SR: Homestead Exemption Fund. This new proviso directs that \$600 million in one-time money from the Homestead Exemption Fund shall be distributed as a one-time, nonrecurring appropriation, by Sept. 30, 2024, for the following purposes listed in order of priority:

- \$99.5 million to the General Fund to accelerate the Income Tax Reduction to 6.2%;
- \$200 million to the County Transportation Committee Acceleration Fund;
- \$100 million to SCDOT for the Bridge Acceleration Fund;
- \$117.4 million to SCDOT for the Rural Road Safety Program;
- \$15 million to RIA for the Rural Infrastructure Fund;
- \$15 million to the RIA for the Statewide Water/Sewer Fund; and
- \$53 million to the University of South Carolina Health Sciences Campus for bond avoidance.

Unexpended funds appropriated may be carried forward to succeeding fiscal years and expended for the same purposes.

118.23. SR: Income Tax Reduction. This new proviso provides that for the 2024 income tax year, the top marginal rate imposed on the South Carolina taxable income of individuals, estates, trusts, and any other entity except those taxed or exempted from taxation under Sections 12-6-530 through 12-6-550 of the S.C. Code, equals 6.2%. The bracket to which the 6.2% applies must be the same as the bracket for which the top marginal rate would have otherwise applied.

*** The following provisos of interest added in previous years remain in the FY 2024-25 budget.**

1.21. SDE: School Districts and Special Schools Flexibility. This is the school district flexibility proviso. Section 59-21-1030, the Education Improvement Act local effort requirement, is suspended for the current fiscal year. There is no corresponding suspension of the Education Finance Act local effort requirement.

1.93. SDE: Incentive Prohibition. Prohibits school districts, or any of their schools, from using state funds to offer students any monetary incentive or inducement to receive a COVID-19 vaccination.

1.46. SDE: School District Property. Suspends § 59-19-250 which requires the consent of a governing board of a county for school trustees to sell or lease school property.

33.9. DHHS: Medicaid Eligibility Transfers. This proviso requires the governing authority of each county to provide office space and facility service, in the same manner as they do for the Department of Social Services (DSS) pursuant to § 43-3-65, for DHHS employees who determine Medicaid eligibility. Section 43-3-65 requires the governing authorities of each county to provide office space and facility service, including janitorial, utility and telephone services, and related supplies, for its county DSS. This proviso was amended this year to require, by November 1, the Director of the DHHS to provide the governing authority and the legislative delegation of each county with information on the condition of space furnished for this purpose and shall specifically identify any known deficiencies with respect to the accessibility requirements of the Americans with Disabilities Act (ADA). By May 1, the governing authority of any county with an identified ADA-related deficiency must report to its legislative delegation and the Director on its progress in correcting such deficiency.

33.21. DHHS: Rural Health Initiative. This proviso authorizes DHHS to use appropriated funds to incentivize the development of primary care access in rural and underserved areas by leveraging federal funds that are available. DHHS will also use teaching hospitals, such as MUSC, to ensure rural physician coverage in counties with a demonstrated lack of adequate health care access.

43.6. FC: Firefighting Equipment and Response Carry Forward. Authorizes the Forestry Commission to carry forward any unspent funds appropriated for firefighting equipment into the current fiscal year and to spend these funds for the same purpose.

47.3. DNR: Proportionate Funding. This proviso directs that a proportionate share of funds, at \$25,000 per district, be allocated to each of the state's 46 Soil and Water Conservation Districts for general assistance to the district's programs. Any available funding above \$25,000 for each district will be apportioned by DNR based upon local needs and priorities as determined by the board. During the fiscal year, the districts' funding may only be reduced in an amount not to exceed the percentage of each agency's budget reduction. No district shall receive any funds under this provision unless the county or counties where the district is located appropriated at least \$300 to the district for the same purposes.

49.1. PRT: Tourism and Promotion. This proviso lays out the required allocations for the appropriations to PRT for Regional Promotions and Tourism.

49.2. PRT: Destination Specific Tourism Marketing: This proviso states that the minimum grant awarded by the Destination Specific Tourism Program is \$250,000. Each state dollar must be matched with two dollars of private funds. The proviso also puts restrictions on how PRT must award the grants.

49.10. PRT: PARD. This proviso extends Parks and Recreation Development funds which were scheduled to expire in Fiscal Year 2021-22.

49.16. PRT: Destination Specific Tourism. This proviso states that non-recurring funds appropriated to the Destination Specific Tourism Marketing grant program shall not be subject to a match requirement during the current fiscal year.

