



AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of South Carolina

**American Council of Engineering  
Companies of South Carolina  
Board of Director's Meeting  
December 3, 2020**  
[Virtual meeting on Webex](#)  
**Meeting #: 132 791 9341**  
**Password: ACECSCBOD**

### **Board of Directors**

- ☐ Jason Eppley, PE, *Chair*
- ☐ Matt Gehman, *Vice Chair*
- ☐ Jeff Mulliken, PhD, PE, *Sec./Treasurer*
- ☐ Keith Overstreet, PE, *Past Chair*
- ☐ Chuck Black, PE, *Director*
- ☐ Petrina Butler PE, *Director*
- ☐ Theresa McClure, *Director*
- ☐ Bryan Shiver, PE, *Director*
- ☐ Ben Temple, PE *Director*
- ☐ Ricky Ward, PE, *Director*
- ☐ Kylie Page, PE, *National Director \**
- ☐ Melvin Williams, Affiliate *National Director \**
- ☐ Tom Jordan, PE, *Environmental Committee Chair\**
- ☐ David Montgomery, PE *Transportation Committee Chair\**
- ☐ Adam B. Jones, *Executive Director\**
- ☐ Allison J. King, *ACEC-SC Staff\**
- ☐ Sarah Waldrop, *ACEC-SC Account Executive*
- ☐ Other\*

\* denotes non-voting

ACEC-SC Board of Directors Meeting  
Hosted by Adam Jones

[https://adam-450.my.webex.com/adam-](https://adam-450.my.webex.com/adam-450.my/j.php?MTID=m3c3dda82747dfc0a321ba343d9e43d07)

[450.my/j.php?MTID=m3c3dda82747dfc0a321ba343d9e43d07](https://adam-450.my.webex.com/adam-450.my/j.php?MTID=m3c3dda82747dfc0a321ba343d9e43d07)

Thursday, Feb 4, 2021 10:00 am | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 132 791 9341

Password: ACECSCBOD (22327226 from phones and video systems)

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Join by phone

+1-408-418-9388 United States Toll

Access code: 132 791 9341

### **Agenda**

1. Call to Order – Jason Eppley, PE
2. Approve Consent Agenda
  - Meeting Minutes December 3, 2020
  - Membership Report
    1. Dunbar Geomatics Membership Application
    2. TPD Membership Applications
    3. Facility Strategies Group (tentative)
3. Financial Report – Jeff Mulliken, PE, PhD
  - Financial Report
4. Chair's Report: - Jason Eppley, PE
  - Strategic Plan
5. Executive Director's Report – Adam B. Jones
  - Legislative Report
    1. S.422 (Indemnity legislation)
      - SCDOT Interpretation
    2. S. 2 (split up SCDHEC)
    3. H. 3392 (Sales tax on professional services)
    4. S.147 COVID-19 Safe Harbor Legislation
    5. QBS Legislation (Opening the Practice Act)
  - SC Engineers Regulations
    1. Committee member(s) needed
  - Engineers Vaccination
    1. Letter to DHEC
      - Recommended Leslie Clark AGC (Chuck Joye, PE (Aurdurra) helped)
  - Engineers Day on the Hill / Legislative Reception
    1. Postponed to 3/23/2021
  - Engineering Excellence Awards
    1. Judging completed
    2. Emcee – Jim Rogers confirmed
    3. April 21, 2021
  - Winter Meeting
    1. 2/23/2021 (virtual)
    2. Environmental Committee working
  - PPP Webinar w/ ACEC & Wayne Owens
  - ACEC-SC Retreat
    1. Move, cost, possible dates
  - Melvin Williams confirmed for ACEC Fellow / Melvin Williams nominated for Vice Chair at ACEC National
6. ACEC National Directors Report – Kylie Page, PE
  - Ballot
  - ACEC Convention/Consulting Congress day Going Virtual
  - ACEC PAC 2020 & 2021 Goal
7. Committee Reports:
  - Transportation Committee
    - ✓ Virtual Round-table discussion on Two Tier
    - ✓ Subcommittees
  - BRE Committee : Future Leaders Alumni Alliance / E-recognition
  - Communications Committee : CN Sessions
  - Membership Committee : Survey
  - Nominating Committee - Activate
  - Budget Committee – Activate
  - Finance Committee – Investing opportunities
8. Other Business
9. Adjourn (next meeting March 5, 2020 at retreat)



## Executive Directors Report January 7, 2021

Good morning. I hope you all had a wonderful Christmas and a happy New Year. I am happy to report as of January 4, 2020, ACEC-SC has a new Account Executive, Sarah Waldrop. Many of you have met Sarah as she was ACEC-SC's intern last year. Sarah has a superb attention to detail and will make a great addition to JMA and ACEC-SC.

The minutes from our last Board of Directors Meeting are attached.

The membership report reflects we still have a few companies that have not paid. We have sent them a final notice.

In this packet, you will notice a membership application from Dunbar Geomatics. Dunbar is a North Carolina based surveying firm with nine employees. They have come to ACEC-SC through the ACEC Life Health Trust. They do have an SC Registration, and we do accept firms without an office here for membership.

I've also attached the Financial Statement generated on 12/28/2020. ACEC-SC is tracking well. We have an income of \$358,347.72 vs. expenses of \$244,128.09 for a net income of \$114,219.63. As you look at the Financial Statement, you will see an income from dues, ACEC trust royalties, and the ACEC-SC / SCDOT Annual Meeting. We are continuing to get income from the ACEC-SC / SCDOT Meeting. One thing to note, the SC Engineering Conference & Trade Show is finalizing the split and has received the money from SCDLLR (Registration Board) and will be doing that split soon. You will see the major expenses are the payment to ETC Institute for the ongoing survey and expenses from the ACEC-SC/SCDOT Annual Meeting. Other expenses are the management fee, payment to JMA for the intern for the first six months of the fiscal year, and miscellaneous expenses (postage, software, etc.). ACEC-SC's current assets are \$600,911.43 versus Liabilities and Equity of the same amount. ACEC-SC is strong financially.

The legislature returns Tuesday, January 12, 2021, and like most things in the COVID-19 age, it will look very different. For the foreseeable future, the lobby will be closed. Meetings at the Blatt and Gressette buildings will be confirmed by appointment only. With that in mind, additional constituent help may be needed. Constituents will be more likely to get appointments than lobbyists in certain situations. Once the Designer Fair Contracting Act is assigned a subcommittee, I would like to start meeting with the subcommittee members as soon as possible. I will start working on having the same bill introduced in the House of Representatives next week.

I am still going through the pre-filed legislation, and currently, we have 32 additional bills we are monitoring. More bills will be introduced on 1/12/2021. I have attached the pre-filed bills I have identified to be of interest to the engineering community. Two bills you will not see on this list are our bill (Designer Fair-Contracting Act), which will be introduced on 1/12/2021, and

the COVID-19 Safe Harbor bill we anticipate to be introduced. The most alarming bill pre-filed is Representative Pope's bill H 3392, which would force services to pay sales tax. Some of you may remember the business community was able to defeat this two years ago. I've reached out to my counterparts in the business community to make sure they saw this bill and hope to have a meeting early in the session.

Once we have the indemnity bill moving forward in both Chambers, we will start working on introducing the QBS bill.

I will continue to update the list of bills we are tracking weekly and send it out with my weekly newsletters starting next Tuesday.

Currently, we have scheduled the Design Construction Partnership and Engineers Day on the Hill on March 23, 2021. We will continue to monitor the COVID-19 numbers as well as the legislators' attendance to events such as these. House and Senate leadership are recommending legislators to steer clear of receptions and meetings outside of the State House as long as COVID-19 numbers are high. We will evaluate this at the February and March board meetings.

South Carolina Council of Engineering and Surveying Societies (SCCESS) met on December 22, 2020. Vice-Chair Matt Gehman and Secretary-Treasurer Jeff Mulliken, PhD, PE represented ACEC-SC. The members of SCCCESS interviewed SC Board of Registration members Mr. Gene Dinkins, PE, PLS, and Mr. Mack Kelly, PE, PLS for the surveying seat currently held by Mr. Dinkins. The group also interviewed Mr. Kelly, Michael Zavislak, PE, and Douglas Dunko, PE, for the engineering seat now held by Mr. Kelly. The Council voted to reseat Mr. Dinkins to the surveying seat and Mr. Kelly to the engineering seat. The letter of recommendation was mailed and emailed to the Governor. Thanks to Mr. Gehman and Dr. Mulliken for representing ACEC-SC.

EEA judging was completed in early December. All of the ACEC National Finalists have been informed. As you may recall, we voted last month to postpone the Gala. We plan to see what the virus transmission numbers look like once the holiday spike has ended before we start even looking at the date. I have informed Jim Rogers we plan to use him as the emcee, but we do not have a date set. Sara is already hard at work on the awards program to have it ready to go well in advance.

The Environmental Committee has been activated and is working on the virtual Winter Meeting. I gave the committee a few choices of dates to ensure SCDHEC can participate. ACEC Senior Vice President of Government Relations will be our Keynote Address and give us a congressional outlook.

I am working with ACEC National to nail down the date for our PPP Webinar. Since they were settling in from being out for the holidays, we decided late January would be best.

As I stated in this report's financial portion, we're still receiving money from the ACEC-SC/SCDOT Annual Meeting. We have received nothing but good remarks on the virtual conference. We felt like it went very well. I didn't pass this along to Jim Smith at ACEC-NC, but my favorite compliment I received was, "ACEC-SC's conference was 200% better than ACEC-NC's." Though we did not make as much money as in the in-person event, I think it was a great success.

Currently, the ACEC-SC Planning Retreat is scheduled for March 4-6, 2021, at the Grove Park Inn in Asheville, NC. I sent an email polling the Board earlier this week but only heard back from a few of you. I need to know if board members and committee members can/would attend on those days, saying the State of North Carolina permits it. We are under contract at Grove Park for a food and beverage minimum and a hotel room night minimum, so if we have poor attendance, I will need to try to amend the contract and or move the date. If you have not responded to my email, please let me know if you will attend. I'm working with Vice-Chair Matt Gehman to see what we will be working on at the retreat. Since this is to plan out our 2021-2022 year, I do think it would be ok to postpone this to April or May, but we would want to have Matt's vision in place before the Annual Meeting in June.

The SC Engineering Conference & Trade Show will issue the call for presentations this week. If your firm has topics that others would benefit from, please submit them. The conference is currently scheduled for June 3-5, 2021, at the Embassy Suites Myrtle Beach.

ACEC-SC not only met but exceeded its ACEC PAC Goal before the end of the year. Thanks to everyone who contributed. I am happy to report we had 100% Board participation. This reset 1/1/2021, so we will start asking for donations again now. ACEC National Director Kylie Page, Peter Strub (TranSystems), and I are working on different ways to raise funds this year, so we do not have to have a mad dash at the end of the year again.

I am thrilled to report ACEC-SC Affiliate National Director Melvin Williams has been elected to the ACEC Executive Committee as Vice-Chair. As Vice-Chair, he will serve on the ACEC Board of Directors and Executive Committee for two years. Responsibilities will consist of overseeing the organization's overall governance and serving as a liaison between ACEC National and a minimum of six (6) of the 52 Member Organizations across the United States. Williams will also serve on several national committees, including the Diversity, Equity, and Inclusion Committee.

Williams was also elected to the ACEC 2021 Class of Fellows. The College of Fellows is a distinguished class of engineers who have been selected by their peers as deserving recognition for exemplary contributions to the profession. Election to the College of Fellows is administered by the Fellows Committee, coordinating all Fellows activities and programs.

I have also attached updated KPIs for you to see.

Committee Reports:

- **Transportation Committee:** As I reported on Monday, I received a call in late December about ACEC-SC's stance on the Two-Tier System. I have heard back from several of you on this issue. I propose ACEC-SC host a virtual CEO roundtable and ask CEOs for and against two-tier to discuss the issue. This way, ACEC-SC can hear from both sides directly. SCDOT continues to say two-tier is not changing selections, but many firms do not believe this to be true. An open dialogue may help everyone get on the same page and see how we can move forward. There is talk about a coalition of consultants going to SCDOT on their own, as they think if this continues, they may have to lay off staff. Director Ben Temple suggested we consider forming an ad-hoc subcommittee to investigate the member firm complaints, the partnering committee responses, and the SCDOT communications on the issue. I am happy to set up a Zoom/conference call for the Board to discuss this issue if the Chairman thinks we need to.
- **Environmental Committee:** Past Chair & Environmental Committee Chair Tom Jordan and the committee are putting together the slate for the Winter Meeting.
- **BRE Committee:** Scholarship applications are coming in. I'm working on a virtual happy hour for the newly created Future Leaders Alumni Alliance. Lara, ACEC-SC's intern, is gathering contact information from all of our alumni, and I will work with Dr. Mulliken to set a date for the happy hour.
- **Communications Committee:** The Executive Committee and Communications Committee had a follow-up meeting with Chernoff Newman on 12/11/2020. CN will be conducting a communications audit and is currently working on getting information together for ACEC-SC.
- **Membership Committee:** After speaking with ETC, the survey has been reopened. They have now collected over 100 responses. They are calling the non-member firms again over the next two weeks, and ACEC-SC is still collecting surveys from ACEC-SC member firms.
- **Advocacy PAC:** I have reached out to ACEC-SC Future Leader Jayson Jordan, S&ME, about putting together a Final Four PAC Fundraiser for the ACEC PAC.

Our next Board of Directors Meeting is Thursday, February 4, 2021.

Happy New Year.

Respectfully submitted by:

Adam B. Jones

Executive Director

ACEC-SC

**ACEC-SC Board of Directors Meeting  
Board Meeting  
Thursday October 1, 2020  
WebEx**

**Call to Order:** ACEC-SC Chair, Jason Eppley, PE, called the board meeting to order at 10:05 AM. The following were in attendance: Jason Eppley, PE, Matt Gehman, Jeff Mulliken, PhD, PE, Keith Overstreet, PE, Chuck Black, PE, Petrina Butler, PE, Theresa McClure, Bryan Shiver, PE, Ben Temple, PE, Ricky Ward, PE, Melvin Williams, David Taylor, PE, Adam Jones, and Allison King.

**Agenda Approval:** A motion was made by Ward, seconded by Butler, and passed unanimously to accept the consent agenda. Jones noted Keith Overstreet, PE, was not in attendance at the last meeting and he has corrected the minutes.

**Membership Report:** Executive Director, Adam B. Jones reported ACEC-SC has collected 98% of its dues revenue. For those that have not paid by January 1, 2021 will be dropped.

A motion to accept the Membership Report was made by Butler, seconded by Gehman, passed unanimously.

On membership application for Caitlin, sponsored by TranSystems, Black made a motion to accept; Butler seconded and the motion passed unanimously.

**Financial Report:** Secretary/Treasurer, Jeff Mulliken reported:

- Financial report:
  - Total income \$329,627.55
  - Total expenses \$190,989.88
  - Total net income of \$138,637.67
  - Mulliken noted the CDs are now shown on the Balance Sheet.

Discussion ensued on income from ACEC-SC / SCDOT Annual Meeting. A motion was made by Butler with a second by Ward to accept the financial report, and passed unanimously.

**Chair's Report:** Chairman Eppley reported ACEC-SC is having the discovery session with Chernoff Newman December 4, 2020. After the discovery session, we will see how the PR firm will help us advance the strategic plan. Eppley said we will hear more about the advancement of the Strategic Plan from the committee reports.

Eppley asked if there has been a date set for the design/construction partnership legislative reception. Jones said it is set tentatively for March 23, 2021, and we would host Engineers Day at the Statehouse on the same date. Eppley said it is important for ACEC-SC to show up in force. Discussion on Engineers Day at the Statehouse ensued.

Eppley closed his remarks saying we would discuss the strategic plan more during the committee reports.

**Executive Director's Report:** Executive Director Adam B. Jones gave the following report:

**Key Performance Indicators (KPIs)**

- To aid in tracking the progress in the Strategic plan, Jones proposed the use of Key Performance Indicators
- Jones enclosed draft KPIs in the packet.

## **Legislative Report**

- Letters to Legislators who were reelected
  - Letters to Senate have been sent
  - Letters will go out Friday December 4, 2020 to House Members
    - House returned for “organizational session” 12/1/20
    - Roger Nutt, PE, has been assigned to House Ag & NR Committee
  - Letter references organizational session
- Indemnity Legislation
  - Contacted Senator Alexanders office to move forward with prefiling
  - Senator Alexander is good with filing
  - Followed up with AIA-SC to make sure they’re still in support
  - During Board meeting Jones received confirmation that the bill had been prefiled.
- QBS Legislation
  - Will address this after we have indemnity legislation filed

## **Engineers Day on the Hill/Legislative Reception**

- Legislative Reception postponed, currently rescheduled for 03/23/2021
- Engineers Day on the Hill: Considering E-Week like in past years, if numbers still high/no vaccine will keep with Legislative Reception

## **Engineering Excellence Awards**

- Judging has been ongoing (virtually) and will be completed Friday 12/4/2020
- Gala is scheduled for 2/10/2021
  - We will likely be under current restrictions.
  - The Board voted to reschedule the Gala
- Emcee. Jim Rogers came down to \$1,200 + Expenses will help write script
- Board voted to go with Rogers

## **Environmental Committee**

- Environmental Committee to be activated
- Currently contracted at Saluda Shoals, but even with vaccine, will need to move venue to accommodate distancing
- February 12, 2021, we may want to postpone or consider virtual
  - SCDHEC will likely be following same as SCDOT/Government
  - The Board voted to make the meeting virtual

## **PPP Webinar for members with ACEC & Wayne Owens “Navigating PPP, FAR & Federal COVID-19 Legislation**

- ACEC-GA hosted the same webinar
- ACEC & Wayne Owens have agreed to do the same for ACEC-SC
  - Should happen sooner than later
  - December 17, 2020
  - Record for later
  - Jones spoke with ACEC and will host this in January

### **Board Members Engaged on Social Media**

- Board members who are on Social Media, please like and follow ACEC-SC on Facebook, Twitter, LinkedIn, and Instagram
- Like our post/share/retweet
  - Helps with breakthrough
  - Keep ACEC-SC in people's newsfeed
  - Raises our exposure

### **National Director's Report:**

National Director Kylie Page could not attend, so Affiliate National Director Melvin Williams gave the report. Williams reported ACEC is continuing to do a lot of webinars. They are starting to charge for some.

They're interviewing vice chair and chair elect for ACEC National.

Page also asked Jones to inform the board ACEC-SC is still \$3,300.00 short on the PAC goal, and this would be the first time since 2003 we have not met our goal.

Could ACEC make a donation?

### **Committee Reports:**

- *Transportation Committee:* Jones reported for Taylor
  - *Virtual Meeting was held on 11/5/2020*
- *Committee:* Committee Chair Chuck Black turned it over to Dr. Mulliken and Jones to talk about Future Leaders Road Show.
  - *Future Leaders recognitions happened regionally.*
  - *Muliken spoke to Future Leaders about staying active:*
    - *Join committees*
    - *Alumni group*
    - *Ideas knocking around.*
    - *Future, Future Leaders Program*
- *Communications Committee:* Ricky Ward and Theresa McClure reported:
  - *Workshop in December for discovery after our December Board Meeting*
    - *Contact at CN is Nick Murray, Nickmurray@chenroffnewman.com*
- *Membership Committee:* Bryan Shiver reported:
  - *Survey results are coming in*



- Number of surveyed discussed.
  - Board wants more data for what we paid
  - Jones will contact survey firms

**Other Business:** There was no other business.

A motion was made by Ward, seconded by Gehman and passed unanimously to adjourn the Board of Directors meeting at 11:18 AM.

Respectfully Submitted,

Adam B. Jones  
Executive Director  
ACEC-SC

## ACEC-SC KEY PERFORMANCE INDICATORS (KPI's)

Key Focus Areas	KPI's	2020-2021	2021-2022	2022-2023
Grow & Diversify Membership	Regular Members	90 (+0%)	95	100
	Affiliate Members	10	15	20
	DBE Firms			
	Non Transportation Firms			
Grow Brand Awareness	LinkedIn Page Followers	306 (+10%)	367 (+20%)	398 (30%)
	LinkedIn Group Followers	296	0	0
	Facebook Likes	296 (+5%)	326 (+10%)	340 (15%)
	Facebook Followers	357 (+5%)	392 (+10%)	446 (15%)
	Twitter Followers	770 (+10%)	924 (+20%)	1001 (30%)
	Instagram Followers	22	50	75
	Unique Visits to the website			
	Media Mentions			
	Press Releases			
	ACEC First Word Open rate	37%	45%	60%
Energize & Engage our membership	ACEC-SC/SCDOT Annual Meeting	488	650	700
	ACEC-SC/SCSPE Winter Meeting			
	ACEC-SC EEA Entries	16		
	ACEC-SC EEA Gala Attendees			
	ACEC-SC Bowling Tournament	n/a		
	ACEC-SC Planning Retreat			
	ACEC-SC Golf Tournament	98		
	ACEC-SC Membership Meetings	1		
	ACEC-SC Virtual Meetings	6		
	ACEC-SC Future Leaders Program	n/a		
	ACEC-SC Transportation Committee Members/meeting attendee			
	ACEC-SC Environmental Committee Members			
	ACEC-SC Members attending ACEC Fall Conference	7		
	ACEC-SC Members attending ACEC Annual			
Grow PAC & Increase Legislative Influence	Legislative Touches	12		
	Legislative Call To Action			
	# of Bill Tracking			
	# of Bill Introduced	1		
	# of Bills ACEC-SC Supports			
	# of Bills ACEC-SC opposes			
	# of Bills ACEC-SC is monitoring			
	Congressional Bills Tracking			
	Congressional Calls to action	8		
	ACEC-SC PAC \$ Collected	\$20,652.00		
	ACEC PAC Contributions	\$13,864.00		
	ACEC PAC Distributed	\$ 36,500.00		
	ACEC-SC PAC Expenditures	\$ 21,750.00		
	Properly used Legislative Relationships	2		
	Engineer Day on the Hill Attendees			

Company Name	Date Received Payment	Employee Count	4010 ACEC SC Dues	4020 ACEC PAC	4030 ACEC National Dues	4040 Minute Man	4045 Education Fund	TOTAL DUES	payment differ	ACEC-SC Paid Dues
A Morton Thomas and Associates, Inc. (AMT)		4	\$856.44			\$8.00				\$864.44
AECOM		212								
Alfred Benesch & Company	7/21/20	15	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99		\$1,712.88
Alliance Consulting Engineers, Inc.	7/27/20	70	\$2,997.54	\$374.69	\$3,235.00	\$0.00	\$0.00	\$6,607.23		\$2,997.54
American Engineering Consultants, Inc.	8/3/20	22	\$2,141.10	\$267.64	\$2,299.00	\$21.00	\$0.00	\$4,728.74		\$2,141.10
Applied Building Science (ABS)	7/27/20	23	\$2,141.10	\$267.64	\$2,692.00	\$21.00	\$0.00	\$5,121.74		\$2,141.10
Applied Control Technologies	7/27/20	8	\$1,199.35	\$160.58	\$1,289.00	\$8.00	\$0.00	\$2,656.93		\$1,284.66
Aulick Engineering	11/11/2020 1/3*	1	\$136.09	\$54.00		\$7.00				\$197.09
Buford Goff & Associates	7/27/20	19	\$2,141.10	\$267.64	\$2,114.00	\$14.00	\$0.00	\$4,536.74		\$2,141.10
Bunnell-Lammons Engineering Inc.	7/27/20	105	\$4,710.42	\$588.80		\$47.00	\$0.00	\$5,346.22		\$4,710.42
Carlisle Associates, Inc.		13								
Carolina TEA	7/20/20	3	\$573.81	\$71.73	\$490.00	\$13.00	\$0.00	\$1,148.54		\$573.81
CDM Smith		86	\$4,282.20	\$535.28		\$43.00				\$4,860.48
Century Southern, Inc.	8/10/20	1	\$428.22	\$53.53	\$507.00	\$4.00	\$0.00	\$992.75		\$428.22
CH Engineering, PLLC	7/27/20	5	\$1,284.66	\$160.58		\$12.00	\$0.00	\$1,457.24		\$1,284.66
Civil Engineering Consulting Service, Inc.	7/20/20	35	\$2,385.67	\$321.17	\$2,999.00	\$25.00	\$0.00	\$5,914.49		\$2,569.32
Clark Patterson Lee	8/10/20	9	\$1,284.66	\$160.58		\$17.00	\$0.00	\$1,462.24		\$1,284.66
Collins Engineers, Inc.	7/27/20	10	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99		\$1,712.88
CONSOR	1/21/21	15	\$1,712.88	\$214.11		\$17.00				1943.99
Construction Science and Engineering, Inc.	7/20/20	8	\$1,284.66	\$160.58	\$1,379.00	\$13.00				\$2,837.24
Cox and Dinkins, Inc.	8/10/20	38	\$2,008.36	\$251.04	\$2,094.00	\$20.00	\$0.00	\$4,373.40		\$2,008.35
Davis & Floyd, Inc.		127	\$5,138.64	\$642.33	\$6,262.00	\$51.00				\$12,093.97
DDC Engineers, Inc.	7/20/20	34	\$2,569.32	\$321.17	\$2,948.00	\$25.00	\$0.00	\$5,863.49		\$2,569.32
Ardurra////Design South Professionals, Inc./	8/10/20	17	\$2,141.10	\$267.64		\$25.00	\$0.00	\$2,433.74		\$2,141.10
Development Resource Group	7/27/20	12	\$1,147.63	\$143.45	\$1,627.00	\$11.00	\$0.00	\$2,929.08		\$1,147.63
ECS Southeast, LLP	8/10/20	81	\$3,425.76	\$428.22		\$34.00	\$0.00	\$3,887.98		\$3,425.76
ESP Associates, PA	8/3/20	190	\$5,995.08				\$0.00	\$5,995.08		\$5,995.08
F&ME Consultants	8/10/20	70	\$3,854.00	\$482.00	\$4,454.00	\$38.00	\$0.00	\$8,828.00		\$3,854.00
Foth Infrastructure & Environment, LLC	7/28/20	5	\$1,239.56	\$160.58			\$0.00	\$1,400.14	\$1,445.24	\$1,284.66
Froehling & Robertson, Inc.		18	\$1,712.88				\$214.11			\$1,926.99
Gannett Fleming, Inc.	7/27/20	2	\$856.44	\$107.06		\$7.00	\$0.00	\$970.50		\$856.44
GEL Solutions (requested to pay quarterly)	8/3/20	10	\$428.22	\$53.53	\$785.25			\$5,086.99		\$428.22
GPI Geospatial	7/27/20	8	\$1,284.66	\$160.58		\$13.00	\$0.00	\$1,458.24		\$1,284.66
GWA, Inc.	8/10/20	9	\$1,284.66		\$1,379.00	\$13.00	\$160.58	\$2,837.24		\$1,284.66
HDR	11/2/20	135	\$5,138.64	\$642.33		\$55.00				\$5,835.97
Heath & Lineback Engineers Inc	12/7/20	2	\$826.00	\$103.00		\$11.00				\$940.00
HNTB	8/18/20	36	\$2,569.32	\$321.17		\$21.00		\$2,911.49		\$2,569.32
Holt Consulting Company, LLC	7/27/20	19	\$2,141.10	\$267.64		\$17.00	\$0.00	\$2,425.74		\$2,141.10
Hussey Gay Bell	8/3/20	33	\$2,569.32	\$321.17		\$30.00	\$0.00	\$2,920.49		\$2,569.32
Infrastructure Consulting & Engineering	11/3/20	139	\$5,138.64	\$642.33		\$60.00				\$5,840.97
Insight Group, A Christopher Company		13	\$1,712.88	\$214.11	\$1,702.00	\$11.00				\$3,639.99
IPW Construction Group	8/18/20	5	\$1,284.66	\$160.58	\$986.00	\$13.00	\$0.00	\$2,444.24		\$1,284.66
Johnson, Mirmiran & Thompson	9/21/20	18	\$2,141.10	\$267.64						\$2,408.74
KCI Technologies, Inc.	7/27/20	35	\$2,569.32	\$321.17		\$43.00	\$0.00	\$2,933.49		\$2,569.32
Keck & Wood, Inc.		10	\$1,712.88	\$214.11		\$17.00				\$1,943.99
Kimley-Horn and Associates, Inc.	8/3/20	32	\$2,468.15				\$321.17	\$2,789.32		\$2,569.32
Kleinfelder		25	\$2,141.10							2141.1
Life Cycle Engineering, Inc.	8/24/20	130	\$5,138.64	\$642.33	\$15,709.00	\$51.00	\$0.00	\$21,540.97		\$5,138.64
Mattern & Craig	8/10/20	2	\$856.44	\$107.06		\$8.00		\$971.50		\$856.44
MBP Carolinas, Inc	*pp 11/25/2020	1	\$418.14	\$53.53		\$7.00				\$478.67
MC Squared		63	\$428.22	\$53.53						481.75
McCormick Taylor	9/28/20	6	\$1,284.66	\$160.58		\$15.00				\$1,460.24
Mead & Hunt, Inc.	7/27/20	40	\$2,569.32	\$321.17		\$43.00	\$0.00	\$2,933.49		\$2,569.32
Michael Baker International	8/10/20	90	\$4,282.20	\$535.28		\$43.00	\$0.00	\$4,860.48		\$4,282.20
MLB Engineering, LLC	7/20/20	1	\$428.22	\$53.53	\$507.00	\$4.00	\$0.00	\$992.75		\$428.22
Neel-Schaffer, Inc.	10/26/20	9	\$1,284.66	\$160.58		\$8.00	\$0.00			\$1,453.24
NOVA Engineering	8/3/20	4	\$856.44	\$107.06		\$13.00	\$0.00	\$976.50		\$856.44
NV5 CALYX	9/8/20	2	\$856.44	\$107.06		\$8.00				\$971.50
OLH, Inc.	7/27/20	20	\$2,141.10	\$267.64	\$2,177.00	\$21.00	\$0.00	\$4,606.74		\$2,141.10
Parrish and Partners, LLC	8/18/20	36	\$2,569.32	\$321.17		\$30.00	\$0.00	\$2,920.49		\$2,569.32
Pond	9/8/20	15	\$1,712.88	\$214.11		\$17.00				\$1,943.99
Professional Engineering Associates, Inc.	7/20/20	15	\$1,712.88	\$214.11	\$1,847.00	\$17.00	\$0.00	\$3,790.99		\$1,712.88
Ramey Kemp & Associates Inc		6	\$1,284.66			\$13.00	\$160.58			\$1,458.24
RK&K-Rummel, Klepper & Kahl, LLP	8/10/20	14	\$1,712.88	\$214.11		\$19.00	\$0.00	\$1,945.99		\$1,712.88

Qtly payments

didn't pay ACEC PAC neither Minute Man

pd 08/03/20

Rowe Professional Services Company	7/27/20	3	\$856.44	\$107.06		\$8.00	\$0.00	\$971.50	\$856.44
RS&H	9/8/20	6	\$1,284.66	\$160.58		\$13.00			\$1,458.24
S&ME, Inc.	8/18/20	231	\$6,851.52	\$856.44		\$68.00	\$0.00	\$7,775.96	\$6,851.52
SAM, LLC	8/10/20	5	\$1,284.66	\$160.58	\$0.00	\$13.00	\$0.00	\$1,458.24	\$1,284.66
SEPI	7/27/20	3	\$856.44	\$107.06		\$0.00		\$971.50	\$856.44
Sims Group Engineers, Inc	7/27/20	6	\$1,284.66	\$160.58	\$1,092.00	\$13.00	\$0.00	\$2,550.24	\$1,284.66
Stantec Consulting	8/10/20	56	\$3,425.76	\$428.22		\$34.00		\$3,887.98	\$3,425.76
Stevens & Wilkinson SC, Inc.	7/27/20	32	\$2,569.32	\$321.17		\$26.00	\$0.00	\$2,916.49	\$2,569.32
Stewart Engineering	9/14/20	4	\$829.67	\$107.06		\$17.00			\$953.73
STV Incorporated		22	\$2,141.10	\$267.64		\$21.00			\$2,429.74
SynTerra	8/10/20	16	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99	\$1,712.88
T2 Utility Engineers	8/24/20	1	\$428.22	\$53.53		\$4.00		\$485.75	\$428.22
Terracon Consultants, Inc.	8/24/20	124	\$5,138.64	\$642.33		\$51.00	\$0.00	\$5,831.97	\$5,138.64
Thomas & Hutton Engineering Co.	10/26/20	58	\$3,425.76	\$428.22		\$55.00			\$3,908.98
Three Oaks Engineering	8/3/20	4	\$856.44	\$107.06		\$13.00	\$0.00	\$976.50	\$856.44
Tidemark Land Services, Inc.	7/20/20	15	\$1,712.88	\$214.11	\$1,847.00	\$11.00	\$0.00	\$3,784.99	\$1,712.88
TranSystems Corporation	7/27/20	20	\$2,141.10	\$267.64		\$30.00	\$0.00	\$2,438.74	\$2,141.10
TRC Environmental Corporation		67	\$3,853.98	\$481.75		\$38.00			\$4,373.73
Vaughn & Melton Consulting Engineers	8/24/20	11	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99	\$1,712.88
W. R. Riggs And Associates, Inc.	8/10/20	4	\$856.44	\$107.06	\$986.00	\$11.00	\$0.00	\$1,960.50	\$856.44
Weston & Sampson	8/10/20	16	\$1,712.88	\$214.11		\$26.00		\$1,952.99	\$1,712.88
WSP Parsons Brinkerhoff (formerly PB Americas)		28	\$2,569.32	\$321.17		\$21.00			\$2,911.49
<b>TOTAL</b>			\$175,527.83	\$20,054.06	\$63,406.25	\$1,643.00	\$856.44	\$193,740.72	\$189,480.88
<b><u>AFFILIATE MEMBERS</u></b>			4050 ACEC SC Dues	4020 ACEC PAC	4030 ACEC National Dues	4040 Minute Man	4045 Education Fund		
ACEC Business Insurance Trust	12/21/20	0	\$650.00	\$81.25		\$6.50	\$0.00	\$737.75	
Advance Drainage Systems, Inc.									
Edwards-Pitman Environmental, Inc.	8/31/20	0	\$650.00	\$81.25		\$6.50	\$0.00	\$737.75	
George Consulting, Ltd.	7/20/20	55	\$650.00	\$81.25		\$6.50		\$737.75	\$650
Gibbes Burton, LLC		0					\$0.00	\$0.00	
Insurance Management Consultants, Inc.	7/27/20		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75	
O R Colan Associates, LLC	7/27/20		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75	\$650.00
Primacq Group, Inc.	7/27/20		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75	\$650.00
SC Asphalt Pavement Association	10/26/20	0	\$650.00	\$81.25		\$6.50		\$737.75	
T. Wayne Owens & Associates, PC	7/27/20		\$650.00	\$81.25		\$0.00	\$0.00	\$0.00	\$650.00
THC, Inc.	8/24/20	0	\$631.99	\$81.25		\$6.50	\$0.00	\$719.74	\$631.99
Utility Coordination Consultants, LLC	7/27/20		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75	\$650.00
<b>TOTAL</b>			\$6,481.99	\$812.50		\$58.50	\$0.00	\$6,621.74	
<b>GRAND TOTALS:</b>			\$182,009.82	\$20,054.06	\$63,406.25	\$1,701.50	\$856.44	\$200,362.46	

## MEMBERSHIP APPLICATION

### Section I

Firm Name \_\_\_\_\_

Parent Company (if branch or subsidiary) \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Website \_\_\_\_\_

#### Key Principal or Primary Contact (Required):

Full Name \_\_\_\_\_ Title \_\_\_\_\_

Email Address \_\_\_\_\_ Professional Role Within Firm \_\_\_\_\_

SC Registration #: \_\_\_\_\_

Total Company-Wide Personnel \_\_\_\_\_ Total State Personnel \_\_\_\_\_

SC Certificate of Authorization number as provided by the SC State Board of Registration for Professional Engineers and Surveyors: \_\_\_\_\_

#### Business Organization Type:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Cooperative   | <input type="checkbox"/> Public        | <input type="checkbox"/> Limited Partnership             |
| <input type="checkbox"/> Corporation   | <input type="checkbox"/> Private       | <input type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Sub Chapter S | <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Partnership                     |
|  |  | <input type="checkbox"/> Sole Partnership                |

List all partners, limited partners, or individual owners residing in South Carolina; for a corporation, list all directors and officers (Use additional sheet if needed.)

