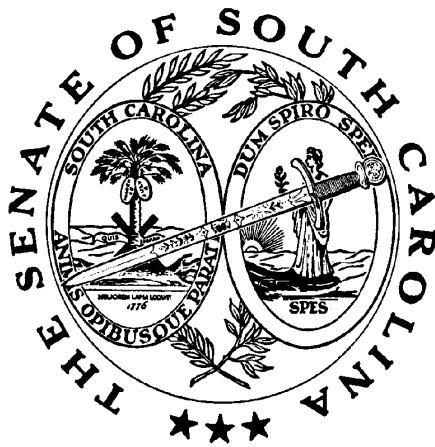


NO. 35

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, MARCH 7, 2024

Thursday, March 7, 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:

Proverbs 16:23

We read in Proverbs that: “The mind of the wise makes their speech judicious, and adds persuasiveness to their lips.”

Join your heart with mine as we pray: O God of love, obviously, a long-standing hallmark of this Senate is how its members share diverse viewpoints. Entering into debate and wrestling with ideas that often are fresh and new can be enriching and positive. Sometimes it can be challenging, as well. For these very reasons, dear Lord, we certainly note that not always are these men and women in full agreement, but that they have the opportunity in committee meetings and in this Chamber to share, to explain, to try to convince colleagues of the worth of some other ideas. To that end, O God, we boldly ask that You never fail to enrich the work of this Senate through those very gifts each member brings. We pray this, O Lord, in Your loving name. 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	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Loftis	Malloy
Massey	Matthews	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

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Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator TURNER introduced Dr. Chris Fyock of Greenville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CLIMER, at 11:08 A.M., Senator GOLDFINCH was granted a leave of absence until 12:00 P.M.

CO-SPONSORS ADDED

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

S. 481 Sen. Massey
S. 1114 Sen. Shealy
S. 1126 Sen. Fanning
S. 1126 Sen. Gustafson
S. 1129 Sen. Gustafson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M. M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.

lc-0117vr23.docx

Read the first time and referred to the Committee on Medical Affairs.

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H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M. M. Smith, B. L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

lc-0370sa24.docx

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

H. 4590 -- Reps. G. M. Smith, B. Newton, Carter, J. L. Johnson, Pope, Clyburn, Henegan, Taylor, Leber, Robbins, Murphy, Gatch, Brewer, Mitchell, King and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-25, RELATING TO EARLY VOTING, SO AS TO EXTEND THE HOURS OF OPERATION OF EARLY VOTING CENTERS.

lc-0287hdb24.docx

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

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING,

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REGULATE TEAM MARKETING, AND ADDRESS LICENSING
AFTER REVOCATION.

lc-0301ph24.docx

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

H. 4902 -- Rep. Hager: A CONCURRENT RESOLUTION TO
REQUEST THE DEPARTMENT OF TRANSPORTATION NAME
THE PORTION OF UNITED STATES HIGHWAY 321 IN
HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH
CAROLINA HIGHWAY 363 TO THE HAMPTON-ALLENDALE
COUNTY LINE THE "HONORABLE JAMES RISHER, SR.
MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS
OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING
THESE WORDS.

lc-0491cm-gt24.docx

The Concurrent Resolution was introduced and referred to the
Committee on Transportation.

H. 4904 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO
REQUEST THE DEPARTMENT OF TRANSPORTATION NAME
THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG
SOUTH CAROLINA HIGHWAYS 49 AND 9 IN UNION COUNTY
"1ST LT. ROY D. BRATTON MEMORIAL BRIDGE" AND ERECT
APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION
CONTAINING THESE WORDS.

lc-0458cm-gt24.docx

The Concurrent Resolution was introduced and referred to the
Committee on Transportation.

