

FY24-25 Appropriations Bill and Capital Reserve Fund (H.5100 & H.5101)

The Department of Labor, Licensing, and Regulations presented its budget request to the House Ways and Means Transportation and Regulatory Budget Subcommittee on January 16, 2024. LLR is assigned to the Ways and Means Transportation and Regulatory Budget Subcommittee. The members of the subcommittee are: Rep. Heather Crawford, Chairman B: 212-6933; Rep. Mark Willis 212-6882; and Rep. Craig Gagnon B: 212-6934 Staff: Mills Carlton. [Department of Labor, Licensing, and Regulation \(LLR\) FY24-25 Budget Request \(Hyperlink\)](#) - [Governor’s FY24-25 Executive Budget Recommendation \(Hyperlink\)](#) – [H.5100 & H.5101 – Ways and Means Budget and Capital Reserve Recommendations \(Hyperlink\)](#)

The Ways and Means Recommendation for LLR budget:

- Other and Federal Fund Authorization – Personal Services
- Federal Funds Authorization
- Fire Academy & Office of State Fire Marshal FTE Authorization
- Applications Developer II
- \$1 million non-recurring funds for the State Fire Marshal’s Office, specifically the Urban Search and Rescue (USAR) mission;
- \$503,095 non-recurring funds to meet federal grant program state financial match requirements.

Bill Number	Description	Status	Date	Hyperlink
	Authorizations: <ul style="list-style-type: none"> • Other & Federal Fund Authorization - Personal Services • Federal Funds Authorization • Fire Academy & Office of State Fire Marshal FTE Authorization • Applications Developer II 	RECOMMENDED by House Ways and Means RECOMMENDED by House Ways and Means RECOMMENDED by House Ways and Means RECOMMENDED by House Ways and Means	February 21 March 11 – 14	H.5100 and H.5101 - Ways and Means Budget and Capital Reserve Recommendations
	\$1,054,333 (nr)- State Fire Marshal – operational expenses	RECOMMENDED by House Ways and Means(NR)	February 21 March 11 – 14	H.5100 and H.5101 - Ways and Means Budget and Capital Reserve Recommendations
				H.5100 and H.5101 - Ways

	\$503,095 (nr) – matching funds for grants	RECOMMENDED by House <u>Ways and Means</u> (NR) House Floor Budget Deliberations March 11 @ 1pm.	February 21 March 11 – 14	<u>and Means Budget and Capital Reserve Recommendations</u>
81.17	Meals in Emergency Operations	RECOMMENDED by House <u>Ways and Means</u> House Floor Budget Deliberations March 11 @ 1pm.	February 21 March 11 – 14	<u>H.5100 and H.5101 - Ways and Means Budget and Capital Reserve Recommendations</u>
81.18	Earnings Limitation: Fire Academy Instructor Return to Work Extension - The Executive Budget recommends adding a proviso to allow LLR to hire any retired certified fire instructor whereby the earnings limitation will not apply.	NOT RECOMMENDED by House <u>Ways and Means</u> House Floor Budget Deliberations March 11 @ 1pm.	February 21 March 11 – 14	<u>H.5100 and H.5101 - Ways and Means Budget and Capital Reserve Recommendations</u>

Cancer Benefit Plan Expansion

H.4680 (Cancer Expansion) by Rep. Mark Smith et. al. This bill provides that the definition of “firefighter”. "Firefighter" means any person, paid or unpaid, who is a resident of this State, or a nonresident who resides in a contiguous state who ~~and~~ engages in rescue, fire suppression, or related activities, under the supervision of a fire chief or fire department in this State or who is employed by the State Commission of Forestry or a forestry district for the purpose of fire protection. Referred to Medical, Military, Public and Municipal Affairs. H.4680 bill was discussed in the 3M Medical and Health Affairs Subcommittee on Tuesday, February 6, 2024. The subcommittee amended the bill to specifically eliminate the nonresident language in current law and include State Fire as an eligible participant in the Cancer Benefit Plan.