Name	Title	Office Location (if different from above)	SC Reg. #
------	-------	---	-----------

**Firm Description:** Attach a 50-word description of your firm's activities and a copy of your marketing brochure.

#### Minority Status:

- |  |  |
|--|--|
| <input type="checkbox"/> Certified Small Business          | <input type="checkbox"/> Service Disabled Veteran Owned Business |
| <input type="checkbox"/> Disadvantaged Business Enterprise | <input type="checkbox"/> Women's Business Enterprise             |
| <input type="checkbox"/> Minority Business Enterprise      |  |

**Disciplines Offered:** For statistical purposes, indicate which of the following disciplines are provided by the firm. Include only in-house capability by virtue of experience and having a principal registered in the specific field:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Agricultural/Biological Engineering | <input type="checkbox"/> Electrical                     | <input type="checkbox"/> Development              |
| <input type="checkbox"/> Architectural                       | <input type="checkbox"/> Environmental                  | <input type="checkbox"/> Marine & Coastal         |
| <input type="checkbox"/> Chemical                            | <input type="checkbox"/> Fire/Earthquake/Hazards/Safety | <input type="checkbox"/> Mechanical               |
| <input type="checkbox"/> Civil - General                     | <input type="checkbox"/> Forensic                       | <input type="checkbox"/> Mining/Materials         |
| <input type="checkbox"/> Civil - Structural                  | <input type="checkbox"/> Geotechnical                   | <input type="checkbox"/> Nuclear/Petroleum/Energy |
| <input type="checkbox"/> Civil - Transportation              | <input type="checkbox"/> Hydrology                      | <input type="checkbox"/> Planning                 |
| <input type="checkbox"/> Computer/Communications/Systems     | <input type="checkbox"/> Industrial                     | <input type="checkbox"/> Surveying/GIS/Mapping    |
| <input type="checkbox"/> Construction Management             | <input type="checkbox"/> Land                           | <input type="checkbox"/> Water/Wastewater         |
|  |   | <input type="checkbox"/> Other                    |

**PLEASE ATTACH A COPY OF THE FIRM’S BROCHURE TO THIS APPLICATION. THANK YOU.**

**CERTIFICATE FOR MEMBER FIRMS**

Application for membership in the American Council of Engineering Companies of South Carolina is hereby made and as a requirement thereof, the undersigned certifies all statements on this application are correct and that:

- 1. The principle business of this firm is the private practice of consulting engineering;
- 2. This firm is not engaged in the sale of a factory product or in the contracting for construction;
- 3. This applicant firm agrees to subscribe to the principles and the dues payment policy and the Articles of Incorporation and Bylaws of the American Council of Engineering Companies of South Carolina;
- 4. This firm will energetically support the activities of the American Council of Engineering Companies of South Carolina.

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Sponsored by ACEC-SC Member:

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Signature

**Section II**

Add the names of staff members whom you feel would benefit from participation in ACEC-SC and ACEC. Your firm’s ROI on your ACEC membership is directly related to the number of staff who are active in the Council. (Use separate sheets to provide additional names)

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Professional Role Within Firm

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Professional Role Within Firm

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Professional Role Within Firm

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Title









\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Professional Role Within Firm

# Traffic Planning and Design, Inc.

## Firm Profile

### PROFESSIONAL SERVICES

-  Transportation Planning & Permitting
-  Multimodal, Complete Streets, & Mobility Services
-  Bridge Design & Inspection
-  Traffic Signal & ITS Systems Design
-  Environmental Services & Permitting
-  Construction Management & Inspection
-  Highway Design
-  Expert Witness Support for Crash Investigations

Founded in 1989, TPD is a multi-disciplined A/E/C firm, delivering projects throughout the eastern United States. We are a client-focused, team-oriented firm that prides itself on providing sustainable solutions for our clients and teaming partners. Working seamlessly as “One Company with Multiple Locations,” TPD is able to leverage our local knowledge, continuous investment in technology, and emphasis on individual accountability to provide a high level of responsiveness and solutions appropriate for each individual project on a case-by-case basis.

We take pride in our work, as well as the “road, bridge, or trail” we’ve taken to get there. TPD has been recognized at both the regional and national levels for not only our engineering accomplishments, but our corporate practices and dedication to professional development. **TPD is currently ranked the #1 Best (Large) Firm to Work for in the Nation by the Zweig Group.** Additionally, we have been recognized for our efforts in sustainability, as well as for our support of the National Guard and Military Reserve by the U.S. Government.

We also take our corporate citizenship seriously with numerous employees serving on several volunteer boards, and previously ranked as the #1 engineering firm in the Tri-State area by the Philadelphia Business Journal in terms of Corporate Philanthropy.

### RECENT AWARDS



#1 in Large  
Engineering Firm  
Category



7<sup>th</sup> Year  
on the List

### LOCATIONS

#### Pottstown | HQ

2500 East High Street, Suite 650  
Pottstown, PA 19464  
610.326.3100

#### Asheville

80 Charlotte Street, Suite 40  
Asheville, NC 28801  
825.575.0133

#### Bethlehem

1720 Spillman Drive, Suite 260  
Bethlehem, PA 18015  
610.625.4242

#### Doylestown

2003 Lower State Street, Suite 122  
Doylestown, PA 18901  
215.622.2525

#### Elkton

111 E. Main Street, Suite A  
Elkton, MD 21921  
443.993.5791

#### Freehold

303 West Main Street, Suite 303  
Freehold, NJ 07728  
848.444.6105

#### Greenville | Local Office

220 N. Main Street, Suite 500  
Greenville, SC 29601  
864.900.4982

#### Hamilton

100 Horizon Center Boulevard  
Hamilton, NJ 08691  
848.217.3140

#### Harrisburg

4000 Crums Mill Road, Suite 102  
Harrisburg, PA 17112  
717.234.1430

#### Philadelphia

One Penn Center @  
Suburban Station  
1617 JFK Boulevard, Suite 1230  
Philadelphia, PA 19130  
215.622.2525

#### Pittsburgh

1370 Washington Pike, Suite 515  
Bridgeville, PA 15017  
412.765.3717

#### West Chester

1025 Andrew Drive, Suite 110  
West Chester, PA 19380  
610.326.3100



**MEMBERSHIP APPLICATION**  
**Section I**

Firm Name Dunbar Geomatics Group, PLLC

Parent Company (if branch or subsidiary) \_\_\_\_\_

Address 18339 Old Statesville Road, Unit G

City/State/Zip Cornelius, NC 28031

Phone 704-766-1470 Fax \_\_\_\_\_

Website www.dunbargeomatics.com

**Key Principal or Primary Contact (Required):**

Charles Dunbar Manager

Full Name Title

CJDUNBAR@DUNBARGEOMATICS.COM Prof Land Surveyor

Email Address Professional Role Within Firm

SC Registration #: 21938

Total Company-Wide Personnel 9 Total State Personnel 0

SC Certificate of Authorization number as provided by the SC State Board of Registration for Professional Engineers and Surveyors: 4300

**Business Organization Type:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Cooperative   | <input type="checkbox"/> Public        | <input type="checkbox"/> Limited Partnership                        |
| <input type="checkbox"/> Corporation   | <input type="checkbox"/> Private       | <input checked="" type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Sub Chapter S | <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Partnership                                |
|  |  | <input type="checkbox"/> Sole Partnership                           |

List all partners, limited partners, or individual owners residing in South Carolina; for a corporation, list all directors and officers (Use additional sheet if needed.)

Name	Title	Office Location (if different from above)	SC Reg. #
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**Firm Description:** Attach a 50-word description of your firm's activities and a copy of your marketing brochure.

**Minority Status:**

- |  |  |
|--|--|
| <input type="checkbox"/> Certified Small Business          | <input type="checkbox"/> Service Disabled Veteran Owned Business |
| <input type="checkbox"/> Disadvantaged Business Enterprise | <input type="checkbox"/> Women's Business Enterprise             |
| <input type="checkbox"/> Minority Business Enterprise      |  |

**Disciplines Offered:** For statistical purposes, indicate which of the following disciplines are provided by the firm. Include only in-house capability by virtue of experience and having a principal registered in the specific field:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Agricultural/Biological Engineering | <input type="checkbox"/> Electrical                     | <input type="checkbox"/> Development                      |
| <input type="checkbox"/> Architectural                       | <input type="checkbox"/> Environmental                  | <input type="checkbox"/> Marine & Coastal                 |
| <input type="checkbox"/> Chemical                            | <input type="checkbox"/> Fire/Earthquake/Hazards/Safety | <input type="checkbox"/> Mechanical                       |
| <input type="checkbox"/> Civil - General                     | <input type="checkbox"/> Forensic                       | <input type="checkbox"/> Mining/Materials                 |
| <input type="checkbox"/> Civil - Structural                  | <input type="checkbox"/> Geotechnical                   | <input type="checkbox"/> Nuclear/Petroleum/Energy         |
| <input type="checkbox"/> Civil - Transportation              | <input type="checkbox"/> Hydrology                      | <input type="checkbox"/> Planning                         |
| <input type="checkbox"/> Computer/Communications/Systems     | <input type="checkbox"/> Industrial                     | <input checked="" type="checkbox"/> Surveying/GIS/Mapping |
| <input type="checkbox"/> Construction Management             | <input type="checkbox"/> Land                           | <input type="checkbox"/> Water/Wastewater                 |
|  |   | <input type="checkbox"/> Other                            |



**PLEASE ATTACH A COPY OF THE FIRM'S BROCHURE TO THIS APPLICATION. THANK YOU.**

## **CERTIFICATE FOR MEMBER FIRMS**

Application for membership in the American Council of Engineering Companies of South Carolina is hereby made and as a requirement thereof, the undersigned certifies all statements on this application are correct and that:

1. The principle business of this firm is the private practice of consulting engineering;
2. This firm is not engaged in the sale of a factory product or in the contracting for construction;
3. This applicant firm agrees to subscribe to the principles and the dues payment policy and the Articles of Incorporation and Bylaws of the American Council of Engineering Companies of South Carolina;
4. This firm will energetically support the activities of the American Council of Engineering Companies of South Carolina.

*Dunbar Geomatics Group, PLLC*

Firm

Signature

*Manager*

Title

Sponsored by ACEC-SC Member:

Firm

Signature

### **Section II**

Add the names of staff members whom you feel would benefit from participation in ACEC-SC and ACEC. Your firm's ROI on your ACEC membership is directly related to the number of staff who are active in the Council. (Use separate sheets to provide additional names)

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm



## **DUNBAR GEOMATICS GROUP, PLLC PROFESSIONAL SURVEYORS**

P.O. BOX 3053 ♦ Huntersville, North Carolina 28070  
Phone: 704.766.1470 ♦ [www.dunbargeomatics.com](http://www.dunbargeomatics.com)

### **Company Profile**

Dunbar Geomatics Group, a North Carolina Professional Limited Liability Company (PLLC) was formed in August 2010 by Owner/Manager Charles J. Dunbar, PLS to provide professional surveying / geomatics services to both public and private sector clients. Mr. Dunbar has more than 41 years of experience in the surveying / geomatics industry having worked for several large multi-disciplined engineering and surveying firms in Florida and North Carolina. The company is currently licensed to provide surveying services in North and South Carolina with Mr. Dunbar also being licensed in Virginia, Florida and Indiana.

#### **The company offers the following geomatics services:**

- ♦ Boundary Surveys
- ♦ Topographic Surveys
- ♦ GPS / Geodetic Control Surveys
- ♦ Design / Location Surveys
- ♦ GIS Inventory Surveys
- ♦ Construction Surveys
- ♦ ALTA/ACSM Land Title Surveys
- ♦ Land Platting
- ♦ Wetland Surveys
- ♦ Airport Surveys
- ♦ Photogrammetric / LIDAR Control Surveys
- ♦ Flood Mapping Surveys
- ♦ As-built Surveys
- ♦ Utility Location Surveys
- ♦ Hydrographic Surveys
- ♦ Quality Control Surveys
- ♦ Condominium Surveys
- ♦ Right of Way Surveys
- ♦ Easement Mapping

**Mission:** To provide quality, timely and cost effective geomatics services tailored to our clients' needs in a professional manner while taking pride in the work products and services provided to our clients satisfaction.

#### **Qualifications:**

- ♦ Over 41 years of professional experience in the industry with many successfully completed surveying / geomatics projects provided to both public and private sector clients.
- ♦ Experienced licensed professionals, project managers, survey crews and mapping staff.
- ♦ State of the art surveying equipment, including dual frequency GPS receivers with both static and real time kinematic (RTK) capabilities; robotic total stations; reflectorless instruments; and laptop computers.
- ♦ Full suite of surveying and mapping software including AutoCAD, Carlson Civil Suite, Carlson Survey, Leica Affinity and ArcGIS Desktop.
- ♦ Demonstrated ability to deliver surveying, mapping and GIS/CADD products on time and within budget.
- ♦ Field crews are extremely mobile and self-sustaining with ability to upload and download files to the office when needed when traveling out of town on a project via modem and laptop computer.

## MEMBERSHIP APPLICATION

### Section I

Firm Name Facility Strategies Group, LLC.

Parent Company (if branch or subsidiary) \_\_\_\_\_

Address 1012 Market Street Suite 307

City/State/Zip Fort Mill, SC 29708

Phone 803-370-4335 Fax NA

Website \_\_\_\_\_

**Key Principal or Primary Contact (Required):**

Matt Pesce Principal

Full Name mpesce@fstrategies.com Title Owner/Professional Engineer

Email Address \_\_\_\_\_ Professional Role Within Firm \_\_\_\_\_

SC Registration #: 22723 (PE#)

Total Company-Wide Personnel 11 Total State Personnel 4

SC Certificate of Authorization number as provided by the SC State Board of Registration for Professional Engineers and Surveyors: 2737

**Business Organization Type:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Cooperative   | <input type="checkbox"/> Public        | <input type="checkbox"/> Limited Partnership                        |
| <input type="checkbox"/> Corporation   | <input type="checkbox"/> Private       | <input checked="" type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Sub Chapter S | <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Partnership                                |
|  |  | <input type="checkbox"/> Sole Partnership                           |

List all partners, limited partners, or individual owners residing in South Carolina; for a corporation, list all directors and officers (Use additional sheet if needed.)

Name	Title	Office Location (if different from above)	SC Reg. #
Matthew Pesce	Principal		22723

**Firm Description:** Attach a 50-word description of your firm's activities and a copy of your marketing brochure.

**Minority Status:**

- |  |  |
|--|--|
| <input type="checkbox"/> Certified Small Business          | <input type="checkbox"/> Service Disabled Veteran Owned Business |
| <input type="checkbox"/> Disadvantaged Business Enterprise | <input type="checkbox"/> Women's Business Enterprise             |
| <input type="checkbox"/> Minority Business Enterprise      |  |

**Disciplines Offered:** For statistical purposes, indicate which of the following disciplines are provided by the firm. Include only in-house capability by virtue of experience and having a principal registered in the specific field:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Agricultural/Biological Engineering | <input type="checkbox"/> Electrical                     | <input type="checkbox"/> Development              |
| <input type="checkbox"/> Architectural                       | <input type="checkbox"/> Environmental                  | <input type="checkbox"/> Marine & Coastal         |
| <input type="checkbox"/> Chemical                            | <input type="checkbox"/> Fire/Earthquake/Hazards/Safety | <input checked="" type="checkbox"/> Mechanical    |
| <input type="checkbox"/> Civil - General                     | <input type="checkbox"/> Forensic                       | <input type="checkbox"/> Mining/Materials         |
| <input type="checkbox"/> Civil - Structural                  | <input type="checkbox"/> Geotechnical                   | <input type="checkbox"/> Nuclear/Petroleum/Energy |
| <input type="checkbox"/> Civil - Transportation              | <input type="checkbox"/> Hydrology                      | <input type="checkbox"/> Planning                 |
| <input type="checkbox"/> Computer/Communications/Systems     | <input type="checkbox"/> Industrial                     | <input type="checkbox"/> Surveying/GIS/Mapping    |
| <input checked="" type="checkbox"/> Construction Management  | <input type="checkbox"/> Land                           | <input type="checkbox"/> Water/Wastewater         |
|  |   | <input type="checkbox"/> Other                    |

**PLEASE ATTACH A COPY OF THE FIRM'S BROCHURE TO THIS APPLICATION. THANK YOU.**

## **CERTIFICATE FOR MEMBER FIRMS**

Application for membership in the American Council of Engineering Companies of South Carolina is hereby made and as a requirement thereof, the undersigned certifies all statements on this application are correct and that:

1. The principle business of this firm is the private practice of consulting engineering;
2. This firm is not engaged in the sale of a factory product or in the contracting for construction;
3. This applicant firm agrees to subscribe to the principles and the dues payment policy and the Articles of Incorporation and Bylaws of the American Council of Engineering Companies of South Carolina;
4. This firm will energetically support the activities of the American Council of Engineering Companies of South Carolina.

Facility Strategies Group, LLC

Firm

Signature

Principal

Title

Sponsored by ACEC-SC Member:

Firm

Signature

### **Section II**

Add the names of staff members whom you feel would benefit from participation in ACEC-SC and ACEC. Your firm's ROI on your ACEC membership is directly related to the number of staff who are active in the Council. (Use separate sheets to provide additional names)

Full Name

Email Address

Full Name

Email Address

Full Name

Email Address

Full Name

Email Address

Title

Professional Role Within Firm

Title

Professional Role Within Firm

Title

Professional Role Within Firm

Title

Professional Role Within Firm

## STAY IN TOUCH WITH THE ENGINEERING COMMUNITY

(All staff members added to this roster will receive ACEC Last Word and Engineering Inc., ACEC-SC Reports and Bi Annual ACEC-SC Membership Directory)

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

**RETURN THE COMPLETED APPLICATION TO:** American Council of Engineering Companies of SC  
826 Assembly Street  
Columbia, SC 29201

**QUESTIONS?** Contact Ginger Booker • 803-771-4271 • [ginger@jma-associations.com](mailto:ginger@jma-associations.com)  
(803) 771-4272 Fax • [www.acecsc.org](http://www.acecsc.org)

**For Official Use Only:**

☐ Firm

☐ Branch

☐ Pay Direct

☐ MO Incentive. Fill in percentage:

Received: \_\_\_\_\_

ACEC-SC Accepted: \_\_\_\_\_

					Jul '20 - Jun 21	Budget	\$ Over Budget	% of Budget	Jul '20 - Jun 21	Delta	notes
				Income							
				4010 · ACEC-SC DUES	175,527.83	175,000.00	527.83	100.3%	173,814.95	1,712.88	dues
				4020 · ACEC-SC PAC	20,866.56	21,875.00	-1,008.44	95.39%	20,652.45	214.11	pac
				4030 · ACEC DUES	63,406.25	70,000.00	-6,593.75	90.58%	63,406.25	0.00	
				4040 · ACEC MINUTE MAN FUND (TORT)	1,701.53	1,750.00	-48.50	97.23%	1,684.50	17.00	minute man
				4045 · EDUCATION FUND	856.44	2,000.00	-1,143.56	42.82%	856.44	0.00	
				4050 · AFFILIATE DUES	6,481.99	8,000.00	-1,518.01	81.03%	6,481.99	0.00	
				4060 · INTEREST	2,381.38				2,381.38	0.00	
				4070 · ACEC ROYALTIES	862.25	0.00	862.25	100.0%	862.25	0.00	
				4075 · REIMBURSEMENTS						0.00	
				4075.1 · MEMBERSHIP GOALS	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4075 · REIMBURSEMENTS	0.00	0.00	0.00	0.0%	0.00	0.00	
				4130 · MEMBER EVENTS						0.00	
				4130.10 · ENGINEER EXCELLENCE AWARDS						0.00	
				4130.11 · ENTRY FEES	8,004.90	6,000.00	2,004.90	133.42%	7,104.90	900.00	EEA
				4130.12 · PLAQUES	75.00	1,500.00	-1,425.00	5.0%	75.00	0.00	
				4130.13 · EE BANQUET	300.00	7,500.00	-7,200.00	4.0%	300.00	0.00	
				4130.10 · ENGINEER EXCELLENCE AWARDS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4130.10 · ENGINEER EXCELLENCE AWARDS	8,379.90	15,000.00	-6,620.10	55.87%	7,479.90	900.00	total
				4130.2 · WINTER MEETING	170.00	19,000.00	-18,830.00	0.9%	170.00	0.00	
				4130.3 · SCDOT MEETING						0.00	
				4130.31 · SCDOT MEETING EXHIBITORS	788.10	9,000.00	-8,211.90	8.76%	788.10	0.00	
				4130.32 · SCDOT MEETING SPONSORS	41,913.80	69,000.00	-27,086.20	60.75%	40,413.80	1,500.00	Dot sponsor
				4130.33 · SCDOT MEETING REGISTRANTS	21,102.36	57,000.00	-35,897.64	37.02%	21,102.36	0.00	
				4130.3 · SCDOT MEETING - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4130.3 · SCDOT MEETING	63,804.26	135,000.00	-71,195.74	47.26%	62,304.26	1,500.00	total
				4130.4 · BOARD RETREAT	0.00	9,000.00	-9,000.00	0.0%	0.00	0.00	
				4130.5 · SUMMER ENGINEER'S CONFERENCE	0.00	10,000.00	-10,000.00	0.0%	0.00	0.00	
				4130.6 · MEMBER EVENTS						0.00	
				4130.61 · FALL PAC GOLF TOURNAMENT	0.00	9,000.00	-9,000.00	0.0%	0.00	0.00	
				4130.62 · SPRING SCHOLARSHIP TOURNAMENT	15,753.35	14,000.00	1,753.35	112.52%	15,753.35	0.00	
				4130.6 · MEMBER EVENTS - Other	2,500.00	0.00	2,500.00	100.0%	2,500.00	0.00	
				Total 4130.6 · MEMBER EVENTS	18,253.35	23,000.00	-4,746.65	79.36%	18,253.35	0.00	
				Total 4130 · MEMBER EVENTS	90,607.51	211,000.00	-120,392.49	42.94%	88,207.51	2,400.00	total
				4140 · FUTURE LEADERS PROGRAM	0.00	0.00	0.00	0.0%	0.00	0.00	
				4220 · TRAVEL REIMBURSEMENTS	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total Income	362,691.71	489,625.00	-126,933.29	74.08%	358,347.72	4,343.99	total income
				Gross Profit	362,691.71	489,625.00	-126,933.29	74.08%	358,347.72	4,343.99	
				Expense						0.00	
				6010 · ACEC NATIONAL DUES						0.00	
				6010.1 · MINUTE MAN CONTRIBUTIONS	1,653.00	1,750.00	-97.00	94.46%	1,653.00	0.00	
				6010.2 · NATIONAL DUES	63,406.25	70,000.00	-6,593.75	90.58%	63,406.25	0.00	
				6010.3 · EXECUTIVE DIRECTOR/NAECE DUES	200.00	200.00	0.00	100.0%	200.00	0.00	
				Total 6010 · ACEC NATIONAL DUES	65,259.25	71,950.00	-6,690.75	90.7%	65,259.25	0.00	
				6015 · ACEC-SC PAC Transfer	0.00	21,875.00	-21,875.00	0.0%	0.00	0.00	
				6020.7 · ACEC TRAVEL staff train in DC						0.00	
				6020.2 · EXECUTIVE DIRECTOR	349.00	9,000.00	-8,651.00	3.88%	349.00	0.00	
				6020.3 · NATIONAL DIRECTOR	0.00	5,250.00	-5,250.00	0.0%	0.00	0.00	
				6020.4 · PRESIDENT	0.00	5,250.00	-5,250.00	0.0%	0.00	0.00	
				6020.5 · PRESIDENT ELECT	0.00	4,250.00	-4,250.00	0.0%	0.00	0.00	
				6020.6 · AFFILIATE NATIONAL DIRECTOR	0.00	4,250.00	-4,250.00	0.0%	0.00	0.00	
				6020.7 · ACEC TRAVEL staff train in DC - Other	0.00	1,800.00	-1,800.00	0.0%	0.00	0.00	
				Total 6020.7 · ACEC TRAVEL staff train in DC	349.00	29,800.00	-29,451.00	1.17%	349.00	0.00	
				6030 · BOARD EXPENSE	0.00	1,750.00	-1,750.00	0.0%	0.00	0.00	
				6045 · EDUCATION FUND EXP	0.00	2,000.00	-2,000.00	0.0%	0.00	0.00	
				6050 · COMMITTEE ACTIVITY						0.00	
				6050.1 · MEMBERSHIP	22,500.00	17,000.00	5,500.00	132.36%	22,500.00	0.00	
				6050.2 · TRANSPORTATION	1,000.00	2,000.00	-1,000.00	50.0%	1,000.00	0.00	
				6050.3 · ENVIRONMENTAL	0.00	500.00	-500.00	0.0%	0.00	0.00	
				6050.4 · COMMUNICATIONS	0.00	200.00	-200.00	0.0%	0.00	0.00	
				6050.5 · BRE	0.00	200.00	-200.00	0.0%	0.00	0.00	
				6050.6 · ADVOCACY/PAC	0.00	1,500.00	-1,500.00	0.0%	0.00	0.00	
				6050.7 · ADHOC/BYLAWS & INVESTMENTS	0.00	250.00	-250.00	0.0%	0.00	0.00	
				Total 6050 · COMMITTEE ACTIVITY	23,500.00	21,650.00	1,850.00	108.55%	23,500.00	0.00	
				6120 · LEGISLATIVE ACTIVITY						0.00	
				6120.2 · LOBBY FEES	0.00	416.00	-416.00	0.0%	0.00	0.00	
				6120.3 · ACTIVITIES EXPENSE	0.00	250.00	-250.00	0.0%	0.00	0.00	
				6120.4 · SC PAC CONTRIBUTIONS	21,750.00	0.00	21,750.00	100.0%	21,750.00	0.00	
				Total 6120 · LEGISLATIVE ACTIVITY	21,750.00	666.00	21,084.00	3,265.77%	21,750.00	0.00	
				6130 · MEMBER MEETING EXPENSES						0.00	
				6130.1 · ENG. EXCELLENCE AWARDS	4,002.55	10,500.00	-6,497.45	38.12%	3,482.25	520.30	USC alumni center & UPS
				6130.13 · EEA PLAQUES	0.00	1,500.00	-1,500.00	0.0%	0.00	0.00	
				6130.15 · EAA PRINTING	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
				6130.2 · WINTER MEETING EXPENSE	1,000.00	10,000.00	-9,000.00	10.0%	0.00	1,000.00	SCEC WM
				6130.3 · SCDOT MEETING EXPENSE	20,631.33	70,000.00	-49,368.67	29.47%	18,880.21	1,751.12	Zoom/Cisco/meals/fb/google
				6130.4 · BOARD RETREAT EXPENSE	0.00	12,000.00	-12,000.00	0.0%	0.00	0.00	
				6130.6 · MEMBER EVENT EXPENSES						0.00	
				6130.61 · PAC EVENT EXPENSE	0.00	9,000.00	-9,000.00	0.0%	0.00	0.00	

					Jul '20 - Jun 21	Budget	\$ Over Budget	% of Budget	Jul '20 - Jun 21	Delta	notes
				6130.62 - SPRING GOLF TOURNAMENT EXPENSE	15,452.90	13,000.00	2,452.90	118.87%	15,452.90	0.00	
				6130.6 - MEMBER EVENT EXPENSES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6130.6 - MEMBER EVENT EXPENSES	15,452.90	22,000.00	-6,547.10	70.24%	15,452.90	0.00	
				6130.70 - LEGISLATIVE RECEPTION	0.00	3,000.00	-3,000.00	0.0%	0.00	0.00	
				6130.80 - REGIONAL MEETINGS	0.00	4,000.00	-4,000.00	0.0%	0.00	0.00	
				6130 - MEMBER MEETING EXPENSES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6130 - MEMBER MEETING EXPENSES	41,086.78	135,500.00	-94,413.22	30.32%	37,815.36	3,271.42	Total
				6130.8 - FAR PROGRAM EXP	0.00	0.00	0.00	0.0%	0.00	0.00	
				6140 - FUTURE LEADERS PROGRAM EXPENSE	1,576.99	0.00	1,576.99	100.0%	1,282.38	294.61	Liberty/parking
				6160 - DUES AND SUBSCRIPTIONS						0.00	
				6160.1 - SCFRLR DUES	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
				6160.2 - SCFOR DUES	600.00	750.00	-150.00	80.0%	600.00	0.00	
				6160.3 - SCCESS DUES	0.00	200.00	-200.00	0.0%	0.00	0.00	
				6160 - DUES AND SUBSCRIPTIONS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6160 - DUES AND SUBSCRIPTIONS	600.00	3,450.00	-2,850.00	17.39%	600.00	0.00	
				6170 - SCCJC DUES	0.00	0.00	0.00	0.0%	0.00	0.00	
				6200 - MANAGEMENT FEES	102,192.44	175,187.00	-72,994.56	58.33%	87,593.52	14,598.92	mgt fee
				6210 - MISCELLANEOUS OPERATIONS						0.00	
				6210.1 - PHOTOCOPIES	384.23	0.00	384.23	100.0%	273.96	110.33	copies
				6210.2 - POSTAGE	261.42	0.00	261.42	100.0%	253.17	8.25	postage
				6210.4 - LONG DISTANCE	0.00	0.00	0.00	0.0%	0.00	0.00	
				6210.5 - 501 APP	600.00				500.00	100.00	app
				6210.6 - OFFICE SUPPLIES	5.40	0.00	5.40	100.0%	5.40	0.00	
				6210.8 - WEBSITE ELECTRONIC MARKETING	300.00	1,000.00	-700.00	30.0%	300.00	0.00	
				6210 - MISCELLANEOUS OPERATIONS - Other	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
				Total 6210 - MISCELLANEOUS OPERATIONS	1,551.11	6,000.00	-4,448.89	25.85%	1,332.53	218.58	total
				6215.1 - Intern	3,900.00	7,800.00	-3,900.00	50.0%	3,900.00	0.00	
				6410 - BANK CHARGES / CREDIT CARD FEES						0.00	
				6410.1 - CAROLINA FIRST SERVICE FEE	30.00	50.00	-20.00	60.0%	24.00	6.00	bank fee
				6410.2 - PAYPAL EXPENSE	205.44	400.00	-194.56	51.36%	146.32	59.12	paypal fee
				6410.3 - REGONLINE EXPENSE	0.00	1,500.00	-1,500.00	0.0%	0.00	0.00	
				6410.4 - RETURN CHECK FEE	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6410 - BANK CHARGES / CREDIT CARD FEES	235.44	1,950.00	-1,714.56	12.07%	170.32	65.12	total
				6510 - LEGAL AND PROFESSIONAL SERVICES						0.00	
				6510.1 - ACCOUNTING & PROFESSIONAL SVCS	0.00	3,500.00	-3,500.00	0.0%	0.00	0.00	
				6510.2 - LEGAL & PROFESSIONAL SVCS FOR I	0.00	1,000.00	-1,000.00	0.0%	0.00	0.00	
				6510.5 - LIABILITY INSURANCE	0.00	350.00	-350.00	0.0%	0.00	0.00	
				Total 6510 - LEGAL AND PROFESSIONAL SERVICES	0.00	4,850.00	-4,850.00	0.0%	0.00	0.00	
				6610 - PUBLIC RELATIONS						0.00	
				6610.1 - PUBLIC RELATIONS & MARKETING						0.00	
				6610.6 - MAILCHIMP	347.69	650.00	-302.31	53.49%	347.69	0.00	
				6610.1 - PUBLIC RELATIONS & MARKETING - Other	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
				Total 6610.1 - PUBLIC RELATIONS & MARKETING	347.69	3,150.00	-2,802.31	11.04%	347.69	0.00	
				6610.4 - AWARDS	192.75	200.00	-7.25	96.38%	192.75	0.00	
				6610.5 - ADVERTISING ON FACEBOOK	35.23	147.00	-111.77	24.01%	35.23	0.00	
				6610 - PUBLIC RELATIONS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6610 - PUBLIC RELATIONS	575.73	3,497.00	-2,921.27	16.46%	575.73	0.00	
				6999 - UNCATEGORIZED EXPENSES	0.00	0.00	0.00	0.0%	0.00	0.00	
				7000 - MINUTE MAN MATCH	0.00	1,700.00	-1,700.00	0.0%	0.00	0.00	
				Total Expense	262,576.74	489,625.00	-227,048.26	53.63%	244,128.09	18,448.65	total exp
				Net Income	100,114.97	0.00	100,114.97	100.0%	114,219.63	-14,104.66	

**ACEC-SC**  
**Balance Sheet**  
As of January 25, 2021

			Jan 25, 21
<b>ASSETS</b>			
	<b>Current Assets</b>		
	Checking/Savings		
	1001 · ACEC-SC		239,087.87
	1010 · PAC		23,600.95
	1015 · ACEC-SC Education Foundation		8,442.54
	1120 · SCHO CD - CAROLINA FIRST		13,294.03
	Total Checking/Savings		284,425.39
	Total Current Assets		284,425.39
	<b>Fixed Assets</b>		
	TD Bank CD 4157		100,526.99
	TD Bank CD 4181		100,881.14
	TD BANK CD 4256		100,973.25
	Total Fixed Assets		302,381.38
	<b>TOTAL ASSETS</b>		<b>586,806.77</b>
<b>LIABILITIES &amp; EQUITY</b>			
	<b>Equity</b>		
	3000 · OPENING BAL EQUITY		27,737.68
	3900 · RETAINED EARNINGS		458,954.12
	Net Income		100,114.97
	Total Equity		586,806.77
	<b>TOTAL LIABILITIES &amp; EQUITY</b>		<b>586,806.77</b>



## ACEC- SC 2020-2021 Strategic Action Plan

Strategic Goal	Measures of Success	Tactic	Responsibility	Due By	Progress Update
<b>Grow and diversify membership</b>	Have 100 member firms by 2023.	<ul style="list-style-type: none"> <li>Develop and Implement Membership Drive Program.                             <ul style="list-style-type: none"> <li>Update demographic data for SC firms.</li> <li>Establish member profiles to target.</li> <li>Create specific outreach program to non-majority firms.</li> <li>Create a specific outreach program to DBE/WBE and other minority owned firms.</li> </ul> </li> </ul>	Membership Committee; Gehman	January 1, 2021 (Plan) March 2021 (Implementation)	<ul style="list-style-type: none"> <li>MG to review data to prioritize member firms to target (size/ revenue/ employees)</li> <li>MG to schedule roadshow w/ priority firms</li> </ul>
		<ul style="list-style-type: none"> <li>Participate in Trade Shows of other Conferences where potential members attend.</li> </ul>	JMA (identify opportunities)	November 1, 2020 (list due) Events – as available	<ul style="list-style-type: none"> <li>MG/ AJ to prioritize opportunities</li> <li>All Board to attend events</li> </ul>
		<ul style="list-style-type: none"> <li>Develop and implement a survey to all engineering firms in SC to identify industry issues</li> </ul>	Membership Committee; Shiver, McClure	November 1, 2020	<ul style="list-style-type: none"> <li>Survey implementation should be completed by 11/7/2020</li> </ul>
<b>Grow our brand awareness</b>	Increase our reach and impressions to member and nonmember firms by [xx%] (determined from comms plan)	<ul style="list-style-type: none"> <li>Create and implement a Communication Plan and Strategy to increase exposure in the industry and with members.</li> </ul>	Communications Committee; Ward, McClure, Chernoff Newman	February 2021 (Plan) March 2021 (Implementation)	<ul style="list-style-type: none"> <li>Selected firm – NPT December 2020</li> <li>Discovery Workshop December 2020</li> </ul>
<b>Grow the PAC and our increase legislative influence</b>	Grow PAC income by 5% every year.	<ul style="list-style-type: none"> <li>Re-establish Advocacy Committee; establish monthly call in meeting to discuss initiatives and progress. Establish a plan to achieve 5% growth on an annual basis.</li> </ul>	NEED COMMITTEE CHAIR	December 1, 2020	
		<ul style="list-style-type: none"> <li>Increase participation in Engineering Day at the state house.</li> </ul>	Eppley, Jones, Williams, Butler	January 13, 2021	
		<ul style="list-style-type: none"> <li>Develop strategic partnerships with other Engineering industry organizations</li> </ul>	Eppley, Jones, Williams, Butler	January 13, 2021	
<b>Energize and engage our membership</b>	Measures of success to be developed post survey	<ul style="list-style-type: none"> <li>Create value proposition for current and future members</li> </ul>	Communications Committee; Ward, McClure, Chernoff Newman	March 20201	
		<ul style="list-style-type: none"> <li>Create plan for member engagement goals and a schedule of activities for 2020-2021</li> </ul>	Membership Committee; Shiver, McClure	March 2021	

