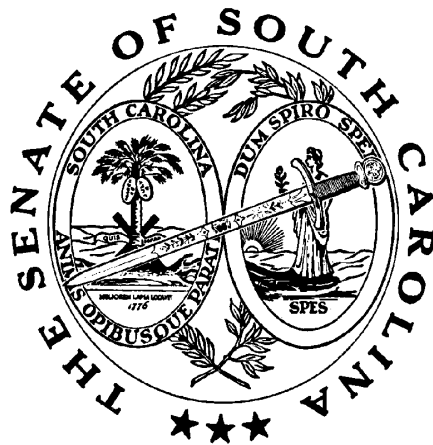


NO. 15

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, FEBRUARY 1, 2024

Thursday, February 1, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Ezekiel 37:7b

Finding himself in a valley full of bones, Ezekiel declared:“. . .as I was prophesying, there was a noise, a rattling sound, and the bones came together, bone to bone.”

Friends, join me as we bow in prayer: O blessed, most Holy God, we cannot help but be struck by Ezekiel’s spirit of faithfulness as he was facing what appeared to be overwhelming tasks. Yet as we recall, in spite of challenges, Your servant steeled himself and he did what was he was supposed to do. Today, Lord, in the face of their weariness and likely even exasperation, these Senators and their dedicated staff members are also facing formidable challenges. So we pray, Lord, that You will lead these modern day servants as they work together to resolve a number of major issues. And by Your grace may their decisions ultimately enrich the lives of everyone in our State. This we pray in Your loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Matthews

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McElveen	Peeler	Reichenbach
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Chief of the South Carolina Law Enforcement Division, with the term to commence January 31, 2018, and to expire January 31, 2024

Mark A. Keel, 440 Broad River Road, Columbia, SC 29210-4012

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

R. Michael Campbell II, 131 High Knoll Road, Columbia, SC 29223-3276

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2024, and to expire June 30, 2026

T. Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

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Initial Appointment, State Board for Technical and Comprehensive Education, with the term to commence July 1, 2020, and to expire July 1, 2026

6th Congressional District:

Rachel Turner Gainey, 5091 Hwy. 301, Alcolu, SC 29001-8630 *VICE*
Gregory Askins

Referred to the Committee on Education.

Doctor of the Day

Senator DEVINE introduced Dr. Ada Stewart of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MATTHEWS, at 11:35 A.M., Senator McLEOD was granted a leave of absence until 12:35 P.M.

Leave of Absence

On motion of Senator SABB, at 3:06 P.M., Senator HUTTO was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HEMBREE, at 3:06 P.M., Senator CAMPSSEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TURNER, at 3:06 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 148 Sen. Tedder
S. 621 Sens. Loftis, Sabb, Gustafson and Garrett
S. 994 Sen. Loftis

RECALLED AND ADOPTED

S. 984 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SKILLSUSA FOR ITS EFFORTS TO ENSURE THAT AMERICA HAS A SKILLED WORKFORCE AND TO DECLARE FEBRUARY 4-10, 2024, AS "SKILLSUSA WEEK" IN SOUTH CAROLINA.

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Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

RECALLED

H. 4841 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRIENDSHIP ROAD IN DILLON COUNTY FROM STATE ROAD 308 (LESTER ROAD) TO STATE ROAD 71 (JUDGE ROAD) "JACKSON RYAN WINKELER MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4878 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH TICKLE WEED ROAD "STANLEY MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

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The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1012 -- Senator Corbin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH DAVID SMITH OF GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL FOR BEING NAMED 2023 CROSS COUNTRY COACH OF THE YEAR FOR BOTH THE SOUTH CAROLINA TRACK AND CROSS COUNTRY COACHES ASSOCIATION AND THE UNITED STATES TRACK AND FIELD CROSS COUNTRY COACHES ASSOCIATION.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1013 -- Senator Corbin: A CONCURRENT RESOLUTION TO CONGRATULATE THE GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL BOYS CROSS COUNTRY AND TRACK AND FIELD TEAMS FOR WINNING THEIR RESPECTIVE CLASS AA BOYS STATE CHAMPIONSHIP TITLES.