H. 4905 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO
REQUEST THE DEPARTMENT OF TRANSPORTATION NAME
THE BRIDGE LOCATED AT THE INTERSECTION OF SOUTH
CAROLINA HIGHWAY 9 AND SOUTH CAROLINA HIGHWAY 49
IN UNION COUNTY "PFC FRANKLIN LEROY BARBER BRIDGE"
AND ERECT

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APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0488cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4906 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LOCKHART CANAL ON SOUTH CAROLINA HIGHWAYS 49 AND 9 "SP5 WALTER 'BUBBA' BRANNON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0489cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4965 -- Reps. Mitchell, Yow, Connell and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION AT LOCKHART ROAD AND KEYS LANE IN KERSHAW COUNTY "COMMISSIONER DAVID E. BRANHAM, SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0497cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4966 -- Reps. Kirby and Jefferson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF ROAD IN THE TOWN OF ALVIN IN BERKELEY COUNTY FROM 1976 SANTEE RIVER ROAD NORTH TO THE INTERSECTION OF GREENTOWN AND SANTEE RIVER ROAD "HENRY J. GREENE HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0495cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.

lc-0316ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5088 -- Reps. Alexander, Jordan, Kirby, Lowe and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF STATE ROAD 868 (MARION STREET) FROM THE INTERSECTION OF UNITED STATES HIGHWAY 52 (COIT STREET) TO THE INTERSECTION OF STATE HIGHWAY 174 (HARRELL STREET) IN FLORENCE COUNTY "DR. VASHTI SMITH AND MARY T. WILSON WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0498cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5089 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SUMTER STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH ALEXANDER STREET TO ITS INTERSECTION WITH MCQUEEN STREET "SENATOR MAGGIE GLOVER WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0514cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5094 -- Rep. Bamberg: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOVAN ROAD IN BAMBERG COUNTY FROM ITS INTERSECTION WITH VOORHEES ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "WILLIAM H. NIMMONS, SR. ROAD" AND ERECT

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APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0519cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5153 -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO REPLACE THE TWO MULTI-MEMBER DISTRICTS WITH FOUR SINGLE-MEMBER RESIDENCY AREAS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE RESIDENCY AREAS ARE DELINEATED.

lc-0398hdb24.docx

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

H. 5168 -- Reps. Connell, Mitchell, B. Newton and Wheeler: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE DISTRICTS.

lc-0403hdb24.docx

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 report on:

S. 965 -- Senators Massey and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 83 TO TITLE 44 SO AS TO PROVIDE THAT THE STATE OR ANY POLITICAL SUBDIVISION MAY NOT ENACT A COVID 19 VACCINATION MANDATE; TO PROVIDE FOR CERTAIN UNEMPLOYMENT BENEFITS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT AN EMPLOYER FROM ENCOURAGING OR ADMINISTERING VACCINES; TO PROVIDE

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RESTRICTIONS FOR A PRIVATE EMPLOYER'S VACCINE MANDATE; TO PROVIDE THAT CERTAIN VACCINE EXEMPTIONS MUST BE HONORED; AND TO PROVIDE THAT NO PERSON MAY BE DISCRIMINATED AGAINST BASED ON VACCINATION STATUS.

Ordered for consideration tomorrow.

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

S. 1074 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large, Public:

Mary J. Richardson, 8119 Burdell Drive, Columbia, SC 29209-5108
VICE Mary Elizabeth Phillips

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

At-Large, Licensed Practical Nurse:

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Melissa May-Engel, 1109 Aderly Oak Drive, Irmo, SC 29063-7892
VICE Tamara Day

Received as information.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Residential Care Administrator:

Ms. Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

Received as information.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29621-7651

Received as information.

Message from the House

Columbia, S.C., March 7, 2024

Mr. President and Senators:

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

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM

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“TELECOMMUNICATION DEVICE”, AND TO PROVIDE PENALTIES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1102 -- Senator Alexander: A CONCURRENT RESOLUTION TO EXPRESS APPRECIATION TO PROFESSIONALS WHO ADVOCATE ON BEHALF OF THOSE SUFFERING FROM MENTAL ILLNESS, AS WELL AS TO THE VOLUNTEERS WHO ASSIST THEM, AND TO DECLARE WEDNESDAY, MARCH 6, 2024, AS “MENTAL HEALTH ADVOCACY DAY” IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 7, 2024, at 11:00 A.M. and the following Acts and Joint Resolutions were ratified:

(R112, S. 245) -- Senators Kimbrell and Hembree: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROHIBIT PERSONS WITH CERTAIN CRIMINAL CONVICTIONS FROM SERVING AS PUBLIC SCHOOL BOOSTER CLUB FINANCIAL OFFICERS, TO PROVIDE SUCH BOOSTER CLUBS ANNUALLY SHALL REGISTER WITH THE SCHOOL DISTRICT BOARD OR CHARTER SCHOOL AUTHORIZER OF ITS SCHOOL, AND TO PROVIDED RELATED POWERS AND DUTIES OF SCHOOL DISTRICT BOARDS AND CHARTER SCHOOL AUTHORIZERS.