## ACEC-SC Executive Director's Report 2/4/2021

### Legislative Report

- S.422 (Indemnity legislation)
  - SCDOT Interpretation
    - SCDOT brought up our bill at their Commission meeting on 1/21/2021. They think it may shift some of the liability to them.
  - AGC Issues
    - AGC sent over their concerns. They have been included in the packet, as well as my response to their concerns.
  - I took SCDOT & CarolinasAGCs concerns to ACEC's legal team. They agreed with my responses to AGC and suggested ACEC-SC take the bill to an attorney in SC who is an expert in SC State Contracting law.
    - AIA-SC's lobbyist knows an attorney who can look at the bill and said they would split the cost. He thinks it will be in the hundreds of dollars.
- S. 2 (split up SCDHEC)
  - I have put a detailed report of S.2 in the packet.
    - Splits DHEC putting the health portion in with Department of Mental Health
    - Splits Environmental into SC Dept. of AG & SCDNR
      - Permitting split between those to agencies
  - In my opinion, ACEC-SC should oppose this bill
  - ACEC-SC Past Chair & SCDHEC Board Member Chuck Joye thinks ACEC-SC should oppose the bill.
  - SC Forestry opposes it, as does SCMA.
- H. 3392 (Sales tax on professional services)
  - The business community thinks raising taxes will be a heavy lift in this climate
  - Continuing to monitor
- S. 147 (COVID-19 Safe Harbor Legislation)
  - Subcommittee met on 1/26/2021 & 2/2/2021
  - ACEC-SC mailed a letter of support to the Senate and issued a "Call to action " to contact members of the subcommittee
  - Bill was amended and passed out favorably
  - Full committee 2/9/2021

## **ACEC-SC Executive Director's Report 2/4/2021**

- QBS Legislation (Opening the Practice Act)
  - No movement, with other items moving

### **SC Engineers Regulations**

- SC Board of Registration for PE & PLS have asked me to find engineers to review the SC Code of Regulations (40-1-70, 40-22-60, 40-22-130)
  - Regulations are in the packet
  - Committee members needed

### **Engineers Vaccination**

- ACEC-SC created a coalition between ACEC-SC, AIA, AGC, SCSPE, & SCSPLS to ask to have a person from the Design/Construction Community on the SCDHEC Vaccine Committee.
- We sent a letter asking for Design/Construction Essential workers to be moved up to 1B for the COVID-19 Vaccination
- Recommended Leslie Clark from CarolinasAGC to be this person
  - Chuck Joye, PE (Aurdurra), Sent the recommendation as well

### **Engineers Day on the Hill / Legislative Reception**

- Postponed to 3/23/2021
  - Senate Calendar Issue

### **Engineering Excellence Awards**

- Judging completed
- Emcee – Jim Rogers confirmed
- April 21, 2021

### **Winter Meeting**

- 2/23/2021 (virtual)
- Environmental Committee working

### **PPP Webinar w/ ACEC & Wayne Owens**

- Successful (89 registered, 49 attended)

### **ACEC-SC Retreat**

- Move, cost, possible dates
  - Allison King will cover this
  - See info in the packet

### **Melvin Williams & ACEC National**

- Confirmed for ACEC Fellow
- Vice-Chair at ACEC National

### CAGC Concerns with S. 422

- Section (B) does not address whether an agreement by a designer to indemnify for the designer's concurrent negligence is or is not enforceable.
  - ⇒ **This was intentional. Concurrent negligence should be addressed in a separate bill.**
- The proposed legislation has the engineer mixing indemnity with the duty to defend. The proposed language for indemnity in Section (C) is good as it limits indemnity to the extent caused by the engineer. However, Section (D) is unjust as it unfairly shifts from the engineer to the client the cost of defending allegations arising from the engineer's conduct.
  - ⇒ **Section D is the crux of the bill, we believe the client should pay for their own defense if fault has not been determined.**
- Furthermore, Section (D) declares that a contract provision requiring a designer to defend against liability, claims for damages or expenses including attorney fees is not enforceable.
  - As an example, this means if a designer fails to design to ADA compliance and a 3rd party is injured, the designer has no obligation to defend nor is it liable for the owner's defense fees and cost defending the designer's design compliance.
  - Another example is that in a Design Build context with the designer as a Subcontractor to the General Contractor, if a claim is made against a General Contractor for deficient or defective design, the designer has no obligation to defend the Contractor for the designer's own design.
  - ~~We would recommend striking Section (D) from the proposed legislation.~~
  - ⇒ **We feel AGC is not interpreting it correctly, if you look at it in context with Section A's definitions it makes sense.**
    - **We think D is the most important part of the bill, as it stops Designer from defending Contractor before fault is determined.**
- Although "Proximately caused" and "proximate cause" are the benchmarks for triggering the designer's indemnity obligation, neither term is defined even though there is over 200 years of jurisprudence in South Carolina defining those terms.
  - Black's Law dictionary defines "proximate cause" as "the result of a direct action and cause of loss to property that sets in motion a chain of events that is unbroken and causes damage, injury and destruction with no other interference. The loss is the result of one event."
  - South Carolina case law recognizes that "proximate cause requires proof of both causation in fact, and legal cause." Causation in fact is proved by establishing the injury would not have occurred 'but for' the defendant's negligence.
  - *"Proximately caused" and "proximate cause" should be defined in the proposed statute.*

⇒ *We are happy to add the definitions of Proximately & Proximate Cause to Section A of bill.*

- The rational for the proposed language is that Designers cannot get Errors & Omissions insurance that provides coverage for defense fees and costs. Keep in mind the lawsuit is due to the Designer's own alleged designer errors or omissions.
- The proposed statute may run afoul of state contracts.
  - The Office of the State Engineer has been able to get the American Institute of Architects to issue SC Office of State Engineer specific AIA contract documents.
  - On state projects, the proposed language contradicts the Office of the State Engineer recently adopted (December 2020) design document for Architectural services. South Carolina Division of Procurement of Services, Office of State Engineer Version of AIA Document B101-2017 Standard Form of Agreement Between Owner and Architect which provides:

§ 2.5.11 Third Party Indemnification Without limitation and notwithstanding any provision in this agreement, the Architect shall indemnify and hold harmless the Indemnitees for and against claims, damages, losses and expenses (including attorneys' fees) asserted by a third party against an Indemnatee arising out of or resulting from negligent acts or omissions of the Architect, a consultant, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself). The Architect shall not be required to indemnify an Indemnatee to the extent Indemnatee's damages result from Indemnatee's own negligence. Such obligation shall not be construed to negate, abridge, or reduce any other rights, including any other obligations of indemnity, which would otherwise exist as to a party or person described in this Section 2.5.11. As used in this paragraph, "Indemnitees" means the State (including its instrumentalities, agencies, departments, boards, and political subdivisions), the contractor, the subcontractors at all tiers, and the officers, agents, and employees of all the forgoing.

- South Carolina Division of Procurement of Services, Office of State Engineer Version of AIA Document B133-2014 Standard Form of Agreement Between Owner and Architect, Construction Manager as Constructor Edition which provides:

§ 2.7 THIRD PARTY INDEMNIFICATION Without limitation and notwithstanding any provision in this agreement, the Architect shall indemnify and hold harmless the Indemnitees for and against claims, damages, losses and expenses (including attorneys' fees) asserted by a third party against an Indemnatee arising out of or resulting from negligent acts or omissions of the Architect, a consultant,

anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself). The Architect shall not be required to indemnify an Indemnitee to the extent Indemnitee's damages result from Indemnitee's own negligence. Such obligation shall not be construed to negate, abridge, or reduce any other rights, including any other obligations of indemnity, which would otherwise exist as to a party or person described in this Section 2.7. As used in this paragraph, "Indemnitees" means the State (including its instrumentalities, agencies, departments, boards, and political subdivisions), the contractor, the subcontractors at all tiers, and the officers, agents and employees of all the forgoing.

- South Carolina Division of Procurement of Services, Office of State Engineer Version of AIA Document B132-2014 Standard Form of Agreement Between Owner and Architect, Construction Manager as Adviser which provides:

§ 2.7 Third Party Indemnification. Without limitation and notwithstanding any provision in this agreement, the Construction Manager shall indemnify and hold harmless the Indemnitees for and against claims, damages, losses and expenses (including attorneys' fees) asserted by a third party against an Indemnitee arising out of or resulting from negligent acts or omissions of the Construction Manager, a consultant, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself). The Construction Manager shall not be required to indemnify an Indemnitee to the extent Indemnitee's damages result from Indemnitee's own negligence. Such obligation shall not be construed to negate, abridge, or reduce any other rights, including any other obligations of indemnity, which would otherwise exist as to a party or person described in this Section 2.7. As used in this paragraph, "Indemnitees" means the State (including its instrumentalities, agencies, departments, boards, and political subdivisions), the contractor, the subcontractors at all tiers, and the officers, agents and employees of all the forgoing.

- Section (E) seems to try and exempt indemnity and hold harmless for damages (including attorney fees) if the provision of Section B I are met. I. E. The indemnity obligation is not based on the other party to the contract with the designer's "sole negligence".

**Commented [aj1]:** AIA-SC's Lobbyist has someone in their firm that is an expert in State Contracts. AIA-SC has agreed to split the cost for him to review this to see if it will hurt SCDOT or conflict with this info.



January 26, 2021

The Honorable Harvey S. Peeler, Jr.  
President, S.C. Senate  
213 Gressette Building  
Columbia, South Carolina 29201

Dear President Peeler:

The American Council of Engineering Companies of South Carolina (ACEC-SC) respectfully requests the Senate take up and pass [S.147](#), the South Carolina COVID-19 Liability Safe Harbor Act, as the bill is written without any amendments that might weaken this vital piece of legislation. We appreciate the Senate and your efforts to provide a temporary COVID-19 safe harbor for businesses and organizations that have acted appropriately by following state guidelines to operate safely during this Coronavirus pandemic.

**ACEC-SC believes this legislation is necessary.** We see unresolved liability questions will have a significant effect on South Carolina's economic recovery. Several COVID-19 claims have been filed in South Carolina.

**ACEC-SC believes this legislation is fair.** The legislation does not protect companies that have not followed South Carolina's safety guidelines. S.147 results from several concessions the business community has given to get safe harbor legislation passed.

Again, ACEC-SC supports limited, temporary, and commonsense protections to businesses like engineering firms that have done the right thing, followed SCDHEC and CDC Guidelines, as well other guidelines set forth by the State of South Carolina. The engineering community does not want to face unnecessary, burdensome, and expensive litigation caused by the crippling pandemic.

Thank you for your time, leadership and for co-sponsoring this S. 147.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam B. Jones".

Adam B. Jones  
Executive Director  
ACEC-SC

cc: All South Carolina Senators

Senate Bill 2  
Abolishment of SCDHEC  
Summary

**S. 2**

Sponsored by: Senators Peeler, Malloy, McElveen, Hembree & Senn  
Senate Committee on Medical Affairs

**General Summary:** *(For the purpose of this summary, it will focus on the Environmental side of SCDHEC that will affect the design/construction community) Many of the changes in the bill are simply name changes to existing law)*

*Senate Bill 2, if passed, will abolish the South Carolina Department of Environmental Control (SCDHEC). It would divide the Health portion of SCDHEC into a newly formed cabinet agency, the Department of Behavioral & Public Health. It would then split parts of the Environmental portion of SCDHEC between the SC Department of Agriculture and the Department of Natural Resources. If passed, a "division of Environmental Protection" would be created within the SC Department of Agriculture, and the programs of the DHEC that perform environmental functions (with exceptions) would be transferred to this division of the Department of Agriculture.*

*This bill amends sections: 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, & 49-5-60 relating to environmental protection funds, stormwater management, and sediment reduction, mining, oil and gas conservations and production, radioactive waste, environmental awareness and innovation, information technology equipment recover, and groundwater. All to transfer regulatory authority to the Department of Agriculture.*

*It also amends sections: 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, & 48-3-140 as they relate to the pollution control act or pollution control facilities. It transfers regulatory authority to the Department of Natural Resources.*

*SC DNR will also be responsible for SCDHEC's Coastal Division and office of Ocean and Coastal Resources. This portion amends sections: 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30, & 49-11-120 which relate to Coastal tidelands, wetlands, beach restoration, and improvement trust act, navigable waters, water resources planning, surface water withdrawal regulations and reporting, aquatic plant management council, dam, and reservoir safety. It transfers regulatory authority to SCDNR for each of these issues as well.*

**Breakdown:**

SC Department of Agriculture will take on the following from SCDHEC:

- Environmental Protection Fund
- Stormwater management
- Sediment reduction
- Mining
- Oil & Gas conservation & production



Senate Bill 2  
Abolishment of SCDHEC  
Summary

- Radioactive Waste
- Environmental Awareness & Innovation
- Information Technology equipment recovery
- Groundwater
- Regulatory Authority

SC Department of Natural Resources will take on the following from SCDHEC:

- Coastal Tidelands
- Wetlands
- Beach restoration & improvement trust act
- Navigable waters
- Water Resources planning
- Surface Water Withdrawal Regulation & Reporting
- Aquatic Plan Management Council
- Dam & Reservoir safety
- The regulatory authority to SCDNR

**Parts of the Bill that affect Design/Construction Industry:**

*\*Chapters 1 -56 (roughly from the bottom of page 5 – top of 49) deal with the health portion of SCDHEC becoming the Department of Behavioral & Mental Health, so if you look at the bill, we will start our focus on page 49.*

*Section 1, (5) (a) (b) & (c) lay out how SCDHEC will be divided:*

“(5)(a) except as provided in subitems (b) and (c), the divisions, offices, and programs of the Department of Health and Environmental Control that perform functions related to regulation and protection of the environment shall become a division of the Department of Agriculture with the director of that department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Agriculture;

(b) the Office of Ocean and Coastal Resource Management and the Coastal Division of the Department of Health and Environmental Control shall become a division of the Department of Natural Resources with the director of that department being deemed the head of the office and division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Natural Resources;

(c) *regulatory authority over coastal tidelands and wetlands, beach restoration and improvement, navigable waters, water resources planning, surface water and groundwater use, and dam and reservoir safety shall be transferred to the Department of Natural Resources, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Natural Resources;”*

Senate Bill 2  
Abolishment of SCDHEC  
Summary

*Chapter 57  
Division of Environmental Control  
General Provisions*

*The first section of this chapter speaks to the creation of the division of Environmental Control within the Department of Agriculture*

“Section 46-57-10. There is created the Division of Environmental Control within the Department of Agriculture. The division is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of the Department of Health and Environmental Control on the effective date of this act, including, but not limited to, functions, powers, and duties provided for in this chapter; in Chapters 2, 56, 93, 95, and 96 of Title 44; in Chapters 2, 14, 18, 20, 21, 41, 43, 46, 55, 56, 57, and 60 of Title 48; and in Chapter 5 of Title 49.”

- *This section gives the Department of Agriculture the authority to make, adopt, promulgate, & enforce reasonable rules and regulations. It provides this authority for sanitation efforts for transportation vehicles, jails, hotels, schools, the hospitality industry, food production, and public place.*
- *Section (5) speaks to Industrial plants, water use in humidifiers, the regulation of methods for the disposition of garbage, sewage, etc.*
- *(B) speaks to emergencies not covered under normal portions of the law.*

*Section 46-57-30 speaks to permitting and licensing, public comment, etc. Much of this is the same as current law but changes where it is housed.*

“Section 46-57-30. (A) All decisions of the Department of Agriculture involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department, which may give rise to a contested case must be made using the procedures set forth in this section.”

“ (C) In making a decision about a permit, license, certification, or other approval, the department shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny, or condition a permit, license, certification, or other approval. At the time that a decision is made, the department shall issue a written decision and shall base its decision on the administrative record, which must consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification, or other approval. The administrative record also may include material readily available at the department or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as those materials are referred to specifically in the department decision. The department is not required to issue a written decision for issuance of routine permits for which the department has not received adverse public comments.”

Senate Bill 2  
Abolishment of SCDHEC  
Summary

*Section 46-57-40 A-D outlines the establishment of an expedited review program to provide an expedited process for permit application review.*

“(A) There is established within the Division of Environmental Control an Expedited Review Program to provide an expedited process for permit application review. Participation in this program is voluntary, and the program must be supported by expedited review fees promulgated in regulation pursuant to subsection (B)(1). The division shall determine the project applications to review, and the process may be applied to anyone or all of the permit programs administered by the division.”

*Section 46-57-60 A-E defines violations, fines, etc.*

*\*We will skip from Page 53-mid way through page 58 as that portion of the bill deals with in-home food production & shellfish fisheries/harvesting.*

*Section 48-2-70 speaks to permitting:*

“Section 48-2-70. Under each program for which a permit processing fee is established pursuant to this article, the promulgating authority also shall establish by regulation a schedule for timely action by the Department of ~~Health and Environmental Control~~ Agriculture on permit applications under that program. These schedules shall contain criteria for determining in a timely manner when an application is complete and the maximum length of time necessary and appropriate for a thorough and prompt review of each category of permit applications and shall take into account the nature and complexity of permit application review required by the act under which the permit is sought. If the department fails to grant or deny the permit within the time frame established by regulation, the department shall refund the permit processing fee to the permit applicant.”

*Section 19. Section 48-14-20(l) & (6) are amended to the department's new name and defines the designated watershed.*

“(6) ‘Designated Watershed’ means a watershed designated by a local government and approved by the Department of ~~Health and Environmental Control~~ Agriculture and identified as having an existing or potential stormwater, sediment control, or nonpoint source pollution problem.”

*Section B of section 48-18-50(1) is amended and defines who is on the State Advisory Council on Erosion & Sediment Reduction. In the event this moves, I'd like SCESS to be added to the Council*

*Section 48-20-30 covers the responsibility's provisions and requirements dealing with mining permits, review and approval of reclamation plans, collection of reclamation performance*

Senate Bill 2  
Abolishment of SCDHEC

Summary

*bonds, conduct of environmental appraisals, technical assistance to mine operators and the public, implementation of research and demonstration projects/inspection of mining operations.*

“Section 48-20-30. The South Carolina Department of ~~Health and Environmental Control~~ Agriculture is responsible for administering the provisions and requirements of this chapter. This includes the process and issuance of mining permits, review and approval of reclamation plans, collection of reclamation performance bonds, conduct of environmental appraisals, technical assistance to mine operators and the public, implementation of research and demonstration projects, and inspections of all mining operations and reclamation as set forth in this chapter. Proper execution of these responsibilities may necessitate that the department seek comment from other relevant state agencies regarding matters within their respective areas of statutory responsibility or primary interests. The department has ultimate authority, subject to the appeal provisions of this chapter, over all mining, as defined in this chapter, and the provisions of this chapter regulating and controlling such activity.”

*Section 22 goes over the mining commission in detail.*

*Section 23 Deals with Solid Waste Disposal Facilities and their maintenance, Radioactive waste, and landfills. Most of this looks to be the same as existing law, with just changes to the names.*

*Section 49-5-60 speaks to groundwater withdrawal. Again, most of the changes to the law are simply in name. Since Groundwater withdrawal has been a hot topic the past two years, below is the law as changed if this passed:*

B. Section 49-5-60 of the 1976 Code is amended to read:

“Section 49-5-60. (A) In the State where excessive groundwater withdrawal presents potential adverse effects to the natural resources or poses a threat to public health, safety, or economic welfare or where conditions pose a significant threat to the long-term integrity of a groundwater source, including salt water intrusion, the ~~board~~ department, after notice and public hearing, in accordance with the Administrative Procedures Act, shall designate a capacity use area. The department, local government authorities, other government agencies, or groundwater withdrawers may initiate the capacity use area designation process. The notice and public hearing must be conducted such that local government authorities, groundwater withdrawers, or the general public may provide comments concerning the capacity use area designation process. A capacity use area must be designated by the ~~board~~ department based on scientific studies and evaluation of groundwater resources and may or may not conform to political boundaries.

(B) After notice and public hearing, the department shall coordinate the affected governing bodies and groundwater withdrawers to develop a groundwater management plan to achieve goals and objectives stated in Section 49-5-20. In those areas where the affected governing bodies and withdrawers are unable to develop a plan, the department shall take action to

Senate Bill 2  
Abolishment of SCDHEC

Summary

develop the plan. ~~The plan must be approved by the board before the department may issue groundwater withdrawal permits for the area.~~

(C) Once the ~~board~~ department approves the groundwater management plan for a designated capacity use area, each groundwater withdrawer shall make application for a groundwater withdrawal permit. The department shall issue groundwater withdrawal permits in accordance with the approved plan.

(D) A person or entity affected may appeal a decision of the ~~board~~ department on a capacity use area designation within thirty days after the filing of the decision to the court of common pleas of any county which is included in whole or in part within the disputed capacity use area. The department shall certify to the court the record in the hearing. The court shall review the record and the regularity and the justification for the decision. The court may not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (1) in violation of constitutional or statutory provisions;
- (2) in excess of the statutory authority of the agency;
- (3) made upon unlawful procedure;
- (4) affected by other error of law;
- (5) clearly erroneous in view of the reliable, probative, and substantial evidence on the record; or
- (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion."

*Section 30 is where the change from SCDHEC to SCDNR begins, and gives SCDNR authority to abate, control, and prevent pollution:*

SECTION 30.A. Section 48-1-10(9) of the 1976 Code is amended to read:

"(9) 'Department' means the Department of ~~Health and Environmental Control~~ Natural Resources;"

B. Section 48-1-20 of the 1976 Code is amended to read:

"Section 48-1-20. It is declared to be the public policy of the State to maintain reasonable standards of purity of the air and water resources of the State, consistent with the public health, safety and welfare of its citizens, maximum employment, the industrial development of the State, the propagation and protection of terrestrial and marine flora and fauna, and the protection of physical property and other resources. It is further declared that to secure these purposes and the enforcement of the provisions of this chapter, the Department of ~~Health and Environmental Control~~ Natural Resources shall have authority to abate, control and prevent pollution."

*Section 48-1-55 speaks to navigable waters:*

Senate Bill 2  
Abolishment of SCDHEC  
Summary

“Section 48-1-55. On any navigable river in this State where an oyster factory is located, the Department of ~~Health and Environmental Control~~ Natural Resources may utilize qualified personnel of the county or municipality in whose jurisdiction the factory operates to assist with the monitoring of water quality and other environmental standards the department is required to enforce. The assistance may be provided at the request of the department and upon the consent of the county or municipality concerned.”

*Section 48-1-100 (B) and (c) will be amended and deal with the air and water quality of SC:*

“(B) The Department of ~~Health and Environmental Control~~ Natural Resources is the agency of state government having jurisdiction over the quality of the air and waters of the State of South Carolina. It shall develop and enforce standards as may be necessary governing emissions or discharges into the air, streams, lakes, or coastal waters of the State, including waste water discharges.”

*Section 34 A Section 48-40-20(2) place the Office of Ocean & Coastal Resources under SCDNR:*

“(2) ‘Office’ means the Office of Ocean and Coastal Resource Management of the Department of ~~Health and Environment Control~~ Natural Resources.”

*Again, much of Section 49-1-15 is the same law with different names. See below:*

“Section 49-1-15. (A) Except as otherwise provided herein, no person may erect, construct, or build any structure or works in order to dam or impound the waters of a navigable stream or any waters which are tributary to a navigable stream for the purpose of generating hydroelectricity without securing a permit from the Department of ~~Health and Environmental Control~~ Natural Resources. Any projects that are subject to Chapter 33, of Title 58 of the Utility Facility Siting and Environmental Protection Act are exempted from this section. Further exempted are projects where the project developer without exercising condemnation authority is the existing owner of the property upon which the project is to be constructed and projects which do not exceed sixty acres including in both cases inundated land.

(B) The Department of ~~Health and Environmental Control~~ Natural Resources may issue a permit for the projects in this subsection after a thorough review of the proposed project and a finding that it meets any regulations of the board and the following standards:

(1) The proposed project does not halt or prevent navigation by watercraft of the type ordinarily frequenting the reach of the watercourse in question.

(2) The projects proposed for shoaled areas of the watercourse provide a means of portage or bypass of the project structure.

(3) The need for the proposed project far outweighs the historical and current uses of the stream in question.

(4) The impact of the proposed project will not threaten or endanger plant or animal life.

Senate Bill 2  
Abolishment of SCDHEC  
Summary

(5) The recreational and aesthetic benefits or detriments caused by the proposed project do not alter the watercourse or damage riparian lands.”

*New language on dredging is added in Section 49-1-18 :*

Beginning the effective date of this act, the authority for all matters pertaining to the Savannah River unrelated to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues in regard to the use of the Savannah River as a waterway for ocean-going container or commerce vessels are transferred to and devolved upon the Department of Natural Resources.”

*Surface water is also addressed in Section 49-4-80 (C), (E) & (F), same language as existing law with the name changed.*

*Section 49-4-170(B)(1) discusses flowing water into the state and withdrawal, but is simply a name change:*

“(1) The department may, ~~in consultation with the Department of Natural Resources,~~ negotiate agreements, accords, or compacts on behalf of and in the name of the State with other states or the United States, or both, with any agency, department, or commission of either, or both, relating to transfers of water that impact waters of this State, or are connected to or flowing into waters of this State. Any agreements, accords, or compacts made by the board pursuant to this section must be approved by concurrent resolution of the General Assembly prior to being implemented. The department also may represent the State in connection with water withdrawals, diversions, or transfers occurring in other states which may affect this State. The provisions in this section do not apply to the Office of Attorney General or any pending or future criminal or civil actions, lawsuits, or causes in which the State is a party or interested.”

*The last change to report is the new language in Section 41. Section 1-30-20(B):*

(B) On the effective date of this act, the divisions, offices, and programs of the Department of Health and Environmental Control performing functions related to regulation and protection of the environment, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property and all contractual rights and obligations associated with these divisions, offices, programs, and other related entities, except for those subdivisions specifically included under another department, are hereby transferred to and incorporated in and shall be administered as part of the Department of Agriculture.”

## ACEC-SC & SCSPE Tracked Bills

Prepared by: Adam Jones

Report created on February 1, 2021

**SB2**

**DHEC REORGANIZATION** (PEELER, JR. H) A BILL TO AMEND CHAPTER 1, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; TO AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND



SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30, 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS HOMES.

**Current Status:** 1/12/2021 - Referred to Committee Senate Medical Affairs

**Recent Status:** 1/12/2021 - Introduced and read first time

12/9/2020 - Prefiled

**State Bill Page:** [SB2](#)

**SB34**

**INTERNATIONAL REGISTRATION** (GROOMS L) A BILL TO AMEND SECTION 56-3-190 OF THE 1976 CODE, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

**Current Status:** 1/12/2021 - Referred to Committee Senate Transportation

**Recent Status:** 1/12/2021 - Introduced and read first time

12/9/2020 - Prefiled

**State Bill Page:** [SB34](#)

**SB40**

**PARKING** (GROOMS L) A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY

ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 2/3/2021 - Senate Transportation, (Bill Scheduled for Hearing);

**Time & Location:** 11:00 AM, Gressette - 105

**Recent Status:** 1/26/2021 - Senate Committee recommends passage  
Transportation Subcommittee

1/26/2021 - Senate Transportation Subcommittee-  
Transportation, (Bill Scheduled for Hearing); **Time & Location:**  
10:00 AM, Gressette Room 207

**State Bill Page:** [SB40](#)

**SB100**

**UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT** (CROMER R) A BILL TO AMEND SECTION 58-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE "UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT", SO AS TO REVISE THE DEFINITION OF "MAJOR UTILITY FACILITY" AND TO PROVIDE DEFINITIONS FOR "DOD SITING CLEARINGHOUSE", "NOTICE OF PRESUMED RISK", "ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS", "MAJOR MILITARY BASE", AND "WIND ENERGY FACILITY"; TO AMEND SECTION 58-33-120, RELATING TO APPLICATIONS FOR A CERTIFICATE TO CONSTRUCT A UTILITY FACILITY, SO AS TO PROVIDE THAT CERTAIN INFORMATION REGARDING WIND ENERGY FACILITIES MUST BE INCLUDED ON THE APPLICATION; AND TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES ALSO SHALL INCLUDE THE SOUTH CAROLINA AERONAUTICS COMMISSION AND THE DOD SITING CLEARINGHOUSE FOR PROCEEDINGS RELATED TO WIND ENERGY FACILITIES.

**Current Status:** 1/12/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB100](#)

**SJR147**

**SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT** (MASSEY A) A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/26/2021 - Senate Judiciary Subcommittee, (Bill Scheduled for Hearing); **Time & Location:** 9:00 AM, Gressette 308

**Recent Status:** 1/13/2021 - Referred to Subcommittee  
1/12/2021 - Referred to Committee Senate Judiciary  
**State Bill Page:** [SJR147](#)

**SB162**      **SOLID WASTE POLICY AND MANAGEMENT** (SCOTT, JR. J) A BILL TO AMEND SECTION 44-96-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOLID WASTE POLICY AND MANAGEMENT, SO AS TO PROVIDE THAT POST-USE POLYMERS AND RECOVERABLE FEEDSTOCKS USED IN PYROLYSIS AND GASIFICATION PROCESSES ARE "RECOVERED MATERIALS" AND ARE NOT "SOLID WASTE" FOR THE PURPOSES OF REGULATION BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

**Current Status:** 1/12/2021 - Referred to Committee Senate Medical Affairs

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB162](#)

**SB178**      **NAMING OF BUILDING, HIGHWAY FACILITY, OR CERTAIN TRACTS OF LAND** (HEMBREE G) A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL ASSEMBLY NAMING A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY NOT NAME A BUILDING, HIGHWAY FACILITY, OR CERTAIN TRACTS OF LAND AFTER CERTAIN ELECTED STATE OR LOCAL OFFICIALS, AND TO PROVIDE THAT WHEN THE GENERAL ASSEMBLY HONORS AN INDIVIDUAL PURSUANT TO THIS PROVISION, IT SHALL BE FOR A PERIOD NOT TO EXCEED TWENTY-FIVE YEARS UNLESS THE PERIOD IS EXTENDED BY THE GENERAL ASSEMBLY.

**Current Status:** 1/12/2021 - Referred to Committee Senate Transportation

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB178](#)

**SB211**      **THE SOUTH CAROLINA EDUCATION BANK** (MCELVEEN, III J) A BILL TO ENACT THE SOUTH CAROLINA EDUCATION BANK ACT; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 58, TO CREATE THE SOUTH CAROLINA EDUCATION BANK, TO ESTABLISH A GOVERNING BOARD, TO PROVIDE FOR THE POWERS OF THE BANK, TO FUND THE BANK, TO PROVIDE LIABILITY PROTECTIONS, TO PROVIDE FOR DEPOSITS, TO PROVIDE FOR ANNUAL REPORTING REQUIREMENTS, TO PROVIDE FOR LOCAL SCHOOL BOARD FUNDING REQUEST REQUIREMENTS, AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Finance

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB211](#)

**SB220**      **SOUTH CAROLINA THIRTY-BY-THIRTY CONSERVATION ACT** (MCELVEEN, III J) A BILL TO ENACT THE "SOUTH CAROLINA THIRTY-BY-THIRTY CONSERVATION ACT"; TO AMEND TITLE 48 OF THE 1976 CODE, RELATING TO ENVIRONMENTAL PROTECTION AND CONSERVATION, BY ADDING CHAPTER 61, TO ESTABLISH THE GOAL OF PROTECTING THIRTY PERCENT OF THE STATE OF SOUTH CAROLINA BY NOT LATER THAN 2030, TO ESTABLISH THE THIRTY-BY-THIRTY INTERAGENCY TASKFORCE, TO PROVIDE FOR THE DEVELOPMENT AND IMPLEMENTATION OF PLANS BY STATE AGENCIES TO ACHIEVE THIS GOAL, AND TO PROVIDE REPORTING REQUIREMENTS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Agriculture and Natural Resources

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB220](#)

**SB240**

**SPECIAL PROVISIONS AFFECTING GAS, WATER, OR PIPELINE COMPANIES**

(YOUNG, JR. T) A BILL TO AMEND CHAPTER 7, TITLE 58 OF THE 1976 CODE, RELATING TO SPECIAL PROVISIONS AFFECTING GAS, WATER, OR PIPELINE COMPANIES, BY ADDING ARTICLE 3, TO ESTABLISH PROVISIONS RELATING TO PETROLEUM PIPELINES, TO PROVIDE FOR APPLICATIONS, PERMITTING, AND HEARINGS, TO SET REQUIREMENTS FOR RENDERING FINAL ORDERS, TO PROVIDE FOR REHEARINGS, TO PROMULGATE REGULATIONS, TO ALLOW THE OFFICE OF REGULATORY STAFF TO REQUIRE RECORDS PRODUCTION, TO PROVIDE FOR DISCOVERY, AND TO EMPLOY EXPERT WITNESSES, TO PROVIDE THAT A PETROLEUM PIPELINE COMPANY MAY REQUEST REASONABLE ACCESS TO PROPERTY ON A PROPOSED SITE FOR SURVEY PURPOSES, TO PROVIDE REPORTING REQUIREMENTS FOR A SPILL OR AN ACCIDENTAL RELEASE, TO PROVIDE FOR EMINENT DOMAIN AND HEARINGS BEFORE THE ADMINISTRATIVE LAW COURT; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB240](#)

**SB248**

**SOUTH CAROLINA HANDS-FREE ACT** (YOUNG, JR. T) A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Transportation

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB248](#)

**SB271**

**ABANDONED BUILDINGS REVITALIZATION ACT** (TALLEY S) A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

**Current Status:** 9/27/2021 - House Sales & Use Tax and Income Tax, (Bill Scheduled for Hearing); **Time & Location:**

**Recent Status:** 2/2/2021 - Senate Finance, (Bill Scheduled for Hearing); **Time & Location:** 2:00 PM, Virtual  
1/12/2021 - Referred to Committee Senate Finance

**State Bill Page:** [SB271](#)

**SB290**      **CERTIFICATE OF NEED** (CLIMER W) A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

**Current Status:** 1/12/2021 - Referred to Committee Senate Medical Affairs

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB290](#)

**SB294**      **RATES AND CHARGES FOR ELECTRIC UTILITIES AND COOPERATIVES** (CLIMER W) A BILL TO AMEND ARTICLE 7, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO RATES AND CHARGES FOR ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, BY ADDING SECTION 58-27-1060, TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION TO RESELL ELECTRICITY IS NOT AN ELECTRICAL UTILITY, AND TO PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

**Current Status:** 1/12/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB294](#)

**SB304**      **ELECTRIC UTILITY AND ELECTRIC VEHICLE CHARGING STATION** (CLIMER W) A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

**Current Status:** 1/12/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB304](#)

**SB307**      **EXEMPTIONS FROM MEAT AND MEAT FOOD INSPECTIONS** (FANNING M) A BILL TO AMEND SECTION 47-17-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM MEAT AND MEAT FOOD INSPECTION REQUIREMENTS, SO AS TO EXEMPT MEAT AND MEAT FOODS PROCESSED AT A CUSTOM SLAUGHTER FACILITY WHICH MEETS CERTAIN CRITERIA FROM STATE-REQUIRED INSPECTIONS; AND TO AMEND SECTION 47-19-80, RELATING TO POULTRY PROCESSING COMPLIANCE REQUIREMENTS, SO AS TO EXEMPT A CUSTOM POULTRY PROCESSING FACILITY WHICH MEETS CERTAIN CRITERIA FROM STATE-REQUIRED INSPECTIONS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Agriculture and Natural Resources



**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB307](#)

**SB316**      **DEFINITION OF PUBLIC UTILITY** (FANNING M) A BILL TO AMEND SECTION 58-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO INCLUDE MUNICIPALITIES AND COUNTIES WITHIN THE TERM "PUBLIC UTILITY"; TO AMEND SECTION 58-5-390, RELATING TO TAP FEES FOR INSTALLATION AND MAINTENANCE OF THE FIRE SPRINKLER SYSTEM, SO AS TO REMOVE THE EXCEPTION FOR A PUBLIC UTILITY OWNED OR OPERATED BY OR ON BEHALF OF ANY MUNICIPALITY, COUNTY OR REGIONAL TRANSPORTATION AUTHORITY; AND TO REPEAL SECTION 58-5-30, RELATING TO THE EXEMPTION OF PUBLIC UTILITIES OWNED OR OPERATED BY MUNICIPALITIES OR REGIONAL TRANSPORTATION AUTHORITIES.