50.13. CMRC: Regional Economic Development Organizations. This proviso appropriates \$5 million to the Department of Commerce for Regional Economic Development Organizations. It allows any unexpended,

unallocated, or undistributed funds appropriated in prior fiscal years to be made available to other Regional Economic Development Organizations. If more than one alliance applies for the same funds, the funds will be distributed pro rata. Fund recipients are required to provide electronic copies of the annual report to the General Assembly by November 1. The Department of Commerce will post these reports on their website.

50.19. CMRC: Development – Funding for Rural Infrastructure. This proviso authorizes the Department of Commerce to use the Rural School District and Economic Development Closing Fund for economic development, water and sewer infrastructure, and school building infrastructure. The fund must be used to facilitate economic development and infrastructure improvements in counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or equal to 86%. The counties in which these funds will be spent must meet each of the following criteria: (1) one of the top 12 counties in South Carolina with the highest population decline (by percentage) since 2010; (2) one of the top 12 counties with the highest average unemployment rate for 2018; and (3) according to the U.S. Census 2017 - a county with a poverty rate in excess of 20%. Once a project is committed, the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years. Of the funds transferred to the fund, up to \$15 million may be used in any county that is contiguous to an eligible county as long as that contiguous county has one county-wide consolidated public school district. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

54.5. RIA: Statewide Water and Sewer Fund. The Rural Infrastructure Authority shall use the funds allocated for the Statewide Water and Sewer Fund to assist qualified infrastructure projects not eligible for the Rural Infrastructure Fund. The authority will utilize the same procedures and guidelines established for the Rural Infrastructure Fund to select qualified projects for the Statewide Water and Sewer Fund.

57.2. JUD: County Offices for Judges. Counties are required to provide each circuit court and family court judge residing within that county an office including utilities and a private telephone and requires counties to provide the same for Supreme Court justices and judges of the Court of Appeals upon their request.

58.2. ALC: County Office Space for Judges. Counties are required to provide for each Administrative Law Judge residing within that county, upon their request, an office within the existing physical facilities if space is available, including all utilities and a private telephone.

59.14. AG: State Crime Victim Compensation. A county or municipality may retain carry forward victim service fine and fee funds, but no more than the greater of \$25,000 or 10% of funds collected in the prior fiscal year. If a county or municipality does not spend at least 90% of these funds during the fiscal year that the funds are received then they are to remit any unspent funds that are greater than the allowed carried forward funds, to the State Victim Assistance Program within 120 days after the end of the fiscal year. All funds must be accounted for in the annual audit for each county or municipality. The State Crime Victim Compensation Department shall offer training and technical assistance to each municipality and county annually on acceptable use of both priority one and priority two funds and funds available for competitive bid.

60.5. PCC: Solicitor's Office – County Funding Level. Amounts appropriated in the General Appropriations Act for Solicitors' Offices are in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. If a county reduces the amount of support provided to Solicitors' Offices below the level provided in the prior fiscal year, the Solicitor shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the amount of such reduced support.

60.8. PCC: Establish Victim/Witness Program. This proviso directs how the money appropriated to the Victim/Witness Program must be allocated. The proviso also states that amounts appropriated in the General Appropriations Act for victim assistance programs in Solicitors' Offices are in addition to amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services.

60.11 PCC: Caseload Equilization Funding. Of the money allocated for Caseload Equalization, the first \$10,350,00 must be distributed at an amount of \$225,000 per county. The remaining \$12,006,872 must be distributed based upon the average incoming caseload for each county as reported by the Judicial Department for the prior three fiscal years.

61.1. INDEF: Defense of Indigents Formula. This proviso allocates the money appropriate for "Defense of Indigents" and provides that no county shall be permitted to contribute less money for indigent defense than the amount the county contributed the prior fiscal year and not less than was contributed as of July 1, 2020.

61.11. INDEF: Optional Courts and Indigent Representation. If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

62.17. SLED: Criminal Record Search Fees. SLED may charge a fee of \$8 for a criminal record search for local park and recreation volunteers through a commission, municipality, or county.

62.21. SLED: Drug Lab Electronic Mandatory Reporting System. SLED may use funds appropriated for Meth Lab Clean Up for the development and implementation of a statewide electronic mandatory reporting system for municipal, county and state governmental entities to report information pertaining to the discovery or seizure of methamphetamine laboratories and dumpsites.

62.22. SLED: Mandatory Meth Lab Reporting. A municipal, county, or state governmental entity is required to report to SLED within three days upon finding or seizing a methamphetamine laboratory or dumpsite. If an entity fails to report this information to SLED, they are ineligible to receive public safety grants that are funded through the S.C. Public Safety Coordinating Council.