L:\COUNCIL\ACTS\245WAB125.DOCX

(R113, S. 298) -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE

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DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.
L:\COUNCIL\ACTS\298DG125.DOCX

(R114, S. 410) -- Senator Talley: AN ACT TO CONVEY THE REAL PROPERTY OF THE FAIRMONT-LARKIN AREA RECREATION COMMISSION TO SPARTANBURG COUNTY; TO DISSOLVE THE FAIRMONT-LARKIN AREA RECREATION COMMISSION; AND TO REPEAL ACT 819 OF 1978, RELATING TO THE CREATION AND DUTIES OF THE FAIRMONT-LARKIN AREA RECREATION COMMISSION.
L:\COUNCIL\ACTS\410PH125.DOCX

(R115, S. 418) -- Senators Hembree, Turner, Gustafson, Loftis and Kimbrell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-110, RELATING TO THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND THE COMPREHENSIVE READING PROGRAM IMPLEMENTED BY THE OFFICE, SO AS TO ELIMINATE THE OFFICE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE PROGRAM, AND TO REVISE REQUIREMENTS FOR THE PROGRAM; BY AMENDING SECTION 59-155-120, RELATING TO DEFINITIONS CONCERNING THE STATEWIDE READING PROGRAM, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 59-155-130, RELATING TO FUNCTIONS OF THE PROGRAM FOR WHICH THE DEPARTMENT SHALL PROVIDE GUIDANCE AND SUPPORT TO SCHOOL DISTRICTS AND EDUCATOR PREPARATION PROGRAMS IN IMPLEMENTING THE PROVISIONS OF THE PROGRAM, SO AS TO REVISE THE FUNCTIONS AND TO PROVIDE DISTRICTS THAT FAIL TO MEET REPORTING REQUIREMENTS ON READING CAMPS ARE INELIGIBLE TO RECEIVE STATE FUNDING FOR THE CAMPS DURING THE FOLLOWING FISCAL YEAR BUT SHALL CONTINUE TO OPERATE THE CAMPS; BY AMENDING SECTION 59-155-140, RELATING TO COMPONENTS OF THE PROGRAM, SO AS TO REQUIRE ANNUAL APPROVAL BY THE STATE BOARD OF EDUCATION, TO REVISE CERTAIN COMPONENTS, AND TO REVISE OTHER REQUIREMENTS FOR THE PROGRAM; BY AMENDING SECTION 59-155-150, RELATING TO DUTIES OF THE STATE SUPERINTENDENT TO