S.728 similar to H4680 (Cancer Expansion) by Senator Gustafson. S.728 provides that the definition of “firefighter”. "Firefighter" means any person, paid or unpaid, who ~~is a resident of this State and~~ engages in rescue, fire suppression, or related activities, under the supervision of a fire chief or fire department in this State or who is employed by the State Commission of Forestry or a forestry district for the purpose of fire protection. Referred to Labor, Commerce and Industry.

Bill Number	Description	Status	Date	Hyperlink
<u>H4680</u>	Cancer Benefits Plan Expansion	Read 1 st time Referred to <u>Medical, Military and Municipal Affairs</u> . Subcommittee amended and voted H4680 out favorably to the full committee Full Committee passed the bill out favorably as amended. Bill on <u>House Calendar</u> where it was passed out and sent to the Senate.	1/9/24 1/9/24 2/6/24 2/27/24 3/8/24	Read <u>H4680</u>

<u>S728</u>	Cancer Benefit Plan – Eliminates residency requirement to participate in the Cancer Benefit Plan.	Read 1 st time Referred to Senate Labor, Commerce and Industry Subcommittee amended and voted S728 out favorably to the full committee. Full Committee meeting was scheduled; however no bills were discussed. LCI Committee meeting @ 9am in room 308 Gressette	4/13/23 4/13/23 4/21/24 2/29/24 3/14/24	Read S728
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Return to Work Legislation

There are many return to work bills that have been introduced. Only one has moved which is H3425. However, there are four provisos that appear in the Budget Bill that have been adopted in the past few years. NOTE: Provisos are year-to-year.

H3425 (Return to Work) 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. Also includes SCRS members to return to work without an earning limitation if they wait the 12 month period. Referred to [Ways and Means](#). *H3425 was passed by the House and sent to the Senate where it was referred to Senate Finance Committee.*

Bill Number	Description	Status	Date	Hyperlink
<u>S188</u>	Earnings Limitation – Eliminates the cap for PORS members. Also, eliminates the cap for retired certified teachers	Read 1 st time Referred to Senate Finance Awaiting hearing	1/10/24 1/10/24	Read S188
<u>S239</u>	Earnings Limitation - Eliminates the cap for PORS members	Read 1 st time Referred to Senate Finance Awaiting hearing	1/10/24 1/10/24	Read S239
<u>S420</u>	Earnings Limitation – Moves cap from \$10K to equal to the annual retirement earnings test exempt lower amount as set by the Social Security Administration. This amount was \$18,240 in 2020	Read 1 st time Referred to Senate Finance Awaiting hearing	1/19/24 1/19/24	Read S420
<u>S1006</u>	Earnings Limitation – Constables working in multiple agencies/departments	Read 1 st time Referred to Senate Finance Awaiting hearing	1/31/24 1/31/24	Read S1006
<u>H3143</u>	Earnings Limitation – Provides that certain disability retirees are subject to certain earnings limitations	Read 1 st time Referred to Ways and Means Awaiting hearing	1/10/23 1/10/23	Read H3143
<u>H3425</u>	Earnings Limitation – Allows PORS members to return to work without an earnings	Read 1 st time Referred to Ways and Means	1/10/24 1/10/24	Read H3425

	limitation if they work in a critical need area or they wait a 12 month period	Passed the House Sent to Senate Referred to <u>Senate Finance</u> Awaiting hearing	5/16/23 5/23/23 5/23/23	
<u>H4971</u>	Earnings Limitation - Allows those retiring prior to 1/2/25 to return to work with no earnings cap	Read 1 st time Referred to <u>Ways and Means</u> Awaiting hearing	1/30/24 1/30/24	Read <u>H4971</u>
108.12	Earnings Limitation -COVID response	House <u>Ways and Means</u> DELETED by House <u>Ways and Means</u> House Floor Budget Deliberations.	February 21 March 11 – 14	<u>H.5100 and H.5101 - Ways and Means Budget and Capital Reserve Recommendations</u>
108.16	Earnings Limitation-12 month separation	House <u>Ways and Means</u> RECOMMENDED by House <u>Ways and Means</u> House Floor Budget Deliberations March 11 @ 1pm.	February 21 March 11 – 14	<u>H.5100 and H.5101 - Ways and Means Budget and Capital Reserve Recommendations</u>