63.7. DPS: In-Car Camera Funding. This proviso authorizes the DPS to establish and In-Car Video Camera Fund to assist law enforcement agencies in purchasing and maintaining in-car video cameras and ongoing costs related to the maintenance and storage of data recorded by in-car video cameras. Also directs the Public Safety Coordinating Council to oversee the funds and establish an application and disbursement of funds process that gives priority to law enforcement agencies who prioritize DUI enforcement activity.

63.8. DPS: School Safety Program. This proviso moves school resource officers from under the Department of Education to DPS and funds a resource officer for every school. DPS shall provide the funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer and law enforcement agencies must report the number of full- and part-time school resources officers quarterly.

63.9. DPS: Governor's Law Enforcement Officer of the Year Award. This proviso establishes an advisory committee within DPS charged with creating an award nomination and recipient selection process for the Governor's Law Enforcement Officer of the Year Award. The committee must annually select a state law enforcement officer of the year, a county law enforcement officer of the year, and a municipal law enforcement officer of the year. Each winner will be recognized by the Governor and will receive \$10,000.

65.19. CORR: Quota Elimination. This proviso provides that counties shall be required to provide to SCDC all available medical history and screening records, booking reports, and other documents required to assist the department in its intake processing at least one day prior to the date for transfer of an inmate. Counties are not required to perform additional medical screening at the time of transfer. Counties shall not be allowed to have an inmate admitted to the department until after the sentencing order and medical history and screening records in their possession are transferred to the department. This proviso is intended to provide funding to expand the capabilities of (SCDC) to more expeditiously accept and process newly sentenced inmates who are awaiting transfer from local jails. This proviso is also intended to provide a solution to SCDC not accepting its prisoners from local jails in a timely manner, and it recognizes that SCDC must comply with its statutory obligations.

65.24. CORR: Credited Jail Time; DNA Sample Collection. Prior to this proviso, local jails were required to transport inmates sentenced to time served (in excess of 90 days) to SCDC so they can be booked into SCDC's system prior to release. This proviso allows counties, through a written agreement with SCDC, to transmit the booking records to SCDC electronically so that inmates sentenced to time served may be released directly from the local jail. SCDC employees assigned to the court are to perform the DNA sampling required for all felonies. The \$250 DNA fee required of these inmates shall be collected in the same manner as other fines and fees and submitted to the State Treasurer for remittance to SLED.

67.14. DJJ: Raise the Age. The Department of Juvenile Justice must use carry forward funds to implement Act 268 of 2016, which raises the age for juvenile confinement from 17 to 18. The department must contract with local child-serving non-profit organizations and Judicial Circuit Solicitor's offices for community-based diversion and intervention services. The department will give preference to multi-agency and organizational collaborations that include stakeholders from the Family Court, Department of Education, Public Defenders' Offices, the DMH, DSS, and community-based non-profits that utilize best practices.

84.9. DOT: Project Priority List. This proviso requires SCDOT to maintain the project priority list on its website.

84.14. DOT: CTC Donor Bonus. This proviso authorizes SCDOT to transfer a portion of the proceeds of the motor fuel user fee received from § 12-28-310(D) to satisfy the donor bonus for County Transportation Committees outlined in § 12-28-2740(H). Section 12-28-310(D) is the phased-in two-cent per year motor fuel increase, which is directed in statute to the Infrastructure Maintenance Trust Fund.

86.1. CTC: Increased Funding. This proviso provides that the requirement of § 13 of Act 40 of 2017 for increased funding to the County Transportation Committees shall come from the proceeds of the increase in the Motor Fuel User Fee, and shall be used exclusively for repairs, maintenance, and improvements to the state highway system.

86.2. CTC: Expenditure Authority Limitation. Authorizes County Transportation Committees to expend all cash balances brought forward from the previous year. A listing of cash balances shall be provided to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office. The Executive Budget Office shall establish the expenditure authorization adjustments upon review of the listing provided.

93.7. DOA: First Responder Interoperability. The DOA is to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 radio system. DOA is to establish the level of required match each year based on the funding provided.

101.3. VET: Base Protection Plan Allocation. This proviso provides that funds appropriated to the Department of Veterans' Affairs for the Base Protection Plan may be allocated to items including, but not limited to, land

acquisition, recreational purposes, educational purposes, and facilities for military personnel. Eligible recipients are counties and municipalities with federal military installations.

