

**SC Military Base Task Force
2019 Legislative Initiatives
As of January 21, 2019**

CURRENTLY FILED

S.179 (Senators McElveen, Campbell, Johnson, Butler Garrick, Climer, Shealy, T. R. Young and Davis)

And

H.3135 (Representatives G. M. Smith and Erickson)

Workforce Enhancement and Military Recognition Act (Senate Finance & House Ways & Means)

This bill amends Act 272 of 2016 to continue the phase-in of the military retirement exemption through tax year 2020, and then converts to a full military retirement income exemption commencing in tax year 2021.

Note: See Attachment 1

S.180 (Senator McElveen)

And

H. 3593 (Representative G. M. Smith)

Drone Restrictions near Military Bases (Senate Judiciary & House Education and Public Works)

This bill provides that it is unlawful use of the property of others to operate an unmanned aerial vehicle within a certain distance of a federal military installation, and to provide penalties for the violation. Last session a similar bill passed the Senate with a 38 to 0 roll call vote and was sent to the House. The House passed the bill with amendments; the Senate did not concur with the House amendment. A conference committee was not able to reconcile differences and the bill failed to pass.

S. 212 (Senator Young)

In-state Tuition for Children and Spouses Using Transferred Benefits (Senate Education)

This bill modifies the definition of "Covered Individual" to include a person who enrolls within three years of the veteran's discharge, a person using benefits while the veteran is on active duty, and a person entitled to assistance under Section 3311 (b) (9) of Title 38 of the U.S. Code.

S. 317 (Senator Alexander)

And

H. 3180 (Representatives G. M. Smith and Erickson)

South Carolina Service Members Civil Relief Act (Senate and House Judiciary)

This bill enumerates certain updated rights, benefits and protections of the service members and their dependents consistent with the rights, benefits and protections of the Federal Service Members Civil Relief Act, 50 U.S.C. 3901, et seq.

Note: This is a 2019 DoD Initiative.

S. 321 (Senator Alexander)

Advance Enrollment

This bill provides that residency requirements will be temporarily waived for any child whose parents are relocating as a result of military service into the state if documentation is provided to show a pending military relocation. Proof of residency must be provided within 30 days of the first day of school attendance.

Note: This is a 2019 DoD Initiative.

S. 322 (Senator Alexander)

Expedited Credentialing for School Teachers (Senate Education)

This bill directs the State Board of Education to formulate rules and regulations to administer an expedited credentialing system for military spouses with certification from another state and documentation of a pending military transfer.

Note: This is a 2019 DoD Initiative.

H. 3101 (Representative G. M. Smith)

Interstate Medical Licensure Compact (Medical, Military, Public & Municipal Affairs)

This bill provides for South Carolina to become a member of the Multistate Physicians Licensure Compact that would provide for the reciprocal practice of medicine among the states that are parties to the compact.

H. 3130 (Representatives G. M. Smith, Erickson and Clyburn)

Pension Increase for Certain Members of the National Guard of South Carolina (House Ways & Means)

This bill provides for increases of retirement pay from the National Guard Retirement System for certain retirees having served at least 20 years creditable service, including National Guard, reserve and active duty.

H. 3136 (Representatives G. M. Smith, G. R. Smith and Erickson)

Amend Special Needs Tax Credit (Ways & Means)

This bill amends the Special Needs Tax Credit to allow the increase of the amount of such credits if needed to accommodate any special needs child of a member of the armed forces killed in the line of duty.

H. 3254 (Representative Hosey)

Married and Widowed Spouses of "Wartime Veterans" Entitled to Free Tuition in State-Supported Post-High School Institution Upon Approval of State Department of Veterans Affairs (House Ways and Means)

This bill extends the right to free state supported post-high school educational institutions beyond the child of a "Wartime Veteran" to also include the spouse or widow if approved by the State Department of Veterans Affairs.