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ENSURE CERTAIN READINESS ASSESSMENTS ARE ADMINISTERED WITHIN THE FIRST FORTY-FIVE DAYS OF SCHOOL, SO AS TO PROVIDE DISTRICTS AND CHARTER SCHOOLS MAY REQUEST WAIVERS FROM STATUTORY ATTENDANCE REQUIREMENTS TO SCHEDULE THE ASSESSMENTS, AMONG OTHER THINGS; BY ADDING SECTION 59-155-155 SO AS TO PROVIDE REQUIREMENTS FOR THE NUMBER OF UNIVERSAL READING SCREENERS THAT DISTRICTS MAY USE, TO PROVIDE REQUIREMENTS FOR SCREENERS, TO PROVIDE DISTRICTS SHALL ADMINISTER SCREENERS AT LEAST THREE TIMES DURING EACH SCHOOL YEAR IN CERTAIN INTERVALS, TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT, AND TO PROVIDE FOR ALTERNATE ASSESSMENT AND PROGRESS MONITORING TOOLS; BY AMENDING SECTION 59-155-160, RELATING TO MANDATORY RETENTION PROVISIONS FOR THIRD GRADERS WHO FAIL TO DEMONSTRATE READING PROFICIENCY, SO AS TO REVISE EXEMPTIONS AND EXEMPTION PROCESSES, TO PROVIDE SERVICES AND SUPPORT THAT MUST BE PROVIDED TO RETAINED STUDENTS, TO PROVIDE RETAINED STUDENTS SHALL ENROLL IN SUMMER READING CAMPS, AMONG OTHER THINGS; BY AMENDING SECTION 59-155-170, RELATING TO THE REQUIREMENT OF TEACHERS IN CERTAIN CONTENT AREAS MASTER CERTAIN READING COMPREHENSION INSTRUCTION PRACTICES AND ASSIST IN THE IMPLEMENTATION OF THESE PROVISIONS, SO AS TO REMOVE THE REQUIREMENT, AMONG OTHER THINGS, AND TO REQUIRE THE DEPARTMENT SHALL IMPLEMENT CERTAIN FOUNDATIONAL LITERACY SKILLS TRAINING FOR ALL KINDERGARTEN THROUGH THIRD GRADE TEACHERS CERTIFIED IN CERTAIN TEACHING AREAS, AND TO PROVIDE SUCCESSFUL COMPLETION OF THIS TRAINING SHALL SATISFY LITERACY ENDORSEMENT REQUIREMENTS; BY AMENDING SECTION 59-155-180, RELATING TO LITERACY READING COACHES, SO AS TO REVISE TRAINING REQUIREMENTS FOR THE COACHES, AMONG OTHER THINGS; BY AMENDING SECTION 59-155-200, RELATING TO THE PROMOTION OF READING AND WRITING HABITS AND SKILLS DEVELOPMENT, SO AS TO REMOVE FAMILY SUPPORT PROVISIONS; BY AMENDING SECTION 59-155-210, RELATING

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TO STANDARDS, PRACTICES, AND PROCEDURES DEVELOPED BY THE BOARD AND DEPARTMENT TO IMPLEMENT THE PROGRAM, SO AS TO REMOVE THE BOARD FROM THE PROVISIONS, AMONG OTHER THINGS; AND BY AMENDING SECTION 59-18-310, RELATING TO ASSESSMENTS REQUIRED IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE ASSESSMENTS AND THEIR USES, AMONG OTHER THINGS.

L:\COUNCIL\ACTS\418WAB125.DOCX

(R116, S. 738) -- Senator K. Johnson: AN ACT TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE CLARENDON COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS.

L:\COUNCIL\ACTS\738HDB125.DOCX

(R117, S. 782) -- Senators Matthews and Davis: AN ACT 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.

L:\COUNCIL\ACTS\782HDB125.DOCX

(R118, S. 801) -- Senator Alexander: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-430, RELATING TO DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE; AND BY AMENDING SECTION 7-7-40, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD NEW PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R119, S. 912) -- Senator Davis: A JOINT RESOLUTION TO EXPRESS SUPPORT FOR THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AND TO ENCOURAGE THE CONTINUED GLOBAL LEADERSHIP TO REDUCE THE STATE'S ENVIRONMENTAL IMPACT WHILE ENHANCING THE ECONOMIC OUTPUT.

L:\COUNCIL\ACTS\912PH125.DOCX

(R120, H. 3116) -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: AN ACT 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 AND CERTAIN SPOUSES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS; AND BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE INCLUDES CERTAIN SPOUSES REGARDLESS OF WHETHER THE DECEASED SPOUSE APPLIED, FILED FOR, OR CLAIMED AN EXEMPTION AND TO PROVIDE THAT A PROPERTY TAX EXEMPTION FOR TWO PRIVATE PASSENGER VEHICLES MAY BE CLAIMED BY CERTAIN SPOUSES OF A DISABLED VETERAN OR CERTAIN TRUSTEES.