Tax Exemptions/Deduction that Impact First Responders

Bill Number	Description	Status	Date	Hyperlink
H.5100	Comprehensive Tax Cut of 2022 (S.1087) - Year 3 (6.4% to 6.3%)	RECOMMENDED by House <u>Ways and Means</u> House Floor Budget Deliberations March 11 @ 1pm.	February 21 March 11 – 14	Read <u>H.5100</u>
<u>S122</u>	Income Tax Deduction on all First Responder Retiree Income	Read 1 st time Referred to Senate Finance Awaiting a hearing	1/10/24 1/10/24	Read <u>S122</u>
<u>S692</u>	Exempts Retirement Income of State Employees from Income Tax	Read 1 st time Referred to Senate Finance Awaiting hearing	3/29/23 3/29/23	Read <u>S692</u> Similar <u>H4210</u>
<u>S969</u>	Tax Deductions for First Responders Officers – Increases daily subsistence from \$8 to \$16 and increase the volunteer exemption amount for law enforcement and Firefighters from \$3000 to \$6000	Read 1 st time Referred to Senate Finance Subcommittee reported the bill out favorably Passed out favorably from Senate Finance Bill on Senate Calendar	1/17/24 1/17/24 2/20/24 2/27/24 3/5/24	Read <u>S969</u>

H3832	Exemption of Sales Tax - This bill relates to sales tax exemptions regarding certain firefighter personal protection equipment and also relates to certain firefighting vehicles.	Read 1 st time Referred to Ways and Means Awaiting hearing		Read H3832
H4102	Income tax exemption for first responders' (law enforcement, firefighters, emts or peace officers) retirement income	Read 1 st time Referred to Ways and Means Awaiting hearing	3/8/23 3/8/23	Read H4102 Similar S547 , H3928 , H4534
H4210	Exempts State Employees' Retirement Income from income tax	Read 1 st time Referred to Ways and Means Awaiting hearing	3/29/23 3/29/23	Read H4210 Similar S692
H4534	Provides a tax deduction for first responder (law enforcement, firefighters, emts or peace officers) retirement income	Read 1 st time Referred to Ways and Means Awaiting hearing	1/9/24 1/9/24	Read H4534
H4566	First Responders - This bill defines county and municipal employees who respond in emergencies as first responders in several sections of law regarding tax deductions.	Read 1 st time Referred to Ways and Means Awaiting hearing	1/9/24 1/9/24	Read H4566
H4697	Income tax exemption for law enforcement, first responders (firefighter, paramedic, emt) and teachers retirement income	Read 1 st time Referred to Ways and Means Awaiting hearing	1/9/24 1/9/24	Read H4697 Similar H5009
H5009	Income tax exemption for law enforcement, first responders (firefighter, paramedic, emt) and teachers retirement income	Read 1 st time Referred to Ways and Means Awaiting hearing	2/1/24 2/1/24	Read H5009 Similar H4697

First Responder Benefits

Bill Number	Description	Status	Date	Hyperlink
S27	Paid Family Leave - Increases paid parental leave for state employees from six weeks to 12 weeks.	Read 1 st time Referred to Senate Judiciary . Awaiting a hearing	1/10/23 1/10/23	Read S27
S547	First Responder Benefits - Includes emergency medical technicians in provisions for paying tribute to fallen law enforcement officers and firefighters under which the Governor orders all flags on state buildings to be flown at half-mast on the day of burial or other service for those who have died in the line of duty. The legislation	Read 1 st time Referred to Senate Finance Awaiting a hearing	2/16/23 2/16/23	Read S547 Similar H3928 , H4102 , H4534

