



City of Columbia 2014 Legislative Report

2013 Session – Enacted Laws



- **H. 3093 - Abandoned Buildings Revitalization**
 - This law allows a taxpayer making certain investments in rehabilitating an abandoned building to receive tax credits. We worked with the delegation to amend it to make it applicable to Palmetto Compress Warehouse.
- **H. 3360 – State Highway Secondary System**
 - This law allows a municipality and the Department of Transportation to mutually consent to transfer a road from the municipal road system to the state highway system and vice versa.

2013 Session – Enacted Laws



- **H. 3774 – Development of Real Property**

- This joint resolution provides that a governmental entity that issued a building permit that has expired and has not been renewed by the governmental entity for one year, shall issue the building permit at no additional cost. The resolution applies retroactively. For development approval that is current and valid on December 31, 2012, the running of the period of the development approval and any associated vested right is suspended during the period beginning January 1, 2013, and ending December 31, 2016.

2013 Session - Enacted Laws



- **S. 08 – Dog Attack Liability and Patrol Canine Teams**
 - This law removes the liability of a dog owner or keeper who is working in a law enforcement capacity, and whose actions do not violate the agency's written policy, if the dog attacks a suspect while in the performance of official duties.
 - Provides for the certification of patrol canine teams.

2013-14 Budget



- **Local Government Fund**

The 2013-14 state budget provides \$212.6 million to the Local Government Fund. The City receives \$2,788,952, as its share from the state.

Fully funding the Local Government Fund would have provided \$263.6 million and the City would have received \$3,457,680.

We worked with the SC Municipal Association to advocate on behalf of full funding of the Local Government Fund

2014 Session – Pending Legislation



- **Certified Law Enforcement Officers at CFD**
 - In April, the SC Criminal Justice Academy informed the Columbia Fire Department that it did not have proper authority to have fire marshals certified as law enforcement officers.
 - We drafted and passed legislation to address the problem. The Governor vetoed the legislation at the request of SCCJA and SLED, who protested that the language was too broad.
 - Since then, we have worked with SCCJA, SLED, the Governor's office, the SC State Firefighters Association and multiple other fire departments to find a solution to the problem.
 - In 2014, the Firefighters Association will introduce legislation to fix the issue. Working with Chief Jenkins, we will support this legislation to remedy the matter at CFD.

2014 Session – Pending Legislation



- **Business License Tax (H. 3986, H. 3604)**
 - H. 3986 prohibits cities from charging a business license tax and H. 3604 prohibits cities from collecting business license tax on gross income derived from interstate or international sales of a manufacturing business.
- **Dilapidated Buildings (S. 375, H. 3948)**
 - These bills would give the City a cause of action against a property owner who is not in compliance with city ordinances and allow the City to demolish or rehabilitate the property.
- **Dogs and domestic pets (S. 194, H. 3492)**
 - These bills would change the manner in which the City animal shelter is operated and regulated, limiting the services it could provide and increasing operating costs.

2014 Session – Pending Legislation



- **Transportation funding**
 - Last year, the legislature made substantial investments in road and bridge infrastructure. Transportation funding will be a priority for 2014, including gas tax discussions.
- **Ethics**
 - Ethics legislation is pending in the legislature. Of interest to the City is the potential requirement for local lobbyists to register with the State Ethics Commission.
- **Flow Control**
 - Flow control legislation, as currently pending, would have a greater impact on counties, but could be modified to impact City garbage services operations.

New for 2014 Session



- **Mayor's Panel on Violent Crime and Bond Reform**
 - H. 3051 and S. 19 are companion bills that give the circuit court the authority to revoke a defendant's bond under certain circumstances.
 - In December, the panel released its recommendations:
 - ✦ Columbia Police Department should develop a basic risk assessment program so its officers can provide information to prosecutors on defendants' backgrounds;
 - ✦ Police officers should be present during all bond hearings on serious, most serious, and violent crimes;
 - ✦ Legislature should pass S. 19 which would require a circuit court judge to hold a hearing on anyone who commits a serious or most serious crime while out of jail on bond for another serious or most serious crime;
 - ✦ State should establish a penalty for those who commit another major offense while on bond;

New for 2014 Session



- **Mayor's Panel on Violent Crime and Bond Reform (continued)**
 - ✦ Amend State law so that judges can set higher bonds for those who are in gangs;
 - ✦ Amend State law so that juvenile records can be considered during bond hearings for adult defendants who have committed a serious, most serious, or violent offense;
 - ✦ Increase minimum down payments for defendants who pay bond fees using installment plans;
 - ✦ Require installment payments, if they are to be continued, to be paid within a specified, limited length of time;
 - ✦ Bondsmen should sign a notarized form to confirm that bonds have not been paid with money gained through a criminal enterprise;

New for 2014 Session



- **Mayor's Panel on Violent Crime and Bond Reform (continued)**
 - ✦ Amend State law to allow a court to delay or continue a bail proceeding for a serious, most serious, or violent crime for 24 hours if the court feels it is in the best interest of public safety and there is a specific reason that documents and files from other agencies are not yet available for the proceeding;
 - ✦ SC Department of Probation, Parole, and Pardon should supervise electronic monitoring of defendants who are out on bond;
 - ✦ Enact S. 509 which prohibits a person from knowingly and without authority removing, destroying, or circumventing the operation of an electronic monitoring device, and
 - ✦ Early Legal Assistance program between Columbia police and 5th Circuit Solicitor's Office should continue with a formal policy and procedure being developed.

Municipal Association of South Carolina



- **2014 MASC Legislative Priorities**
 - Pass Dilapidated Buildings Act
 - Fully fund Local Government Fund
 - Long-term, stable infrastructure funding
 - Support legislation that enhances public safety and judicial efforts to prevent violent crime, including gang activity.
- **MASC requesting City Councils to pass a resolution supporting these priorities.**
- **Hometown Legislative Action Day – February 5**

2014 Proposed Priorities



City of Columbia Proposed 2014 State Legislative Priorities

- Oppose legislation that limit's the City's administration of its business license tax.
- Support full funding of the Local Government Fund.
- Support S. 19 and other legislation that implements recommendations of the Mayor's Panel on Violent Crime and Bond Reform.
- Support legislation that allows CFD to have fire marshal certified law enforcement officers.
- Oppose dogs and domestic pets legislation, as currently written.
- Support dilapidated buildings legislation.
- Monitor Transportation, Ethics and Flow Control legislation for possible impacts to the City.