102.2. ELECT: Election Managers & Clerks Per Diem. This proviso sets the per diem for managers and clerks of state and county elections at \$75 for a day of work. The per diem for training and paperwork is \$60.

102.7 ELECT: Training & Certification Program. County Board of Voter Registration and County Election Commissioners are to receive a common curriculum on the duties and responsibilities of such boards and commissions. The State Election Commission must withhold the stipend of members if they do not complete the training and certification program or fail to complete at least one training course in a year. Additionally, the Commission shall make the courses available in various locations including the upstate, coastal, and midlands areas of the state.

102.8. ELECT: Penalty for Late Submission of Reimbursable Expenses. If a county submits a request for reimbursement of election expenses to the Commission for payment more than 30 days after the election is held, the State Election Commission may deduct a penalty of 10% of the amount submitted, unless the Commission finds good reason for the late submission.

103.2. RFAO: Election File Merge. Counties and municipalities are required to release GIS data to the RFA to assist in election file merges. Counties that do not release GIS data may have 10% of state aid payments withheld until the data is provided. GIS data includes, but is not limited to, road centerlines; orthophotography; parcel boundaries; address points; political boundaries; and administrative boundaries.

103.4. RFAO: E911 PSAPs. RFA is to ensure that any new plans or proposed amendments to existing E911 plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. The proviso further states that no new plans or amendments may be considered by RFA that do not include the written agreement of all jurisdictions affected by the new plan or proposed change.

105.4. SFAA-AUD: Annual Audit of Court Fees and Fines Reports. Section 14-1-210 allocates \$350,000 to the State Auditor to conduct audits of county and city fine money collections. This proviso requires the State Auditor to perform a minimum of 15 of these audits annually. The State Auditor may contract with CPAs or Accounting firms to conduct the audits.

108.1. PEBA: Magistrates Health Insurance. If a county is participating in the State Health and Dental Insurance Plan, magistrates and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon the magistrate paying the full premium costs as determined by PEBA.

108.13. PEBA: Non-State Agency Furloughs. This proviso provides that for the current fiscal year, a participating employer in the SCRS or PORS that is not a state agency or institution of higher learning may make employee and employer contributions for a period of not more than 90 working days during a furlough program that was implemented because of and took place during the COVID-19 Public Health Emergency.

108.16. PEBA: PORS and SCRS Return to Work. This proviso extends the suspension of the earnings cap to retired members of the SCRS and the PORS who return to work after not having been engaged to perform services for a participating employer in the system in any capacity for at least 12 consecutive months subsequent to retirement.

108.17. PEBA: PORS Return to Work. This proviso provides that if a member of PORS chooses to engage in the Return-to-Work program, their 12-month period spent not engaging in officer duties shall not cause a member

to lose their license or be unable to perform the duties of a police officers. These officers also shall be required to meet continuous training and education requirements of the South Carolina Law Enforcement Academy.

109.9. DOR: Public Safety Events. A couple of years ago the General Assembly added fire safety and emergency medical services to this proviso. The proviso allows Horry County to set aside up to one third of the total allocation of accommodation taxes returned to cover policing activities during events held in May and December that significantly increase the burden of law enforcement and other first responders and require additional resources to ensure public safety during those events.

109.11. DOR: Notification of Protest. States that if a taxpayer other than an individual files a written protest pursuant to Section 12-60-2120 (appeal of property tax assessment), the DOR shall notify any affected county and school district of the written protest.

109.14. DOR: Electronic Filing. This proviso allows the DOR to require a statement subject to penalties of perjury in order for certain applications for licenses or permits to be filed electronically.

109.15. DOR: Referendum Notification. This proviso requires a county or municipal election commission to notify the department 60 days before a referendum on imposing a local sales tax or local option permit.

109.16. DOR: Manufacturing Property Tax Reduction. In the current fiscal year, property owned by or leased to any utility, including solar farms, are not allowed the property tax reduction percentage for manufacturing property.

113.3. AS-TREAS: Salary Supplements. Directs that salary supplements for county clerks of courts, probate judges, coroners, sheriffs, and registers of deeds be distributed to each county treasurer quarterly and directs that the amounts for county auditors and county treasurers be equally distributed to each county auditor and treasurer as a salary supplement in addition to the salary and other benefits presently provided by the county. The proviso also:

- States the intent of the General Assembly that county appropriations for these salaries are not reduced as a result of the appropriation;
- Exempts these funds from any across the board cut; and
- Authorizes a county governing body to reduce expenditures in the operation of these offices without any required corresponding reduction in the county's State Aid to Subdivision distribution and directs that any reduction in the officials' budgets must be made in consultation with the affected official.

