

*Session 125 (2023-2024) – South Carolina State Firefighters’ Association  
Legislative Report (1)  
January 2023*

***House of Representatives***

- *Speaker of the House is Murrell Smith (R – Sumter)*
- *Minority Leader is Todd Rutherford (D- Richland)  
Speaker Pro Tempore – Tommy Pope (R - York)*
- *124 seats*
- *2 year terms (most recent election November 8, 2022)*

***South Carolina Senate***

- *President of the Senate is Thomas Alexander (R – Oconee)*
- *Minority Leader is Brad Hutto (D – Orangeburg)*
- *46 senators*
- *4 year terms (next election November 5, 2024)*

***125<sup>th</sup> Session of the South Carolina General Assembly - 1<sup>st</sup> Regular Session (2023)***

- *Convenes on Tuesday, January 10, 2023 (second Tuesday in January)*
- *First year of a two-year session*
- *Legislation not enacted during the 2023 session will hold its place in the legislative process and carry over to the 2024 session*
- *Crossover deadline is Thursday, April 6<sup>th</sup> (last legislative day before April 10<sup>th</sup>) for legislation to pass from one chamber to the other; after this date a 2/3 vote of the receiving chamber is required to consider a bill*
- *Statutory Sine Die date – Thursday, May 11, 2023 (second Thursday in May)  
(Note 2023 is not an election year)*

***Governor’s Executive Budget***

**Department of Labor, Licensing, and Regulation (LLR)** - LLR is assigned to the Transportation and Regulatory Budget Subcommittee. The department’s budget hearing has been scheduled for January 25, 2023. The members of the subcommittee are: Heather Crawford, Chairman B: 212-6933 [heathercrawford@schouse.gov](mailto:heathercrawford@schouse.gov) ; Mark Willis B: 212-6882 [markwillis@schouse.gov](mailto:markwillis@schouse.gov); and Craig Gagnon B: 212-6934 [craiggagnon@schouse.gov](mailto:craiggagnon@schouse.gov) Staff: Emma Hall. [The LLR budget subcommittee hearing is scheduled for January 25 at 10am in room 318 Blatt.](#)

**LLR’s Request:**

- \$3 million non-recurring dollars for the Volunteer Strategic Assistance and Fire Equipment (V-SAFE) program, which allows chartered volunteer fire departments and chartered combination departments to apply for grants to purchase equipment and training services;
- \$1 million recurring dollars to establish a grant program for local fire departments to upgrade radio communications systems;
- \$850,000 recurring dollars to meet federal OSHA funding match requirement;

- \$280,000 non-recurring dollars for local fire department grants (non-volunteer)

**State Treasurer - Aid to Subdivisions** - State Treasurer is assigned to the Constitutional Budget Subcommittee. The member of the subcommittee are: Chris Murphy, Chairman B: 734-3120 [chrismurphy@schoose.gov](mailto:chrismurphy@schoose.gov) ; Micah Caskey B: 212-6959 [micahcaskey@schoose.gov](mailto:micahcaskey@schoose.gov) ; Brandon Newton B: 212-6874 [brandonnewton@schoose.gov](mailto:brandonnewton@schoose.gov); Staff: Ryan Tooley.

- \$277 million recurring dollars to fully fund the Local Government Fund;
- \$3.9 million recurring dollars for Aid to Fire Districts for Insurance Premiums.

### **Return to Work**

108.12 COVID-19 Return to Work Extension - (Technical) This proviso exempts retired SCRS or PORS members who return to covered employment to participate in the state's public health preparedness and response to COVID-19 from the earnings limitation. This amendment updates the fiscal year reference.

108.16 PORS and SCRS Return to Work Amend This proviso clarifies that the earnings limitation on pay does not apply in the current FY for employees who return to work after 12 consecutive months of retirement under PORS and SCRS. This amendment updates the time period for PORS employees from 12 months to a retirement date before June 1, 2023.

108.17 PORS Return to Work Amend This proviso allows PORS members who return to work after 12 consecutive months spent not working to maintain their license to perform duties but will be required to meet training and education requirements of the SC Law Enforcement Academy. The Executive Budget recommends updating the language to require the Law Enforcement Training Council to establish guidelines to recertify officers that have been inactive for a year or longer.