L:\COUNCIL\ACTS\3116SA125.DOCX

(R121, 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: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING

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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 TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS AND FIREARMS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS AND FIREARMS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THIS SECTION; 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

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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 PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO PROVIDE PERSONS MUST REPORT THE LOSS OR THEFT OF A FIREARM TO A LAW ENFORCEMENT AGENCY, 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, TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; TO PROVIDE SLED SHALL OFFER A CONCEALED WEAPON PERMIT TRAINING COURSE, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY OBTAIN 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

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CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 51-3-145, RELATING TO UNLAWFUL ACTS COMMITTED AT STATE PARKS, SO AS TO PROVIDE PERSONS MAY POSSESS OR CARRY CONCEALABLE WEAPONS IN STATE PARKS; 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; 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 PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”; BY AMENDING SECTION 22-5-910, RELATING TO THE EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN UNLAWFUL POSSESSIONS OF FIREARMS OR WEAPONS OFFENSES, AND TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 23-31-240, RELATING TO PERSONS ALLOWED TO CARRY CONCEALABLE WEAPONS ANYWHERE IN THIS STATE, SO AS TO ADD ADDITIONAL PERSONS TO THIS LIST WITH CERTAIN EXCEPTIONS; BY ADDING SECTION 23-31-245 SO AS TO PROVIDE CIRCUMSTANCES WHEN LAW ENFORCEMENT OFFICERS MAY SEARCH, DETAIN, OR ARREST PERSONS OPENLY CARRYING WEAPONS; BY ADDING SECTION 17-1-65 SO AS TO PROVIDE PERSONS MAY APPLY FOR EXPUNGEMENTS OF CONVICTIONS FOR UNLAWFUL POSSESSION OF HANDGUNS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 16-23-495 SO AS TO PROVIDE PENALTIES FOR PERSONS CONVICTED OF COMMITTING OR ATTEMPTING TO COMMIT CERTAIN CRIMES INVOLVING CONCEALABLE WEAPONS, TO PROVIDE SLED SHALL DEVELOP AND DISTRIBUTE A DOCUMENT THAT INFORMS GUN PURCHASERS THAT THEY MAY OBTAIN CONCEALED WEAPON PERMITS, CARRY THEIR WEAPONS WITHOUT A PERMIT, AND CERTAIN PENALTIES IMPOSED FOR

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CRIMES INVOLVING CONCEALABLE WEAPONS, TO PROVIDE SLED MUST INFORM THE PUBLIC THE STATE PROVIDES A PROCESS FOR GUN OWNERS TO OBTAIN CONCEALED WEAPON PERMITS AND ALLOWS GUN OWNERS TO CARRY THEIR WEAPONS WITHOUT PERMITS; AND TO PROVIDE NO PROVISION OF THIS ACT SHOULD BE CONSTRUED TO DISCOURAGE GUN OWNERSHIP OR GUN SAFETY TRAINING, BUT TO ENCOURAGE GUN OWNERS TO RECEIVE GUN SAFETY TRAINING.

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(R122, H. 3951) -- Reps. Haddon, G.M. Smith, Bannister, Hiott, Ligon, Hixon, Leber, Erickson, Forrest, Brewer, Murphy, Robbins, Willis, Calhoun, Pope, Davis and M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-59-40, RELATING TO THE COMPOSITION OF THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO INCREASE MEMBERSHIP BY ADDING THE COMMISSIONER OF AGRICULTURE, THE SECRETARY OF COMMERCE, AND THE SECRETARY OF TRANSPORTATION; AND BY ADDING SECTION 48-59-150 SO AS TO ESTABLISH THE WORKING FARMLAND PROTECTION FUND.

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(R123, H. 3993) -- Reps. Brewer, West, Lawson, Mitchell, Yow, Sessions, Leber, Ott, Guffey, Atkinson, B.L. Cox, Forrest, B. Newton, Gatch, Hager, Hixon, Murphy and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1920, RELATING TO THE SALE OF EXOTIC FARM-RAISED VENISON, SO AS TO PROVIDE AN EXCEPTION.

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(R124, H. 4047) -- Rep. Ott: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-100 SO AS TO PROHIBIT THE RELEASE OF RECORDS REGARDING THE OCCURRENCE OF RARE, THREATENED, ENDANGERED, OR IMPERILED PLANT AND ANIMAL SPECIES BY THE DEPARTMENT OF NATURAL RESOURCES.