**Current Status:** 1/12/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB316](#)

**SB332**      **ANNUAL PROPERTY TAX MILLAGE INCREASES** (FANNING M) A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO RESTORE THE FORMER METHOD OF OVERRIDING THE ANNUAL CAP BY A POSITIVE MAJORITY OF THE APPROPRIATE GOVERNING BODY AND DELETING THE SUPER MAJORITY REQUIREMENT FOR OVERRIDING THE CAP FOR SPECIFIC CIRCUMSTANCES; TO AMEND SECTION 11-11-150, RELATING TO THE TRUST FUND FOR TAX RELIEF, SO AS TO RESTORE FUNDING FOR THE RESIDENTIAL PROPERTY TAX EXEMPTION AND FULL FUNDING FOR THE SCHOOL OPERATING MILLAGE PORTION OF THE REIMBURSEMENT PAID LOCAL GOVERNMENTS FOR THE HOMESTEAD PROPERTY TAX EXEMPTION FOR THE ELDERLY OR DISABLED; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO DELETE THE EXEMPTION REIMBURSED FROM THE HOMESTEAD EXEMPTION FUND FROM ALL SCHOOL OPERATING MILLAGE ALLOWED ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO AMEND SECTION 12-37-270, RELATING TO THE REIMBURSEMENTS PAID LOCAL GOVERNMENTS FOR PROPERTY TAX NOT COLLECTED AS A RESULT OF THE HOMESTEAD EXEMPTION FOR THE ELDERLY OR DISABLED AND, AMONG OTHER THINGS, THE APPLICATION OF PROPERTY TAX CREDITS IN COUNTIES WHERE THE USE OF LOCAL OPTION SALES TAX REVENUES GIVE RISE TO A CREDIT AGAINST SCHOOL OPERATING PROPERTY TAX MILLAGE, SO AS TO MAKE CONFORMING AMENDMENTS; TO AMEND SECTION 12-37-251, RELATING TO THE CALCULATION OF "ROLLBACK TAX MILLAGE" APPLICABLE FOR REASSESSMENT YEARS, SO AS TO RESTORE THE FORMER EXEMPTION ALLOWED FROM A PORTION OF SCHOOL OPERATING MILLAGE FOR ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO REPEAL ARTICLE 7, CHAPTER 10, TITLE 4 RELATING TO THE LOCAL OPTION SALES AND USE TAX FOR LOCAL PROPERTY TAX CREDITS; TO REPEAL SECTIONS 11-11-157, 11-11-155, AND 11-11-156 RELATING TO THE HOMESTEAD EXEMPTION TRUST FUND; TO REPEAL ARTICLE 11, CHAPTER 36, TITLE 12 RELATING TO THE STATEWIDE ADDITIONAL ONE PERCENT SALES AND USE TAX THE REVENUES OF WHICH REIMBURSE SCHOOL DISTRICTS FOR THE HOMESTEAD EXEMPTION FROM ALL PROPERTY TAX MILLAGE IMPOSED FOR SCHOOL OPERATIONS; TO AMEND SECTIONS 12-37-3130, 12-37-3140, AND 12-37-3150, RELATING TO DEFINITIONS, VALUATION, AND ASSESSABLE TRANSFERS OF INTEREST, FOR PURPOSES OF THE "SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT", SO AS TO ELIMINATE THE "POINT OF SALE" VALUATION OF REAL PROPERTY FOR PURPOSES OF

IMPOSITION OF THE PROPERTY TAX AND RETURN TO THE FORMER VALUATION SYSTEM IN WHICH REAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY ARE APPRAISED BY THE ASSESSOR AND PERIODICALLY ADJUSTED IN COUNTYWIDE REAPPRAISALS, TO PROVIDE THAT WHEN THE FIFTEEN PERCENT CAP OVER FIVE YEARS ON INCREASES IN FAIR MARKET VALUE OF REAL PROPERTY RESULTS IN A VALUE THAT IS LOWER THAN THE FAIR MARKET VALUE OF THE PROPERTY AS DETERMINED BY THE ASSESSOR THAT THE LOWER VALUE BECOMES THE PROPERTY TAX VALUE OF THE REAL PROPERTY AND IS DEEMED ITS FAIR MARKET VALUE FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, TO PROVIDE THAT AN ASSESSABLE TRANSFER OF INTEREST IS A TRANSFER OF OWNERSHIP OR OTHER INSTANCE CAUSING A "STEPUP" IN THE PROPERTY TAX VALUE OF REAL PROPERTY TO ITS FAIR MARKET VALUE AS DETERMINED BY THE ASSESSOR, TO REQUIRE THE CAP ON INCREASES IN VALUE TO BE APPLIED SEPARATELY TO REAL PROPERTY AND THE IMPROVEMENTS THEREON, AND TO PROVIDE WHEN THE STEPUP VALUE FIRST APPLIES; TO AMEND SECTION 12-60-30, AS AMENDED, RELATING TO THE DEFINITION OF "PROPERTY TAX ASSESSMENT" FOR PURPOSES OF THE SOUTH CAROLINA REVENUE PROCEDURES ACT, SO AS TO REQUIRE THE NOTICES TO INCLUDE PROPERTY TAX VALUE AND PROVIDE THAT THE APPLICABLE ASSESSMENT RATIO APPLIES TO THE LOWER OF FAIR MARKET VALUE, PROPERTY TAX VALUE, OR SPECIAL USE VALUE; TO AMEND SECTION 12-60-2510, RELATING TO THE FORM OF ASSESSMENT NOTICES ISSUED BY THE COUNTY ASSESSOR, SO AS TO PROVIDE THAT THESE NOTICES MUST CONTAIN THE PROPERTY TAX VALUE OF REAL PROPERTY AND IMPROVEMENTS IN ADDITION TO FAIR MARKET VALUE AND SPECIAL USE VALUE; TO REPEAL ARTICLE 25, CHAPTER 37, TITLE 12 RELATING TO THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, IF CERTAIN CONSTITUTIONAL AMENDMENTS ARE RATIFIED; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS AND SECTIONS 12-60-30, AS AMENDED, AND 12-60-2510, RELATING TO TAX PROCEDURES, ALL SO AS TO MAKE CONFORMING AMENDMENTS, AND MAKE THESE REPEALS AND AMENDMENTS CONTINGENT UPON RATIFICATION OF AN AMENDMENT TO SECTION 6, ARTICLE X OF THE CONSTITUTION OF THIS STATE ELIMINATING THE FIFTEEN PERCENT CAP OVER FIVE YEARS IN INCREASES IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND ELIMINATING AN ASSESSABLE TRANSFER OF INTEREST AS AN EVENT THAT MAY RESULT IN A CHANGE IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF THE IMPOSITION OF THE PROPERTY TAX.

**Current Status:** 1/12/2021 - Referred to Committee Senate Finance

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB332](#)

## **SB370**

**CERTIFICATE OF NEED (TALLEY S)** A BILL TO AMEND SECTION 44-7-160 OF THE 1976 CODE, RELATING TO CIRCUMSTANCES REQUIRING A CERTIFICATE OF NEED, TO PROVIDE THAT THE ADDITION OF BEDS IN CERTAIN SITUATIONS IS EXEMPT FROM CERTIFICATE OF NEED REQUIREMENTS, TO INCREASE THE DOLLAR THRESHOLD FOR CAPITAL EXPENDITURES AND MEDICAL EQUIPMENT, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST DETERMINE THE INCREASE OR DECREASE IN THE RATIO OF THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, MEDICAL CARE COMMODITIES IN THE U.S. CITY AVERAGE, FOR THE PRIOR FIVE-YEAR PERIOD AND ADJUST EXPENDITURES AND COSTS ACCORDINGLY; TO AMEND SECTION 44-7-170(A) OF THE 1976 CODE, RELATING TO CERTIFICATE OF NEED EXEMPTIONS, TO EXEMPT CERTAIN MEDICAL EQUIPMENT AND TO PROVIDE CERTAIN THRESHOLD CRITERIA TO EXEMPT THE ADDITION OF BEDS; TO AMEND SECTION 44-7-210(G) OF THE 1976 CODE, RELATING TO CERTIFICATE OF NEED

CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT THERE SHALL BE NO JUDICIAL REVIEW BEYOND THE ADMINISTRATIVE LAW COURT; TO AMEND SECTION 1-23-380 OF THE 1976 CODE, RELATING TO THE APPEAL OF A FINAL AGENCY DECISION UNDER THE ADMINISTRATIVE PROCEDURES ACT, TO REMOVE THE JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS INVOLVING CERTAIN CERTIFICATE OF NEED CONTESTED CASES; AND TO REPEAL SECTION 44-7-220 OF THE 1976 CODE, RELATING TO THE JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS IN CERTIFICATE OF NEED CONTESTED CASES.

**Current Status:** 1/12/2021 - Referred to Committee Senate Medical Affairs

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [SB370](#)

**SB376 STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT** (TALLEY S) A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/28/2021 - Senate Education Subcomiittee, (Bill Scheduled for Hearing); **Time & Location:** 10:01 AM, Virtual Meeting

**Recent Status:** 1/28/2021 - Senate Education Subcomiittee, (Bill Scheduled for Hearing); **Time & Location:** 10:01 AM, Virtual Meeting  
1/12/2021 - Referred to Committee Senate Education

**State Bill Page:** [SB376](#)

**SJR406 RULES** (MASSEY A) A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

**Recent Status:**

**State Bill Page:** [SJR406](#)

**SR406 RULES** (MASSEY A) A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

**Current Status:** 1/12/2021 - Introduced and adopted

**Recent Status:**

**State Bill Page:** [SR406](#)



**SB422 INDEMNIFICATION PROVISIONS IN CONSTRUCTION AGREEMENTS** (ALEXANDER T) A BILL TO AMEND SECTION 32-2-10 OF THE 1976 CODE, RELATING TO HOLD HARMLESS CLAUSES IN CONSTRUCTION CONTRACTS, TO PROVIDE THAT CERTAIN INDEMNIFICATION PROVISIONS IN CONSTRUCTION AGREEMENTS AND DESIGN PROFESSIONAL AGREEMENTS ARE AGAINST PUBLIC POLICY AND UNENFORCEABLE IN SOUTH CAROLINA, AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time

**State Bill Page:** [SB422](#)

**SB434 OPERATING A VEHICLE IN THE LEFT LANE** (PEELER, JR. H) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-1885 SO AS TO PROVIDE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO DRIVE A VEHICLE IN THE LEFT LANE OF AN INTERSTATE HIGHWAY, AND TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A TRAFFIC TICKET MAY BE ISSUED FOR THE VIOLATION OF THIS PROVISION.

**Current Status:** 1/12/2021 - Referred to Committee Senate Transportation

**Recent Status:** 1/12/2021 - Introduced and read first time

**State Bill Page:** [SB434](#)

**SB437 MASS TRANSIT SYSTEM TOLLS** (SCOTT, JR. J) A BILL TO AMEND SECTION 4-37-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES AND USE TAXES OR TOLLS AS REVENUE FOR TRANSPORTATION SYSTEMS, SO AS TO DEFINE THE TERM "MASS TRANSIT SYSTEM".

**Current Status:** 1/12/2021 - Referred to Committee Senate Transportation

**Recent Status:** 1/12/2021 - Introduced and read first time

**State Bill Page:** [SB437](#)

**SB442 DEPARTMENT OF MOTOR VEHICLE REGISTRATION, LICENSING, TAX COLLECTION, AND FEES** (GROOMS L) A BILL TO AMEND SECTION 56-3-376(A)(1) OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF A SYSTEM OF REGISTRATION OF MOTOR VEHICLES ON A MONTHLY BASIS, TO PROVIDE WEIGHT LIMITATIONS FOR VEHICLES FOR WHICH THE BIENNIAL REGISTRATION FEE IS ONE-HUNDRED SIXTY DOLLARS OR MORE; TO AMEND SECTION 56-3-660(E) OF THE 1976 CODE, RELATING TO THE REGISTRATION OF LARGE COMMERCIAL MOTOR VEHICLES, TO ALLOW INSTALLMENT PAYMENTS TO BE MADE; TO AMEND SECTION 56-3-190 OF THE 1976 CODE, RELATING TO VEHICLES THAT THE DEPARTMENT OF MOTOR VEHICLES MAY REGISTER, TO ALLOW THE DEPARTMENT OF MOTOR VEHICLES TO REGISTER CERTAIN COMMERCIAL MOTOR VEHICLES; TO AMEND SECTION 56-3-195(A) OF THE 1976 CODE, RELATING TO COUNTIES PROCESSING VEHICLE REGISTRATION AND LICENSING, TO PROVIDE THAT THE OWNER OF A LARGE COMMERCIAL MOTOR VEHICLE MUST ESTABLISH AN ACCOUNT AND REMIT PAYMENT OF FEES TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 12-37-2650 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND TO THE DELEGATION OF TAX COLLECTION, TO PROVIDE THAT THE COUNTY SHALL PREPARE A TAX NOTICE OF CERTAIN VEHICLES THAT ARE OWNED BY THE SAME PERSON AND LICENSED AT THE SAME TIME FOR EACH TAX YEAR WITHIN A TWO-YEAR LICENSING PERIOD; TO AMEND SECTION 12-37-2840 OF THE 1976 CODE, RELATING TO ROAD USE FEES DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE THAT A MOTOR CARRIER REGISTERING A LARGE COMMERCIAL MOTOR VEHICLE OR BUS MUST PAY THE ROAD USE FEE DUE ON THE VEHICLE TO THE DEPARTMENT OF MOTOR VEHICLES AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST MAKE INSTALLMENT

PAYMENTS AVAILABLE TO A CUSTOMER UPON THE CUSTOMER'S REQUEST; TO AMEND SECTION 12-37-2850 OF THE 1976 CODE, RELATING TO THE ASSESSMENT OF ROAD USE FEES, TO DELETE AN OBSOLETE PROVISION; TO AMEND SECTION 12-37-2860(F) OF THE 1976 CODE, RELATING TO PROPERTY TAX EXEMPTIONS AND ONE-TIME FEES, TO PROVIDE THAT FEES MAY BE PAID IN INSTALLMENTS; TO AMEND SECTION 12-37-2880 OF THE 1976 CODE, RELATING TO THE FAIR MARKET VALUE OF LARGE COMMERCIAL MOTOR VEHICLES SUBJECT TO A ROAD USE FEE AND TO CERTAIN VEHICLES AND BUSES EXEMPT FROM CERTAIN TAXES, TO REMOVE REFERENCES TO THE INTERNATIONAL REGISTRATION PLAN; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/12/2021 - Referred to Committee Senate Transportation

**Recent Status:** 1/12/2021 - Introduced and read first time

**State Bill Page:** [SB442](#)

**SB443**

**ISSUANCE OF BONDS TO DEFRAY THE COST OF INFRASTRUCTURE FOR CERTAIN ECONOMIC DEVELOPMENT PROJECTS** (LEATHERMAN, SR. H) A BILL TO

AMEND SECTION 11-41-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO ALLOW FOR THE ISSUANCE OF BONDS TO DEFRAY THE COST OF INFRASTRUCTURE FOR CERTAIN ECONOMIC DEVELOPMENT PROJECTS; TO AMEND SECTION 11-41-30, RELATING TO DEFINITIONS FOR SUCH BONDS, SO AS TO INCLUDE GOVERNMENT-OWNED PROJECTS AND UNDERTAKINGS THAT SUPPORT OR PROMOTE A FOUNDATION FOR ECONOMIC GROWTH AND INDUSTRIAL DEVELOPMENT, AND TO EXPAND THE DEFINITION OF "INFRASTRUCTURE"; TO AMEND SECTIONS 11-41-50 AND 11-41-60, RELATING TO SUCH BONDS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 11-41-70, RELATING TO BOND NOTIFICATION REQUIREMENTS, SO AS TO SPECIFY REQUIREMENTS FOR THE ISSUANCE OF BONDS FOR SUCH GOVERNMENT-OWNED PROJECTS; TO AMEND SECTION 11-41-80, RELATING TO THE RESOLUTION EFFECTING THE ISSUANCE OF SUCH BONDS, SO AS TO SPECIFY THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL ADOPT THE RESOLUTION, AND TO AMEND SECTION 11-41-90, RELATING TO THE AUTHORIZING RESOLUTION, SO AS TO MAKE A CONFORMING CHANGE.

**Current Status:** 1/28/2021 - Senate Natural Resources & Economic Development Subcommittee, (Bill Scheduled for Hearing); **Time & Location:** 10:00 AM, Gressette - 105

**Recent Status:** 1/21/2021 - Senate Natural Resources & Economic Development Subcommittee, (Bill Scheduled for Hearing); **Time & Location:** 11:00 AM, Virtual meeting

1/12/2021 - Referred to Committee Senate Finance

**State Bill Page:** [SB443](#)

**SB447**

**LEE COUNTY TRANSPORTATION COMMITTEE** (MALLOY G) A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF APPROVED VOUCHERS BY THE COMMITTEE'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

**Current Status:** 1/28/2021 - SECOND READING STATEWIDE UNCONTESTED BILLS (Local Bill)

**Recent Status:** 1/27/2021 - SECOND READING STATEWIDE UNCONTESTED  
BILLS (Local Bill)  
1/26/2021 - SECOND READING STATEWIDE UNCONTESTED  
BILLS Local Bills

**State Bill Page:** [SB447](#)

**SB464 PUBLIC SERVICE TERMS** (RANKIN L) A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

**Current Status:** 2/2/2021 - Senate Judiciary Subcommittee, (Bill Scheduled for Hearing); **Time & Location:** 3:00 PM, Gressette Building - 105

**Recent Status:** 1/27/2021 - Referred to Subcommittee  
1/13/2021 - Referred to Committee Senate Judiciary ([Senate Journal-page 6](#))

**State Bill Page:** [SB464](#)

**HB3011 SLOWER TRAFFIC TO MOVE RIGHT** (WEST, IV J) A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

**Current Status:** 2/2/2021 - House Transportation Subcommittee- EPW, (Bill Scheduled for Hearing); **Time & Location:** 11:00 AM, Virtual

**Recent Status:** 1/27/2021 - Member(s) request name added as sponsor : Yow  
1/26/2021 - Member(s) request name added as sponsor : Hardee

**State Bill Page:** [HB3011](#)

**HB3051 DEPARTMENT OF TRANSPORTATION CONSTRUCTION FEASIBILITY DETERMINATION** (PENDARVIS M) A BILL TO AMEND SECTION 57-3-780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF TRANSPORTATION FEASIBILITY DETERMINATION AS TO WHETHER TO CONSTRUCT HIGH OCCUPANCY VEHICLE LANES, PEDESTRIAN WALKWAYS, SIDEWALKS, BICYCLE LANES OR PATHS BEFORE BUILDING NEW OR EXPANDING EXISTING PRIMARY HIGHWAYS, ROADS, AND STREETS, SO AS TO PROVIDE THIS PROVISION APPLIES TO ALL HIGHWAYS, ROADS, AND STREETS, TO PROVIDE THE FEASIBILITY DETERMINATION

MUST BE BASED ON CERTAIN QUANTIFIABLE PERFORMANCE MEASURES THAT INCLUDE THE CONSTRUCTION OF DEDICATED BUS LANES, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE THE WRITTEN DETERMINATION MUST BE MADE BY THE SECRETARY OF TRANSPORTATION DURING THE PRECONSTRUCTION PROCESS.

**Current Status:** 1/12/2021 - Referred to Committee House Education and Public Works

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3051](#)

**HB3055 NATURAL RESOURCES** (HIXON B) A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

**Current Status:** 1/28/2021 - Committee report House Agriculture, Natural Resources and Environmental Affairs : Favorable

**Recent Status:** 1/27/2021 - House Committee recommends passage Agriculture, Natural Resources and Environmental Affairs  
1/27/2021 - House Agriculture, Natural Resources and

Environmental Affairs, (Bill Scheduled for Hearing); **Time & Location:** 2:30 PM, Blatt - 410

**State Bill Page:** [HB3055](#)

**HB3111 EASTERN STANDARD TIME (CHUMLEY B)** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT THE TIME KNOWN AS EASTERN STANDARD TIME IS ADVANCED BY ONE HOUR BEGINNING AT 2:00 A.M. ON THE SECOND SUNDAY OF MARCH OF 2021, AND BEGINNING ON THIS DATE AND TIME AND THEREAFTER PERMANENTLY BECOMES STANDARD TIME IN SOUTH CAROLINA WITH NO FURTHER ADJUSTMENTS UNDER STATE OR FEDERAL LAW, AND TO PROVIDE FOR PROCEDURAL AND RELATED PROVISIONS TO GIVE THE ABOVE PROVISIONS EFFECT INCLUDING HAVING THE STATE ATTORNEY GENERAL SUBMIT A WAIVER REQUEST TO THE FEDERAL SECRETARY OF TRANSPORTATION PERMITTING AND APPROVING THESE PROVISIONS IN ORDER FOR THEM TO TAKE EFFECT.

**Current Status:** 1/12/2021 - Referred to Committee House Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3111](#)

**HB3146 GROWING RURAL ECONOMIES WITH ACCESS TO TECHNOLOGY (GREAT) PROGRAM (WHITE W)** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 59 SO AS TO CREATE THE "GROWING RURAL ECONOMIES WITH ACCESS TO TECHNOLOGY (GREAT) PROGRAM", TO FACILITATE THE DEPLOYMENT OF BROADBAND TO UNSERVED AREAS OF THE STATE, TO PROVIDE DEFINITIONS, TO ESTABLISH THE GROWING RURAL ECONOMIES WITH ACCESS TO TECHNOLOGY FUND, TO PROVIDE THAT CERTAIN PROJECT AREAS ARE INELIGIBLE, TO PROVIDE FOR APPLICATION REQUIREMENTS, TO PROVIDE FOR CERTAIN APPLICATION PRIORITIES, TO PROVIDE FOR CERTAIN MATCHING FUNDS REQUIREMENTS, AND TO PROVIDE REPORTING REQUIREMENTS; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 7, TITLE 59 AS ARTICLE 1, "GENERAL PROVISIONS".

**Current Status:** 1/12/2021 - Referred to Committee House Labor, Commerce and Industry

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3146](#)

**HB3155 MINIMUM SPEED LIMITS (RUTHERFORD T)** A BILL TO AMEND SECTION 56-5-1560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF MINIMUM SPEED LIMITS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THE MINIMUM SPEED LIMIT ALONG A HIGHWAY WITH A MAXIMUM POSTED SPEED LIMIT OF SEVENTY MILES AN HOUR IS FIFTY MILES AN HOUR.

**Current Status:** 1/12/2021 - Referred to Committee House Education and Public Works

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3155](#)

**HB3161 CERTIFICATE OF NEED (TAYLOR B)** A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320, CODE OF LAWS OF SOUTH CAROLINA,



1976, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, SO AS TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 AS "STATE HEALTH FACILITY LICENSURE ACT"; AND FOR OTHER PURPOSES.

**Current Status:** 1/12/2021 - Referred to Committee House Medical, Military, Public and Municipal Affairs

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3161](#)

**HB3191 MULTIFAMILY DWELLING BALCONY CODE** (DAVIS S) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MULTIFAMILY DWELLING SAFETY ACT" BY ADDING CHAPTER 21 TO TITLE 40 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS, TO REQUIRE THE DEPARTMENT PERIODICALLY CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE, AND TO PROVIDE REMEDIES FOR VIOLATIONS, AMONG OTHER THINGS.

**Current Status:** 1/12/2021 - Referred to Committee House Labor, Commerce and Industry

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3191](#)

**HB3194 SANTEE COOPER** (LUCAS J) A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

**Current Status:** 1/28/2021 - Referred to Committee Senate Judiciary

**Recent Status:** 1/28/2021 - Introduced and read first time  
1/27/2021 - Read third time and sent to Senate ([House Journal- page 49](#))

**State Bill Page:** [HB3194](#)

**HB3200 LOBBYING** (ROSE S) A BILL TO AMEND SECTION 2-17-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "COVERED AGENCY ACTION",

"LEGISLATION", "LOBBYING", "LOBBYIST", "PUBLIC BODY", "PUBLIC EMPLOYEE", AND "PUBLIC OFFICIAL", SO AS TO REVISE THE DEFINITIONS OF THESE TERMS TO PROVIDE THAT THE TERMS, AMONG OTHER THINGS, ALSO SHALL APPLY TO CERTAIN LOCAL GOVERNMENTAL ACTIONS OR LEGISLATIVE ACTIVITIES THAT ARE PROPOSED, DRAFTED, DEVELOPED, CONSIDERED, OR PROMULGATED BY A COUNTY OR MUNICIPAL GOVERNING BODY, BOARD, COMMISSION, OR COUNCIL, OR TO PERSONS WHO ARE EMPLOYED, APPOINTED, OR RETAINED, WITH OR WITHOUT COMPENSATION, BY ANOTHER PERSON TO INFLUENCE CERTAIN OFFICIAL ACTIONS BY DIRECT COMMUNICATION WITH LOCAL PUBLIC OFFICIALS OR PUBLIC EMPLOYEES, THE ACTION OR VOTE OF ANY MEMBER OF A COUNTY OR MUNICIPAL GOVERNING BODY, THE VOTE OF ANY PUBLIC OFFICIAL OR PUBLIC MEMBER OF ANY COUNTY OR MUNICIPAL AGENCY, BOARD, COMMISSION, OR COUNCIL, OR THE OFFICIAL ACTION OR VOTE OF ANY COUNTY OR MUNICIPAL CHIEF EXECUTIVE OFFICIAL OR EMPLOYEE, INCLUDING MAYORS AND COUNTY OR MUNICIPAL ADMINISTRATORS OR MANAGERS, AND TO PROVIDE THAT "PUBLIC BODY", "PUBLIC EMPLOYEE", AND "PUBLIC OFFICIAL" ALSO MEAN COUNTY OR MUNICIPAL BODIES, EMPLOYEES, AND OFFICIALS; TO AMEND SECTION 2-17-30, RELATING TO LOBBYISTS' REPORTING OF LOBBYING ACTIVITIES, SO AS TO INCLUDE LOBBYING ACTIVITIES PERFORMED AT THE LOCAL, COUNTY, OR MUNICIPAL GOVERNMENT LEVEL; TO AMEND SECTION 2-17-35, RELATING TO LOBBYISTS' PRINCIPALS' REPORTING OF LOBBYING EXPENDITURES, SO AS TO INCLUDE COSTS EXPENDED LOBBYING AT THE LOCAL, COUNTY, OR MUNICIPAL GOVERNMENT LEVEL; TO AMEND SECTION 2-17-40, RELATING TO STATE AGENCY OR DEPARTMENT REPORTS OF LOBBYING ACTIVITIES, SO AS TO PROVIDE THAT LOCAL GOVERNMENTAL AGENCIES OR DEPARTMENTS ALSO ARE SUBJECT TO THIS REPORTING REQUIREMENT; TO AMEND SECTION 2-17-45, RELATING TO REPORTS OF CERTAIN ENTITIES THAT RANK OR RATE ACTIONS, VOTES, OR FAILURES TO ACT OR VOTE OF CERTAIN PUBLIC OFFICIALS, SO AS TO MAKE ITS PROVISIONS ALSO APPLICABLE TO ENTITIES THAT RANK OR RATE ACTIONS, VOTES, OR FAILURES TO ACT OR VOTE OF A MEMBER OR COMMITTEE OF THE GOVERNING BODY OF ANY COUNTY OR MUNICIPALITY; TO AMEND SECTION 2-17-80, RELATING TO ACTS PROHIBITED OF LOBBYISTS, SO AS TO MAKE ITS PROVISIONS ALSO APPLICABLE TO MEMBERS OF A COUNTY OR MUNICIPAL GOVERNING BODY AND PUBLIC OFFICIALS OF LOCAL GOVERNMENTAL AGENCIES; TO AMEND SECTION 2-17-90, AS AMENDED, RELATING TO ACTS PROHIBITED OF LOBBYISTS' PRINCIPALS SO AS TO MAKE ITS PROVISIONS ALSO APPLICABLE TO MEMBERS OF A COUNTY OR MUNICIPAL GOVERNING BODY AND PUBLIC OFFICIALS OF LOCAL GOVERNMENTAL AGENCIES; TO AMEND SECTION 2-17-100, AS AMENDED, RELATING TO COMPENSATION OR REIMBURSEMENT FOR ACTUAL EXPENSES TO ATTEND SPEAKING ENGAGEMENTS, SO AS TO DESIGNATE LOCAL GOVERNMENTAL APPROVAL AUTHORITIES FOR AUTHORIZED REIMBURSEMENTS; AND TO AMEND SECTION 2-17-130, RELATING TO PENALTIES FOR VIOLATIONS OF THE PROVISIONS REGARDING LOBBYISTS AND LOBBYING, SO AS TO MAKE ITS PROVISIONS ALSO APPLICABLE TO MEMBERS OF A COUNTY OR MUNICIPAL GOVERNING BODY AND TO PUBLIC OFFICIALS AND EMPLOYEES OF LOCAL GOVERNMENTAL AGENCIES, BOARDS, COMMISSIONS, AND COUNCILS.

**Current Status:** 1/13/2021 - Member(s) request name added as sponsor :  
Caskey

**Recent Status:** 1/12/2021 - Referred to Committee House Judiciary  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3200](#)

**HB3223**     **CERTIFICATE OF NEED** (DAVIS S) A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE,

SO AS TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 AS "STATE HEALTH FACILITY LICENSURE ACT"; AND FOR OTHER PURPOSES.

**Current Status:** 1/26/2021 - Member(s) request name added as sponsor :  
M.M.Smith

**Recent Status:** 1/13/2021 - Member(s) request name added as sponsor :  
Haddon, Caskey  
1/12/2021 - Referred to Committee House Medical, Military,  
Public and Municipal Affairs

**State Bill Page:** [HB3223](#)

**HB3243**     **IMMIGRATION AND OCCUPATIONAL LICENSURE** (COLLINS N) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

**Current Status:** 1/14/2021 - Member(s) request name added as sponsor :  
J.L.Johnson

**Recent Status:** 1/12/2021 - Referred to Committee House Labor, Commerce  
and Industry  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3243](#)

**HB3248**     **INCREASED FUNDING FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING** (WHITE W) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 11 SO AS TO PROVIDE INCREASED FUNDING TO PUBLIC INSTITUTIONS OF HIGHER LEARNING IN THE SAME PERCENTAGE AS GENERAL FUND REVENUES INCREASE, TO PROVIDE ADDITIONAL FUNDING FOR CERTAIN SCHOLARSHIPS AND TO PROVIDE ELIGIBILITY CRITERIA FOR THE FUNDING, AND TO ESTABLISH THE HIGHER EDUCATION FACILITIES REPAIR AND RENOVATION FUND TO PROVIDE INFRASTRUCTURE FUNDING FOR INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-149-170, 59-149-180, 59-104-50, AND 59-104-60 SO AS TO NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY FOR CERTAIN SCHOLARSHIPS; TO AMEND SECTION 59-150-370, RELATING TO THE HOPE SCHOLARSHIP, SO AS TO NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY; BY ADDING SECTIONS 59-142-80 AND 59-143-40 SO AS TO APPROPRIATE ADDITIONAL FUNDING FOR THE NEED-BASED GRANT PROGRAM AND TO PROVIDE ELIGIBILITY CRITERIA FOR FUTURE FUNDING; TO AMEND SECTION 59-143-30, RELATING TO HIGHER EDUCATION SCHOLARSHIPS AND GRANTS, SO AS TO APPROPRIATE ADDITIONAL FUNDING FOR GRANT PROGRAMS; TO AMEND SECTIONS 59-104-25 AND 59-149-15, RELATING TO CERTAIN STEM STIPENDS, SO AS TO PROVIDE THAT THE STIPEND IS AVAILABLE WHEN THE STUDENT BECOMES A JUNIOR INSTEAD OF A SOPHOMORE; BY ADDING SECTION 59-142-90 SO AS TO REQUIRE THE APPROPRIATION OF CERTAIN ADDITIONAL FUNDING FOR NEED-BASED GRANTS AND NEED-BASED TUITION GRANTS; TO REPEAL SECTIONS 59-104-20(D) AND 59-149-150 BOTH RELATING TO CERTAIN SCHOLARSHIP PROVISIONS; TO AMEND SECTION 59-150-370, RELATING TO SCHOLARSHIPS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 59-103-175 SO AS TO REQUIRE THE COMMISSION ON HIGHER



EDUCATION SUBMIT POLICY STATEMENTS AND RULES AS REGULATIONS; TO REQUIRE THE PROCUREMENT OF A STUDENT LOAN DEFAULT AVERSION AND FINANCIAL LITERACY PROGRAM; BY ADDING CHAPTER 157 TO TITLE 59 SO AS TO CREATE THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT"; AND TO AMEND SECTION 11-35-710, AS AMENDED, RELATING TO THE PROCUREMENT CODE, SO AS TO EXEMPT AN ENTERPRISE DIVISION.

**Current Status:** 1/12/2021 - Referred to Committee House Ways and Means

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3248](#)

**HB3277 PAYMENT FOR ATTENDANCE OF MEETINGS** (GILLIAM L) A BILL TO PROVIDE FOR PAYMENT FOR THE ATTENDANCE OF MEETINGS BY THE UNION COUNTY TRANSPORTATION COMMITTEE.

**Current Status:** 1/12/2021 - Referred to Committee

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3277](#)

**HB3291 POSTING OF NOTICE OF TRESPASSING** (POPE T) A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

**Current Status:** 1/27/2021 - Referred to Committee House Agriculture, Natural Resources and Environmental Affairs ([House Journal-page 49](#))

**Recent Status:** 1/27/2021 - Recalled from Committee House Judiciary ([House Journal-page 49](#))

1/12/2021 - Referred to Committee House Judiciary

**State Bill Page:** [HB3291](#)

**HJR3329 EXEMPT CLOSE-CONTACT SERVICE PROVIDERS FROM CONTINUING EDUCATION REQUIREMENTS** (MCKNIGHT C) A JOINT RESOLUTION TO EXEMPT CLOSE-CONTACT SERVICE PROVIDERS WHO WERE REQUIRED TO CLOSE BY EXECUTIVE ORDER OF THE GOVERNOR DUE TO THE COVID-19 PANDEMIC FROM LICENSE RENEWAL FEE REQUIREMENTS AND CONTINUING EDUCATION REQUIREMENTS UNTIL ONE YEAR AFTER THEY ARE ALLOWED TO RETURN TO WORK BY THE GOVERNOR HAS LAPSED, AND TO PROVIDE THESE EXEMPTIONS APPLY ONLY TO PERSONS SO LICENSED PRIOR TO THE ISSUANCE OF THIS EXECUTIVE ORDER.