	revises the Pre Retirement Death Benefit Program under the South Carolina Retirement System and the Police Officers Retirement System to make provisions for a death benefit for emergency medical technicians, firefighters and law enforcement killed in the line of duty. The legislation makes provisions for a first responder retirement income deduction. The legislation revises provisions relating to general exemption from taxes to provide that a qualified surviving spouse also means certain surviving spouses of emergency medical technicians. The legislation expands eligibility for waived tuition at state-supported colleges or universities and vocational or technical schools to include the children of emergency medical technicians who become totally disabled or are killed in the line of duty.			
H3928	Sara Weaver Act - Includes emergency medical technicians in provisions for paying tribute to fallen law enforcement officers and firefighters under which the Governor orders all flags on state buildings to be flown at half-mast on the day of burial or other service for those who have died in the line of duty. The legislation revises the Preretirement Death Benefit Program under the South Carolina Retirement System and the Police Officers Retirement System to make provisions for a death benefit for emergency medical technicians killed in the line of duty. The legislation makes provisions for a first responder retirement income deduction. The legislation revises provisions relating to general exemption from taxes to provide that a qualified surviving spouse also means certain surviving spouses of emergency medical technicians. The legislation expands eligibility for waived tuition at state-supported colleges or universities and vocational or technical schools to include the children of emergency medical technicians who become totally disabled or are killed in the line of duty.	Read 1 st time Referred to Ways and Means Awaiting a hearing	2/9/23 2/9/23	Read H3928 Similar S547 , H4102 , H4534
H4102	First Responder Benefit - Among many things, the bill provides for a death benefit for emergency medical technicians killed in the line of duty, as well as volunteer firefighter or a volunteer emergency medical services personnel.	Read 1 st time Referred to Medical, Military and Municipal Affairs Awaiting hearing	3/8/23 3/8/23	Read H4102 Similar S547 , H3928 , H4534
H5080	First Responder Benefits – among other things, the bill contains language to exempt firefighter retirement income from income taxes as well as provides that an individual or group health plan must provide coverage under the same terms and conditions to the spouse or dependent of a first responder covered by such a plan in	Read 1 st time Referred to Labor, Commerce and Industry Awaiting hearing	2/13/24 2/13/24	Read H5080

certain circumstances.

Workers' Compensation - PTSD

Bill Number	Description	Status	Date	Hyperlink
S81	Workers' Compensation- PTSD - Provides that a limitation on stress, mental injuries, and mental illness for workers' compensation does not apply to a first responder (fire and law enforcement) diagnosed with post-traumatic stress disorder	Read 1 st time Referred to Judiciary Subcommittee hearing/bill not reported out.	1/10/23 1/10/23 4/4/23	Read S81
S82	Workers' Compensation - PTSD - Provides that a limitation on stress, mental injuries, and mental illness for workers' compensation does not apply to a first responder (fire, law enforcement, emts and paramedics) diagnosed with post-traumatic stress disorder	Read 1 st time Referred to Judiciary Subcommittee hearing/bill not reported out.	1/10/23 1/10/23 4/4/23	Read S82
S251	First Responders' Workers' Compensation - PTSD - 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 SCFAST programs may be eligible for a workers' compensation claim	Read 1 st time Referred to Judiciary Subcommittee reported the bill out favorably Full Committee reported the bill out favorably. Senate Calendar - the bill is contested	1/10/23 1/10/23 4/4/23 2/20/24 3/5/24	Read S251