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(R125, H. 4159) -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT" BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH; TO AMEND SECTION 40-33-34, RELATING TO THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO PRACTICE TELEMEDICINE, SO AS TO ALSO AUTHORIZE THE PRACTICE OF TELEHEALTH BY ADVANCED PRACTICE REGISTERED NURSES AND TO CLARIFY THAT LICENSURE TO PRACTICE MEDICINE IN THIS STATE IS NOT REQUIRED FOR ADVANCED PRACTICE REGISTERED NURSES TO PRACTICE TELEMEDICINE OR TELEHEALTH EXCEPT AS OTHERWISE REQUIRED; AND TO AMEND SECTION 40-47-935, RELATING TO THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRACTICE TELEMEDICINE, SO AS TO ALSO AUTHORIZE THE PRACTICE OF TELEHEALTH BY PHYSICIAN ASSISTANTS AND TO CLARIFY THAT LICENSURE TO PRACTICE MEDICINE IN THIS STATE IS NOT REQUIRED FOR PHYSICIAN ASSISTANTS TO PRACTICE TELEMEDICINE OR TELEHEALTH EXCEPT AS OTHERWISE REQUIRED.

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(R126, H. 4868) -- Reps. Kirby, Lowe, Jordan and Williams: AN ACT 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 MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP

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NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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(R127, H. 4876) -- Reps. Jefferson, Cobb-Hunter, Robbins, Gatch, Murphy and Brewer: AN ACT TO AMEND ACT 536 OF 1986, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF DORCHESTER COUNTY SCHOOL DISTRICT 4, SO AS TO CHANGE THE CANDIDATE FILING METHOD FROM THE PETITION METHOD TO THE FILING OF A STATEMENT OF INTENTION OF CANDIDACY WITH THE DORCHESTER COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.

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(R128, H. 4892) -- Reps. Thayer, West, Chapman, Beach, Cromer and Gagnon: AN ACT TO AMEND ACT 510 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO REAPPORTION THE DISTRICTS FROM WHICH BOARD MEMBERS ARE ELECTED; AND TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THESE DISTRICTS.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST

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APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

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

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The Committee on Judiciary proposed the following amendment (SJ-1046.PB0003S):

Amend the bill, as and if amended, SECTION 2, Section 2-19-10, by striking the last undesignated paragraph and inserting:

All appointees, except for the one provided in item (6), must be members of the South Carolina Bar and in good standing. Appointees made pursuant to items (2) and (3) may not be current members of the South Carolina General Assembly.

Amend the bill further, SECTION 3, by striking Section 2-19-10(D) and inserting:

~~(D) The term of office of a member of the commission who is not a member of the General Assembly shall be for four years, except those first appointed, the members appointed by the Senate president, the Senate Judiciary chairman, the Speaker of the House, and the House Judiciary chairman shall serve an initial term of two years. Members may serve two non-consecutive terms provided a period of four years separates each term. Those initially appointed for a two-year term may serve one consecutive four-year term and a non-consecutive four-year term provided a period of four years has expired from previous service, subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~

~~—Amend~~ the bill further, SECTION 4, by striking Section 2-19-10(G)(1) and (2) and inserting:

(1) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law judge division court while serving on the commission and for a period of one yeartwo years thereafter; and

(2) If a candidate is a family member of a current Judicial Merit Selection Commission member, the member must resign his position on the commission. Family member is defined for the purpose of this section as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Amend the bill further, SECTION 6, by striking Section 2-19-20(D) and inserting:

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. Upon receipt of the notice of intention, the commission shall begin to conduct the

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investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission. The investigation must include the South Carolina Bar assessment of the candidate, the Citizens Committee assessment of the candidate, and public testimony from any witness appearing before the commission. The commission may consider other information provided by any agency of state government, but such information shall be provided to the candidate seeking office at least forty-eight hours prior to a public hearing and it must be described during a public hearing. The commission must not utilize anonymous surveys sent to members of the South Carolina Bar.

Amend the bill further, SECTION 12, Section 2-19-80, by striking Section 2-19-80(A) and inserting:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law ~~judge division~~ court. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~ all candidates whom it considers ~~best~~-qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the committee amendment.

Senator HARPOOTLIAN spoke on the committee amendment.

Senator CAMPSSEN spoke on the committee amendment.

Debate was interrupted by adjournment.

ACTING PRESIDENT PRESIDES

At 1:51 P.M., Senator SHEALY assumed the Chair.

Motion Adopted

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

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ADJOURNMENT

At 2:07 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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