lc-0390vr-bl24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1014 -- Senators Kimbrell, Garrett, Rice, Corbin, Campsen, Adams and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 35-1-502, RELATING TO PROHIBITED CONDUCT IN PROVIDING INVESTMENT ADVICE REGARDING SECURITIES, SO AS TO SET DISCLOSURE STANDARDS FOR INVESTMENT ADVISERS WHO RENDER SERVICES BASED ON SOCIAL OR NONFINANCIAL FACTORS.

lc-0502sa24.docx

Read the first time and referred to the Committee on Banking and Insurance.

S. 1015 -- Senators Goldfinch, Hembree and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-462, RELATING TO THE TERMINATION OF SEX OFFENDER REGISTRATION REQUIREMENTS, SO AS TO PROVIDE TERMINATION FOR TIER

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1 AND TIER 2 OFFENDERS AFTER A SPECIFIED PERIOD OF TIME FOLLOWING THE COMPLETION OF THE ENTIRE ORIGINAL SENTENCE.

sedu-0062db24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1016 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16000 SO AS TO CREATE A SPECIAL LICENSE PLATE FOR MEMBERS OF THE SOUTH CAROLINA EQUINE INDUSTRY.

sr-0546km24.docx

Read the first time and referred to the Committee on Transportation.

S. 1017 -- Senators M. Johnson, Peeler and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

lc-0353dg24.docx

Read the first time and referred to the Committee on Finance.

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B. L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B. J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoun, M. M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J. E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS

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UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4700 -- Reps. W. Newton, Pope, Guffey, Chapman, Leber, Beach, Kilmartin, Cromer, Oremus, Vaughan, Nutt, Haddon, Burns, Chumley, West, Felder, Guest, McCravy, Bailey, Brittain, Robbins, Sessions, Bradley, Mitchell, Yow, Hiott, Erickson, Hager, Wheeler, Weeks, Ballentine, Wooten, Calhoun, M. M. Smith, Davis, McGinnis, Gagnon, B. Newton, Schuessler, Elliott, Forrest, Willis, Ligon, Hixon and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 5, TITLE 39 SO AS TO PROVIDE DEFINITIONS; TO PROVIDE THAT A SOCIAL MEDIA COMPANY MAY NOT PERMIT CERTAIN MINORS TO BE ACCOUNT HOLDERS; TO PROVIDE REQUIREMENTS FOR SOCIAL MEDIA COMPANIES; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL PROVIDE CERTAIN PARENTS OR GUARDIANS WITH CERTAIN INFORMATION; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL RESTRICT SOCIAL MEDIA ACCESS TO MINORS DURING CERTAIN HOURS; TO PROVIDE FOR CONSUMER COMPLAINTS; TO PROVIDE THAT THE CONSUMER SERVICES DIVISION HAS AUTHORITY TO ADMINISTER AND ENFORCE CERTAIN REQUIREMENTS; TO PROVIDE FOR AN ANNUAL REPORT; TO PROVIDE FOR A CAUSE OF ACTION; AND TO PROVIDE THAT CERTAIN WAIVERS AND LIMITATIONS ARE VOID.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4868 -- Reps. Kirby, Lowe, Jordan and Williams: A BILL TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, TO REAPPORTION THE FIVE SINGLE-MEMBER DISTRICTS AND THE TWO MULTIMEMBER DISTRICTS FROM WHICH THESE NINE

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MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 408 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 558 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY-ADMITTED RESIDENTS OF NURSING HOMES IN THIS STATE.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

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Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Residential Care Administrator:

Sarah D. Doctor-Greenwade, PO Box 23328, Columbia, SC 29224
Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2023, and to expire July 31, 2028

5th Congressional District:

Crystal A. Maxwell, 2021 Bridgemill Drive, Suite 102, Fort Mill, SC 29707-9211

Received as information.

Reappointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Clinical:

Robert Duffell Hoffman, 501 Gillsbrook Road, Lancaster, SC 29720-1915

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

6th Congressional District, Registered Nurse:

Bridget J. Holder, Manager of Medical-Surgical and Telemetry
Summerville Medical Center, 1581 Sebago Dr., Charleston, SC 29414-7922 *VICE* Sonya Kay Ehrhardt

Received as information.

Message from the House

Columbia, S.C., January 1, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams:
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE

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METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1009 -- Senator McElveen: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "WORLD CHOLANGIOCARCINOMA MONTH" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT", SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

S. 806 -- Senators Alexander, Malloy and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE

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HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES,

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TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR

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PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO

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INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

On motion of Senator MALLOY, the Bill was carried over.

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CARRIED OVER

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

On motion of Senator MATTHEWS, the Bill was carried over.

READ THE SECOND TIME

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5, SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

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Shealy
Turner
Young

Talley
Verdin

Tedder
Williams

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT proposed the following amendment (LC-3116.DG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 3.A., by striking Section 12-37-220(3) and inserting:

(3) two private passenger vehicles owned or leased by any disabled veteran, or the spouse of the disabled veteran if the spouse resides with the veteran and the vehicle is registered at that same address, designated by the veteran for which special license tags have been issued by the Department of Motor Vehicles under the provisions of Sections 56-3-1110 to 56-3-1130 or, in lieu of the license, if the veteran has a certificate signed by the county service officer or the Veterans Administration of the total and permanent disability which must be filed with the Department of Motor Vehicles. The exemption extends to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse. If a trustee holds legal title to a vehicle and the beneficiary is a person who qualifies otherwise for the exemption

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provided and the beneficiary uses the vehicle, then the vehicle is exempt from property taxation in the same amount and manner;

Re-number sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climmer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (SR-621.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-79-100(A)(2) and (3) and inserting:

(2) four members appointed by the President of the Senate, two of whom must be members of the Senate; and

(3) seven members appointed by the Governor.

(a) the Secretary of the Department of Commerce or his designee;

(b) the Commissioner of Agriculture or his designee;

(c) two representatives of state institutions of higher education;

(d) two members representing Irish Americans in South Carolina or Irish-American communities; and

(e) one representative of the South Carolina Chamber of Commerce or a trade organization.

Amend the bill further, SECTION 1, by striking Section 39-79-100(G)(3) and inserting:

(3) The South Carolina-Ireland Trade Commission is authorized to raise funds, through direct solicitation or other fundraising events, alone, or with other groups, and accept gifts, grants, and bequests from individuals, corporations, foundations, governmental agencies, and public and private organizations and institutions, to defray the commission's administrative expenses and to carry out its purposes as set forth in this chapter. The funds, gifts, grants, or bequests received pursuant to this section must be deposited in an account with the State Treasurer and allocated and annually appropriated to the Department of Commerce to defray the commission's administrative expenses and carry out its purposes. The Department of Commerce may use funds appropriated for Foreign Operations to fund the administrative expenses and carry out the purposes of the commission to the extent that sufficient

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non-appropriated funds are not available. Foreign Operations appropriations may also be used for any non-administrative expenses of the commission with approval of the Secretary of Commerce. Expenditures made for the purposes of administering the commission and fulfilling its purposes shall be exempt from the provisions of Title 11, Chapter 35 of the Code.

Renumber sections to conform.
Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator ALEXANDER proposed the following amendment (SR-621.KM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-79-100(A)(3)(e) and inserting:

(e) one representative of a South Carolina business organization or a trade organization.

Amend the bill further, SECTION 1, by striking Section 39-79-100(B)(5) and inserting:

(5) one representative of a South Carolina business organization or a trade organization.

Renumber sections to conform.
Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch

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Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 621--Ordered to a Third Reading

On motion of Senator SETZLER, S. 621 was ordered to receive a third reading on Friday, February 2, 2024.