Magistrate salaries will remain decoupled from the circuit court judge salaries and the salary supplement shall not disqualify each magistrate for salary increases that they might otherwise receive from county funds in the future.

113.4. AS-TREAS: Legislative Delegations. Counties are required to provide office space and appropriations for the operation of the county legislative delegation office in the amount determined by the legislative delegation. If a county council fails to appropriate the demanded funding level, then the shortfall must be deducted from the county's Aid to Subdivisions allocation and an additional 25% of the remaining Aid to Subdivisions allotment must be forwarded to the legislative delegation for its "administrative costs."

113.5. AS-TREAS: Transparency – Political Subdivision Appropriation of Funds. This proviso provides that any appropriation made by a county or city to an entity must appear as a separate and distinct line item in the budget. The proviso requires the county or city to require any entity that receives an appropriation from the local government to provide a detailed description of the purposes for which the appropriation was used. This proviso

also states that a political subdivision may not accept any funds from organizations as defined in Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, without posting certain information regarding the funding on the political subdivision's website for 10 days.

113.6. AS-TREAS: Agricultural Use Exemption. A county shall have its portion of LGF withheld if the county imposes any additional requirements for an agricultural use exemption for a landowner's timberland beyond what is required by § 12-43-230(a) and § 12-43-232.

113.7. AS-TREAS: Excess Sales Tax Collections. This proviso provides that in the current fiscal year, if a county has capital project sales tax collections in excess of the amount necessary to complete all projects for which the tax was imposed and the tax has not yet expired, the county may pledge and use the excess collections to fund road improvements, intersection improvements, and pedestrian transportation. However, prior to the expiration of the tax, an eligible county must adopt an ordinance specifying the purposes for which the excess funds will be used. A county may expend distributions received pursuant to the Aid to Subdivisions, State Treasurer section to meet the requirements of this provision.

113.8. AS-TREAS: Rural County Stabilization Fund. Due to the 2020 census and the shifting of population into the state and throughout the state, many rural counties who did not see a population growth as high as the 5.35% state average lost a substantial amount of their tax base. The General Assembly recognized this and put \$12 million into a Rural County Stabilization Fund in the budget. Under this proviso, any county that has a population growth, as determined by the 2020 Census, of less than 5.35% since the 2010 Census shall be eligible to receive monies from the fund as follows:

1. a baseline of \$300,000 to each eligible county;
2. an additional \$100,000 to eligible counties with a population between 50,000 and 99,999; and
3. an additional \$200,000 to eligible counties with a population of more than 100,000.

After disbursement of funds, any monies remaining shall be distributed to each eligible county on a pro rata basis. In the event the amount of funds in the Fund is not sufficient to provide monies to counties according to the above formula, the amounts distributed to counties shall be reduced on a pro rata basis.

117.20 GP: Travel – Subsistence Expenses & Mileage. The mileage reimbursement rate for state employees is the current rate established by the Internal Revenue Service.

117.48. GP: Assessment Audit/Crime Victim Funds. This proviso authorizes the State Department of Crime Victim Compensation to perform an audit on any entity that receives victim assistance money, to ensure that victim fine money is spent in accordance with the statute. The proviso states that guidelines for the expenditure of funds shall be developed by the Victims Services Coordinating Council. However, the proviso further states that the council shall develop these guidelines "to ensure any expenditure which meets the parameters of Title 16, Article 15 is an allowable expense."

117.94. GP: Prohibits Local Government Fund Public Funded Lobbyists. This proviso prohibits the use of taxpayer funds received from the LGF to compensate employees for lobbying activities engaged in on behalf of such governmental entity.

117.95. GP: Recreational Activities. Two counties are authorized to enter memorandums of understanding to provide recreational activities and projects that benefit the citizens of both counties.

117.97. GP: Data Breach. An agency of this state, including counties, must disclose any breach of the security of any computer or data system following discovery or notification of the breach, to the person whose information

was acquired by an unauthorized person. The notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation and must be made after the law enforcement agency determines that it no longer compromises the investigation.

117.98. GP: Remittance of Court Fee and Fine Money. If a county or city fails to remit fine and fee money for two consecutive months in a fiscal year, or if the finance director fails to certify by July 1 that the county and/or city has remitted all funds, the Criminal Justice Academy may withhold services to the political subdivision.

117.105. GP: Refugee Resettlement Program. No state funds shall be expended to assist in the U.S. Refugee Resettlement Program unless the county council of the county where the resettlement is to occur approves the relocation.