**Current Status:** 1/12/2021 - Referred to Committee House Labor, Commerce and Industry

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HJR3329](#)

**HB3334 QUESTIONS ABOUT CONVICTIONS ON JOB APPLICATIONS** (RUTHERFORD T) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "BAN THE BOX ACT" BY ADDING SECTION 41-1-23 SO AS TO PROVIDE THAT NO JOB APPLICATION MAY INCLUDE QUESTIONS RELATED TO CONVICTIONS OF A CRIME, UNLESS THE CRIME FOR WHICH HE WAS CONVICTED DIRECTLY RELATES TO THE POSITION OF EMPLOYMENT SOUGHT OR THE OCCUPATION FOR WHICH THE LICENSE IS

SOUGHT, TO PROVIDE A RELATED POLICY STATEMENT, AND TO PROVIDE NECESSARY DEFINITIONS, AMONG OTHER THINGS, IN ORDER TO GIVE A BETTER CHANCE FOR APPLICANTS TO BE CONSIDERED FOR EMPLOYMENT PRIOR TO THE STAGE IN THE APPLICATION PROCESS WHEN BACKGROUND CHECKS ARE CONDUCTED.

**Current Status:** 1/14/2021 - Member(s) request name added as sponsor : J.L.Johnson

**Recent Status:** 1/12/2021 - Referred to Committee House Judiciary  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3334](#)

**HB3354 RENEWABLE ENERGY RESOURCE PROPERTY TAX EXEMPTION** (BALLENTINE N) A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

**Current Status:** 1/12/2021 - Referred to Committee House Ways and Means

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3354](#)

**HB3360 HANDS-FREE ACT** (TAYLOR B) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO DELETE CERTAIN TERMS, DEFINE NEW TERMS, REVISE THE CIRCUMSTANCES WHEN IT IS UNLAWFUL TO OPERATE A MOTOR VEHICLE WHILE USING A WIRELESS TELECOMMUNICATIONS DEVICE, AND REVISE THE PENALTY FOR A VIOLATION OF THIS PROVISION AND THE ALLOCATION OF THE FINES COLLECTED; TO AMEND SECTION 56-1-720, RELATING TO POINTS ASSESSED AGAINST A PERSON'S MOTOR VEHICLE RECORD FOR COMMITTING CERTAIN VIOLATIONS, SO AS TO PROVIDE DISTRACTED DRIVING IS A TWO-POINT VIOLATION; AND TO PROVIDE THAT AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS, THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE PROVISIONS OF THIS ACT.

**Current Status:** 1/13/2021 - Member(s) request name added as sponsor : McGinnis

**Recent Status:** 1/12/2021 - Referred to Committee House Judiciary  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3360](#)

**HB3392 SALES TAX** (POPE T) A BILL TO AMEND SECTIONS 12-36-60, 12-36-70, AS AMENDED 12-36-90, AS AMENDED 12-36-110, AND 12-36-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO DEFINITIONS FOR PURPOSES OF THE SALES TAX, SO AS TO INCLUDE THE SALES OF SERVICES; BY ADDING SECTION 12-36-160 SO AS TO DEFINE "SERVICES"; TO AMEND SECTION 12-36-910, RELATING TO THE FIVE PERCENT STATE SALES TAX RATE, SO AS TO REDUCE THE SALES TAX RATE TO THREE PERCENT; TO AMEND SECTION 12-36-920, RELATING TO THE STATE ACCOMMODATIONS TAX, SO AS TO MAKE A CONFORMING CHANGE BY REDUCING THE RATE; TO AMEND SECTION 12-36-940, RELATING TO AMOUNTS THAT MAY BE ADDED TO SALES PRICES TO ACCOUNT FOR TAX, SO AS AUTHORIZE THE DEPARTMENT TO MAKE ADJUSTMENTS; TO REPEAL ARTICLE 11 OF CHAPTER 36, TITLE 12, RELATING TO THE ADDITIONAL ONE PERCENT SALES AND USE TAX; TO AMEND SECTIONS 12-36-1310 AND 12-36-1320,

BOTH RELATING TO THE USE TAX, SO AS TO MAKE A CONFORMING CHANGE BY REDUCING THE RATE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO MAKE A CONFORMING CHANGE BY REDUCING THE RATE; TO AMEND SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO REMOVE THE EXEMPTION ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2530, RELATING TO TAXES ON ITEMS DELIVERED OUT OF STATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 12-36-2620, 12-36-2630, AND 12-36-2640, ALL RELATING TO THE CREDITING OF CERTAIN TAXES, SO AS TO CREDIT SUCH TAXES IN THE SAME PROPORTION AS THEY WERE CREDITED BEFORE THE RATE REDUCTION; TO REPEAL SECTION 12-36-2646 RELATING TO THE TAX EXCLUSION FOR INDIVIDUALS AT LEAST EIGHTY FIVE YEARS OF AGE; BY ADDING SECTION 11-11-270 SO AS TO CREATE THE "TAX REFORM RESERVE FUND" AND TO SPECIFY ITS PURPOSE; AND BY ADDING ARTICLE 11 TO CHAPTER 10, TITLE 4 SO AS TO PROPORTIONALLY REDUCE LOCAL SALES AND USE TAXES IN THE SAME MANNER AS THE STATE SALES AND USE TAX.

**Current Status:** 1/12/2021 - Referred to Committee House Ways and Means

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/9/2020 - Prefiled

**State Bill Page:** [HB3392](#)

**HR3434 NATIONAL INFRASTRUCTURE BANK (WILLIAMS R)** A HOUSE RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT H.R. 6422 OR SIMILAR LEGISLATION TO ESTABLISH A NATIONAL INFRASTRUCTURE BANK TO FINANCE URGENTLY NEEDED INFRASTRUCTURE PROJECTS.

**Current Status:** 1/12/2021 - Referred to Committee House Invitations and Memorial Resolutions

**Recent Status:** 1/12/2021 - Introduced  
12/9/2020 - Prefiled

**State Bill Page:** [HR3434](#)

**HB3443 GUBERNATORIAL PROCLAMATIONS OF EMERGENCY (LUCAS J)** A BILL TO AMEND SECTION 1-3-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GUBERNATORIAL PROCLAMATIONS OF EMERGENCY, SO AS TO REMOVE REFERENCES TO PUBLIC HEALTH EMERGENCIES; AND TO AMEND SECTION 25-1-440, RELATING TO POWERS AND DUTIES OF THE GOVERNOR DURING A DECLARED EMERGENCY, SO AS TO PROVIDE THAT AFTER THE ELAPSE OF AT LEAST THIRTY DAYS FOLLOWING THE DECLARATION OF AN EMERGENCY BY THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE MAY CONVENE THEIR RESPECTIVE BODIES FOR THE PURPOSE OF CONSIDERING SUCH DECLARATION, THAT THE GENERAL ASSEMBLY BY CONCURRENT RESOLUTION, MAY TERMINATE, ALTER, AMEND, OR CONSENT TO THE TERMS OF ANY DECLARATION OF EMERGENCY DURING THIS CALLED SESSION, THAT SHOULD THE GENERAL ASSEMBLY NOT ACT, THEN THE TERMS OF THE DECLARATION SHALL CONTINUE UNTIL SUCH TIME AS THE GENERAL ASSEMBLY DOES ACT, THAT A GOVERNOR MAY NOT DECLARE SUCCESSIVE STATES OF EMERGENCY THAT HAVE THE EFFECT OF REINSTATING, CONTINUING, ALTERING, OR AMENDING ANY DECLARATION OF EMERGENCY ADDRESSED BY THE GENERAL ASSEMBLY, AND THAT THE GOVERNOR MAY NOT ISSUE ADDITIONAL OR SUCCESSIVE STATES OF EMERGENCY FOR THE SAME UNDERLYING EVENTS WITHOUT A SUBSTANTIAL CHANGE OF CIRCUMSTANCE.

**Current Status:** 1/26/2021 - Senate Committee recommends passage, as amended Judiciary (22 Yeas, 0 Nays )

**Recent Status:** 1/26/2021 - House Judiciary, (Bill Scheduled for Hearing); **Time & Location:** 2:30 PM, Blatt - 516

1/21/2021 - House Committee recommends passage House  
Constitutional Laws -Judiciary

**State Bill Page:** [HB3443](#)

**HB3474 EMPLOYMENT APPLICATION QUESTIONS ABOUT CRIMINAL CONVICTION** (ROBINSON L) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE THAT NO JOB APPLICATION MAY INCLUDE QUESTIONS RELATED TO CONVICTIONS OF A CRIME, UNLESS THE CRIME FOR WHICH HE WAS CONVICTED DIRECTLY RELATES TO THE POSITION OF EMPLOYMENT SOUGHT OR THE OCCUPATION FOR WHICH THE LICENSE IS SOUGHT, TO PROVIDE A RELATED POLICY STATEMENT, AND TO PROVIDE NECESSARY DEFINITIONS, AMONG OTHER THINGS, IN ORDER TO GIVE A BETTER CHANCE FOR APPLICANTS TO BE CONSIDERED FOR EMPLOYMENT PRIOR TO THE STAGE IN THE APPLICATION PROCESS WHEN BACKGROUND CHECKS ARE CONDUCTED.

**Current Status:** 1/13/2021 - Member(s) request name added as sponsor :  
J.L.Johnson

**Recent Status:** 1/12/2021 - Referred to Committee House Judiciary  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3474](#)

**HB3483 ROAD USE FEE (WILLIAMS S)** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-195 SO AS TO REQUIRE THAT A LOCAL ROAD USE FEE IMPOSED BY A COUNTY MUST BE KEPT IN A SEPARATE ACCOUNT TO BE USED EXCLUSIVELY FOR THE EXISTING TRANSPORTATION SYSTEM WITHIN THE COUNTY, TO REQUIRE THAT THE REVENUES AND EXPENDITURES BE IDENTIFIED IN THE ANNUAL AUDIT, AND TO REQUIRE THE COUNTY TO REIMBURSE THE ACCOUNT IN THE EVENT OF DISCREPANCIES.

**Current Status:** 1/12/2021 - Referred to Committee House Ways and Means

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/16/2020 - Referred to Committee House Ways and Means

**State Bill Page:** [HB3483](#)

**HB3529 DIGITAL CURRENCY AS CONTRIBUTIONS (JONES S)** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1325 SO AS TO PROVIDE THAT CANDIDATES AND COMMITTEES MAY ACCEPT DIGITAL CURRENCY AS CONTRIBUTIONS, THAT AN INCREASE IN THE VALUE OF DIGITAL CURRENCY BEING HELD BY A CANDIDATE OR COMMITTEE MUST BE REPORTED AS INTEREST, AND THAT A CANDIDATE OR COMMITTEE SHALL SELL ANY DIGITAL CURRENCY AND DEPOSIT THE PROCEEDS FROM THE SALE INTO A CAMPAIGN ACCOUNT BEFORE SPENDING THE FUNDS; AND TO AMEND SECTION 8-13-1300, RELATING TO DEFINITIONS APPLICABLE TO SOUTH CAROLINA CAMPAIGN PRACTICES, SO AS TO PROVIDE THAT THE DEFINITION OF "CONTRIBUTION" INCLUDES DIGITAL CURRENCY.

**Current Status:** 1/27/2021 - Member(s) request name added as sponsor : Hill,  
Alexander

**Recent Status:** 1/12/2021 - Referred to Committee House Judiciary  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3529](#)

**HB3535 TRANSPORTATION (THIGPEN I)** A BILL TO AMEND SECTION 4-37-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF COUNTY TRANSPORTATION AUTHORITIES, SO AS TO PROVIDE THAT FOR THE PURPOSES OF

CHAPTER 37, TITLE 4, THE TERM "SERVICES" MEANS TRANSPORTATION SERVICES SUCH AS MASS TRANSIT SYSTEMS; TO AMEND SECTION 4-37-25, RELATING TO TRANSPORTATION AUTHORITY PROCUREMENT METHODS AND REQUIREMENTS, SO AS TO PROVIDE THAT TRANSPORTATION AUTHORITIES OR CONTRACTING ENTITIES SHALL APPLY THE SAME PROCUREMENT METHODS AND REQUIREMENTS WHEN PROCURING OR CONTRACTING FOR SERVICES AND THE OPERATION OF TRANSPORTATION SERVICES; AND TO AMEND SECTION 4-37-30, RELATING TO THE IMPOSITION OF SALES AND USE TAXES OR TOLLS TO FINANCE TRANSPORTATION FACILITIES PROJECTS WITHIN A COUNTY, SO AS TO PROVIDE THAT SALES AND USE TAXES OR TOLLS ALSO MAY BE USED TO FINANCE TRANSPORTATION SERVICES.

**Current Status:** 1/12/2021 - Referred to Committee House Education and Public Works

**Recent Status:** 1/12/2021 - Introduced and read first time  
12/16/2020 - Referred to Committee House Education and Public Works

**State Bill Page:** [HB3535](#)

**HB3559 PARTNERSHIP FOR PUBLIC FACILITIES AND INFRASTRUCTURE ACT** (MOORE J) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 39 TO TITLE 6, SO AS TO ENACT THE "PARTNERSHIP FOR PUBLIC FACILITIES AND INFRASTRUCTURE ACT" TO SET FORTH A METHOD BY WHICH A PRIVATE ENTITY AND A PUBLIC ENTITY MAY WORK TOGETHER TO DEVELOP AND OPERATE CERTAIN PROJECTS.

**Current Status:** 1/26/2021 - Scrivener's error corrected

**Recent Status:** 1/26/2021 - Member(s) request name added as sponsor :  
M.M.Smith, Cogswell  
1/13/2021 - Member(s) request name added as sponsor :  
Pendarvis

**State Bill Page:** [HB3559](#)

**HB3574 SAFE WATER ACT** (CLYBURN B) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAFE WATER ACT" BY ADDING SECTION 44-55-125 SO AS TO REQUIRE A PRIVATE OR PUBLIC UTILITY OR MUNICIPALITY OPERATING A PUBLIC WATER SYSTEM TO PROVIDE THE WATER PURIFICATION LEVELS FOR THE WATER PROVIDED BY THE UTILITY OR MUNICIPALITY AND THE MINIMUM WATER QUALITY STANDARDS REQUIRED BY STATE LAW.

**Current Status:** 1/14/2021 - Member(s) request name added as sponsor :  
J.L.Johnson

**Recent Status:** 1/12/2021 - Referred to Committee House Agriculture, Natural Resources and Environmental Affairs  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3574](#)

**HCR3578 COVID-19 TESTING AND VACCINE** (MOORE J) A CONCURRENT RESOLUTION TO MEMORIALIZE THE GOVERNOR AND ACTING DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO INTENSIFY EFFORTS TO RESTORE THE STATE'S HOSPITALITY INDUSTRY BY PRIORITIZING HOSPITALITY WORKERS IN COVID-19 TESTING AND INCLUDING HOSPITALITY WORKERS IN PHASE 1A OF THIS STATE'S VACCINE DISTRIBUTION PLAN.

**Current Status:** 1/12/2021 - Referred to Committee House Invitations and Memorial Resolutions



**Recent Status:** 1/12/2021 - Introduced  
12/16/2020 - Referred to Committee House Invitations and Memorial Resolutions

**State Bill Page:** [HCR3578](#)

**HJR3597 SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT** (TAYLOR B) A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

**Current Status:** 1/12/2021 - Referred to Committee House Judiciary

**Recent Status:** 1/12/2021 - Introduced and read first time

**State Bill Page:** [HJR3597](#)

**HB3601 REPAIRING OF DAMS** (OTT R) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-235 SO AS TO PROVIDE THAT THE OWNER OF A DAM WHICH FAILS OR FAILED ON OR AFTER OCTOBER 1, 2015, WHICH HAS A PUBLIC ROAD OR HIGHWAY IN THE STATE HIGHWAY SYSTEM RUNNING ACROSS THE TOP OF IT, MUST PROVIDE WRITTEN NOTIFICATION TO THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL INDICATING WHETHER OR NOT THE OWNER INTENDS TO REPAIR THE DAM AND THE DATE BY WHICH THE REPAIRS ARE ANTICIPATED TO BE COMPLETED, TO PROVIDE THE TIMELINES IN WHICH THIS NOTIFICATION MUST BE PROVIDED, AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROCEED UNDER CERTAIN CONDITIONS AND IN A SPECIFIED MANNER WITH THE PROCESS OF REPAIRING THE PUBLIC ROAD OR HIGHWAY, IF THE DAM OWNER INDICATES THE OWNER DOES NOT INTEND TO REPAIR THE DAM.

**Current Status:** 1/12/2021 - Referred to Committee House Education and Public Works

**Recent Status:** 1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3601](#)

**HB3606 BUILDING PERMIT REQUIREMENTS** (SMITH, JR. G) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

**Current Status:** 1/26/2021 - Member(s) request name added as sponsor : Yow

**Recent Status:** 1/12/2021 - Referred to Committee House Labor, Commerce and Industry  
1/12/2021 - Introduced and read first time

**State Bill Page:** [HB3606](#)

**HB3607 ECONOMIC DEVELOPMENT BOND (LUCAS J)** A BILL TO AMEND SECTION 11-41-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO ALLOW FOR THE ISSUANCE OF BONDS TO DEFRAY THE COST OF INFRASTRUCTURE FOR CERTAIN ECONOMIC DEVELOPMENT PROJECTS; TO AMEND SECTION 11-41-30, RELATING TO DEFINITIONS FOR SUCH BONDS, SO AS TO INCLUDE GOVERNMENT-OWNED PROJECTS AND UNDERTAKINGS THAT SUPPORT OR PROMOTE A FOUNDATION FOR ECONOMIC GROWTH AND INDUSTRIAL DEVELOPMENT, AND TO EXPAND THE DEFINITION OF "INFRASTRUCTURE"; TO AMEND SECTIONS 11-41-50 AND 11-41-60, RELATING TO SUCH BONDS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 11-41-70, RELATING TO BOND NOTIFICATION REQUIREMENTS, SO AS TO SPECIFY REQUIREMENTS FOR THE ISSUANCE OF BONDS FOR SUCH GOVERNMENT-OWNED PROJECTS; TO AMEND SECTION 11-41-80, RELATING TO THE RESOLUTION EFFECTING THE ISSUANCE OF SUCH BONDS, SO AS TO SPECIFY THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL ADOPT THE RESOLUTION, AND TO AMEND SECTION 11-41-90, RELATING TO THE AUTHORIZING RESOLUTION, SO AS TO MAKE A CONFORMING CHANGE.

**Current Status:** 1/27/2021 - Recommitted to Committee on Ways and Means

**Recent Status:** 1/27/2021 - SECOND READING STATEWIDE UNCONTESTED BILLS

1/26/2021 - Committee report House Ways and Means :  
Favorable

**State Bill Page:** [HB3607](#)

**HB3674 ANNUAL PROPERTY TAX MILLAGE (HART C)** A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO RESTORE THE FORMER METHOD OF OVERRIDING THE ANNUAL CAP BY A POSITIVE MAJORITY OF THE APPROPRIATE GOVERNING BODY AND DELETING THE SUPER MAJORITY REQUIREMENT FOR OVERRIDING THE CAP FOR SPECIFIC CIRCUMSTANCES; TO AMEND SECTION 11-11-150, RELATING TO THE TRUST FUND FOR TAX RELIEF, SO AS TO RESTORE FUNDING FOR THE RESIDENTIAL PROPERTY TAX EXEMPTION AND FULL FUNDING FOR THE SCHOOL-OPERATING MILLAGE PORTION OF THE REIMBURSEMENT PAID LOCAL GOVERNMENTS FOR THE HOMESTEAD PROPERTY TAX EXEMPTION FOR THE ELDERLY OR DISABLED; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO DELETE THE EXEMPTION REIMBURSED FROM THE HOMESTEAD EXEMPTION FUND FROM ALL SCHOOL-OPERATING MILLAGE ALLOWED ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO AMEND SECTION 12-37-270, RELATING TO THE REIMBURSEMENTS PAID LOCAL GOVERNMENTS FOR PROPERTY TAX NOT COLLECTED AS A RESULT OF THE HOMESTEAD EXEMPTION FOR THE ELDERLY OR DISABLED AND, AMONG OTHER THINGS, THE APPLICATION OF PROPERTY TAX CREDITS IN COUNTIES WHERE THE USE OF LOCAL OPTION SALES TAX REVENUES GIVE RISE TO A CREDIT AGAINST SCHOOL-OPERATING PROPERTY TAX MILLAGE, SO AS TO MAKE CONFORMING AMENDMENTS; TO AMEND SECTION 12-37-251, RELATING TO THE CALCULATION OF "ROLLBACK TAX MILLAGE" APPLICABLE FOR REASSESSMENT YEARS, SO AS TO RESTORE THE FORMER EXEMPTION ALLOWED FROM A PORTION OF SCHOOL-OPERATING MILLAGE FOR ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO REPEAL ARTICLE 7, CHAPTER 10, TITLE 4 RELATING TO THE LOCAL OPTION SALES AND USE TAX

FOR LOCAL PROPERTY TAX CREDITS; TO REPEAL SECTIONS 11-11-157, 11-11-155, AND 11-11-156 RELATING TO THE HOMESTEAD EXEMPTION TRUST FUND; TO REPEAL ARTICLE 11, CHAPTER 36, TITLE 12 RELATING TO THE STATEWIDE ADDITIONAL ONE PERCENT SALES AND USE TAX THE REVENUES OF WHICH REIMBURSE SCHOOL DISTRICTS FOR THE HOMESTEAD EXEMPTION FROM ALL PROPERTY TAX MILLAGE IMPOSED FOR SCHOOL OPERATIONS; TO AMEND SECTIONS 12-37-3130, 12-37-3140, AND 12-37-3150, RELATING TO DEFINITIONS, VALUATION, AND ASSESSABLE TRANSFERS OF INTEREST, FOR PURPOSES OF THE "SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT", SO AS TO ELIMINATE THE "POINT OF SALE" VALUATION OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND RETURN TO THE FORMER VALUATION SYSTEM IN WHICH REAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY ARE APPRAISED BY THE ASSESSOR AND PERIODICALLY ADJUSTED IN COUNTYWIDE REAPPRAISALS, TO PROVIDE THAT WHEN THE FIFTEEN PERCENT CAP OVER FIVE YEARS ON INCREASES IN FAIR MARKET VALUE OF REAL PROPERTY RESULTS IN A VALUE THAT IS LOWER THAN THE FAIR MARKET VALUE OF THE PROPERTY AS DETERMINED BY THE ASSESSOR THAT THE LOWER VALUE BECOMES THE PROPERTY TAX VALUE OF THE REAL PROPERTY AND IS DEEMED ITS FAIR MARKET VALUE FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, TO PROVIDE THAT AN ASSESSABLE TRANSFER OF INTEREST IS A TRANSFER OF OWNERSHIP OR OTHER INSTANCE CAUSING A "STEPUP" IN THE PROPERTY TAX VALUE OF REAL PROPERTY TO ITS FAIR MARKET VALUE AS DETERMINED BY THE ASSESSOR, TO REQUIRE THE CAP ON INCREASES IN VALUE TO BE APPLIED SEPARATELY TO REAL PROPERTY AND THE IMPROVEMENTS THEREON, AND TO PROVIDE WHEN THE STEPUP VALUE FIRST APPLIES; TO AMEND SECTION 12-60-30, AS AMENDED, RELATING TO THE DEFINITION OF "PROPERTY TAX ASSESSMENT" FOR PURPOSES OF THE SOUTH CAROLINA REVENUE PROCEDURES ACT, SO AS TO REQUIRE THE NOTICES TO INCLUDE PROPERTY TAX VALUE AND PROVIDE THAT THE APPLICABLE ASSESSMENT RATIO APPLIES TO THE LOWER OF FAIR MARKET VALUE, PROPERTY TAX VALUE, OR SPECIAL USE VALUE; TO AMEND SECTION 12-60-2510, RELATING TO THE FORM OF ASSESSMENT NOTICES ISSUED BY THE COUNTY ASSESSOR, SO AS TO PROVIDE THAT THESE NOTICES MUST CONTAIN THE PROPERTY TAX VALUE OF REAL PROPERTY AND IMPROVEMENTS IN ADDITION TO FAIR MARKET VALUE AND SPECIAL USE VALUE; TO REPEAL ARTICLE 25, CHAPTER 37, TITLE 12 RELATING TO THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, IF CERTAIN CONSTITUTIONAL AMENDMENTS ARE RATIFIED; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS AND SECTIONS 12-60-30, AS AMENDED, AND 12-60-2510, RELATING TO TAX PROCEDURES, ALL SO AS TO MAKE CONFORMING AMENDMENTS, AND MAKE THESE REPEALS AND AMENDMENTS CONTINGENT UPON RATIFICATION OF AN AMENDMENT TO SECTION 6, ARTICLE X OF THE CONSTITUTION OF THIS STATE ELIMINATING THE FIFTEEN PERCENT CAP OVER FIVE YEARS IN INCREASES IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND ELIMINATING AN ASSESSABLE TRANSFER OF INTEREST AS AN EVENT THAT MAY RESULT IN A CHANGE IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF THE IMPOSITION OF THE PROPERTY TAX.

**Current Status:** 1/14/2021 - Referred to Committee House Ways and Means

**Recent Status:** 1/14/2021 - Introduced and read first time

**State Bill Page:** [HB3674](#)

**HB3683**

**"SOUTH CAROLINA RATEPAYER PROTECTION ACT OF 2021"** (LUCAS J) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA RATEPAYER PROTECTION ACT OF 2021" BY ADDING SECTIONS 8-27-70, 8-27-80, AND 8-27-90 ALL SO AS TO PROVIDE PROTECTIONS FOR EMPLOYEES OF A PUBLIC UTILITY WHO REPORT WRONGDOING BY THE UTILITY AND TO PROVIDE REMEDIES FOR



EMPLOYEES WHO ARE DISMISSED OR SUFFER ADVERSE EMPLOYMENT ACTIONS BECAUSE OF A REPORT OF WRONGDOING; BY ADDING SECTIONS 37-6-610, 37-6-611, AND 37-6-612 ALL SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS THE CONSUMER ADVOCATE IF THE PUBLIC SERVICE COMMISSION REGULATES A BUSINESS WITH WHICH THAT PERSON IS ASSOCIATED, AND TO PLACE RESTRICTIONS ON FUTURE EMPLOYMENT AND SPECIFIED ETHICAL REQUIREMENTS ON THE CONSUMER ADVOCATE AND EMPLOYEES OF THE DEPARTMENT OF CONSUMER AFFAIRS, AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; TO AMEND SECTION 58-3-20, RELATING TO THE PUBLIC SERVICE COMMISSION, SO AS TO DELETE PROVISIONS WHICH PERMIT THE REVIEW COMMITTEE TO FIND A CANDIDATE QUALIFIED IF HE DOES NOT HAVE THE BACKGROUND OR EXPERTISE REQUIRED BY LAW AND PROVISIONS WHICH PERMIT CERTAIN INCUMBENT COMMISSIONERS TO BE REELECTED WHO DO NOT MEET THESE QUALIFICATIONS; BY ADDING SECTIONS 58-3-21 AND 58-3-22 BOTH SO AS TO AUTHORIZE MILEAGE AND SUBSISTENCE ALLOWANCES FOR PUBLIC SERVICE COMMISSIONERS, AND TO PROVIDE THAT MEMBERS OF THE COMMISSION ARE NOT PROHIBITED FROM CONSULTING WITH RETAINED EXPERTS AND ATTORNEYS IN CLOSED SESSION IN A MANNER CONSISTENT WITH THE APPELLATE COURTS OF THIS STATE; TO AMEND SECTION 58-3-25, RELATING TO CONFLICTS OF INTEREST OF MEMBERS OF THE PUBLIC SERVICE COMMISSION AND EMPLOYEES OF THE COMMISSION, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHICH ARE CONSIDERED CONFLICTS, AND TO DELETE A REQUIREMENT FOR CERTAIN FILINGS BY EMPLOYEES; TO AMEND SECTION 58-3-30, RELATING TO CODES OF CONDUCT OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, SO AS TO FURTHER PROVIDE FOR THE CODE OF CONDUCT AND PERMISSIBLE ACTIONS AND PRACTICES OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, AND TO REQUIRE ANNUAL CONTINUING EDUCATION FOR COMMISSIONERS AND EMPLOYEES; TO AMEND SECTIONS 58-3-60, 58-3-190, AND 58-3-200, ALL RELATING TO AUDITS AND EXAMINATIONS OF PUBLIC UTILITIES, SO AS TO REVISE THE MANNER IN WHICH INSPECTIONS, AUDITS, AND EXAMINATIONS OF PUBLIC UTILITIES ARE CONDUCTED; BY ADDING SECTION 58-3-65 SO AS TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MAY EMPLOY, THROUGH CONTRACT OR OTHERWISE, THIRD-PARTY CONSULTANTS AND EXPERTS IN CARRYING OUT ITS DUTIES IF THE COMMISSION DETERMINES IT IS IN THE BEST INTEREST OF RATEPAYERS AND IT IS APPROVED BY THE PUBLIC UTILITIES REVIEW COMMITTEE; TO AMEND SECTION 58-3-225, RELATING TO CONDUCT OF HEARINGS BY THE COMMISSION, SO AS TO PROVIDE THAT BEFORE MAKING A DETERMINATION, THE COMMISSION SHALL QUESTION THE PARTIES THOROUGHLY DURING HEARINGS OF CONTESTED CASES WHEN APPROPRIATE; TO AMEND SECTION 58-3-260, RELATING TO THE PROHIBITION AGAINST COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES TO A PROCEEDING, SO AS TO PERMIT CERTAIN COMMUNICATIONS BETWEEN THE COMMISSION AND THE PUBLIC UTILITIES REVIEW COMMITTEE, AND A LEGISLATIVE COMMITTEE CHARGED WITH REVIEW OF THE COMMISSION; BY ADDING SECTIONS 58-3-281, 58-3-282, 58-3-283, 58-3-284, 58-3-285, 58-3-286, AND 58-3-287 ALL SO AS TO IMPOSE CERTAIN CIVIL AND CRIMINAL PENALTIES AND SANCTIONS AGAINST A PUBLIC UTILITY WHICH VIOLATES THE PROVISIONS OF TITLE 58 OR REFUSES TO OBEY A RULE, ORDER, OR REGULATION OF THE OFFICE OF REGULATORY STAFF OR THE COMMISSION, OR WHICH FILES OR SUBMITS FALSE INFORMATION, INCLUDING A REQUIREMENT THAT THE PRINCIPAL EXECUTIVE OFFICER AND THE PRINCIPAL FINANCIAL OFFICER OF A UTILITY CERTIFY THE ACCURACY OF INFORMATION PROVIDED; BY ADDING SECTION 58-3-290 SO AS TO AUTHORIZE THE COMMISSION TO REQUIRE MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION; TO AMEND SECTION 58-3-520, RELATING TO THE PUBLIC UTILITIES REVIEW COMMITTEE, SO AS TO REVISE THE MEMBERSHIP OF THE COMMITTEE AND PREVENT A PERSON FROM BEING APPOINTED TO THE COMMITTEE WHO HAS MADE

CERTAIN POLITICAL CONTRIBUTIONS TO THE APPOINTING AUTHORITY; TO AMEND SECTION 58-3-530, RELATING TO THE POWERS AND DUTIES OF THE REVIEW COMMITTEE, SO AS TO PROVIDE THAT THE COMMITTEE SHALL NOMINATE ALL CANDIDATES IT FINDS QUALIFIED FOR EACH SEAT ON THE COMMISSION, AND TO PROVIDE THAT THE COMMITTEE SHALL APPOINT THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-3-560, RELATING TO ELECTION OF COMMISSIONERS, SO AS TO FURTHER PROVIDE FOR THE QUALIFICATIONS FOR ELECTION AS A COMMISSIONER, AND TO PROVIDE THAT BEGINNING WITH ELECTIONS AFTER 2020, THE ELECTIONS MUST BE HELD AT LEAST FORTY-FIVE DAYS AFTER THE SCREENING AND NOMINATION PROCESS; BY ADDING SECTION 58-3-565 SO AS TO PROVIDE THAT MEMBERS OF THE REVIEW COMMITTEE ARE PROHIBITED FROM CERTAIN ACTIONS OR HAVING CERTAIN BUSINESS RELATIONSHIPS; TO AMEND SECTION 58-4-40, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE CERTAIN DISCLOSURE REQUIREMENTS ON THE PART OF EMPLOYEES AND TO PROHIBIT CERTAIN OTHER ACTIONS BY THESE EMPLOYEES; BY ADDING SECTION 58-4-140 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF MAY EMPLOY THIRD-PARTY CONSULTANTS AND EXPERTS IN CARRYING OUT ITS DUTY IF IT DETERMINES THAT IT IS IN THE BEST INTEREST OF RATEPAYERS TO DO SO; AND TO REPEAL SECTION 58-4-30 RELATING TO THE QUALIFICATIONS AND APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF.

**Current Status:** 1/26/2021 - Member(s) request name added as sponsor : McGarry

**Recent Status:** 1/14/2021 - Referred to Committee House Labor, Commerce and Industry

1/14/2021 - Introduced and read first time

**State Bill Page:** [HB3683](#)

**HB3689** **COMMERCIAL VEHICLE REGISTRATION UNDER A USDOT NUMBER** (ALLISON M) A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

**Current Status:** 2/2/2021 - House Transportation Subcommittee- EPW, (Bill Scheduled for Hearing); **Time & Location:** 11:00 AM, Virtual

**Recent Status:** 1/14/2021 - Referred to Committee House Education and Public Works

1/14/2021 - Introduced and read first time

**State Bill Page:** [HB3689](#)

**HJR3698** **COVID-19 LIABILITY** (POPE T) A JOINT RESOLUTION TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE PURPOSES OF THIS JOINT RESOLUTION TO PROTECT AGAINST LIABILITY FOR BUSINESSES DURING THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO PROVIDE DEFINITIONS FOR COVERED ENTITY, COVERED INDIVIDUAL, CORONAVIRUS, CORONAVIRUS CLAIM, AND PUBLIC

HEALTH GUIDANCE; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO STATE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THE JOINT RESOLUTION TO BE UPON APPROVAL BY THE GOVERNOR AND FOR ITS PROVISIONS TO BE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020, THE DATE UPON WHICH THE GOVERNOR DECLARED A PUBLIC HEALTH EMERGENCY RELATING TO CORONAVIRUS.