POINT OF ORDER

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

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The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION FOR SPECIAL ORDER FAILED

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

Senator MASSEY moved that the Bill be made a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 16

AYES

Adams	Allen	Bennett
Climer	Cromer	Davis
Gambrell	Goldfinch	Grooms
Gustafson	Hutto	Jackson
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Rankin
Reichenbach	Shealy	Talley
Tedder	Turner	Verdin
Williams		

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Total--25

NAYS

Alexander	Cash	Corbin
Devine	Garrett	Harpootlian
Hembree	<i>Johnson, Kevin</i>	Loftis
Matthews	Peeler	Rice
Sabb	Senn	Stephens
Young		

Total—16

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

Senator MASSEY moved to close the Motion Period.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Jackson	<i>Johnson, Michael</i>	Kimbrell
Loftis	Martin	Massey
McElveen	Peeler	Reichenbach
Rice	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--31

NAYS

Allen	Devine	Fanning
Harpootlian	Hutto	<i>Johnson, Kevin</i>
Malloy	Matthews	Sabb
Senn	Setzler	Stephens
Tedder		

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Total—13

MOTION ADOPTED

At 11:58 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

OBJECTION

H. 3014 -- Reps. Gilliard, Henegan, Ott, Collins, Carter, Murphy, Robbins, Brewer, Gatch, Kirby, Anderson, Rivers, Howard, King, McDaniel, Hosey, Clyburn, Cobb-Hunter, Bamberg, Williams, Bernstein, W. Newton, Herbkersman, Hyde, Brittain, Guest, Erickson, Bradley, Hager, Connell, Hewitt, Rutherford, Thigpen, B. Newton, McGinnis, Hardee, Hixon, Taylor, Sandifer, M.M. Smith, Wetmore, Bustos, Landing, Elliott, Pope, Felder, Stavrinakis, Rose, Neese, Davis, Wooten, Bannister, Wheeler, Bailey, Schuessler, Blackwell, W. Jones, Dillard, Bauer, Sessions, T. Moore, J.L. Johnson, Jefferson, B.J. Cox, Garvin, B.L. Cox, Tedder and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CLEMENTA C. PINCKNEY HATE CRIMES ACT"; BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Senator MATTHEWS asked unanimous consent to make a motion that the Bill be made a Special Order.

Senator MASSEY objected.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE

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AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 782 -- Senators Matthews and Davis: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS, AND TO REPEAL SECTION 2 OF ACT 476 OF 1998 RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER DISTRICTS OF THE JASPER COUNTY SCHOOL DISTRICT.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS

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TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS

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PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME

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PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 37

Senator MATTHEWS proposed the following amendment (SMIN-3594.AA0171S), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Upon the effective date of this Act, all pending charges of unlawful carry must be dismissed for persons that would have been deemed carrying a firearm legally under the Constitutional Carry Act.

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Shealy	Talley
Turner	Verdin	Young

Total--30

NAYS

Allen	Devine	Harpootlian
Hutto	<i>Johnson, Kevin</i>	Matthews
McElveen	Sabb	Setzler
Stephens	Tedder	Williams

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Total--12

The amendment was laid on the table.

Amendment No. 40

Senators HEMBREE, HUTTO, TEDDER and MATTHEWS proposed the following amendment (SEDU-3594.DB0175S), which was carried over and subsequently adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 1, Title 17 of the S.C. Code is amended by adding:

Section 17-1-65. A person may apply for an expungement of one conviction for unlawful possession of a handgun as provided in Section 16-23-20, if the conviction occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2023. An application under this section must be made within five years of the enactment of this section.

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator CLIMER, with unanimous consent, the amendment was carried over and subsequently adopted.

Amendment No. 41

Senator MASSEY proposed the following amendment (SR-3594.JG0178S), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-246. (1)(a) When a person knowingly possesses or carries a firearm, and a law enforcement officer initiates an otherwise lawful stop, detention, or investigation, including but not limited to a traffic stop, upon the request of the officer, the person must inform the officer of the fact that he is carrying or is in possession of a firearm, whether concealed or otherwise.

(b) When a person knowingly possesses or carries a firearm, that person does not have a duty to inform a law enforcement officer of the

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fact that he is carrying or is in possession of a firearm unless and until the officer requests such information.