H. 3263 (Representatives G. M. Smith, Yow, Erickson and Bradley)

Armed Service Members and Spouses Professional and Occupational Licensing Act (House Labor, Commerce & Industry)

This bill exempts armed services members stationed in the state and their spouses from licensure for occupations and professions in certain circumstances.

Note: This is a 2019 DoD Initiative.

H. 3438 (Representatives Pitts, McCarry and B. Cox)

Establish the Division of Veterans Affairs in the Executive Branch and Enumerate the Division's Powers and Duties (House Judiciary)

This bill moves the Division of Veterans Affairs into the Governor's cabinet and expand its duties and responsibilities.

Note: Recommendation of the SC Veterans Policy Advisory Committee and the SC Military Base Task Force

H. 3594 (Representative G. M. Smith)

Military Temporary Remote School Enrollment Act (Senate & House Education)

This bill allows a temporary waiver of residency requirements for school enrollment to allow military grade school children, with documentation of a pending military relocation to the state, access to preliminary registration, enrollment or application to a school district at the time the process is open to the general student population. Proof of residency requirements are temporarily waived until the student begins school, at which time the student shall be required to provide proof of residency in the district within a specified number of days.

Note: This is a 2019 DoD Initiative.

H. 3639 (Representatives Taylor, Allison and Felder)

In-state Tuition for Certain Covered Individuals (Education and Public Works)

This bill modifies the definition of "covered individual" to include a person receiving assistance under Chapter 30, Chapter 31, and Chapter 33, Title 38 of the US Code is entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this state. A "covered individual" includes (a) a veteran who has served 90 days or longer on active duty in the Uniform Services of the US, their respective Reserve Forces, or the National Guard and enrolls within three years of discharge; and, (b) a person entitled to and receiving assistance under Section 3319, Title 38 of the US Code by virtue of the person's relationship to the above disabled veteran who enrolls within three years of the veteran's discharge; (c) a person using transferred benefits under Section 3319, Title 38 of the US Code; (d) a person entitled to and receiving assistance under Section 3311(b) (9), Title 38 of the US Code; or a person who is entitled to and receiving assistance under Section 3102 (a), Title 38 of the US Code. Additionally, a covered individual must live in the state while enrolled at the in-state institution. Moreover, at the conclusion of the applicable three-year period, a covered individual will remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution.

CARRYOVER MATTERS – No bill yet filed in 2019 – 2020

CARRY OVER

Compliance with the SC Uniform Voters Act (House & Senate Judiciary)

See **H. 3685 of 2017/2018**. This bill proposes corrective language to bring the SC Uniform Veterans Act into compliance with the previously passed Uniform Military and Overseas Voting Act relating to special elections to fill vacancies in office, to adjust the dates on which primaries, runoff primaries, and special elections must be held to comply with the SC Uniform Military and Overseas Voters Act. The bill passed the House 105 to 0 in 2017, was sent to the Senate and was referred to the Senate Judiciary Committee, where no action was taken.

CARRY OVER

Military Priority Registration Act (House & Senate Education)

See **H. 4078 of 2017/2018**. This bill provides for priority course enrollment for military related students in public institutions of higher learning. The bill passed the House 107 to 2 in 2018, was referred to the Senate Committee on Education but was not considered further.

CARRY OVER

Authority for Naval Criminal Investigative Service (NCIS) Agents in South Carolina to Enforce State Criminal Laws in the Same Manner by Federal Law Enforcement Officers (House and Senate Judiciary)

See **H.5146 of 2017/2018**. This bill provides that NCIS agents are federal law enforcement officers authorized to enforce the state's criminal laws by adding NCIS to the list in Section 23-1-212(A) of Federal Law Enforcement Officers.

Note: This is an official NCIS request.