**Current Status:** 1/27/2021 - Member(s) request name added as sponsor : Felder

**Recent Status:** 1/14/2021 - Referred to Committee House Judiciary  
1/14/2021 - Introduced and read first time

**State Bill Page:** [HJR3698](#)

**HB3766**

**ABOLISH DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL**

**CONTROL** (YOW R) A BILL TO AMEND CHAPTER 1, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH BY THE GOVERNOR, TO ELIMINATE PROVISIONS PERTAINING TO THE BOARD AND TO ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT, AND FOR OTHER PURPOSES; BY ADDING CHAPTER 6 TO TITLE 48 SO AS TO CREATE THE DEPARTMENT OF ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL BY THE GOVERNOR, TO TRANSFER TO THE DEPARTMENT THE ENVIRONMENTAL DIVISIONS, OFFICE, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND FOR OTHER PURPOSES; TO AMEND SECTIONS 44-2-20, 44-2-40, 44-2-60, 44-2-130, 44-4-130, 44-4-540, 44-7-130, 44-7-150, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-230, 44-7-320, 44-7-370, 44-7-760, 44-7-2430, 44-29-10, 44-29-150, 44-29-210, 44-53-160, AS AMENDED, 44-53-280, AS AMENDED, 44-53-290, AS AMENDED, 44-53-310, 44-53-320, 44-53-360, AS AMENDED, 44-53-740, 44-55-20, 44-55-30, 44-55-40, 44-55-45, 44-55-50, 44-55-60, 44-55-70, 44-55-120, 44-55-690, 44-55-860, 44-56-20, 44-56-30, 44-56-60, 44-56-100, 44-56-130, 44-56-160, 44-56-200, 44-56-210, 44-56-405, 44-56-410, 44-56-420, 44-56-495, 44-56-720, 44-56-840, AS AMENDED, 44-61-20, AS AMENDED, 44-61-30, 44-61-40, 44-61-50, 44-61-60, 44-61-70, 44-61-80, 44-61-130, 44-61-310, 44-61-350, 44-61-720, 44-61-800, 44-63-110, 44-69-20, 44-69-30, 44-69-50, 44-71-20, 44-75-20, AS AMENDED, 44-75-30, 44-75-40, 44-89-30, 44-93-20, 44-93-150, 44-93-160, 44-96-40, 44-96-85, 44-96-100, 44-96-120, AS AMENDED, 44-96-165, 44-96-170, 44-96-250, 44-96-440, 44-96-450, 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-130, 48-1-280, 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-3-10, 48-3-140, 48-5-20, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-34-40, 48-39-10, AS AMENDED, 48-39-35, 48-39-50, 48-39-270, 48-39-280, AS AMENDED, 48-39-320, 48-40-20, 48-40-40, 48-43-10, 48-43-30, 48-43-40, 48-43-50, 48-43-60, 48-43-100, 48-43-390, 48-43-510, 48-43-520, 48-43-570, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-10, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 48-60-55, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-170, 49-5-30, 49-5-60, 49-6-30, 49-11-120, 49-11-170, AND 49-11-260, RELATING TO UNDERGROUND STORAGE TANKS, EMERGENCY HEALTH POWERS, HOSPITALS, CONTAGIOUS AND INFECTIOUS DISEASES, CONTROLLED SUBSTANCES, DRINKING WATER, HAZARDOUS WASTE MANAGEMENT, EMERGENCY MEDICAL

SERVICES, VITAL STATISTICS, HOME HEALTH AGENCIES, HOSPICE PROGRAMS, ATHLETIC TRAINERS, BIRTHING CENTERS, INFECTIOUS WASTE MANAGEMENT, SOLID WASTE POLICY AND MANAGEMENT, POLLUTION CONTROL, ENVIRONMENTAL PROTECTION, WATER QUALITY, STORMWATER MANAGEMENT, EROSION AND SEDIMENT CONTROL, MINING, PRESCRIBED FIRES, COASTAL TIDELANDS AND WETLANDS, BEACH RESTORATION, OIL AND GAS EXPLORATION, LOW-LEVEL RADIOACTIVE WASTE, ENERGY EFFICIENCY, ENVIRONMENTAL AWARENESS AND INNOVATION, ENVIRONMENTAL AUDITS, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, IMPOUNDMENT OF NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL, GROUNDWATER USE, AQUATIC PLANT MANAGEMENT, AND DAMS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT SO AS TO ADD THE DEPARTMENT OF PUBLIC HEALTH AND THE DEPARTMENT OF ENVIRONMENTAL CONTROL; BY ADDING SECTION 1-30-140 SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

**Current Status:** 1/28/2021 - Referred to Committee House Judiciary

**Recent Status:** 1/28/2021 - Introduced and read first time

**State Bill Page:** [HB3766](#)

#### Week In Review

#### [As abortion ban bill advances, SC Democrats accuse Republicans of not focusing on pandemic](#)

A bill to ban most abortions in South Carolina took another step closer to passage Wednesday over the fierce protests of Democratic lawmakers who excoriated the Republican majority for devoting hours of legislative time on that issue while the coronavirus pandemic continues to rage across the state.

The Post & Courier

#### [S.C. House to weigh gubernatorial emergency powers](#)

State lawmakers will consider additional legislation that would give them an opportunity to change or end a prolonged state of emergency, where the governor has authority under current state law.

ABC Columbia

#### [S.C. attorneys take on state's top attorney in lawsuit](#)

Four South Carolina lawyers are claiming S.C. Attorney General Alan Wilson acted politically when he signed onto a Texas lawsuit full of bogus claims seeking to overturn the Nov. 3 presidential election in the name of the state. The lawyers are seeking "public reprimand" for Wilson using the state office to "further a political agenda." Wilson's office responded by calling the complaint "pure partisan politics."

The State

#### [Bill tweaking governor's emergency powers heads to SC House](#)

A bill that would assure lawmakers have a chance to change or end a prolonged state of emergency from South Carolina Gov. Henry McMaster passed the House Judiciary Committee on Tuesday.

Associated Press

## CHAPTER 49

# Department of Labor, Licensing and Regulation— South Carolina State Board of Registration for Professional Engineers and Land Surveyors

(Statutory Authority: 1976 Code §§ 40-1-70, 40-22-60, 40-22-130)

### Editor's Note

**1991 Act No. 99, § 2**, codified as § 40-22-470, effective July 1, 1991, provides as follows: Except where inappropriate, regulations promulgated pursuant to Chapter 21, Title 40 of the 1976 Code are considered to be promulgated pursuant to Chapter 22, Title 40 of the 1976 Code as added by this act.

### ARTICLE 1

#### ORGANIZATION, ADMINISTRATION AND PROCEDURE

#### **49-100. Definitions.**

A. Definitions found in Section 40-22-20 of the Code of Laws of South Carolina apply to this Chapter.

B. The following definitions are terms used in this Chapter in addition to those included in Section 40-22-20 of the Code of Laws of South Carolina:

(1) "CEAB" means the Canadian Engineering Accreditation Board.

(2) "Comity Registration" means the courteous recognition and extension of license privileges in this State to engineers and surveyors licensed in other states.

(3) "Dual License Holder" means a person who is licensed as an engineer and a surveyor.

(4) "Model Law Engineer" refers to a person who meets the following criteria:

(a) Graduation from an engineering program accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (EAC/ABET).

(b) Four years of qualifying experience after graduation.

(c) Passing of a NCEES Fundamentals of Engineering Examination (FE).

(d) Passing of a NCEES Principles and Practice of Engineering Examination (PE).

(e) Status in good standing as a registrant in the NCEES Records Program, and

(f) A record clear on any license violations or sanctions by an engineering board.

(5) "NCEES" means the National Council of Examiners for Engineering and Surveying.

(6) "Washington Accord" refers to an international agreement providing for the mutual recognition of engineering education program accreditation by and between EAC/ABET and engineering education accrediting bodies of other nations holding membership in the Washington Accord.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-101. Board Rules of Order/Procedures and Seal of Board.**

A. Rules of Order/Procedures. All proceedings of the Board shall be governed by provisions set forth in the Administrative Procedures Act.

B. Description of Seal of Board. The seal of the Board shall be circular in form and 1 7/8 inches in diameter. Concentric with the outside of the Seal there shall be a circle 1 1/4 inches in diameter,

within which there shall be a replica of the device used on the Seal of the State of South Carolina, and in the annular space between the circle and the outside of the Seal there shall appear the words "State Board of Registration for Professional Engineers and Surveyors." All official papers, registration certificates, and other formal documents of the Board shall bear the imprint of this Seal.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **49-102. Use of Forms/Applications.**

### **A. Forms.**

(1) All applications for engineering and surveying licensure and certificate of authorization shall be made on a form provided by the Board, and no applications made otherwise will be accepted.

(2) Applications not completed in accordance with the applicable printed instructions will be returned to the applicant. Withholding information, misrepresentation, or untrue statements will be cause for denial of application.

### **B. Documentation.**

(1) All information given on an application form must be documented. The applicant is required to provide the names and current mailing addresses of five references having personal knowledge of applicant's character and professional reputation, and of employers or supervisors who can verify applicant's work experience. It is the applicant's responsibility to see that references return the forms promptly to the Board office.

(a) Engineering. At least three of the character references shall be professional engineers.

(b) Land Surveying. At least three of the character references shall be from professional surveyors.

(2) Official transcripts are required showing subjects and grades of all scholastic work which the applicant wishes to claim, degree issued and date of issuance. It is the responsibility of the applicant to see that such a record is sent from the institution directly to the Board office. A failure to provide such transcript directly from the institution, whether foreign or domestic, may be grounds for rejection of the application.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **49-103. Fees.**

A. The Board may charge fees as shown in South Carolina Code of Regulations Chapter 10-14 and on the South Carolina Board of Registration for Professional Engineers and Surveyors website at <http://llr.sc.gov/POL/Engineers/>.

B. No fee, or any part thereof, paid by any applicant for application, examination and/or registration will be refunded once an application has been submitted to the Board for processing. Refunds will not be made.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012; State Register Volume 39, Issue No. 6, Doc. No. 4503, eff June 26, 2015.

## **49-104. Examinations—General.**

### **A. Classifications—Engineering Examinations.**

- (1) NCEES Fundamentals of Engineering (FE).
- (2) NCEES Principles and Practice of Engineering (PE).
- (3) NCEES Special Structural Engineering Examinations.

### **B. Classifications—Surveying Examinations.**

- (1) NCEES Fundamentals of Surveying (FS).
- (2) NCEES Principles and Practice of Surveying (PS).
- (3) S.C. State Specific Surveying Examination (State-S).

- (4) TIER B Land Surveying (State-TIER B LS).
- (5) S.C. Board Rules and Regulations.
- (6) Principles and Practice of Photogrammetric Surveying.
- (7) Principles and Practice of GIS Surveying.

C. Examination for Record Purposes.

(1) Any engineer registered by this Board may take for record purposes one or more of the listed engineering examinations upon payment of a fee as established by the Board.

(2) Any surveyor registered by this Board may take for record purposes one or more of the listed surveying examinations upon payment of a fee as established by the Board.

(3) Failure to pass an examination will not affect current registration.

D. Re-Examination.

(1) An applicant who has failed the same topical examination two times shall provide evidence satisfactory to the Board that steps have been taken in preparation for a third examination on the same topical subject.

(2) A new application will be required of any applicant who has failed the same topical examination three times. The applicant must also provide documentation that additional study satisfactory to the Board was taken in preparation for further examination on the same topical subject.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

## **49–105. License Expiration, Renewal and Reinstatement—Individuals.**

A. Expiration and Renewal.

(1) The privilege to practice in any category or tier as a registered professional engineer or surveyor in South Carolina expires on June 30, biennially in even numbered years, unless the license is renewed. Every Registered Professional Engineer and Surveyor who elects to continue the practice of his profession shall complete and submit an application for renewal of licensure and pay the appropriate fee by June 30.

(2) Renewal notices will be mailed to the licensee's address on record with this Board in May each biennial year; however, it is the licensee's responsibility to renew his or her license prior to the official expiration date of June 30.

B. Reinstatement.

(1) A licensee whose license has lapsed and who can truthfully certify that he or she has not been engaged in the practice of engineering or surveying in South Carolina during the period the certificate was not in a current status, barring any other irregularities, shall be reinstated and retain the original registration number upon payment of the renewal fees and penalties. A licensee whose license has lapsed more than three months may be required to take and pass examinations as required by the Board.

(2) Those persons who cannot certify that they have refrained from practicing their profession in this State during the period in which their license lapsed may be required to show cause to the Board why their license should not be disciplined.

(3) Any person reinstating an expired registration will be required to meet the continuing professional competency requirements.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

## **49–106. COA Expiration, Renewal and Reinstatement—Firms.**

A. Expiration and Renewal.

(1) Certificates of Authorization must be renewed biennially to remain in effect. Unless renewed a Certificate of Authorization shall expire biennially on March 31 of odd numbered years. A firm whose

certificate has expired may not offer or engage in engineering or surveying services until the Certificate of Authorization has been renewed or until a new certificate has been issued.

(2) Renewal notices will be mailed to the firm's address on record with this Board in January each biennial year; however, it is the firm's responsibility to renew its license prior to the official expiration date of March 31.

(3) The completed renewal form signed and sworn to by the applicant must be filed with the Board office on or before March 31 of each odd numbered year.

#### **B. Reinstatement.**

(1) A Certificate of Authorization will become invalid upon a failure to renew by April 1 of the biennial renewal year. The Certificate may be reinstated by the Board at any time during the following three months on payment of the biennial renewal fee plus late penalty. The penalties are computed in the same manner as prescribed for individual licensees who fail to renew.

(2) In the case of failure to reinstate within three months from the date of expiration, the Certificate of Authorization will be reissued only upon submittal of a new application, accompanied by the application fee, and approval by the Board.

#### **C. Resident Professional Requirement.**

(1) A Certificate of Authorization (COA) is automatically suspended when the firm fails to comply with the resident professional requirement as provided for in Section 40-22-250 of the Practice Act.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **ARTICLE 2 GENERAL PROVISIONS**

### **49-200. Professional Engineer Licensure Requirements.**

#### **A. Education Requirements.**

(1) The Board will recognize the degrees of Master of Engineering or Master of Science in Engineering in a program accredited by EAC/ABET at either the baccalaureate or masters level as fulfilling the education requirements in satisfaction of the qualifications detailed in Section 40-22-220.

(2) The Board will recognize degrees from an engineering program evaluated as accredited by a foreign accreditation board or other authority recognized by ABET as having accreditation criteria substantially the same as that established by EAC/ABET. Engineering degree programs in this category include the following:

(a) Four-year engineering degree accredited by the Canadian Engineering Accreditation Board (CEAB).

(b) Four-year engineering degree from an accredited program in other countries listed in the ABET published "Washington Accord" document.

(c) Courses taken for credit and appearing on official college or university transcripts must be evaluated by a Board approved Education Consultant. The purpose of such evaluations shall be to determine whether or not the curriculum presented by the applicant complies substantially with accreditation criteria of EAC/ABET. Programs determined by the Board, based upon the evaluations, to be substantially equivalent to those accredited by EAC/ABET will be considered as fulfilling the education requirements.

(3) In addition to transcripts submitted for evaluation by the Education Consultant, an applicant shall have the academic institution furnish the Board such supporting documentation as necessary for a proper and sufficient evaluation.

#### **B. Experience Requirements.**

##### **(1) General.**

(a) An applicant must have completed the qualifying experience required by the Board by the application deadline. Experience cannot be anticipated. Experience gained prior to completion of degree requirements will not be accepted as qualifying experience.



(b) Qualifying experience must be progressive and of an increasing standard of quality and responsibility after graduation. Where guidelines for qualifying experience are published by NCEES, such guidelines may be used by the Board to evaluate experience of the applicant.

(2) Engineering Experience.

(a) The applicant should have meaningful design experience under the supervision of a registered professional engineer in designing components or processes that meet a public need. This experience should include exposure to the formation of design problem statements and specifications, consideration of alternative solutions, feasibility considerations, analytical calculations and detailed systems descriptions. If the experience was not gained under the direct supervision of a registered professional engineer, then the indirect supervision should be explained with clarification of the degree of supervision received.

(b) Successful completion of a Master's degree in a Board approved engineering curriculum may be accepted as one year of equivalent engineering experience credit. The completion of a PhD in a Board approved engineering curriculum may be accepted as two years of equivalent experience credit. However, in no case will more than two years of equivalent engineering experience credit be given for post baccalaureate education.

(c) For teaching experience to be considered by the Board, the engineer applicant must have taught design courses acceptable by the Board in an engineering curriculum accredited by ABET.

(d) Military experience must have been spent in engineering and of a character substantially equivalent to that required in the civilian sector for like work.

(e) For sales experience to be considered by the Board, the engineer applicant must demonstrate conclusively that engineering principles and engineering knowledge were actually employed. The mere selection of data or equipment from a company catalogue or a similar publication will not be considered qualifying engineering experience.

(f) Experience in construction supervision must show proficiency in engineering computational and problem-solving skills in assuring compliance with specifications and designs.

(g) The Board will not accept the mere execution as a contractor of work designed by a registered professional engineer, or the supervision of the construction documents, or similar non-engineering tasks as qualifying engineering experience.

(h) Industrial experience should be directed toward the identification and solution of practice problems in the applicant's area of engineering specialization. This experience should include engineering analysis of existing physical systems and the design of new ones.

(3) Engineering Experience.

(a) Qualifying experience must be progressive and exhibit an increasing standard of advancement in the application of technological principles.

(b) Experience must be gained by working under the supervision of a legally practicing engineer or on engineering assignments which exhibit an increasing standard of assigned responsibility.

(c) Industrial experience leading to registration as an associate professional engineer should be directed toward the identification and solution of practical problems in the applicant's area of technological specialization of engineering principles.

(d) Work as laboratory or field technicians where such work is merely the conduct of routine explorations or data acquisition activities shall not be considered as qualifying. In order to be qualifying, the experience should show a demonstrated and satisfactory use of basic engineering computational and problem-solving skills.

C. Examination Requirements.

(1) Engineer-in-Training (EIT).

(a) An applicant applying for certification as an engineer-in-training must take and pass one of the written examinations on the Fundamentals of Engineering (FE), prepared and graded by the NCEES.

(b) The Board may, at its discretion, exempt an applicant from taking the FE examination. These exemptions include the following:

1. An applicant who has earned a doctorate degree in engineering in which the undergraduate degree in the same field of study is accredited by EAC/ABET, and is otherwise qualified under the provisions of the South Carolina Code of Laws at the time the application is received.
2. An applicant with more than fifteen years of acceptable experience after the date of the accredited degree or who has been licensed in another jurisdiction not fewer than 12 years, and is otherwise qualified under the provisions of Section 40–22–220 of the Practice Act, at the time the application is received.

**HISTORY:** Added by State Register Volume 16, Issue 4, eff April 24, 1992. Amended by State Register Volume 25, Issue 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

## **49–201. Professional Land Surveyor Licensure Requirements.**

### **A. Qualifying Experience and Documentation.**

(1) Experience must be obtained under the supervision of a registered professional surveyor and must be of a character satisfactory to the Board.

(2) Qualifying experience approved by the Board is experience beyond elementary surveying duties such as chaining, rodman, and bush cutting duties. In order for work to be considered as qualifying experience, an advanced level of responsibility must have been placed on the applicant. Responsibility should involve mature judgment and expertise gained in such job assignments as instrument man, assistant crew chief or crew chief. Work claimed as qualifying experience should demonstrate a sound working knowledge of surveying with respect to research (records and field), instrumentation, note-keeping, calculations and mapping.

(3) An experience record in boundary and route surveying, topographical surveying, construction surveying, control/geodetic surveying, and rights-of-way delineation is beneficial to the applicant in the Board's evaluation of the application. Recognizing that boundary surveys are the types of surveys which more critically affect the public welfare, experience in boundary surveys should constitute a significant portion of the applicant's experience record and will be given more weight by the Board in considering an applicant's qualifications for licensure.

(4) An applicant must submit copies of three different maps and plats of land surveys on which he has worked. The documents must be signed by the professional land surveyor who supervised the work and contain a statement describing that part of the work done by the applicant. Submitted plats and maps must meet the requirements of the Standards of Practice Manual for Surveying in South Carolina, Chapter 49, Article 4, of the Code of Regulations, in effect at the time of licensure.

(5) An applicant must submit five references as to the applicant's character and quality of work, three or more must be registered land surveyors having personal knowledge of the applicant's qualifications.

### **B. Examination Requirements—Land Boundary Surveyor.**

(1) An applicant applying for certification as land surveyor-in-training must take and pass a written examination on the Fundamentals of Surveying (FS), prepared and graded by the NCEES.

(2) An applicant applying for licensure as a TIER A land boundary surveyor must have taken and passed the FS written examination and must take and pass the Principles and Practice of Surveying (PS), prepared and graded by the NCEES, and a South Carolina State Specific Surveying examination.

(3) A person licensed as a professional land boundary surveyor may practice as a professional photogrammetric surveyor only by meeting the requirements as described in the section R.49–201C of this Chapter, and may practice as a professional GIS surveyor only by meeting the requirements as described in the section R.49–201D of this Chapter.

### **C. TIER A Professional Land Boundary Surveyor—Provisions for Geodetic Surveying.**

(1) The practice of geodetic surveying is classified under land boundary surveying.

(a) Enforcement of the license requirement for geodetic surveyors will be effective July 1, 2004.

(b) After July 1, 2004 geodetic surveyors applying for licensure must meet all the requirements for land boundary surveyors as outlined in the subsection R.49–201A of this Chapter.

### **D. TIER A Professional Photogrammetric Surveyor.**

(1) After June 30, 2004, any person applying for licensure as a photogrammetric surveyor must meet the following requirements:

(a) Education Requirement—Photogrammetric Surveyor.

1. Education must be evaluated by an Education Consultant and approved by the Board before an application can be considered for further processing.

2. In addition to one of the following degrees, an applicant must submit proof of satisfactorily completing not fewer than 12 semester hours, or the equivalent in quarter hours, of course work specific to the discipline of photogrammetric surveying, satisfactory to the Board:

a. Four-year engineering or bachelor of science degree in a related field from a program accredited by the Related Accreditation Commission (RAC) or the Accreditation Board for Engineering and Technology (ABET).

b. Four-year civil engineering technology degree from a program accredited by the Technology Accreditation Commission (TAC) of ABET.

c. Four-year related baccalaureate degree, or equivalent degree, approved by the Board.

d. Two-year associate degree approved by the Board. Effective July 1, 2010, this degree will not be recognized as meeting the education requirements for registration as a photogrammetric surveyor.

(b) Experience Requirement—Photogrammetric Surveyor.

1. Photogrammetric Surveyor-in-Training.

a. An applicant applying for certification as a photogrammetric surveyor-in-training who meets the four-year education requirements must have one year of progressive practical experience.

b. An applicant who meets the two-year education requirements must have three years of progressive practical experience. Effective July 1, 2010, this provision will be void.

2. Photogrammetric Surveyor.

a. An applicant applying for licensure as a photogrammetric surveyor who meets the four-year education requirements must have four years of progressive practical experience.

b. An applicant applying for licensure as a photogrammetric surveyor who meets the two-year education requirements must have four years of progressive practical experience. Effective July 1, 2010 this provision will be void.

3. Qualifying Experience and Documentation.

a. Experience must be obtained under supervision of a licensed photogrammetric surveyor or a recognized professional in the field of photogrammetry and must be of a character satisfactory to the Board.

b. Qualifying experience approved by the Board is experience beyond elementary level activities. In order for work to be considered as qualifying experience, an advanced level of responsibility must have been placed on the applicant. Work claimed as qualifying experience should demonstrate a sound working knowledge of photogrammetry.

c. At least two years of the required experience must have been at the professional level in responsible charge of photogrammetric mapping projects meeting National Mapping Accuracy Standards.

d. The applicant must submit proof of employment in responsible charge of at least one project as a photogrammetrist. Maps and documents satisfactory to the Board detailing methods, procedures, amount of applicant's personal involvement must be submitted to document this project. These maps and documents must be signed by the professional who supervised the work and contain a statement describing the part or the work done by the applicant. The applicant must submit the name, address and telephone number of references to verify this information.

e. An applicant must submit five references as to the applicant's character and quality of work, three or more must be licensed surveyors or practicing professionals in the field of

photogrammetry, having personal knowledge of the applicant's photogrammetric surveying experience.

(c) Examination Requirements—Photogrammetric Surveyor.

1. An applicant applying for certification as a photogrammetric surveyor-in-training must take and pass a written examination on the Fundamentals of Surveying (FS), prepared and graded by the NCEES.

2. An applicant applying for licensure as a photogrammetric surveyor must have taken and passed the FS examination and must take and pass an examination on the principles and practice of photogrammetry and an examination on the Board's rules and regulations as referred to in the section R.49-104B(5) of this Chapter.

(2) A person licensed as a professional photogrammetric surveyor may practice as a professional land boundary surveyor only by meeting the requirements of the section R.49-201A of this Chapter, and may practice as a professional GIS surveyor only by meeting the requirements of the section R.49-201D of this Chapter.

E. TIER A Professional Geographic Information System (GIS) Surveyor.

(1) After June 30, 2004, any person applying for licensure as a geographic information system (GIS) surveyor must meet the following requirements:

(a) Education Requirement—GIS Surveyor.

1. Education must be evaluated by an Education Consultant and approved by the Board before an application can be considered for further processing.

2. In addition to one of the following degrees, an applicant must also submit evidence of completion of discipline specific courses of not fewer than 12 semester hours or the equivalent in quarter hours satisfactory to the Board.

a. Four-year baccalaureate degree in a related field from a program accredited by the Accreditation Board for Engineering and Technology (ABET).

b. Four-year civil engineering technology degree from a program accredited by the Technology Accreditation Commission (TAC) of ABET.

c. Four-year related baccalaureate degree, or equivalent degree, approved by the Board.

d. Two-year Associate Degree approved by the Board. Effective July 1, 2010, this degree will not be recognized as meeting the education requirements for registration as a Geographic Information System Surveyor.

(b) Experience Requirements—GIS Surveyor.

1. Geographic Information System Surveyor-in-Training.

a. An applicant applying for certification as geographic information system surveyor-in-training who meets the four-year education requirements must have one year of progressive practical experience.

b. An applicant who meets the two-year education requirements must have three years of progressive practical experience. Effective July 1, 2010, this provision will be void.

2. Geographic Information System Surveyor.

a. An applicant applying for licensure as a geographic information system surveyor who meets the four-year education requirements must have four years of progressive practical experience.

b. An applicant applying for licensure as a geographic information system surveyor who meets the two-year education requirements must have four years of progressive practical experience. Effective July 1, 2010, this provision will be void.

c. An applicant applying for licensure as a geographic information system surveyor who holds a master's degree in surveying, geography, or a related field of study approved by the Board must have three years of practical experience.

3. Qualifying Experience and Documentation.

a. Experience must be obtained under supervision of a licensed geographic information system surveyor or a recognized professional in the field of GIS and must be of a character satisfactory to the Board.

b. Qualifying experience approved by the Board is experience beyond elementary level activities. In order for work to be considered as qualifying experience, an advanced level of responsibility must have been placed on the applicant. Work claimed as qualifying experience should demonstrate a sound working knowledge of GIS.

c. At least two years of the required experience must have been at the professional level in responsible charge of geographic information system mapping projects.

d. The applicant must submit proof of employment in responsible charge of at least one project as a GIS Surveyor. Maps and documents, satisfactory to the Board, detailing methods, procedures, amount of applicant's personal involvement must be submitted to document this project. The map and related project information submitted must include the project information.

e. Maps and documents must be signed by the professional who supervised the work and contain a statement describing the part or the work done by the applicant. The applicant must submit appropriate contact information including the name, address and telephone number of references to verify this information.

f. An applicant must submit five references as to the applicant's character and quality of work; three or more must be licensed surveyors or practicing professionals in the field of GIS having personal knowledge of the applicant's GIS surveying experience.

(c) Examination Requirements—GIS Surveyor.

1. An applicant applying for certification as geographic information system surveyor-in-training must take and pass the written examinations on the Fundamentals of Surveying (FS), prepared and graded by the NCEES.

2. An applicant applying for licensure as a geographic information system surveyor must have taken and passed the FS examination and must take and pass an examination on the principles and practice of geographic information systems and pass an examination on the Board's rules and regulations.

F. TIER B Professional Land Surveyor.

(1) An applicant shall be licensed as a TIER A Land Boundary Surveyor prior to submitting an application for licensure or registration as a TIER B Land Surveyor.

(2) An applicant must meet the requirements of education, experience and examinations.

(a) Examinations—TIER B Land Surveyor.

1. An applicant must have taken and passed the written examinations required for licensure as a TIER A Land Boundary Surveyor which include the FS and PS examinations, prepared and graded by the NCEES, and the State Specific Land Surveying Examination.

2. An applicant must also take and pass a special written examination pertaining to the practice of TIER B land surveying in the State which includes the design of storm drainage systems and preparation of sedimentation and erosion control plans associated with the development of residential subdivisions.

(3) A TIER B land surveyor may practice as a professional photogrammetric surveyor only by meeting the requirements of the section R.49–201D of this Chapter, and may practice as a professional GIS surveyor only by meeting the requirements of the section R.49–201E of this Chapter.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

## **49–202. Classifications and Scopes of Authority: Engineers and Surveyors.**

A. Category A Professional Engineer.

(1) A professional engineer who by reason of his special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practice experience, is qualified to practice engineering as defined in Section 40–22–20 of the Practice Act, all as attested by his legal license and registration as a professional engineer in this State, is classified as a Category A license holder.

(2) The Category A professional engineer license holder is entitled to the unrestricted practice of engineering as described in Section 40–22–20 of the Practice Act.

#### B. Category B Associate Professional Engineer.

(1) An associate professional engineer is qualified to practice within the profession of engineering in the restricted manner defined in the Code and as attested by his recognition and registration as an associate professional engineer in this State is classified as a Category B license holder.

(2) The practice of Category B associate professional engineers is subject to certain restrictions:

(a) An associate professional engineer must not assume direct responsibility, direct supervisory control or responsible charge for engineering work as an independent practitioner, or for engineering work provided by or through a “private practice organization” as defined by statute.

(b) Work by a Category B associate professional engineer employed by a “private practice organization” must be under the direct responsibility, supervisory control, and responsible charge of a Category A professional engineer.

(c) Where documents are required to be submitted to building officials and other authorities having jurisdiction for government review, approval or permitting, and where such documents are required to be submitted under the signature or seal of a Professional Engineer, the documents must be prepared by or under the responsible charge of and submitted only by a Category A professional engineer.

(d) A Category B associate professional engineer shall not, by title, verbal claim, sign, advertisement, letterhead, card or in any other way, represent himself to be a Professional Engineer.

(3) A Category B associate professional engineer may apply for an unrestricted Category A professional engineer license provided the requisite supplemental education is acquired to qualify under one or more of the provisions as described in the section R.49–200 of this Chapter. An associate engineer licensed for Category B practice as of July 1, 2006, may continue to practice under the conditions provided for in Regulation 49–202(B) or an identical successor regulation. As of July 1, 2020, Category B licensure ceases to exist.

#### C. TIER A Land Surveyor.

(1) The practice of TIER A land surveying consists of three separate disciplines: (a) land boundary surveying, (b) photogrammetry, and (c) geographic information systems (GIS). A land surveyor may be licensed in one or more of the disciplines and practice is restricted to only the discipline or disciplines for which the land surveyor is licensed.

(2) The scopes of authority for the individual disciplines of TIER A land surveying are identified as follows:

##### (a) Professional Land Boundary Surveyor (PLS).

1. Locates, relocates, establishes, re-establishes, lays out or retraces any property line or boundary of any tract of land or any road, right-of-way, easement, alignment, or elevation of any fixed works embraced within the practice of land surveying, or makes any survey for the subdivisions of land;

2. Determines, by use of principles of land surveying, the position for any survey monument or reference point; or sets, resets, or replaces such monument or reference; determines the topographic configuration or contour of the earth's surface with terrestrial or extraterrestrial measurements; conducts hydrographic surveys;

3. Conducts geodetic surveying which includes surveying for determination of geographic position in an international three-dimensional coordinate system, where the curvature of the earth must be taken into account when determining directions and distances; geodetic surveying includes the use of the terrestrial measurements of angles and distances, as well as measured ranges to artificial satellites;

4. Creates graphical representations of the data related to items C(2)(a)1.2.3 above.
5. Performs work of a professional photogrammetric surveyor as described in the item C(2)(b).

(b) Professional Photogrammetric Surveyor (PPS).

1. Determines the configuration or contour of the earth's surface or the position of fixed objects thereon by applying the principles of mathematics on remotely sensed data, such as photogrammetry.

2. Creates graphical representations of data relating to the item (b)1 above.

3. Performs work of a land boundary surveyor as described in the item C(2)(a) above or as a geographic information systems (GIS) surveyor as described in the item C(2)(c) below only after obtaining a license in those categories.

(c) Professional Geographic Information System Surveyor (GIS).

1. Creates, prepares, or modifies electronic or computerized data including land information systems and geographic information systems relative to the performance of the activities described in subsections (a) and (b) above.

2. Creates digital spatial data based on integration, interpretations, transformations, and/or the manipulation of primary data sources that affects the health, welfare, or safety of the public.

3. Performs work of a land boundary surveyor as described in subsection C(2)(a) above or as a photogrammetric surveyor as described in the item C(2)(b) above only after obtaining a license in those categories.

(3) The practice of TIER A land surveying does not include the use of GIS or LIS to create maps pursuant to Section 40-22-290 of the Practice Act, analyze data, or create reports.

D. TIER B Professional Land Surveyor.

(1) Persons registered as both Professional Land Surveyor and Professional Engineer are classified as TIER B Professional Land Surveyors.

(2) The practice of TIER B land surveying as described by Section 40-22-20(24) of the Practice Act, and regulated by the Board shall include the authority, within the limits set by these regulations, to practice the design of storm drainage systems and the preparation of sedimentation and erosion control plans associated with the development of residential subdivisions. Included within this practice of TIER B land surveying is the design of stormwater detention or retention facilities incidental to the surveyor's design of storm drainage systems; provided, however, that these facilities are not lakes, ponds or similar impoundments intended to contain water at all times.

(a) As used in this section, the term "residential subdivision" means property developed for single family residences and other type projects where individual lots are established for each residential unit. The density of these projects shall be limited to two lots or units per acre. Apartment projects and projects for developments of commercial or industrial properties are not included within the scope of authority.

(b) Where reference has been made to "lakes, ponds or similar impoundments intended to contain water at all times," such reference is not intended to limit a TIER B Land Surveyor's authority to prepare calculations pertaining to the hydrology or hydraulics of these impoundments. It is expected, however, that such impoundments will require a more detailed analysis and design with respect to soil mechanics. Consequently design of impoundments intended to contain water at all times should be based upon appropriate geotechnical evaluations conducted under the direction of a licensed engineer experienced in such matters. The geotechnical investigations and report should, as a minimum, evaluate site conditions and provide recommendations for materials and methods of construction of the impoundment.

(3) The practice of TIER B land surveying shall not include the design of drainage structures, drainage systems, or other drainage features which are not incidental to the development of a residential subdivision. Projects which are purely drainage in nature or where a subdivision of a parcel of land into small parcels is not involved shall not fall within the scope of practice authorized for TIER B land surveyors. The design of such features as water systems, sanitary sewer systems, surcharged storm drainage systems or pumping stations which may also be incidental to the project

are not included in this practice. The exclusion from the scope of authority of the design of “surcharged storm drainage systems” is not intended to apply to submerged outlet pipes routinely used in detention and retention basins.

(4) The practice of TIER B land surveying is further limited to the use of predesigned structures, which are approved by the county or municipal governmental agency having jurisdiction. Where standard design structures cannot be used because of extra loading, extreme depth or unusually large size, the structure shall be designed by a licensed engineer. “Predesigned Structure” is intended to cover two situations:

(a) As used in this section, the standard design for catch basins, junction boxes, and headwalls that are specified by local governments will be considered “predesigned”.

(b) As used in this section, precast basins, junction boxes, and headwalls produced by concrete companies are considered as “predesigned” and may be used where allowed by the local authority.

(5) In exercising powers of a TIER B Land Surveyor, the surveyor shall undertake to perform only those assignments for which he is authorized by the statute and these regulations and for which he is qualified by education or experience in the specific technical area of TIER B land surveying involved.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992; State Register Volume 18, Issue No. 5, eff May 27, 1994; State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

## **49-203. Licensure by Comity.**

### **A. Professional Engineer.**

(1) An application will be considered for licensure by comity from an applicant who is appropriately licensed in another jurisdiction.

(2) Any applicant holding a valid license to practice engineering issued by a proper authority of a jurisdiction or possession of the United States, based on requirements not less than those specified by the applicable licensure act in effect in the State of South Carolina at the time such other license was issued, may, upon receipt of the proper documents and payment of the fee established by the Board, be considered for licensure in the appropriate category designation without further written examination.

(3) A Model Law Engineer applicant may be licensed as a Category A Professional Engineer by making application on the prescribed form and having the NCEES Council Record sent to the Board. To be considered, the Council Record must be submitted directly to the Board by NCEES. Upon receipt of the proper documents and payment of the fee established by the Board, a Model Law Engineer applicant may be licensed as a Category A Professional Engineer without further review.

### **B. Professional Surveyor.**

(1) An application will be considered for registration by comity from an applicant who is appropriately registered in the state in which the applicant resides or is employed unless there are extenuating circumstances satisfactory to the Board.

(2) An application will be accepted for registration by comity if the applicant meets the requirements for education, experience and examination as prescribed by the statutes, and the rules and regulations of this Board in effect at the time of filing said application.