117.112. GP: Funds Exempt from Budget Reduction Calculations. This proviso states that the General Reserve Fund, Capital Reserve Fund, Debt service, the LGF, and Tax Relief Trust Fund shall be excluded from the calculation of any across the board base reduction mandated by the DOA, Executive Budget Office or the General Assembly and shall not be subject to any such reduction.

117.115. GP: SCRS & PORS Trust Fund. This proviso is intended to direct funding to offset some of the costs of the required local government employer retirement contribution. The proviso directs that funds appropriated to PEBA for the SCRS Trust Fund and the PORS Trust Fund shall be credited towards the contributions due from participating employers in SCRS and PORS.

Each employer's credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18.

No credits shall be issued for:

- covered employees of special purpose districts, joint authorities, or non-profit corporations; (Except the South Carolina State Ports Authority and the South Carolina Public Service Authority);
- covered employees of hospitals; (Except the Medical University Hospital Authority);
- covered employees of participating associations or service organizations as defined in Section 9-1-10(11) (e); and
- covered state employees who are funded with federal funds.

117.123. GP: Criminal History Investigations. This proviso authorizes state agencies, state institutions, and political subdivisions to obtain state and national criminal history background checks and investigations performed by SLED and the Federal Bureau of Investigation (FBI) on all employees and contractors with access to federal tax information. SLED is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions, and political subdivisions which have access to federal tax information.

The proviso also states that an employee or contractor of a state agency, state institution, and political subdivision with access to, or that uses federal tax information must:

1. agree to a national background check and the release of all investigative records to the state agency, state institution, or political subdivision for the purpose of verifying criminal history information for non-criminal justice purposes; and
2. supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the SLED, and then submit to a national criminal history background check to be conducted by the FBI.

Costs associated with these background checks are to be paid by the state agency, state institution, or political subdivision. The cost can be passed on to the contractor. Additionally, state agencies, state institutions, or political subdivisions must establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this provision.

117.125. GP: Immigration Compliance Report. This proviso requires SLED to publish an Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure the accuracy of information provided by counties and municipal governments within the ICR. The ICR shall contain a list of county and municipal governments that SLED has certified to be compliant with sections 17-13-170(E) and 23-3-1100, as well as compliance with any federal laws related to the presence of an unlawful person in the United States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by December 31 of the current fiscal year. The State Treasurer shall withhold any remaining disbursement from the LGF to any county or municipality that is not certified as “compliant” in the ICR.

117.126. GP: School Resource Officer Critical Needs. Any Class I law enforcement officer who retired under the PORS on or before December 31, 2022, may return to employment with a public school district as a critical needs School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System.

117.128. GP: Magistrates Compensation. Notwithstanding Proviso 117.144 (Employee Compensation), in the current fiscal year, the salary for each magistrate must be calculated using the same schedule and same circuit judge salary, at a minimum, as was in effect in **Fiscal Year 2018-19**.

117.139. GP: Agribusiness Processor. This proviso exempts for the current fiscal year, local and state sales tax collection for material handling and construction materials on agribusiness facilities that invest at least \$100 million in the state.

117.152. GP: Disinfection and Cleaning. Allows agencies and political subdivisions to utilize federal funds to implement cleaning, sanitization, and disinfection to meet the most current requirements issued by DHEC.

117.153. GP: Job Order Contracting Pilot Program. Allows Procurement Services of the State Fiscal Accountability Authority to pilot test a job order contracting method on behalf of up to six governmental bodies or public procurement units by entering job order contracts to acquire construction services when the exact time or exact quantity of future jobs are not known at the time of contract award.

Joint Resolution—Voter Qualifications

R. 136, S. 1126

Effective Date: May 8, 2024

This Act proposes an amendment to Section 4, Article II of the Constitution of South Carolina, relating to voter qualifications to be placed on the ballot as a question at the next general election. The amendment provides that only a citizen of the United States and of this state and who has reached age 18 may register and vote. This Act becomes effective only after the question of whether or not the Constitution should be amended with the proposed requirement and there is majority vote of “yes” to the question.

Precinct Legislation

Act No. 115—Oconee County

R. 118, S. 801

Effective Date: See Below

This Act amends § 7-7-430(B) to redesignate the precincts map number for Oconee County. It also amends § 7-7-40 to add new voting precincts and redesignate the precincts map number for Oconee County. This Act takes effect on March 1, 2024.