CONTINUATION – RECURRING FUNDING REQUEST

Military Child Education Coalition Program (House Ways & Means & Senate Finance)

This request is to continue to provide \$350,000 annually on a **recurring basis** to fund the successful Military Child Education Coalition program in public schools, under the purview of the local school districts and the SC Education Oversight Committee, as a part of their oversight role related to military connected students.

NEW BILL NEEDED

Sustaining In-State Tuition Until Enrollment (House & Senate Education)

This bill makes revisions relating to in-state tuition rates at public institutions of higher education to allow a spouse or child of an active member of the armed forces who is assigned to duty out-of-state, and the spouse or child has received a letter of acceptance prior to the change of duty station, to be deemed an in-state resident for purposes of determining tuition and fees as long as the spouse or child remains continuously enrolled in the institution of higher education.

Note: This is a 2019 DoD Initiative.

NEW BILL NEEDED

Military Service Occupation, Education and Credentialing Act (Senate & House Labor, Commerce & Industry)

This bill amends Act #45 of 2013 and Article 3 of Chapter 1, Title 40 of the 1976 code, as amended, and as further amended by Act #45 of 2013, to delete "may" and substitute "shall" in the first sentence, second line of Section 40-1-630 and in the first sentence, second line of Section 40-1-640 in order to fully implement supportive licensure requirements for transitioning service members and active duty military spouses, including additional implementing provisions.

Note: See Attachment 2

This is a 2019 DoD Initiative: If H. 3236 is passed, this bill will not be necessary.

NEW BILL NEEDED

Wind Energy Regulation and Siting Act (Senate & House Labor, Commerce & Industry)

This bill establishes a procedure and requirements related to permitting, construction, operation or expansion of a proposed wind energy facility in the state or the waters off the coast of the state to assure that it shall not encroach upon or otherwise have a significant adverse impact on the mission, training or operation of any military installation or branch of the military as determined by the Department of Defense (DoD) Siting Clearinghouse and the Federal Aviation Administration.

Note: This is a 2019 DoD Initiative.

NEW MATTER

Three New Veterans Homes

This request is to provide state matching funds for three new federally approved and badly needed veterans nursing homes for the Central Region, Northeast Region and Northwest Region, estimated to be in the amount of \$37 Million.

Note: Recommendation of the SC Veterans Policy Advisory Committee and the SC Military Base Task Force.

ATTACHMENT 1

Workforce Enhancement and Military Recognition Act

	Tax Year	65-*	65+
Act 272	2016	\$ 5,900	\$18,000
	2017	\$ 8,800	\$21,000
	2018	\$11,700	\$24,000
	2019	\$14,600	\$27,000
	2020	\$17,500	\$30,000
	2021	Full Exemption	Full Exemption

*Military Retirement Income exempt against South Carolina earned income for under age 65.

2021 projected loss of tax revenue of approximately \$10.62 Million against total military retirement income coming into the State of approximately \$1.532 Billion.

ATTACHMENT 2

Amendments to the Military Service Occupations and Credentialing Act

To amend Article 3 of Chapter 1, Title 40 of the 1976 Code of Laws, as amended, and as further amended by Act #45 of 2013, to delete "may" and substitute "shall" in the first sentence, second line of Section 40-1-630 and in the first sentence, second line of Section 40-1-640, and modify language of Subsection C of Section 40-1-640 to delete the words "not be renewed" and substitute "which may be renewed for successive one year terms as long as the service member continues to be assigned to a duty station in South Carolina."

To add a new Subsection D to Section 40-1-640 to provide that after the issuance of a temporary license pursuant to Subsection C of Section 40-1-630, any holder of such temporary license may apply to have the temporary license replaced by a regular license by complying with the other provisions of Title 40 during the continuance of such temporary license, using documentation previously submitted in connection with such temporary license.

To add a new Subsection E to Section 40-1-640 to provide that the above provisions applicable to spouses of active duty service members assigned for active duty in the state shall also fully apply to a military service member or a spouse of military service member where the service member is separating from military service and establishing a primary residence in the state.