(3) An applicant registered in another state may be required to take such examinations as the Board deems necessary to establish that his qualifications meet the requirements of the statutes, rules and regulations of the Board. The applicant shall in all cases be required to pass a written examination including questions of laws, procedures and practices pertaining to the practice of land surveying in this State.

(4) An application will be accepted for registration by comity as a TIER B Land Surveyor after the applicant first obtains registration as a TIER A Land surveyor. An applicant in this category will be required to pass the written examination for a TIER B Land Surveyor in addition to meeting the education and experience requirements as established by the statutes and the rules and regulations of the Board.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992; Amended by State Register Volume 18, Issue No. 5, eff May 27, 1994; State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.



## **49-205. Firm Registration.**

A. For the purpose of this regulation, a sole proprietorship is one in which the ownership is held by a single individual who is duly licensed to practice engineering and/or surveying in this State, where there is no stock ownership in the firm, and where the practice name is identical to that in which the individual registration is held. A registered engineer or surveyor, practicing in his own name as a sole proprietorship is exempt from this section of the regulations. For multiple firms practicing engineering or surveying as a joint venture for one or more projects in this State, a Certificate of Authorization will be required for each firm practicing within the joint venture.

B. Failure to notify the Board within thirty (30) days of changes affecting the status of the firm's information shall be grounds for sanctions up to and including revocation of the organization's Certificate of Authorization. An engineer or surveyor on file with the Board as being in full authority and responsible charge shall notify the Board of any change in his employment.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 18, Issue No. 5, eff May 27, 1994; State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998; State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **49-207. Seals: Individuals and Firms.**

A. Description of Licensee's Seal.

(1) The seal of engineers and surveyors licensed by the Board shall be at least 1 ½ inches in diameter and similar to that prescribed for the Board. In the center there shall appear the registration number of the licensee along with the words:

- (a) "Registered Professional Engineer", for Category A engineers licensed prior to July 1, 2001.
- (b) "Licensed Professional Engineer", for Category A engineers licensed after July 1, 2001.
- (c) "Associate Professional Engineer—Restricted License", for Category B engineers.
- (d) "Professional Engineer and Surveyor", for Category A engineers holding dual registration.
- (e) "Professional Land Surveyor", for TIER A land boundary surveyors.
- (f) "Professional Photogrammetric Surveyor", for photogrammetric surveyors.
- (g) "Professional GIS Surveyor", for geographic information systems surveyors.
- (h) "Professional Land Surveyor—TIER B", for TIER B land surveyors.

(2) Rubber stamps or computer generated seals, identical in size, design and content with the approved impression seals may be used by the registrant where the use of an impression seal is not specifically required.

B. Description of Firm's Seal.

(1) The seal evidencing issuance of a Certificate of Authorization by this Board shall be at least 1 ½ inches in diameter and similar to that prescribed for the Board. In the center there shall appear the name of the certificate holder and the assigned Certificate of Authorization number. In the space between the circle and the outside of the Seal there shall appear the words "South Carolina" and the words "Certificate of Authorization".

(2) Rubber stamps, impression seals, or computer generated seals, identical in size, design and content with the approved impression seals may be used by the firm.

C. Seal on Documents.

(1) The seal and signature of a licensee on a document constitutes a certification that the document was prepared by the licensee or under his direct supervision, and in the case of prototypical documents, that the licensee has reviewed the document in sufficient depth to fully coordinate and assume responsibility for application of the plans.

(2) When sealing documents is required by statute, other authority or contract, each sheet of design or construction plans and drawings for engineering practice and of maps, plats, and charts for land surveying practice shall be sealed and signed by the licensee or permit holder preparing them, or in responsible charge of their preparation. The signature and date when the document was prepared must be affixed under or across the face and beyond the circumference of the seal but in a manner that does not obliterate or render illegible the licensee's name and number. Where the engineering or

surveying practice is provided through a firm, such documents shall also carry the Certificate of Authorization seal.

(3) Where more than one page is bound together in one volume of documents, specifications or reports, the licensee or permit holder who prepared said volume, or under whose direction and control said volume was prepared, may seal, date and sign only the title or index sheet, provided that the signed sheet clearly identifies all of the other sheets comprising the bound volume, and provided that any of the other sheets which were prepared by, or under the direction and control of, another licensee or permit holder, be sealed, dated and signed by said other licensee or permit holder with responsibility clearly delineated. This provision, however, shall not apply to design drawings and construction plans prepared by or under the responsible charge of a licensee. Such documents shall carry the required seals, date and licensee's signature on each sheet.

(4) Additions, deletions or other revisions to sealed documents shall not be made, unless such changes are sealed, dated and signed by the licensee who made the revisions or under whose directions and control said revisions were made.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

### ARTICLE 3 RULES OF PROFESSIONAL CONDUCT

#### **49-300. Preamble.**

A. In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the profession of engineering and surveying, the following Rules of Professional Conduct are promulgated in accordance with the Code of Laws of South Carolina (1976, as amended), Title 40, Chapter 22, and shall be binding upon every person holding a certificate of registration as a Professional Engineer or Surveyor. Reference to engineer or surveyor in this Article shall mean any engineer, surveyor, corporation, professional corporation, partnership or firm, authorized to offer or perform engineering or surveying services in this State.

B. The Rules of Professional Conduct delineate specific obligations engineers and surveyors must meet. In addition, each engineer and surveyor is charged with the responsibility of adhering to standards of generally accepted ethical and moral conduct in all aspects of the practice of professional engineering and surveying.

C. The Rules of Professional Conduct as promulgated herein are an exercise of the police power vested in the South Carolina State Board of Registration for Professional Engineers and Surveyors by virtue of the acts of the legislature, and as such the South Carolina State Board of Registration for Professional Engineers and Surveyors is authorized to establish conduct, policy and practices in accordance with the powers herein above stated.

D. All engineers and surveyors registered under the Code of Laws of South Carolina (1976, as amended), Title 40, Chapter 22, are charged with having knowledge of the existence of these Rules of Professional Conduct, and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practices of engineering and surveying are privileges, as opposed to rights, and the registrants shall be forthright and candid in their statements or written responses to the Board or its representatives on matters pertaining to professional conduct.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-301. Responsibility to the Public.**

The Engineer or Surveyor shall hold paramount the safety, health, and welfare of the public in the performance of his professional duties.

A. The Engineer or Surveyor shall at all times recognize that his primary obligation is to protect the safety, health, property and welfare of the public and shall conduct his practice to fulfill this obligation.

B. If the judgment of the engineer or surveyor is overruled under circumstances where the safety, health, and welfare of the public are endangered, he shall inform his employer of the possible consequences and notify other proper authority of the situation, as may be appropriate.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 33, Issue No. 4, eff June 26, 2009.

#### **49-302. Competency for Assignments.**

The Engineer or Surveyor shall perform his services only in the areas of his competence.

A. The Engineer or Surveyor shall undertake to perform engineering or surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or surveying involved.

B. The Engineer or Surveyor may accept an assignment requiring education or experience outside of his own field of competence, but only to the extent that his services are restricted to those phases of the project in which he is qualified. All other phases of such projects shall be performed by qualified associates, consultants, or employees.

C. The Engineer or Surveyor shall not affix his signature and seal to any engineering or surveying plan or document dealing with subject matter to which he lacks competence by virtue of education or experience, nor to any such plan or document not prepared under his direct supervisory control.

D. In the event a question arises as to the competence of an Engineer or Surveyor to perform an engineering or surveying assignment in a specific technical field of engineering or surveying which cannot be otherwise resolved to the Board's satisfaction, the Board, either upon request of the Engineer or Surveyor or by its own volition, may require him to submit to an appropriate examination as determined by the Board.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-303. Public Statements.**

The Engineer or Surveyor shall issue public statements only in an objective and truthful manner.

A. The Engineer or Surveyor shall be completely objective and truthful in all professional reports, statements, or testimony. He shall include all relevant and pertinent information in such reports, statements, or testimony.

B. The Engineer or Surveyor when serving as an expert or technical witness before any court, commission, or other tribunal shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his testimony.

C. The Engineer or Surveyor will issue no statements, criticisms or arguments on engineering or surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless he has prefaced his comment by explicitly identifying himself, by disclosing the identities of the party or parties on whose behalf he is speaking, and by revealing the existence of any interest he may have in the matters.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-304. Conflicts of Interest.**

The Engineer or Surveyor shall avoid conflicts of interest.

A. The Engineer or Surveyor shall conscientiously strive to avoid conflicts of interest with employer or client, but when unavoidable, the Engineer or Surveyor shall forthwith disclose the circumstances to his employer or client. In addition the Engineer or Surveyor shall avoid all known conflicts of interest with his employer or client and shall promptly inform his employer or client of any business association, interests, or circumstances which could influence his judgment or the quality of his service.

B. The Engineer or Surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to, by all interested parties.

C. The Engineer or Surveyor shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their projects.

D. The Engineer or Surveyor shall not solicit or accept gratuities, directly or indirectly from contractors, their agents, or other parties dealing with his client or employer in connection with work for which he is responsible.

E. When in public service as a member, advisor, or employee of a governmental body or department, the Engineer or Surveyor shall not participate in considerations or actions with respect to services provided by him or his organization in private engineering or surveying practices.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

### **49-305. Solicitation of Work.**

The Engineer or Surveyor shall solicit and accept work only on the basis of his qualifications.

A. The Engineer or Surveyor shall not offer to pay, either directly or indirectly, any commission, political contribution, or a gift, or other consideration in order to secure work. It is not a violation of law to seek or secure salaried positions through employment agencies.

B. The Engineer or Surveyor shall not falsify or permit misrepresentation of his, or his associates' academic or professional qualifications. He shall not misrepresent or exaggerate his degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations pertaining to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint-venturers, or his or their past accomplishments with the intent and purpose of enhancing his qualifications and his work.

C. The Engineer or Surveyor shall not review the work of another engineer or surveyor for the same client, except with the knowledge of such engineer or surveyor, or unless the connection of such engineer or surveyor with the work has been terminated.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

### **49-306. Improper Conduct.**

The Engineer or Surveyor shall conduct his work with honesty and integrity.

A. The Engineer and Surveyor shall not knowingly associate with or permit the use of his name or organization's name in a business venture by any person or organization which he knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

B. If the Engineer or Surveyor has knowledge or reason to believe that another person or organization may be in violation of any of these provisions or of the Code of Laws of South Carolina (1976, as amended), Title 40, Chapter 22, he shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

C. Engineering and surveying registrants shall recognize and honor practice restrictions placed upon them by their designated license category or practice tier.

**HISTORY:** Added by State Register Volume 16, Issue No. 4, eff April 24, 1992. Amended by State Register Volume 18, Issue No. 5, eff May 27, 1994; State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **ARTICLE 4**

### **STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA**

### **49-400. Purpose.**

A. These regulations are intended to establish minimum standards for the practice of surveying in South Carolina.

(1) The standards set forth are to promote uniform requirements for and accurate surveys by surveyors practicing in South Carolina.

(2) The established guidelines will assist a surveyor in meeting the needs of his clients so that surveyed properties henceforth can be readily located, mapped and described in a definitive and easily understood manner.

B. These regulations are also intended to provide guidelines that will assist property owners and others who deal with real property such as those in the legal, banking, and real estate professions.

(1) The manual should be of value to property owners in South Carolina when engaging the services of qualified surveyors to establish corners, boundaries and maps of their respective properties.

(2) The manual should assist the Clerks of Court in the various counties of South Carolina in receiving and accepting for recordation maps that are in compliance with appropriate standards and statutory requirements.

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.**

#### **49–410. Compliance.**

A. All Surveyors shall comply with these regulations governing minimum standards for the practice of surveying in South Carolina.

B. A surveyor who practices surveying in South Carolina in violation of the minimum standards contained in this manual, on complaint in writing, sworn to by the complainant and submitted to the Board of Registration for Professional Engineers and Surveyors, shall be notified of the complaint and afforded an opportunity to be heard before the Board.

C. The repeated failure to adhere to minimum standards for surveying as contained in this manual may be considered as prima facie evidence of misconduct in the practice of surveying on the part of a Surveyor.

D. The Board will investigate information from Clerks of Court, clients, individuals, and land owners if in the Board's opinion a surveyor appears to have performed surveying which is not in compliance with this manual. When a surveyor obligates himself and contracts to survey real property in South Carolina by virtue of his registration and the license granted him by this State, he accepts the responsibility to comply with minimum standards prescribed by this manual.

E. The Board shall provide for each Surveyor and for each Clerk of Court in this State a copy of the Standards of Practice Manual for Surveying in South Carolina. Copies will be made available, upon request, for other State officials and the general public.

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.**

#### **49–420. General.**

A. For the purpose of these regulations, the following terms or words are defined as meaning:

(1) The term "Board" shall mean the South Carolina State Board of Registration for Professional Engineers and Surveyors.

(2) The term "manual" shall mean the Standards of Practice Manual for Surveying in South Carolina.

(3) The term "minimum standards" shall mean the standards of practice for surveying in South Carolina.

(4) The term "surveyor" shall mean a surveying practitioner duly registered by the Board for the practice of surveying in the State of South Carolina.

(5) The terms "Clerk of Court", "Register of Deeds" and "Register of Mesne Conveyance" shall refer to the office in the county having responsibility for recording plats, maps and deeds.

(6) The term "seal" shall mean the raised embossed seal of the Surveyor.

(7) The term "accurate" shall mean that degree of accuracy consistent with the standards and tolerances specified in this manual.

B. The proper execution of surveying, platting and mapping procedures and all other details of a survey are the direct responsibility of the Surveyor whose raised embossed seal and original personal signature shall appear on the plat or map to be prepared. The fact that a plat or map is approved by a planning department or accepted by Clerk of Court for recordation in no way relieves the surveyor whose seal appears upon the drawing of the full responsibility to make certain that the plat or map meets the requirements of these standards.

C. The original plat or map shall remain for a period of time required by the statute of repose in the possession of the surveyor whose seal appears thereon. It should, therefore, be professionally and

accurately prepared as a permanent record and after prints or copies have been made for recordation or other purposes the original plat should be carefully preserved by the surveyor or his firm along with the surveyor's original field notes, calculations, and work sheets for, at a minimum, the length of time the statute of repose applies. Such material, in original form, is to be made available when required either by the Board or by the courts.

D. The words "course" and "bearing" are used interchangeably in this manual.

E. Where survey requirements are more stringent than those set forth herein, the surveyor shall comply with those standards as mandated by federal, state, or local governmental requirements.

F. Surveys which are performed for a specific stated purpose other than boundary surveys as defined herein shall be permitted where unusual conditions make it impractical or impossible to perform the survey to the standards set forth herein, provided the purpose and conditions shall be clearly stated on the survey drawing. This section is not to be used in any way to circumvent the standards in this manual on a survey which can be performed to these standards.

G. Additions and/or deletions to survey drawings by other than the signing party or parties are prohibited without written consent of the original signing party or parties.

H. The surveyor shall comply with the minimum survey classifications noted herein but has the option to negotiate with each client an agreement for a higher classification.

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.**

## **49–430. Nomenclature.**

A. In surveying work, it is acceptable to employ abbreviations and symbols. When use of such abbreviations and symbols are necessary, the following are acceptable and may be employed in land surveying work in South Carolina:

- (1) Acres: AC
- (2) Acrylonitrile Butadiene ABS
- (3) Angle: Ang
- (4) Avenue: AV
- (5) Azimuth: Az
- (6) Bench Mark: BM
- (7) Catch Basin: CB
- (8) Calculated Course(s): CC
- (9) Calculated Distance: CD
- (10) Corrugated Metal Pipe: CMP
- (11) Crimp /Clip/Pinch Top: CT
- (12) Curb Face: CF or FOC
- (13) Curb Inlet: CI
- (14) Curb and Gutter: CG
- (15) Chord: CH
- (16) Center Line: CL or C/L or CL
- (17) Concrete Monument: Con. Mon.
- (18) Continuously Operating Reference Station: CORS
- (19) Degree of Curve: D
- (20) Deed Book: DB
- (21) Deflection Angle: Defl Ang
- (22) Departure: Dep
- (23) Ductile Iron Pipe: DIP
- (24) Drop Inlet: DI
- (25) Drill Hole: DH

- (26) Delta Angle : or I
- (27) Double Meridian Distance: DMD
- (28) Easement: ESMT
- (29) East: E
- (30) Error of Closure: EC
- (31) Elevation: EL
- (32) Edge of Pavement: EP
- (33) Foot: Ft.
- (34) Found: Fd. or F
- (35) Global Navigation Satellite System: GNSS
- (36) Global Positioning System: GPS
- (37) Global'naya Navigatsionnaya SputnikovayaSistema: GLONASS
- (38) Gutter: Gut
- (39) Highway: Hwy
- (40) Invert Elevation: I.E. or Inv.
- (41) Iron Pipe, Set: IPS
- (42) Iron Pipe, Found: IPF
- (43) Length of Curve: L or Arc
- (44) Latitude: Lat
- (45) Long Chord: LC
- (46) Mag Nail: MN
- (47) Magnetic course: MC
- (48) Manhole: MH
- (49) Mile: Mi
- (50) Marker: Mk
- (51) Monument: Mon
- (52) Nail and Cap: N & C
- (53) New: N or (N)
- (54) Not To Scale: NTS
- (55) North: N
- (56) North American Datum 1927: NAD 27
- (57) North American Datum 1983: NAD 83
- (58) North American Vertical Datum 1988: NAVD 88
- (59) National Geodetic Survey: NGS
- (60) National Geodetic Vertical Datum 1929: NGVD 29
- (61) Offset: O.S. OR O/S
- (62) Old: O or (O)
- (63) On-line Positioning User Service (NGS): OPUS
- (64) Parts Per Million: PPM
- (65) Perimeter: P
- (66) Pavement: Pave
- (67) PK Nail: PK
- (68) Plat Book: PB
- (69) Point of Beginning: POB

- (70) Point of Curvature: PC
- (71) Point of Compound Curve: PCC
- (72) Point on Curve: POC
- (73) Point of Intersection: P.O.I. or P.I.
- (74) Point of Tangent: POT
- (75) Point of Reverse Curvature: PRC
- (76) Point on Tangency: PT
- (77) Point: Pt
- (78) Polymerized Vinyl Chloride: PVC
- (79) Position Dilution of Position: PDOP
- (80) Private: Pvt
- (81) Property Line: PL
- (82) Radius: R
- (83) Reference Point: RP
- (84) Railroad: RR
- (85) Railroad Spike: RRS
- (86) Reinforced Concrete Pipe: RCP
- (87) Register of Mesne Conveyance: RMC
- (88) Railway: Rwy
- (89) Real Time Kinematic Surveying: RTK
- (90) Real Time Network: RTN
- (91) Rebar: RB
- (92) Register of Deeds: ROD
- (93) Right of way: R/W
- (94) Satellite Receiver for RTK or VRS Surveying: Rover
- (95) Satellite Receiver Base Station: Base
- (96) South: S
- (97) SC State Plane Coordinate-South Zone NAD 27: SC SPCS 27
- (98) SC State Plane Coordinate NAD 83: SC SPC 83
- (99) South Carolina Geodetic Survey: SCGS
- (100) Square: Sq
- (101) Square Feet: SF or FT<sup>2</sup>
- (102) Street: St
- (103) Station: Sta
- (104) Stake: Stk
- (105) Tangent of Curve: T
- (106) Tack: Tk
- (107) Traverse: Tra
- (108) Track: Trk
- (109) US Bureau of Standards: USBS
- (110) Vertical: Vert
- (111) Vitrified Clay Pipe: VCP
- (112) Virtual Reference Station Network: VRS
- (113) West: W



(114) Wood: Wd

(115) Symbols:

(a) Degree: °

(b) Minute: '

(c) Second: ''

(d) Foot or Feet: 'f

B. The following are acceptable abbreviations for metric measures:

(1) Area: A

(2) Centimeter: CM.

(3) Decimeter: DM.

(4) Hectare: HA.

(5) Kilometer: KM.

(6) Meter: M

(7) Millimeter: MM.

(8) Square Meter: M<sup>2</sup>

C. Definitions: The following definitions and terminology shall be used in land descriptions:

(1) Boundary Line: Any line bounding an area or dividing separate properties; adequately dimensioned and described. Such lines may be straight, irregular, circular, or spiral.

(2) Point of Beginning: A well defined, readily located, and permanent point or monument that is the starting point on a parcel for a metes and bounds description; and also is the final point of such description.

(3) Point of Commencement: A well defined, readily located, and permanent point or monument that is the point to which the Point of Beginning is tied for a permanent reference.

(4) Convey: The act of transferring title or rights to a property.

(5) Grantor: A person or party conveying property or rights to a grantee.

(6) Grantee: A person or party receiving title or rights to property.

(7) Title: A written claim or right which constitutes a just and legal cause of exclusive possession.

(8) Metes and Bounds Description: A description in which the boundary lines start from a given point and is described by listing the direction, distance, and description of corners of the lines forming this boundary; in succession and adjoining owners.

(9) Description by Lot Number: A description which identifies a lot or tract of land by reference to a previously surveyed subdivision plat together with other pertinent information.

(10) Recorded: Placed on record in the office of the Clerk of Court, Register of Deeds or Register of Mesne Conveyance for the county in which all or part of the land lies.

(11) Coordinate Description: A description of lands in which the angle points or other points in the boundary are each referred to by grid coordinates on the South Carolina State Plane Coordinate System (current Datum) or similar coordinate system.

(12) Grid Coordinates: Distances measured at right angles to each other in a rectangular system having two base lines at right angles to each other.

(13) Survey: The orderly process of determining data relating to the physical characteristics of the earth, which may be further defined according to the type of data obtained, the methods and instruments used, and the purpose(s) to be served.

(14) Boundary Survey: A survey, the primary purpose of which may include, but is not limited to, the determining of the perimeters of a parcel or tract of land by establishing or reestablishing corners, monuments, and boundary lines for the purpose of describing, or platting or dividing the parcel.

(15) Closing/Loan or Mortgage Survey: A boundary survey of a parcel or lot which includes all improvements obvious and apparent found on the property, to be used in the preparation of a mortgage, loan or deed document.

(16) Topographical Survey: A survey of the natural and selected man-made features of a part of the earth's surface by remote sensing and/or ground measurements to determine horizontal and vertical spatial relations.

(17) Compiled Map: A map drawn from previously recorded or unrecorded documents, photographic material or tax maps which represent the general configuration of the parcel where partial or no actual surveying has been performed by the land surveyor preparing the map.

(18) Right of Way Survey: A Survey of any strip or area of land, including surface, overhead, or underground, granted fee simple for a designated use, such as for drainage and irrigation canals and ditches; electric power, telegraph, and telephone lines: gas, oil, water, and other pipe lines; highways, and other roadways, or other similar uses.

(19) Geodetic Survey: A survey of areas and points affected by and taking into account the curvature of the earth using a nationally defined horizontal and vertical datum. Geodetic surveys may be performed with terrestrial or satellite surveying technology but must be connected to the coordinate realization of the North American Datum 1983 or other recognized datum. All geodetic surveys, both vertical and horizontal, in the State of South Carolina shall conform to the Federal Geographic Data Committee's Geospatial Positioning Accuracy Standards, Part 2: Standards for Geodetic Networks in their most current publication. Geodetic surveys shall be performed by a surveyor licensed by this board.

(20) Geodetic Datum: The recognized horizontal and vertical datum for South Carolina shall be North American Datum 1983 (NAD83) and North American Vertical Datum 1988 (NAVD88) respectively, or later accepted datum if applicable. The National Geodetic Survey no longer publishes relative accuracies such as first, second or third order. Instead, accuracies are now published as relative network positional accuracy stated at the 95% confidence level. These positional accuracies are in complete agreement with the Federal Geographic Data Committee.

(21) State Plane Coordinate System: The official coordinate system for surveying purposes in South Carolina is the South Carolina State Plane Coordinate System, single zone Lambert Polyconic Projection designated by the National Geodetic Survey as Zone 3900. For the purpose of the South Carolina State Plane Coordinate System, the foot is the International Foot with one inch being exactly 2.54 centimeters. To convert metric coordinates to the international feet multiply by 3.280839895.

(22) Hydrographic Survey: A survey having for its principal purpose the determination of data relating to bodies of water, and which may consist of the determination of one or several of the following classes of data; depth of water and configuration of bottom; directions and force of current; heights and times and water stages; and location of fixed objects for survey and navigation purposes.

(23) Wetlands Survey: A survey showing the boundaries of an area delineated as "jurisdictional waters of the U.S." Wetland Boundaries shall be tied by course and distance to either 1) property corners that are properly monumented, or 2) project boundaries that have been properly monumented, or 3) State Plane Coordinates. This shall be done in a manner that permits future surveyors to readily retrace the wetland boundary. The error of closure of such ties must be consistent with the land use classification of the parcel being surveyed as described in section 49-440 Classification of Surveys. Data collection and platting of these types of wetland boundaries must be performed by or under the direct supervision of a surveyor. A surveyor may not accept wetlands survey data from non-licensed individuals who are not under their direct supervision for the purpose of recording the information on survey plats. If equipment other than survey grade accuracy equipment is used on the survey, a statement indicating the equipment and procedures used for the work must be clearly stated on the plat.

(24) Corner: A point on a land boundary.

(25) Monument: A shaft of ferrous metal, concrete, stone or concrete and metal; placed to designate a fixed point; placed near vertically in the earth; designed for maximum permanency, placed by a land surveyor to mark corners.

(26) Witness Monument: Any monument that does not occupy the same defined position as the corner itself, but whose relationship to the corner is established.

(27) Reference Point: Any defined position that is or can be established in relation to another defined position.

(28) Benchmark: A relatively permanent material object, natural or artificial, bearing a marked point whose elevation above or below a referenced datum is known.

(29) Plat: A diagram drawn to scale showing all essential data pertaining to the boundaries and subdivisions of a tract of land, as determined by a survey and must be signed and sealed by the surveyor.

(30) Map: A representation on a plane surface, at an established scale, of the physical features of a part of the earth's surface, shown by the use of, but not limited to lines, arcs, signs, alpha numeric characters and symbols.

(31) Map of Survey, Plat of Survey, Survey for or other Similar Titles: Any drawing of a parcel or tract of real property used for the purpose of depicting the results of a field survey. Each survey drawing shall state the type of survey it depicts as defined in this manual.

(32) Global Navigation Satellite System (GNSS): Any satellite system which can be used to determine a precise location on the surface of the Earth. The US system is known as NAVSTAR Global Positioning System (GPS). The Russian system is known as the Global'naya Navigatsionnaya Sputnikovaya Sistema or GLONASS. The European Space Agency system is known as GALILEO.

(33) Position Dilution of Precision (PDOP): A numerical measure of the predicted accuracy of a geodetic position determined from GNSS satellites. The term represents the goodness of the geometry of the satellites with respect to the receiver location. A PDOP of 3 or less will generally insure accuracy of the highest survey quality. A PDOP of 5 or less is generally acceptable for most surveying and mapping projects where the distance between Rover and the nearest Base station is less than 10KM.

(34) Multipath: Multipath is an erroneous GNSS distance measurement between a GNSS satellite and either the Rover or Base. The multipath signal results from the receiver using a signal that has been reflected off a structure or water surface on its way to the receiver. The resulting measurement of distance from the satellite to the receiver is longer.

(35) Base Station: The name given to a GNSS receiver located over a known point or geodetic control monument.

(36) Rover: The name given to a GNSS receiver located over an unknown survey point whose coordinates are to be determined or checked against known geodetic control.

(37) Static GNSS Survey: A geodetic survey that uses multiple survey grade satellite receivers each collecting the same satellite data simultaneously. At least one satellite receiver must be on a known geodetic control station. The data are post-processed to yield three dimensional vectors between the known and unknown control stations. Static vectors solutions yield a "no check" solution and therefore by themselves do not meet minimum standards without additional independent checks. An expected relative accuracy of 0.07 foot plus 1:50,000 of the distance separating the Base and Rover can be obtained dependent on the length of time of simultaneous observations, the quality of the receivers, multipath and PDOP of less than 5.

(38) Static GNSS Positioning of Property Corners: If GNSS STATIC survey techniques are used to establish SC State Plane Coordinates on property corners, the corners shall be positioned from the nearest two (2) first or second order horizontal control monuments in the National Geodetic Survey (NGS) data base. Property corners shall be positioned to a horizontal accuracy of at least 0.07' + "1/20,000 or 0.2 feet (whichever is smaller) with relation to the nearest NGS horizontal control monument.

(39) Real Time Kinematic (RTK) GNSS Survey: A geodetic survey that uses multiple survey grade satellite receivers each collecting the same satellite data simultaneously. At least one Base receiver must be on a known geodetic control station and is capable of transmitting satellite data in real time to other Rover receivers. The data are processed by the Rovers in real time to yield three dimensional vectors between the Base and Rover stations. RTK vectors solutions yield a "no check" solution and therefore by themselves do not meet minimum standards without additional indepen-

dent checks. RTK surveys require a site calibration to the NAD83 and NAVD88 in the vicinity of the survey. An expected relative accuracy of 0.05 foot plus 1 PPM of the distance separating the Base and Rover can be obtained dependent on the length of time of RTK observations, the quality of the receivers, PDOP of less than 3, a minimum of 5 GPS satellites, multipath and quality of the site calibration.

(40) VRS GNSS Survey: A geodetic survey that uses multiple dual frequency survey grade satellite receivers each collecting the same satellite data simultaneously. Base stations are operated by the SCGS and data are streamed to the Rovers via the Internet and processed in real time to yield three dimensional vectors between the Base Stations and Rovers. VRS vectors solutions yield a “network check” solution and therefore will meet minimum standards without additional independent checks. VRS surveys require an “independent check” by occupying a known geodetic control point in the National datum in the vicinity of the survey to verify the proper operation of the Rover. An expected relative accuracy of 0.05 foot can be obtained dependent on the length of time of VRS observations, the quality of the receivers, PDOP of less than 3, a minimum of 5 GPS satellites and minimal multipath.

(41) Classification of Geodetic Surveys (Performed using GNSS Technology)

Type	Relative Accuracy (95%)	Max PDOP	Min # of Satellites	Site Calibration
Static	GNSS 0.07' + 1:50,000	5	4	N
Property Corner	Positions 0.07' + 1:20,000	5	4	N
RTK GNSS	0.07' + 1PPM dist from Base	3	5	Y
VRS GNSS	0.07'	3	5	N

All the above Geodetic Surveys will achieve the required minimum accuracy for Land Surveys

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.**

## 49–440. Classification of Surveys.

A. The accuracy of the measurements for a survey shall be based upon the character of the land, the type of survey and the current use of the land. Unadjusted Ratio of Precision permissible shall be no less than the errors of closure prescribed below. In lieu of an Unadjusted Ratio of Precision, a Relative Positional Accuracy may be used. Relative Positional Accuracy may be tested by: (1) comparing the relative location of points in a survey as measured by an independent survey of higher accuracy or (2) the results of a minimally constrained, correctly weighted least square adjustment of the survey.

B. On the basis of the size and character of the land, boundary surveys for conveying, platting, mapping, or describing property shall be classified as follows:

(1)(Class A) Urban Land Surveys: Urban surveys include land properties which lie within or adjoin city or town limits, or other high valued properties. These lands usually justify higher surveying accuracy. Bearings shall be shown in degrees, minutes and seconds and distances shall be shown to hundredths of a foot.

(2)(Class B) Suburban Land Surveys: Suburban surveys include properties surrounding the urban area of a town or city. The land represented by these surveys is often valuable, but more important it is land whose value is by definition rapidly increasing. Bearings shall be shown in degrees, minutes and seconds and distances shall be shown to hundredths of a foot.

(3)(Class C) Rural Land Surveys: Rural surveys include properties located outside suburban properties. Bearings shall be shown in degrees and minutes or less and distances shall be shown to hundredths of a foot.

(4)(Class D) Farm and Timber Land Surveys: Timber surveys include properties located throughout the State and represent land which may be cultivated; may provide space for farm houses and buildings; or may be employed as timber land. Bearings shall be shown in degrees and minutes or less and distances to the nearest tenth of a foot or less.

(5)(Class E) Vertical Control Surveys: Surveys involving vertical control (leveling) for land areas where a common datum is necessary shall be classified on the basis of accuracy.

(a) Urban Control: Control loops employed for commercial, industrial, or urban land surveys shall be executed with a precision or error of closure not to exceed in feet  $0.04\sqrt{m}$  ( $m$  = number of miles in the level circuit) i.e.  $0.04\sqrt{m}$  ( $m$  = number of miles in the level circuit)

(b) Other: Other leveling surveys shall be conducted with a precision or error of closure not to exceed in feet  $0.10$  times the square root of the number of miles of the level circuit. i.e.  $0.10\sqrt{m}$  ( $m$  = number of miles in the level circuit). The VRS will achieve this accuracy when using when using a dual frequency GNSS receiver, PDOP less than 3 in the absence of multipath.

#### C. Table of Classifications:

Classification	A Urban Surveys	B Surburban Surveys	C Rural Surveys	D Farm & Timber Surveys
Unadjusted Linear Closure				
Closure (Minimum)	1:10000	1:7500	1:5000	1:3000
Angular Closure (Maximum)	$15''\sqrt{N}$	$20''\sqrt{N}$	$30''\sqrt{N}$	$50''\sqrt{N}$
Location of Improvements, Structures, Paving, Etc.: (Tie Measurement)	$\pm 0.1'$	$\pm 0.2'$	$\pm 1.0'$	$\pm 2.0'$

$N$  = Number of Points in Traverse

As an option:

Relative Positional Accuracy

$0.07' + 50 \text{ PPM}$  or  $0.07' + 1/20,000 * \text{Perimeter}$  (95% confidence level).

The VRS can achieve of a Relative Positional Accuracy of  $0.07'$  with a 95% confidence level and therefore can be used for all Classifications

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.**

### 49–450. Plats and Platting.

A. A plat, as defined by this manual, is an accurate graphical representation, neatly lettered and properly dimensioned, report of a survey made by a Surveyor of a finite piece of real property, including pertinent data and appropriate information.

B. A survey requiring a plat should be accurately presented and should reveal all of the pertinent information developed by the survey.

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.**

### 49–460. Survey Types and Requirements.

A. General Property Surveys: The following general requirements apply to all survey types included in this manual, other than GIS Surveys and Photogrammetric Surveys (see section 49-450-D and section 49-450-E of these standards for the general requirements of these surveys).

(1) The size of the plat should conform to the requirements of the Clerk of Court, Register of Deeds or the Register of Mesne Conveyance of the county in which the plat is to be recorded with minimum size to be eight and one-half inches by eleven inches.

(2) A plat shall be a print or tracing, signed and sealed with the surveyor's impression seal.

(3) All survey plats shall have a title and contain the following information:

(a) The embossed seal and the signature of the Surveyor responsible for the full conduct of the survey;

(b) A location map and/or adequate descriptive location of the property surveyed;

(c) The state, county and/or city in which the property is located;

(d) The name of the owner, company or agent of the property who requested the survey document;

(e) The date the field survey was completed;

(f) A graphic scale;

(g) A numerical scale;

(h) The name, registration number, address and phone number of the land surveyor.

(i) A certification executed by the Surveyor which will contain a statement of the class of the survey performed as follows:

“I hereby state that to the best of my professional knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class — survey as specified therein.”

(j) The area of the parcel of tract surveyed will be shown consistent with the class of survey or at least to the nearest one-hundredth (0.01) of an acre.

(k) At least one corner of the property surveyed shall be referenced so as to form a tie-line which can be used to help establish or verify the correct location of the property.

(l) The distances to the nearest intersections of a street or right-of-way shall be shown on the survey document.

(m) The North arrow shall be shown and shall be correlated accurately with the courses so that it is accurately positioned and designated as astronomic, grid or magnetic.

(n) All property lines shall be defined by bearings and horizontal distances and plotted to the scale indicated on the plat.

(o) Bearings and distances shall be shown consistent with the class of the survey.