Act No. 123—Barnwell County

R. 132, S. 971

Effective Date: May 13, 2024

This Act amends § 7-7-100 to identify the voting place for certain voting precincts in Barnwell County.

Act No. 150—Lancaster County

R. 166, H. 4909

Effective Date: See Below

This Act amends § 7-7-350 by removing a precinct in Lancaster County and redesignating the map number for the precincts. This Act takes effect on January 1, 2025.

Act No. 152—Pickens County

R. 168, H. 4937

Effective Date: May 13, 2024

This Act amends § 7-7-450 to authorize the Pickens County Board of Voter Registration and Elections, with approval from the majority of the Pickens County Legislative Delegation, to locate a polling place within five miles of a precinct's boundaries if no suitable location exists within the precinct.

Special Purpose District Legislation

Lancaster County Natural Gas Authority

R. 176, H. 5395

Effective Date: May 13, 2024

This Act amends Act 879 of 1954, relating to the creation of the Lancaster County Natural Gas Authority, to clarify that a reasonable per diem allowance for board members is not considered compensation under this Act. The Act also deletes an existing requirement that all unencumbered revenues from the system must be paid to the municipalities that are served by the Authority and redirects that such unencumbered funds must be used to expand the system or to reduce customer rates moving forward.

Fairmont-Larkin Area Recreation Commission

R. 114, S. 410

Effective Date: March 11, 2024

This Act repeals Act 819 of 1978, relating to the creation and duties of the Fairmont-Larkin Area Recreation Commission. Title to the property owned by the Commission shall be vested to Spartanburg County.

Hartsville Community Center Building Commission

R. 138, S. 1285

Effective Date: May 13, 2024

This Act amends Section 1 of Act 259 of 1962 to increase the Hartsville Community Center Building Commission membership from three to five members.

School District Legislation

Clarendon County School District

R. 116, S. 738

Effective Date: March 11, 2024

This Act delineates the nine single-member districts from which members of the Clarendon County School District Board of Trustees must be elected beginning with the 2024 General Election and provides demographic information regarding these districts.

Jasper County School District Board of Trustees

R. 117, S. 782

Effective Date: March 11, 2024

This Act provides that the nine single-member districts from which each of the members of the Jasper County School District Board of Trustees must be elected beginning with the 2024 General Election are as shown on the Jasper County School District map designated as S-53-00-23 and maintained by RFA.

Florence School District 3

R. 126, H. 4868

Effective Date: March 11, 2024

This Act amends Act 84 of 2011, as amended by Act 101 of 2015, relating to the time and method by which the nine members of the Florence County School District 3 Board of Trustees are elected to reapportion the five single-member districts and the two multi-member districts from which these nine members must be elected, to designate a map number on which these election districts are delineated, and to provide demographic information pertaining to the reapportioned election districts.

Dorchester County School Board District 4

R. 127, H. 4876

Effective Date: March 11, 2024

This Act amends Act 536 of 1986, as last amended by Act 445 of 2000, relating to the election of members of the Board of Trustees of Dorchester County School District 4, to change the candidate filing method from the petition method to the filing of a statement of intention of candidacy with the Dorchester County Board of Voter Registration and Elections and elections as provided in Section 7-13-352.

Newberry County School District

R. 131, S. 916

Effective Date: May 13, 2024

This Act amends Section 1(C) of Act 485 of 1998, relating to the Newberry County School District, to provide that all persons desiring to qualify as a candidate for the Board of Trustees must file a statement of intention of candidacy with the County Election Commission instead of filing a petition.

Greenwood County School District 50

R. 133, S. 972

Effective Date: May 13, 2024

This Act amends Section 2A of Act 595 of 1994, as last amended by Act 103 of 2015, to provide that, beginning with the 2026 school district elections, the nine single-member election districts from which the nine members of the Greenwood County School District 50 Board of Trustees must be elected are as shown on the Greenwood County School District 50 map S-47-50-24 as maintained on file with RFA.

Aiken County School Board

R. 134, S. 1025

Effective Date: May 13, 2024

This Act amends Section 1A and 1B of Act 588 of 1986, as last amended by Act 299 of 2014, to provide that, beginning with the election conducted in 2024, the nine defined single-member election districts from which each member of the School Board of Aiken County must be elected by the qualified electors of that district are as shown on the official map designated as S-03-00-24 and maintained on file with RFA

Anderson County School District 2

R. 172, H. 5153

Effective Date: May 13, 2024

This Act amends Section 13A (B) of Act 509 of 1982, as last amended by Act 300 of 2014, relating to the election of trustees of Anderson County School District 2, to replace the two multi-member districts with four single-member residency areas and to redesignate the map number on which these residency areas are delineated. The numbered districts are defined on map number S-07-02-24 as maintained by RFA.