### **Income Tax Relief**

109.16 Active First Responder Tax Credit - The Executive Budget recommends adding this new proviso creating a \$2,000 income tax credit for tax year 2023 to active sworn law enforcement officers, firefighters and emergency medical technicians.

109.17 Tax Exemption for Police Officer and FireFighter Retirement Income - This proviso authorizes retirement income received by a qualified first responder through the Police Officers Retirement System (PORS) is exempt from individual income tax for tax year 2023.

### *House Bills of Interest*

H 3033 (Assault and Battery of Certain Public Servants) -By Pope, Wooten, Carter, West and Lawson

Provides enhanced penalty for when a person injures a federal, state or local law enforcement officer, corrections officer, firefighter or EMS worker in the discharge of or because of their duty will be charged with Assault and Battery. Referred to Judiciary.

H 3179 (Chief Jerry Williams Dedication) By Pope and Ligon. Requests the Department of Labor, Licensing and Regulation to Dedicate the Statue and Plaza of the SC Fallen Firefighter Memorial Garden, located on the grounds of the SC Fire Academy. Referred to Judiciary. [A meeting of the House Invitations and Memorial Resolutions Committee is scheduled for Wednesday, January 18 at 9:30am in room 503 Blatt.](#)

H 3195 (Return to Work) by Wooten, W. Newton, B. Newton and McCravy. PORS members are allowed to return to work under a covered employer to work in a critical needs area. Referred to Ways and Means.

H 3216 (Opioid Overdose Prevention) By Oremus and Kilmartin. Provides that every first responder station and dispatch office in the State shall maintain in their inventory an adequate supply of unexpired opioid antidote medication at all times. Referred to Medical, Military and Municipal Affairs.

H 3272 (Workers' Compensation) By Pope, Gilliam, Wooten, McCravy, Lawson and Pace. Provides first responders (a law enforcement officer or firefighter employed by state or local government. A volunteer law enforcement officer or firefighter engaged by state or local government) medically diagnosed with Post-traumatic stress disorder arising from a significant traumatic experience or situation in the course of scope of employment, the first responder has an incapacity to work as determined by the treating physician and the first responder is participating in and receiving clinical care through SCLEAP or SC FAST programs may be eligible to submit a workers' compensation claim. Referred to Labor, Commerce and Industry.

H 3273 (Insurance premiums) By Pope, Gilliam, Wooten, McCravy, Lawson and Chapman. Prohibits insurers from considering the work-related driving record of a first responder (a law enforcement officer or firefighter employed by state or local government. A volunteer law enforcement officer or firefighter engaged by state or local government) in determining the premium rate for the first responder's personal automobile insurance policy. Referred to Labor, Commerce and Industry.

H 3345 (Statewide telecommunications system) By Johnson. Adds 911 dispatcher to definition of first responder (emergency medical services provider, a law enforcement officer, or a fire department worker directly engaged in examining, treating, or directing persons during an emergency, or a 911 professional which includes call takers and dispatchers) and redefines "firefighter" to "a fire department worker directly engaged in examining, treating, or directing persons during an emergency". Referred to Ways and Means.

H 3394 (South Carolina Hands Free Act) By Taylor, West and Chapman. Creates the offense of distracted driving and provides penalties. This section does not apply to first responders while performing official duties. Referred to Judiciary.

H 3413 (Law Enforcement) By Wooten and Pope. Provides that the millage rate limitation may be suspended and the millage rate may be increased to purchase equipment to improve law enforcement, fire rescue, minimum salaries for state and local law enforcement officers and other purposes. Referred to Ways and Means.

H 3421 (Income tax exemption) By Lawson, McCravy, Chapman and Taylor. South Carolina gross income does not include wages earned by a first responder (emergency medical services provider, a law enforcement officer or employee of the United States, a state, political subdivision of a state, or the District of Columbia, who is authorized to enforce laws, a fire department worker or a 911 dispatcher directly engaged in examining, treating, or directing persons during an emergency) while performing the duties of a first responder. Referred to Ways and Means.

H 3425 (Return to Work) By Pope, Thayer, Gilliam, S. Jones, Wooten, B. Newton, McCravy, Lawson, Leber and Atkinson. Allows PORS members to return to work without an earning limitation if they work in a critical need area or they wait a 12 month period upon retirement before returning to work for a covered employer. Referred to Ways and Means.