(p) The Land Surveyor shall retrace the boundaries of the property being surveyed and set or reset monuments or corners consistent with the class of survey and accepted practices of boundary retracement. All monuments found or placed must be described in detail on the survey plat or drawing, with data given to show their location upon the ground in relation to the boundary lines. When a property corner is inaccessible and cannot be set, a witness or reference monument shall be placed on the boundary line and the offset distance noted on the survey document, plat or drawing. Control corners, monuments or property corners, on adjoining properties, used in the establishment or verification of property corners, shall be identified, located and defined, by course and distance, to an accuracy consistent with the class of survey.

(q) All new or re-established corners shall be:

1. Metal, concrete, or other durable material and detectable with conventional instruments for finding ferrous or magnetic objects;

2. No less than 1/2 inch in diameter for metal corners and 4 inches in diameter for concrete;

3. No less than 24 inches in length;

4. If the corner location falls on pavement, concrete, or other material where one of the above cannot be placed, it is permissible to use nails, spikes, scribes, etc. in or on the surface;

5. In place prior to the signing, sealing and issuance of the plat.

(r) Where a boundary is formed by a curved line, the curve will be defined by curve data to include the radius, delta arc length and the long chord, by course and distance. The curve may also be defined as a traverse of chords around curve. Chord shall be defined by course and distance.

(s) All visible items across the property line shall be indicated with their extent shown or noted on the survey plat/map. The use of the words projection or encroachment shall be at the discretion of the surveyor.

(t) Visible indications of easements and rights-of-way on the site (i.e. power lines, etc.), obvious and apparent at the time of the survey or known to the surveyor, shall be shown and shall include their widths, if known.

(u) Cemeteries and burial ground located within the premises surveyed shall be located and shown upon the drawing, plat or map if obvious and apparent observed by the surveyor at the time of the survey, or if knowledge of their existence and location is furnished to the land surveyor prior to or during the performance of the survey.

(v) Lot and block numbers and/or the full names of adjoining land owners, and the names and/or numbers of principal highways, roads, streets or railroads, shall be shown, on the plat, with their rights-of-way. The plat book and page number of the subdivision as recorded by the Register of Mesne Conveyance, Register of Deeds or Clerk of Court of the county where the survey document is recorded should be included, if known.

(w) Boundaries formed by water courses shall be located and plotted to scale as shown in the title.

(x) If calculated lines are not shown, traverse lines and/or off-set lines used to close water course boundaries shall be shown, plotted to scale, and defined by course and distance. Note "Creek the line" where applicable.

(y) Maps prepared partially or entirely from reference or source data, such as compiled maps, do not represent land surveys as defined herein, and shall be clearly marked accordingly. Compiled maps must have a prominently displayed statement that the said document does not represent a land survey and is unsuitable for deeding of property or recordation.

(z) Plot plans representing planned locations prepared for city, county, state, federal governmental or other uses may be signed and sealed. A prominent statement shall be placed on the face of the document stating "This plot plan does not represent a land survey, was not prepared for recordation, and is not suitable for deeding of property. No ground survey was performed."

B. Closing/Loan or Mortgage Surveys: In addition to the requirements set forth in Section 49-460 A., General Property Surveys, the following applies to closing/loan or mortgage surveys:

(1) If a survey is all or a portion of a lot which is part of or adjoining a recorded subdivision, lot and block numbers or other designations including those of adjoining lots must be shown on the drawing.

(2) Structures shall be dimensioned to show size and location in relation to the boundary.

(3) Location distances are to be measured perpendicular from the closest side and front lines.

(4) Types of construction should be noted.

(5) Physical features obvious and apparent at the time of the survey to the surveyor such as storm drains, power lines, etc. on the subject property shall be shown and plotted to scale.

(6) Accuracy requirements of residential lots shall be consistent with the class of survey or a maximum closure of 0.05 foot, whichever is less restrictive.

(7) A certification shall be executed by the Surveyor as follows:

"I hereby state that to the best of my professional knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class — survey as specified therein; also there are no visible encroachments or projections other than shown."

C. Topographical Surveys: The following applies to topographical surveys:

(1) Structures shall be shown in relation to the boundary.

(2) Physical features obvious and apparent at the time of the survey to the surveyor such as storm drains, sanitary sewers, power lines, gas lines and water lines on the subject property shall be shown and plotted to scale.

(3) Elevations may be shown as spot elevations and/or contours.

(4) Contour intervals shall be noted.

(5) The vertical and horizontal error of contour lines and physical features shown shall not exceed one-half the contour interval.

(6) An on-site temporary bench mark shall be established with reference to datum, preferably NGVD and plotted to scale as shown on the title.

(7) The following items from Section 49–460 A. (3) shall be used when a general property survey is not made in conjunction with the topographic survey: a through h, l through n, and t through w.

(8) Where the property boundaries are not surveyed, the source from which the boundary data was taken must be clearly noted thereon.

(9) A certification shall be executed by the Land Surveyor which will contain a statement as follows:

“I hereby state that to the best of my professional knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements as specified therein.”

D. Geographic Information System Surveys: The following applies to Geographic Information System Surveys.

(1) Purpose: The purpose of these standards is to provide the Surveyor with a guideline for surveys that provide the location of infrastructure information used in a geographic information system (GIS). The primary objective of this standard is to insure that surveyed information in a GIS is reliable and can be used to make definitive decisions. These standards are not to be used in place of professional judgment.

(2) The Survey: Geographic information system (GIS) surveys are defined as the measurement of existing surface and subsurface features for the purpose of determining their accurate geospatial location for inclusion in a GIS database. All GIS surveys as they relate to property lines, rights-of-way, easements, subdivisions of land, the position for any survey monument or reference point, the determination of the configuration or contour of the earth's surface or the position of fixed objects thereon, and geodetic surveying which includes surveying for determination of the size and shape of the earth both horizontally and vertically and the precise positioning of points on the earth utilizing angular and linear measurements through spatially oriented spherical geometry, shall be performed by a Surveyor who is a licensee of this Board.

The Surveyor shall select the proper equipment and methods necessary to achieve at least the Minimum Horizontal and Vertical Accuracy required in Sections 5a and 5b of these standards. The survey work will be executed in a professional manner by the Surveyor or by personnel under the direct personal supervision of the Surveyor. In the event that more stringent survey requirements are required for a given project than what is provided for herein, the more stringent requirements shall be followed.

(3) Coordinate values: Coordinate values should be in the South Carolina State Plane Coordinate System or Geographic Positions based on the National Coordinate System. Horizontal coordinate values should be in the North American Datum of 1983 (NAD 83) 2007 or the most current datum published by the National Geodetic Survey (NGS). Vertical coordinate values should be in the North American Vertical Datum of 1988 (NAVD 88) or the most current datum published by the National Geodetic Survey (NGS). If coordinates are not referenced to the National Coordinate System, identify the local coordinate system used and its relationship to the National Coordinate System. Coordinates shall be given in either metric or English units. The English unit in South Carolina is the international foot.

(4) Results: The results of the survey shall be transmitted to the client in the form of a drawing in a digital format. The following information shall be included in the drawing or in the Federal Geographic Data Committee (FGDC) Metadata and certified to by the Professional Surveyor in responsible charge;

(a) The accuracy classification to which the data was gathered.

(b) The methods and procedures used to obtain the data, including but not limited to: equipment, (i.e. global positioning system, theodolite and electronic distance meter, transit and tape), documentation of positional inaccuracies, control points, bench marks, and PDOP levels for GPS surveys.

(c) Date of the survey work.

(d) Datum used for the survey.

(5) Accuracy - General: The minimum positional accuracy of the survey data is a Geospatial Positional Accuracy that is relative to the mapping scale, and therefore it is the accuracy of the base



map on which the GIS is based. The reporting methodology shall be in accordance with the Federal Geographic Data Committee, Geospatial Positioning Accuracy Standards, Part 1 Reporting Methodology. The Geospatial Position Accuracy shall be reported by positional accuracy as defined in two components: horizontal and vertical. Horizontal Positional Accuracy is the radius of the circle of uncertainty, such that the true or theoretical location of the point falls within that circle 95-percent of the time. Horizontal Accuracy may be tested by comparing the planimetric coordinates of surveyed ground points with the coordinates of the same points from an independent source of higher order. Vertical Positional Accuracy is a linear uncertainty value, such that the true or theoretical location of the point falls within  $\pm$  of that linear uncertainty value 95-percent of the time. Vertical Accuracy may be tested by comparing the elevation of surveyed ground points with the elevations of the same point determined from a source of higher accuracy.

(a) Horizontal Accuracy: The horizontal accuracy is based upon the American Society of Photogrammetry and Remote Sensing (ASPRS) Standard for Class 2 and reported in agreement with the National Standard for Spatial Data Accuracy. The NSSDA Horizontal Positional Accuracy Statistic at the 95% confidence level is determined by multiplying the Root Mean Square Error (RMSE) of the data set by 1.7308.

#### Acceptable

Base Mapping Scale of LIS/GIS	Positional Accuracy Statistic of Survey Data
1"= 20 ft.	0.7 feet
1"= 50 ft.	1.7 feet
1"= 100 ft.	3.5 feet
1"= 200 ft.	6.9 feet
1"= 400 ft.	13.8 feet
1"= 500 ft.	17.3 feet
1"= 1000 ft.	34.6 feet
1"= 2000 ft.	69.2 feet

(b) Vertical Accuracy: The vertical accuracy is based upon the ASPRS Standard for Class 1 and reported in agreement with the National Standard for Spatial Data Accuracy. The NSSDA Vertical Positional Accuracy Statistic at the 95% confidence level is determined by multiplying the Root Mean Square Error (RMSE) of the data set by 1.9600.

#### Acceptable

Base Mapping Contour Interval	Positional Accuracy Statistic of Survey Data
1 foot	0.7 feet
2 feet	1.3 feet
5 feet	3.2 feet
10 feet	6.5 feet
15 feet	9.7 feet

(6) Certification: A certification shall be executed by the Surveyor which will contain a statement of the class of survey performed as follows:

"I hereby state that to the best of my professional knowledge, information, and belief, the GIS survey shown herein was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements as specified therein."

#### E. Photogrammetric (Airborne and Spaceborne) Surveys:

(1) Airborne and spaceborne surveys are defined as the use of photogrammetry, LIDAR, IFSAR, or other similar measurement technologies for obtaining reliable information about physical objects and the environment, including terrain surface, through the process of recording, measuring, and interpreting images and patterns of electromagnetic radiant energy and other phenomena. This Rule establishes minimum allowable photogrammetric production procedures and standards for photogrammetric mapping and digital data production.

(2) Production procedures for topographic and planimetric mapping surveys shall be in accordance with the standards established by Chapter 3 of the Federal Geographic Data Committee

(FGDC) Geospatial Positioning Accuracy Standard and applicable extensions and revisions. These standards are incorporated by reference including subsequent amendments and editions.

(3) Topographic or planimetric maps, orthophotos, or related electronic data, unless clearly marked as "Preliminary Map," shall meet contractually specified FGDC Standards for horizontal and vertical accuracies (in the absence of specified standards, the National Map Accuracy Standards apply) and shall be sealed, signed and dated by the licensee.

(4) When the issued product is a digital (electronic) data set, or a map or document consisting of more than one sheet or otherwise cannot be signed and sealed, a project report shall be certified, signed and sealed. Such report shall be clearly marked "Preliminary" if applicable.

(5) Ground control for topographic and planimetric mapping projects shall be in South Carolina State Plane Coordinate System grid coordinates, NAD83/2007, and distances in International feet or meters. A minimum of one permanent project vertical control point shall be shown.

(6) A project map or report shall contain the applicable following information:

- (a) Date of original data acquisition;
- (b) Altitude of sensor and sensor focal length, as applicable;
- (c) Date of document or data set compilation;
- (d) If hard copy product is produced, the maps shall contain a north arrow, map legend, final document scale, including barograph, and contour interval, as applicable;
- (e) Coordinate system for horizontal and vertical denoting SI (System International English units (i.e., NAD83 and NAVD 88, assumed, or other coordinate system);
- (f) A list or note showing the control points used for the project. The minimum data shown for each point shall include: physical attributes (i.e. iron rod, railroad spike, etc), latitude and longitude (or Easting and Northing Grid coordinates), and elevation, as applicable;
- (g) If other data is included, the source and accuracy of those items must be clearly indicated;
- (h) A statement of accuracy complying with contractually specified FGDC standards consistent with Paragraph (c) of this Rule;
- (i) For topographic maps or data sets, contours in areas obscured by man-made or natural features shall be uniquely identified or enclosed by a polygon clearly identifying the obscured area. The accuracies of the contours or of features in this obscured area shall be noted "No reliance is to be placed on the accuracy of these contours";
- (j) A vicinity map depicting the project location shall appear on the first sheet of all hard copy maps or in the report accompanying digital files;
- (k) Company name, address and phone number; and
- (l) The name of the client for whom the project was conducted.

(7) A certificate, substantially in the following form, shall be affixed to all maps or reports:

"I hereby state that to the best of my professional knowledge, information, and belief, that this photogrammetric project was performed in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements as specified therein."

(\*) Documents transmitted electronically shall have the computer-generated seal removed from the original file and a copy of the project report shall be signed, sealed and sent to the client. The electronic data shall have the following inserted in lieu of the signature and date:

"This document originally issued and sealed by (name of sealer), (license number), on (date of sealing). This electronic media shall not be considered a certified document. See the project report for certificate and seal."

F. Right of Way Surveys: Right-of-way surveys are surveys of the boundaries of a strip, area or parcel of land being used for some designated public or private use. When these rights of way are taken in fee simple, the surveys and plats shall be performed in accordance with the requirements of Section 49-460-A "General Property Surveys."

**HISTORY: Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.**

## **49–470. Methods of Marking Property Boundaries.**

- A. Corner Tree: “X” and three (3) chops on the sides where the line enters and leaves the tree.
- B. Corner Witness Tree: One (1) blaze and three (3) chops or three (3) chops facing the corner.
- C. Side Line Tree: Two (2) chops facing the property line.
- D. Property Line Tree or Center Line Tree: One (1) blaze and two (2) chops, at points where the line enters and leaves the tree.
- E. Inaccessible Point: In the event a corner cannot be marked or monumented, one or more witness monuments or metal stakes shall be placed on the boundary line and described by bearings and/or distances so that the inaccessible point may be located accurately on the ground.
- F. Boundary Monument or Witness Monument: It is recommended that every new boundary monument or witness monument be identified with a durable marker or cap bearing the name of the surveying company or the land surveyor in responsible charge of the survey. In the event the location falls on pavement, concrete, or other material where it cannot be marked with a cap, it is permissible to use spikes or scribes in or on the surface.

**HISTORY:** Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **49–480. Land Descriptions.**

A. Land Description: A land description is the detailed statement of appropriate information necessary to locate, relocate, or define the boundaries of a certain area or tract of land.

(1) A land description can be part of a land survey and can be used in connection with the preparation of deeds or similar documents.

(2) It is the surveyor's responsibility to make certain that the surveyor's description is complete and proper. The fact that some element or object which should be described is not included in the above does not justify the surveyor's omitting it from the description.

B. Preparing a Description: In a land survey the land description may be prepared by the surveyor. The writing of a deed is the practice of Law and is not the practice of surveying. In a description the full name, address and signature of the surveyor, his registration number and seal, the date the land description was prepared, and the date of survey from which the information was procured, or the book and page number of the recorded map or deed, if it is used in preparing the description, shall appear as part of the document.

C. Types of Land Descriptions and Their Content: In describing a lot located in a subdivision by number; the plat or map must be referenced with the name of the subdivision, the surveyor's name, the date, the township and the general location of the property. In addition, the book and page number in which the particular lot is recorded shall be included.

D. Metes and Bounds Description: A metes and bounds description shall include the general location of the tract or lot with sufficient accuracy such that the tract can be readily located on the ground. This is commonly known as a “being clause” and it should also include the source of title of the tract or lot. The point of beginning must be selected such that it can be readily and accurately located from some previously established monument or corner of record and can be readily described. The description shall include the names of adjoining property owners on all lines and at all points. The monument or marker at each corner shall be described. A metes and bounds description shall describe all courses in logical sequence around a tract or lot in a clockwise direction such that the ending point is the beginning point. All lines adjacent to streets, roads, or other rights-of-way shall be referenced to these and all pertinent distances and curve data shall be listed in addition to the parcel's area.

**HISTORY:** Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **49–490. Instruments and Apparatus.**

A. Surveyor's Instruments: Surveying in South Carolina shall be conducted in the field with properly calibrated equipment appropriate for the tolerance of work being performed. The equipment shall be tested at regular intervals and adjusted to maintain its optimum accuracy.

B. Tapes: All tapes shall be of alloy or carbon steel and shall be certified as USBS quality with a known coefficient of temperature and tension corrections, and graduated in feet and decimal parts of a foot or calibrated to another tape or means that has been certified by the USBS or NGS.

C. Baselines: Baselines have been established by NGS throughout the state for the purpose of calibrating electronic distance measuring devices. Some of these baselines have 100' monuments to calibrate tapes. Surveyors shall utilize these baselines to insure calibration of their electronic measuring equipment and tapes. Calibration records for each instrument and tapes shall be maintained by the Surveyor and shall be made available when required by the Board or the courts.

**HISTORY:** Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

## **ARTICLE 6**

### **CONTINUING PROFESSIONAL COMPETENCY**

#### **49-600. Purpose.**

A. Professionals licensed to practice engineering, surveying, or engineering and surveying in South Carolina are required to demonstrate a continuing development of professional competency.

B. Each licensee shall meet the continuing professional competency requirements of these regulations as a condition for biennial registration renewal of license. Engineers and Surveyors continuously licensed by this Board prior to January 1, 1969 will be exempt from continuing education requirements.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-601. Definitions.**

Terms used in this section are defined as follows:

(1) Professional Development Hour (PDH) -A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit.

(2) Continuing Education Unit (CEU) -Unit of credit customarily used for continuing education courses.

(3) College/Unit Semester/Quarter Hour -Credit for courses in EAC/ABET approved programs or other related college courses approved in accordance with provision 49-604 of this section.

(4) Course/Activity -Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice.

(5) Dual Licensee -A person who is licensed as both an engineer and a surveyor.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-602. Requirements.**

A. Each licensee is required to obtain 30 PDH units during each biennial renewal period.

B. If a licensee exceeds the requirements in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period.

C. PDH units may be earned as follows:

(1) Successful completion of college courses.

(2) Successful completion of continuing education courses.

(3) Successful completion of correspondence, televised, videotaped, and other short courses/tutorials.

(4) Attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, or conferences.

(5) Teaching or instructing in (1) through (4) above.

(6) Authoring published papers, articles, or books.

(7) Active participation in professional or technical societies.

- (8) Successful application for patents.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 25, Issue No. 6, eff June 22, 2001; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 36, Issue No. 6, eff June 22, 2012.

#### **49-603. Units of Credit.**

The conversion of other credit to PDH units is as follows:

- |     |   |                         |
|-----|---|-------------------------|
| (1) | 1 College or unit semester hour .....   | 45 PDH                  |
| (2) | 1 College or unit quarter hour .....  | 30 PDH                  |
| (3) | 1 Continuing Education Unit .....   | 10 PDH                  |
| (4) | 1 Hour of professional development for attendance<br>in course work, seminars, or professional or technical<br>presentations made at meetings, conventions, or<br>conferences ..... | 1 PDH                   |
| (5) | For teaching as in 49-602C(5) .....   | PDH Credits are doubled |
| (6) | Each published technical or professional paper, article<br>or book .....  | 10 PDH                  |
| (7) | Active participation in a professional and technical<br>society .....   | 2 PDH                   |
| (8) | Each patent .....   | 10 PDH                  |

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-604. Determination of Credit.**

The Board has final authority with respect to approval of courses, credit, PDH value for courses and other methods of earning credit.

- (1) Credit for college or community college approved courses will be based upon course credit established by the college.
- (2) Credit for qualifying seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDH units for the actual contact time of each program.
- (3) Credit determination for activities 49-603-(6) and 49-603-(8) is the responsibility of the licensee, subject to review as required by the Board.
- (4) Credit for activity 49-603-(7), active participation in professional and technical societies is limited to 2 PDH units per organization, with a maximum of 4 PDH units per year, and requires that a licensee serve as an officer, or actively participate in a committee of the organization, or have at least a 50% documented attendance at meetings held not less than eight times per year. PDH credits for participation in a professional or technical society are not earned until the end of the administrative year of the society.
- (5) Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 27, 2009.

#### **49-605. Record Keeping.**

A. The responsibility for maintaining records used to support credits claimed is that of the licensee. Records required include, but are not limited to:

- (1) A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned;
- (2) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance; or
- (3) Records as maintained by the National Society of Professional Engineers (NSPE) Professional Development Registry for Engineers and Surveyors (PDRES), or other recognized repositories for such records.

B. These records must be maintained for a minimum period of three years during which copies may be requested by the Board for audit verification purposes.

C. If, upon review or audit by the Board, any or all PDH units claimed by the license holders are disallowed, the license holder will be allowed a twelve month period during which such deficiencies must be remedied.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-606. Exemptions.**

A licensee may be exempt from the professional development educational requirements for one or more of the following reasons:

A. New licensees by way of examination or comity shall be exempt for their first renewal period.

B. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding one hundred twenty (120) consecutive days in a year shall be exempt from obtaining the professional development hours required during that year.

C. Licensees experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board may be exempt. Supporting documentation must be furnished with any such exemption request made to the Board.

D. Licensees who list their occupation as "Retired" on the Board approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or surveying services shall be exempt from requirements for professional development hours. In the event such a person elects to return to the active practice of professional engineering or surveying, professional development hours must be earned, before returning, for each year exempted, not to exceed the requirement for two years.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-607. Reinstatements.**

A. A licensee may bring an inactive license to active status by obtaining all delinquent PDH units, provided other provisions of the statutes are met.

B. If the total number of PDH units required to become current exceeds 30, then 30 shall be the maximum number of PDH units required.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-609. Dual License Holders.**

The total number of PDH units required shall be the same as that required for a single license holder; but at least ten units shall be obtained separately for each profession.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.

#### **49-610. Reporting Forms.**

A. All renewal applications will contain a statement of verification that the licensee has obtained the required professional development hours at the time of renewal. Upon audit, the licensee must report the course date, sponsoring organization, location, activity title, brief description and PDH's claimed and provide documentation of attendance or completion as well as any other information required by the Board.

B. Failure to fulfill the professional development requirements or to comply with the Board's audit shall be considered a violation of the Registration Law for Professional Engineers and Surveyors.

**HISTORY:** Added by State Register Volume 20, Issue No. 7, eff July 26, 1996. Amended by State Register Volume 33, Issue No. 6, eff June 26, 2009.



AIA  
South Carolina

CarolinasAGC

NSPE-SC



Marshall Taylor Jr. & COVID-19 Vaccine Committee  
SCDHEC  
2600 Bull Street  
Columbia, SC 29201

Thank you for all of your hard work during these trying times. As the vaccines roll out, the business community continues to have questions.

I understand that everyone is eager to be vaccinated, and the State would like to see mass inoculation so we can resume our everyday lives. Many in the business community still have questions. I understand that there is a liaison for the business community from the Department of Commerce and they are also representing the South Carolina Chamber as well the Manufacturers Alliance. We value their input on the committee, but we would appreciate another public member representing businesses, especially smaller design consulting firms and construction companies.

Like many industries, the design/construction industry worked hard to be listed as essential during the pandemic. Even in the time of a pandemic, strong infrastructure is needed, and our industry has continued to work throughout the pandemic. Because of the nature of the work our members perform, being in confined spaces and working in groups is required at times. We are also working on job sites that are located at schools, hospitals, and in many places where vulnerable members of the public frequent. Because of that, we see a serious need for the design/construction industry to be vaccinated as soon as possible.

We are currently in phase 1C, but both public and private sector design/construction industry workers would benefit by being moved to 1B. We would like to have someone from our industry represent infrastructure on the vaccine committee. Our industry designs and builds the State's roads, bridges, and wastewater treatment plants. We are essential and help keep the State moving in many ways.

Please give serious consideration to adding another member of the business community to the vaccine committee and/or a member of the infrastructure community to represent our industry that continues to work through these trying times.

Sincerely,

Adam B. Jones  
Executive Director  
ACEC-SC/SCSPE

Leslie Clark  
Vice President  
CarolinasAGC

Allison King  
Executive Director  
SCSPLS

Adrienne Montare  
Executive Director  
AIA/SC



# SAVE THE DATE

## MARCH 23, 2021

### Engineers' Day on the Hill





# ACEC-SC & SCSPE 2021 Winter Meeting

*February 23, 2021*

*9:00 am - 5:00 pm*

Scan the QR code to  
register today.



*Scan the QR code  
below to register today.*

zoom



## **2021 ACEC-SC Retreat Expenses**

### **Cost Determination**

- 1 ACEC-SC Staff Expenses.
- 2 Food/Room Expenses
- 3 Actual Cost per Attendee
- 4 Proposed Cost Per attendee

### **1 - ACEC-SC Staff Expenses: \$2,375.23**

- A. Room + parking for ED Adam Jones and Account Executive Sarah Waldrop for Thursday and Friday Nights. \$299.00 per room/per night + \$15 parking fee + 13% Sales Taxes = \$1,419.28.
- B. Meals: \$955.95 (Adam Jones, Sarah Waldrop and Allison King)

### **2 - Food/Room Rental Expenses**

#### **Friday Breakfast: \$50.42 Per Person**

Boxed Breakfast includes water, coffee, hot tea and orange juice:

- A. Smoked Ham and Cheddar Croissant – or- Egg, Cheese and Chive Wrap with Salsa
- B. Fruit Salad
- C. Blueberry Muffin
- D. Homemade Granola Bar

#### **Friday Lunch: \$54.40 Per Person**

Boxed Lunch includes water and 8 oz soda. Iced Tea can be added for \$85 per gallon:

- A. Grilled Chicken Wrap -or- Roast Beef and Swiss on Grilled Sourdough
- B. Kettle Chips
- C. Brownie
- D. Sweet and Sour Cole Slaw

#### **Friday Dinner/Reception: \$119.41 Per Person + \$150 Bartender (\$15 ea) + Complimentary Wine: \$29 per person for total of \$163.41**

- A. Cash Bar from 6 – 7 (Gold Tier)
- B. Dinner from 7 – 8 PM
  - a. Grilled NY Strip cooked Medium Rare, Roasted garlic mashed red potatoes, sauteed veg. port wine shallot Confit
  - b. Wedge Salad
  - c. Pecan Pie
  - d. 1 Bottle of Red Wine per table with option to order more as needed

#### **Saturday Breakfast: \$50.42**

Boxed Breakfast includes water, coffee, hot tea and orange juice:

- A. Fried Chicken Biscuit -or- Sausage Biscuit
- B. Whole Fruit
- C. Lemon Poppy Seed Muffin
- D. Homemade Granola Bar

#### **Room Rental: \$1,200**

### **Total Cost of Retreat: \$6,761.73**

**3 - Actual Cost Per attendee:**

- A. \$450.78 for 15 full price Attendees
- B. \$563.48 for 12 full price Attendees
- C. \$676.17 for 10 Full Price Attendees

**4 - Proposed Cost Per attendee and Guest utilizing \$3,000 cushion in budget.**

- A. \$425.00 for ACEC-SC Member
- B. \$200.00 for ACEC-SC Member Guest

**Room Costs:**

4/8-4/10: \$299

4/15-4/17: \$309

4/22-4/24: \$309

4/29-5/1: \$299

5/13-5/15: \$319

5/20-5/22: \$339

Melvin C. Williams, F.SAME, FACEC, Vice President and Senior Business Developer with S&ME, Inc. has been named Vice Chair-Elect for the American Council of Engineering Companies (ACEC) and will be sworn in at ACEC's Annual Conference in April. As Vice Chair; he will serve on the ACEC Board of Directors and Executive Committee for a term of two years. Responsibilities will consist of overseeing the overall governance of the organization along with serving as a liaison between ACEC National and a minimum of six (6) of the 52 Member Organizations across the United States. Williams will also serve on several national committees including the Diversity, Equity and Inclusion Committee.

Williams was also nominated by his peers and elected to the Society of American Military Engineers (SAME) 2021 Class of Fellows. The SAME Academy of Fellows recognizes those members who have rendered dedicated and outstanding service to the Society, military engineering, and the A/E/C profession. SAME has bestowed the title of Fellow on select members since 1972; however, in 1995 an academy was founded to formally acknowledge these distinguished individuals for their dedication to SAME and the A/E/C profession. Today, there are more than 800 members of the Academy of Fellows.

Finally; Williams was nominated by the American Council of Engineering Companies (ACEC) of South Carolina and elected to the ACEC 2021 Class of Fellows. The College of Fellows is a distinguished class of engineers who have been selected by their peers as deserving recognition for exemplary contributions to the profession. Election to the College of Fellows is administered by the Fellows Committee, which also coordinates all Fellows activities and programs.



## ACEC-SC KEY PERFORMANCE INDICATORS (KPI's)

Key Focus Areas	KPI's	January	February
Grow & Diversify Membership	Regular Members	90 (+0%)	86 (deleted non-payment)
	Affiliate Members	10	10
	DBE Firms		
	Non Transportation Firms		
Grow Brand Awareness	LinkedIn Page Followers	358	402
	Facebook Likes	294	292
	Facebook Followers	361	358
	Twitter Followers	665	667
	Instagram Followers	33	39
	Unique Visits to the website	30	418
	Media Mentions	n/a	
	Press Releases	n/a	
	ACEC First Word Open rate	23%	23%
Energize & Engage our membership	ACEC-SC/SCDOT Annual Meeting	488	488
	ACEC-SC/SCSPE Winter Meeting		
	ACEC-SC EEA Entries	16	16
	ACEC-SC EEA Gala Attendees		
	ACEC-SC Bowling Tournament	n/a	n/a
	ACEC-SC Planning Retreat		
	ACEC-SC Golf Tournament	98	98
	ACEC-SC Membership Meetings	1	1
	ACEC-SC Virtual Meetings	6	7
	ACEC-SC Future Leaders Program	n/a	
	ACEC-SC Transportation Committee Members/meeting attendee		
	ACEC-SC Environmental Committee Members	4	5
	ACEC-SC Members attending ACEC Fall Conference	7	7
	ACEC-SC Members attending ACEC Annual		
	Legislative Touches	12	110 (56 from members)

Grow PAC & Increase Legislative Influence	Legislative Call To Action		3
	# of Bill Tracking		69
	# of Bill Introduced	1	1
	# of Bills ACEC-SC Supports		7
	# of Bills ACEC-SC opposes		5
	# of Bills ACEC-SC is monitoring	32	57
	Congressional Bills Tracking		
	Congressional Calls to action	8	10
	ACEC-SC PAC \$ Collected	\$20,652.00	\$ 20,866.11
	ACEC PAC Contributions	13864 (End of 2020)	\$ 208.00
	ACEC PAC Distributed	36500 (2020)	0
	ACEC-SC PAC Expenditures	\$ 21,750.00	\$ 21,750.00
	Properly used Legislative Relationships	2	
	Engineer Day on the Hill Attendees		

# Spring Sweepstakes

**\$200/ticket**

limit 5/person  
only 1500 tickets available

enter online:  
<https://www.acec.org/advocacy/advocacy-pac>  
email: [pac@acec.org](mailto:pac@acec.org)  
phone: 202-682-4322  
mailing address:  
acec/pac  
1015 15th st nw 8th floor  
washington, dc 20005



drawing held april 27 during the  
ACEC annual convention

Enter to win one of **15 prizes**

grand prize	\$10,000
1 <sup>st</sup> prize	\$5,000 (2)
2 <sup>nd</sup> prize	\$2,500 (2)
3 <sup>rd</sup> prize	\$1,000 (10)

name \_\_\_\_\_ email \_\_\_\_\_

firm \_\_\_\_\_ title \_\_\_\_\_

billing address \_\_\_\_\_

number of tickets you wish to purchase @ \$200 \_\_\_\_\_

## Payment

method of  
payment

check  
payable to  
ACEC/PAC

VISA

Mastercard

AmEx

Discover

credit card number \_\_\_\_\_ exp date \_\_\_\_\_ CVV# \_\_\_\_\_

name as it appears on card \_\_\_\_\_ billing ZIP \_\_\_\_\_

No purchase necessary to enter or win. Void where prohibited. Open to ACEC's restricted class (including ACEC executive and administrative personnel, noncorporate ACEC members such as sole proprietors and partnerships, executive and administrative personnel of corporate ACEC members who have given prior approval for ACEC to solicit their employees, and the immediate family members of these groups) who are US citizens or legal permanent residents and are at or above the age of majority in their state of residence at entry. To enter with a purchase, please complete this form and return to [PAC@acec.org](mailto:PAC@acec.org). To enter without a purchase, send a written request to enter to 1015 15th Street, NW, 8th Fl., Washington, D.C. 20005-2605 titled "Free Entry to Sweepstakes" with your first and last name, firm name, complete address, daytime phone number, date of birth, and email address. Term: Promotion is open 1/7/21 until 12 noon EDT on 4/27/21. Winners will be chosen at random. Odds of winning depend on number of entries received. Partnership and sole proprietorship checks are permitted; however, federal law prohibits corporate checks and corporate credit cards. Purchases are contributions to ACEC PAC, the engineering industry's primary tool for political engagement at the national level, and are not deductible for federal income tax purposes. Contributions will be screened and those from outside the restricted class may be returned. An individual is free to contribute more or less than the guidelines suggest, but may not contribute more than \$5,000 per calendar year. Contributions are voluntary and no individual will benefit or be disadvantaged by the amount given or refusal to give. Federal law requires that our committee report the full name, address, occupation and company name of each individual whose contributions aggregate in excess of \$200 in a calendar year. Entry into this sweepstakes constitutes acceptance of sweepstakes rules, which are attached to this Entry Form. No purchase necessary to enter or win. Sponsor: The American Council of Engineering Companies, located at 1015 15th St. NW, 8th Floor, Washington, D.C. 20005-2605.



# ACEC/PAC

## 2021 Contribution Form

ACEC/PAC is the voice of the engineering community in Washington, DC and around the country. A well-funded political action committee is an investment in our industry's future and we need everyone's help to ensure success. Please join us today!

### I would like to make a contribution today!

- |  |   |
|--|---|
| <input type="checkbox"/> Capitol Club (\$5,000)    | <input type="checkbox"/> Chairman's Club* (\$2,500) |
| <input type="checkbox"/> Millennium Club (\$1,000) | <input type="checkbox"/> Congressional Club (\$500) |

*\* Chairman's Club members either contribute \$2,500 to ACEC/PAC, or contribute \$1,000 to ACEC/PAC and pledge an additional \$1,500 to be contributed throughout the year to directly support candidates for re-election.*

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Job/Position Title: \_\_\_\_\_

Billing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Contribution Information:

☐ \$5,000    ☐ \$2,500    ☐ \$1,000    ☐ \$500    ☐ \$250    ☐ Other \$ \_\_\_\_\_

☐ MasterCard    ☐ Visa    ☐ American Express    ☐ Discover    ☐ Personal Check

Full Credit Card Number \_\_\_\_\_

Expiration Date \_\_\_\_\_ Billing Zip \_\_\_\_\_ CVV Code \_\_\_\_\_

**Mail: ACEC/PAC**  
**1015 15<sup>th</sup> Street NW, 8<sup>th</sup> Floor**  
**Washington, DC 20005**

**Email: [pac@acec.org](mailto:pac@acec.org)**

Partnership and sole proprietorship checks are permitted; however, federal law prohibits corporate checks and corporate credit cards. Contributions or gifts to ACEC/PAC are not deductible as charitable contributions for federal income tax purposes. Contributions will be screened and those from outside the restricted class (non-members) and those from individuals who have not given prior approval may be returned. Contributions are voluntary and amounts included herein are merely suggestions. An individual is free to contribute more or less than the guidelines suggest, but may not contribute more than \$5,000 per calendar year. Federal law requires that our committee report the full name, address, occupation and company name of each individual whose contributions aggregate in excess of \$200 in a calendar year.





## 2021 ACEC-SC /SCDOT Sub-Committee Organizational Chart