Other Bills of Interest`

Bill Number	Description	Status	Date	Hyperlink
S203	School Drills - 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.	Read 1 st time Referred to Senate Education Passed the Senate; sent to the House Referred to House Education and Public Works	1/10/23 1/10/23 3/1/23 3/2/23	Read S203
S 375	Emergency Scene Management - Provides that a driver shall ensure that his vehicle is kept under control when approaching or passing a motor vehicle stopped on or near the right of way of a street or highway; to provide that a person driving a vehicle approaching a	Read 1 st time Referred to Transportation Passed the Senate and sent to the House	1/12/23 1/12/23 2/28/23	Read S375

	stationary vehicle displaying flashing hazard lights shall slow down, yield the right of way, and maintain a safe speed if changing lanes is unsafe; and to provide penalties.	Referred to House <u>Judiciary Criminal Laws Subcommittee</u> meeting on Wednesday, April 26, 2023. The bill was not discussed due to time constraints.	3/1/23 4/26/23	
<u>S423</u>	South Carolina Compassionate Care Act - Authorizes use of cannabis for certain debilitating health issues. Traumatic events experienced by firefighters are included.	Read 1 st time Referred to <u>Senate Medical Affairs</u> . This bill was polled out of Committee and is on the <u>Senate Calendar</u> . Contested by Senators Garrett, Hembree and Lofits. S423 set for Special Order Passed the Senate and sent to the House. Referred to <u>Medical, Military and Municipal Affairs</u> Awaiting a hearing	1/19/23 1/19/23 2/21/23 2/6/24 2/14/24 2/27/24	Read <u>S423</u>
<u>S709</u>	This bill changes the composition of the Board of Pyrotechnics Safety by adding two additional members designated as pyrotechnic members. This shift results in substantially increasing the representation of pyrotechnic members, decreases fire, law enforcement and general public percentage representation.	Read 1 st time Referred to <u>Senate Labor, Commerce and Industry</u> Bill was heard by a subcommittee on Feb. 21 and carried forward.	4/11/23 4/11/24 2/21/24	Read <u>S709</u>
<u>S1078</u>	Firefighter Transport - Allows firefighters to transport patients in vehicles other than ambulances when it is determined that an ambulance is insufficient or unavailable to attend to the scene/location and a patient is suffering from a condition requiring an emergency response to a health care facility.	Read 1 st time Referred to <u>Senate Medical Affairs</u> .	2/21/24 2/21/24	Read <u>S1078</u>
<u>H3521</u>	Emergency Scene Management -Revises the Definition to Emergency scene management and emergency services personnel definitions to include tow truck operators.	Read 1 st time Referred to <u>Referred to Education and Public Works</u> Awaiting a hearing	1/10/23 1/10/23	Read <u>H3521</u>
<u>H3523</u>	Fallen First Responder Advocate - Creates a Fallen First Responder Advocate position within the Department of Administration to assist surviving family members of first responders killed in the line of duty	Read 1 st time Referred to House <u>Judiciary</u> Passed the House and sent to the Senate and referred to <u>Senate Judiciary</u> Awaiting a hearing	1/10/23 1/10/23 1/25/24	Read <u>H3523</u>

H3033	Assault and Battery of Certain Public Servants - 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.	Read 1 st time Referred to <u>Judiciary</u> Awaiting a hearing	1/10/23 1/10/23	Read H3033 Similar S432 , H3175
H3216	Opioid Overdose Prevention - 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.	Read 1 st time Referred to <u>Medical, Military and Municipal Affairs</u> Awaiting a hearing	1/10/23 1/10/23	Read H3216
H3273	Insurance premiums - 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.	Read 1 st time Referred to <u>Labor, Commerce and Industry</u> Awaiting a hearing	1/10/23 1/10/23	Read H3273
H3345	Statewide telecommunications system - 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".	Read 1 st time Referred to <u>Ways and Means</u> Awaiting a hearing	1/10/23 1/10/23	Read H3345
H3394	South Carolina Hands Free Act - Creates the offense of distracted driving and provides penalties. This section does not apply to first responders while performing official duties.	Read 1 st time Referred to <u>Judiciary</u> Awaiting a hearing	1/10/23 1/10/23	Read H3394
H 3413	Law Enforcement/Fire Rescue - Provides that the millage rate limitation may be suspended by local governments 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.	Read 1 st time Referred to <u>Ways and Means</u> Awaiting a hearing	1/10/23 1/10/23	Read H3413
H3463	Firefighter Training and Employment - 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.	Read 1 st time Referred to <u>Ways and Means</u> Awaiting a hearing	1/10/23 1/10/23	Read H3463
H3607	Building Codes - Provides time frames for the South Carolina Building Codes Council's review, modification, and adoption process, establishing an effective date of no earlier than five years but no later than six years from the date of the previously adopted residential building codes and an effective date of no earlier than two years but	Read 1 st time Referred to <u>Labor, Commerce and Industry</u> Awaiting a hearing	1/11/23 1/11/23	Read H3607