H 3463 (Firefighter Training and Employment) By Long and Magnuson. Provides procedures through which a fire department that assumes the cost of training a firefighter may be reimbursed for these costs by other fire departments that subsequently hire the firefighter. Referred to Ways and Means.

H 3486 (South Carolina Compassionate Care Act) By Herbkersman, Carter, Taylor, Kilmartin and Henegan. Authorizes use of cannabis for certain debilitating health issues. Traumatic events experienced by firefighters are included. Referred to Medical, Military and Public and Municipal Affairs.

H 3521 (Emergency Scene Management) By Long, Lawson, Burns and Chumley. Revises the Definition to Emergency scene management and emergency services personnel definitions to include tow truck operators. Referred to Education and Public Works.

H 3523 (Fallen First Responders Survivor Advocate position created) By McCravy. Creates a position within the Department of Administration to be an ombudsman for fallen law enforcement and first responders families in dealing with health insurance, benefits, etc. Referred to Judiciary.

H 3607 (Building Codes) By Sandifer. Authorizes the council to review, adopt, modify, and promulgate the building codes referenced in Section 6-9-50, for residential building codes, the effective date shall be no earlier than five years but no later than six years from the date of the previously adopted South Carolina Building Codes, and for commercial building codes referenced in Section 6-9-50, the effective date shall be no earlier than two years but no later than three years from the date of the previously adopted South Carolina Building Codes, however, the council may begin these processes sooner under certain circumstances. The council may modify, deny, or amend the code committee's report of recommendations with at least a two-thirds vote after a finding on the record that the modifications provide a reasonable degree of public health, and safety. All codes and reference standards referred to in the IRC remain in effect with the adopted version of the IRC. Referred to Labor, Commerce and Industry.

### *Senate Bills of Interest*

S 4 (Local Government Planning) By Jackson. Allows builders to hire a certified third-party inspector to perform the duties of the local inspector of buildings as they relate to that builder. Referred to Judiciary.

S 27 (Paid family leave) By Jackson and Shealy. Increases paid parental leave from six weeks to 12 weeks. Referred to Judiciary.

S 81 (Workers' Compensation- PTSD) By Malloy. Provides that a limitation on stress, mental injuries, and mental illness for workers' compensation does not apply to a first responder diagnosed with post-traumatic stress disorder. Referred to Judiciary.

S 82 (Workers' Compensation- PTSD coverage for First Responders) By Malloy. Provides that a limitation on stress, mental injuries, and mental illness for workers' compensation does not apply to a first responder diagnosed with post-traumatic stress disorder. Referred to Judiciary.

S 122 (Income tax deduction) By Hembree. Allows a South Carolina income tax deduction of all military retirement or first responder retirement income. Referred to Senate Finance.

S 154 (South Carolina Street Gang and Criminal Enterprise Prevention and Anti-Racketeering Act) By Young and Senn. Arson and other fire related offenses are included as Racketeering Activity. Referred to Judiciary.

S 157 (South Carolina Hands-free Act) By Young. Creates the offense of distracted driving and provides penalties. This section does not apply to first responders while performing official duties. Referred to Transportation.

S 203 (School Drills) By Fanning. Provides that each semester that all public schools, including charter schools whose instruction is not primarily delivered on line, shall conduct one fire drill, one active shooter/intruder drill and one severe weather/earthquake drill. Referred to Education. Referred to Education.

S 205 (Jerry Nealy Bridge) By Fanning. Requests that the Department of Transportation name the bridge along Wateree Road in Fairfield County where it crosses the Wateree Creek be named "Jerry Nealy Bridge" and erect appropriate markers at the location. Referred to Transportation.

S 251 (First Responders' Workers' Compensation Coverage for PTSD) By M. Johnson, Adams and Gustafson. Provides that first responders medically diagnosed with Post-traumatic stress disorder arising from a significant traumatic experience or situation in the course of scope of employment, the first responder has an incapacity to work as determined by the treating physician and the first responder is participating in and receiving clinical care through SCLEAP or SC FAST programs may be eligible to make a workers' compensation claim. Referred to Judiciary.