(2) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days, or both.

Re-number sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator MALLOY spoke on the amendment.

Senator ADAMS spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The amendment was laid on the table.

On motion of Senator JACKSON, with unanimous consent, Amendment No. 9 was withdrawn.

Motion Adopted

On motion of Senator GROOMS, with unanimous consent, Senators YOUNG, McELVEEN, FANNING, GOLDFINCH, MATTHEWS and GROOMS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Amendment No. 43

Senator TEDDER proposed the following amendment (SMIN-3594.MW0141S), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 23, Title 16 of the S.C. Code is amended by adding:

ARTICLE 2

Background Checks for Firearm Sales and Transfers

Section 16 23-100. As used in this article:

(1) 'Firearm' means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such a weapon, a firearm muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

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(2) ‘Licensed dealer’ means the holder of any federal firearms licensed under 18 U.S.C. Section 923(a).

(3) ‘Transfer’ means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

(4) ‘Transferee’ means a person who receives or intends to receive a firearm in a sale or transfer.

Section 16-23-110. For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, the licensed dealer may not deliver a firearm to any transferee unless:

(1) the NICS provides the licensed dealer with a unique identification number; or

(2) if the NICS has not notified the licensed dealer that a sale or transfer to the person would violate state or federal law within ten business days, in order to continue the purchase or transfer, the licensed dealer must again re-contact the NICS to conduct a background check. If another ten business days have elapsed from the date of the second application and the NICS has not notified the licensed dealer that a sale or transfer to the person would violate state or federal law, then the sale or transfer of the firearm may then proceed.

Section 16-23-120. A person who violates the provisions of this article is guilty of a Class A misdemeanor and, upon conviction, must be imprisoned not more than three years, fined not more than one thousand dollars, or both.”

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator TEDDER spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Amendment No. 44

Senator McLEOD proposed the following amendment (LC-3594.CM0084S), with was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Article 9

Firearm Liability Insurance

Section 23-31-9010. (A) A resident of this State who owns or possesses a firearm shall obtain and continuously maintain in full force and effect a homeowner's, renter's, or gun liability insurance policy that covers losses or damages resulting from any negligent or accidental use of the firearm including, but not limited to, death, injury and property damage. Proof of insurance must be displayed upon demand by a law enforcement officer.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be sentenced not more than thirty days, fined one thousand dollars, or both.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator McLEOD spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator RANKIN spoke on the Bill.

Remarks to be Printed

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator RANKIN, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator MALLOY spoke on the Bill.

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Remarks to be Printed

On motion of Senator TEDDER, with unanimous consent, the remarks of Senator MALLOY, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator McLEOD spoke on the Bill.

Remarks to be Printed

On motion of Senator TEDDER, with unanimous consent, the remarks of Senator McLEOD, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator K. JOHNSON spoke on the Bill.

Remarks to be Printed

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator K. JOHNSON, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator DEVINE spoke on the Bill.

Remarks to be Printed

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator DEVINE, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator STEPHENS spoke on the Bill.

Remarks to be Printed

On motion of Senator Williams, with unanimous consent, the remarks of Senator STEPHENS, when reduced to writing and made available to the Desk, would be printed in the Journal.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 15

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin

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Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Senn
Shealy	Turner	Verdin
Young		

Total--28

NAYS

Allen	Devine	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Setzler
Stephens	Tedder	Williams

Total--15

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William "Bill" Emerson Fenters, Jr. of Manning, S.C. Bill was a graduate of Wofford College where he played football. He was a past Master of St. Peter's Masonic Lodge #54, past Potentate of Omar Shrine Temple and served on the Board of Governors for the Greenville Shriners Hospital for Children. Bill owned and operated W. E. Fenters Insurance Agency in Manning and was a member of Emmanuel Baptist Church. Bill was a loving husband, devoted father and doting grandfather who will be dearly missed.

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ADJOURNMENT

At 3:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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