	no later than three years from the date of the previously adopted commercial building codes. The council may begin these processes sooner so long as notification requirements and other criteria are met. Provisions are made for the Council to modify, deny, or amend the code committee's report of recommendations with at least a two-thirds vote. All codes and reference standards referred to in the International Residential Code remain in effect with the adopted version of the IRC.			
H3822	First Responders Protection Act - Enacts the “First Responders Protection Act” which would require an employer to pay certain injured employees on the same basis as before the injury occurred.	Read 1 st time Referred to <u>Labor, Commerce and Industry</u> Awaiting a hearing	1/26/23 1/26/23	Read H3822
H4113				
H4351	Board of Pyrotechnic Safety Re-composition - Changes the composition of the Board of Pyrotechnics Safety by shifting two of the three general public members to pyrotechnic members.	Read 1 st time Referred to <u>Labor, Commerce and Industry</u> . Subcommittee adjourned debate on the bill.	4/19/23 4/19/23 2/6/24	Read H4351
H4385	Lights and Insignia On Authorized Emergency Vehicles - Allows there to be blue or red lights on the back of fire department vehicles.	Read 1 st time Referred to <u>Education and Public Works</u> Awaiting a hearing	4/26/23 4/26/23	Read H4385
H.4436	Emergency Scene Management -This bill relates to emergency scene management, providing that drivers are responsible for maintaining vehicle control in certain emergency circumstances to avoid interfering with the operation of authorized emergency vehicles.	Read 1 st time Referred to <u>Education and Public Works</u> Reported out favorably. Bill is on House Calendar. Passed by House and sent to Senate.	5/4/23 5/4/23 2/27/24 3/5/24 3/8/24	Read H.4436
H4646	Public Employee Communication Act - Provides that a public employee may not be prohibited from communicating with an elected public official for any job-related purpose. For purposes of this section, "public employee" means any person providing services for the State of South Carolina, state agencies, counties, municipalities, or subdivisions of such governmental bodies	Read 1 st time Referred to <u>Medical, Military and Municipal Affairs</u> Awaiting hearing	1/9/24 1/9/24	Read H4646
H4681	First Responder Advisory Committee – increases the number of	Read 1 st time	1/9/24	Read H4681

	committee members from nine to 10 by adding a person who represents the SC Coroners' Association.	Referred to <u>Medical, Military and Municipal Affairs</u> Bill passed out of subcommittee favorably.	1/9/24 3/6/24	
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Regulation Number	Description	Status	Date	Hyperlink
#5248	<p>Building Codes Council Regulation – The South Carolina Building Codes Council proposes to add to, amend and/or repeal certain sections of Chapter 8 of the Code of Regulations (which includes increasing the Code cycle from three to four years).</p> <p>During the Subcommittee meeting, an adjustment was made to the submitted regulation. Two members were added to the study committee (fire representative and mechanical engineer representative).</p>	<p>Referred to Committees House Committee: Regulations and Administrative Procedures Committee Senate Committee: Labor, Commerce and Industry Committee 120 Day Review Expiration Date for Automatic Approval: 05/08/2024</p> <p>Passed out favorably from Senate LCI Subcommittee with amended language.</p>	<p>1/9/24</p> <p>3/7/24</p>	#5248