Kershaw County School District

R. 173, H. 5168

Effective Date: May 13, 2024

This Act amends Section 1B. and C. of Act 930 of 1970, as last amended by Act 106 of 2013, to provide that, beginning with the school trustee elections in 2014, successors to the members of the governing body of the Kershaw County School District Board of Trustees must be elected in the manner provided by law from one of the applicable single-member election districts of the nine defined single-member election districts as shown on Kershaw County School District Map S-55-00-24 as maintained by RFA.

Bamberg County School District

R. 174, H. 5231

Effective Date: May 13, 2024

This Act amends Section 2 of Act 509 of 1982, as amended, relating to the establishment of the consolidated Bamberg County School District and its nine-member board of trustees, to provide that seven members of the board are to be elected from single-member districts which correspond with the Bamberg County Council Districts, and two additional members are to be elected from the county at-large. The members of the Bamberg County School District Board of Trustees elected in these nonpartisan elections shall take office one week following certification of their election pursuant to Section 59-19-315.

Saluda County School Board

R. 175, H. 5267

Effective Date: May 13, 2024

This Act amends Act 307 of 2012 to provide that, beginning with school trustee elections in 2024, successors to the seven members of the governing body of the Saluda County School District who are elected from defined single-member election districts must be elected in the manner provided by law from one of the applicable single-member election districts of the seven defined single-member election districts as shown on the Saluda County School District Map S-81-00-24 as maintained by RFA.

INDEX

A

agricultural 3, 19
Aiken County.....4A
Ambulance Fee Trust Fund.....5
American Rescue Plan Act (ARPA).....6
Anderson County.....4A
antisemitism.....5
audits.....17

B

Bamberg County.....4A
Barnwell County.....1A
broadband6, 7

C

Capital Reserve Fund.....20
Clarendon County.....3A
clerks of court 2, 8, 18
constitutional carry 1
construction 6, 21
coroner(s) 6, 8, 18
County Transportation Committees..... 8,12,16
crime victim(s)..... 8, 14, 19
critical areas.....7

D

Department of Administration..... 8, 11, 16, 20
Department of Commerce 3, 8, 13, 14
Department of Corrections..... 4, 8, 16
Department of Environmental Services..... 8, 9, 11
Department of Labor Licensing and Regulation.....7
Department of Health & Environmental Control.....5, 11,12
Department of Health & Human Services.....5, 11, 13
Department of Parks, Recreation and Tourism..... 7, 13
Department of Public Health..... 11, 12
Department of Public Safety 1, 8, 15
Department of Revenue..... 3, 18
Department of Social Services..... 13, 16
Department of Transportation 8, 12, 16
Dorchester County.....3A

E

election(s).....1,5,7,8,17,18, 21,1A,5A
Emergency Management Division.....10
ESG.....1
Executive Budget Office..... 11, 16, 20

F

fees..... 5,15,16,17
FEMA.....10
first responders 7, 8, 16, 18
Florence County3A
franchise authority1

G

Greenville Technical College5
Greenwood County.....4A

H

homestead exemption fund..... 2, 12
Horry County.....18
housing.....9,10

I

Illegal Immigration Enforcement Unit.....1
income tax.....3, 6, 7, 8, 12

J

jails.....16
Jasper County.....3A

K

Kershaw County4A

L

Lancaster County.....1A, 2A
libraries 7, 8, 12
Local Government Fund 7, 19, 20, 21

M

magistrate(s)..... 8, 17, 18, 21
Medical University of South Carolina13

N

Newberry County.....3A

O

Oconee County.....1A
opioid11

P

PEBA 10, 11, 17,20
permit(s) 1, 2, 7, 8, 11, 18
Pickens County.....1A
PORS.....10, 11, 17, 20, 21

INDEX (CONT'D)

probate	3, 8, 18
prisons.....	4, 16
property tax.....	2, 10, 18

R

recreational trail.....	3, 8
registers of deeds	3, 4, 8, 18
Rural County Stabilization Fund.....	19

S

sales tax	4, 18, 19, 21
Saluda County.....	5A
SCRS.....	10, 11, 17, 20
SLED.....	1, 2, 8, 15, 16, 20, 21

T

tax credit(s)	3, 4, 6, 8
telehealth	3

V

vaccination	13
veteran(s).....	2, 6, 8, 16
voter qualifications	21
V-SAFE	7



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