

NO. 59

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

WEDNESDAY, MAY 8, 2024
(STATEWIDE SESSION)

Wednesday, May 8, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Proverbs: 24:1: “if you say, ‘Look, we did not know this’—does not he who weighs the heart perceive it? Does not he who keeps watch over your soul know it? And will he not repay all according to their deeds?”

Let us pray. All powerful God, embrace us to remain in You and allow Your loving word to yield fruit in us. Thank You for the day You have made. Bless our first defenders and first responders who care for us. Provide for each of us a rich amount of love for others. Look in favor upon our World, Nation, President, State, Governor, Speaker, Staff, and all who labor in this vineyard. Bless our men and women who serve our Country and those with hidden wounds.

Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of Tuesday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. TAYLOR moved that when the House adjourns, it adjourn in memory of SGM Dwight L. Bradham, Sr., which was agreed to.

SGM Dwight L. Bradham, Sr.

Today, I request that the House adjourn in memory of SGM Dwight L. Bradham, Sr., U.S. Army retired. The SGM, a longtime Aiken resident, went to be with his Holy Father on April 28th, 2024. SGM Bradham was a dedicated American Patriot and public servant, a loving husband, and a caring father. He was also my friend. SGM Bradham was a most worthy man who gave his best when he was called upon to serve

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and protect the interests of our country. America and South Carolina have lost a soldier who kept returning to duty for the sake of his nation.

Representative Bill Taylor

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler

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Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Wheeler
White	Whitmire	Williams
Willis	Wooten	Yow

Total Present—120

STATEMENT OF ATTENDANCE

Rep. MAY signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, May 7.

LEAVE OF ABSENCE

The SPEAKER granted Rep. THAYER a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. BRADLEY a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. B. J. COX a leave of absence for the day due to a prior business commitment.

LEAVE OF ABSENCE

The SPEAKER granted Rep. SPANN-WILDER a temporary leave of absence.

LEAVE OF ABSENCE

The SPEAKER granted Rep. ANDERSON a temporary leave of absence.

STATEMENT BY REP. POPE

REP. POPE made a statement relative to Rep. FELDER'S service in the House.

STATEMENT BY REP. FELDER

Rep. FELDER made a statement relative to her service in the House.

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ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification:

S. 1292 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

H. 5388--DEBATE ADJOURNED

The following Bill was taken up:

H. 5388 -- Reps. Bannister, Elliott, Willis, W. Jones, Dillard, Vaughan and Haddon: A BILL TO AMEND ACT 919 OF 1928, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY MILLION DOLLARS.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

S. 728--DEBATE ADJOURNED

The following Bill was taken up:

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

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S. 969--DEBATE ADJOURNED

The following Bill was taken up:

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

S. 858--DEBATE ADJOURNED

The following Bill was taken up:

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

S. 1001--DEBATE ADJOURNED

The following Bill was taken up:

S. 1001 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430,

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RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

S. 1166--DEBATE ADJOURNED

The following Bill was taken up:

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

S. 1099--DEBATE ADJOURNED

The following Bill was taken up:

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

S. 557--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander, Campsen and Gustafson: A BILL TO AMEND THE SOUTH

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CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

Rep. BANNISTER moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5101--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

The Senate Amendments to the following Joint Resolution were taken up for consideration:

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Rep. Bannister proposed the following Amendment No. 2A to H. 5101 (LC-5101.DG0013H), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 and inserting:

SECTION X. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the S. C. Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2023-2024 the following amounts:

- (1) H630 Department of Education
 - (a) School Safety Mapping \$5,000,000
 - (b) School Facilities Safety Upgrades \$20,000,000
- (2) H670 Educational Television Commission
 - Microwave and Transmitter Upgrades Phase I \$5,000,000
- (3) H640 Governor's School for Arts and Humanities
 - Residence Hall Renovation and Upgrades Phase II \$5,000,000
- (4) H090 Citadel
 - (a) Engineering Building Replacement

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\$4,000,000
 (b) Duckett Hall Renovation \$2,000,000
 (c) Renovation of Workforce Housing \$1
(5) H120 Clemson University
 College of Veterinary Medicine \$47,000,000
(6) H150 University of Charleston
 Campus Expansion \$7,000,000
(7) H170 Coastal Carolina
 Pedestrian Walkway \$5,000,000
(8) H180 Francis Marion
 (a) Leatherman Science Facility/McNair Science Building
Renovation \$5,000,000
 (b) Applied Behavioral Analysis (ABA) Clinic
\$1,000,000
(9) H210 Lander
 Maintenance, Renovation, and Replacement
\$5,000,000
(10) H240 South Carolina State University
 Replacement of the Whittaker Library
\$5,000,000
(11) H270 USC – Columbia
 Health Sciences Campus \$47,000,000
(12) H290 USC – Aiken
 (a) Nursing/Health Sciences Building Expansion
\$2,500,000
 (b) Pacer Collaborative Research Center
\$2,000,000
 (c) Maintenance, Renovation, and Replacement
\$1,500,000
 (d) Athletic Facilities Relocation \$1
(13) H340 USC – Upstate
 (a) School of Nursing Building \$5,000,000
 (b) Maintenance, Renovation, and Replacement \$1
(14) H360 USC – Beaufort
 New Convocation Center \$11,500,000
(15) H370 USC – Lancaster
 Maintenance, Renovation, and Replacement
\$1,100,000
(16) H380 USC Salkehatchie
 Maintenance, Renovation, and Replacement
\$412,000

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- (17) H390 USC Sumter
 - (a) Student Success Center \$6,400,000
 - (b) Facilities Management Center
- \$2,850,000
 - (c) Maintenance, Renovation, and Replacement
- \$3,000,000
- (18) H400 USC – Union
 - Maintenance, Renovation, and Replacement
- \$413,000
- (19) H470 Winthrop
 - Maintenance, Renovation, and Replacement
- \$5,000,000
- (20) H510 Medical University of South Carolina
 - College of Medicine Academic Building
- \$22,000,000
- (21) H590 Board for Technical and Comprehensive Education
 - (a) Aiken Technical College
 - Maintenance, Renovation, and Replacement
- \$1,500,000
- (b) Central Carolina Technical College
 - (i) Sumter Campus Advanced Manufacturing Training Center \$2,300,000
 - (ii) Maintenance, Renovation, and Replacement
- \$1
- (c) Denmark Technical College
 - (i) Renovation of Barnwell Site at Ellington Road
- \$2,000,000
- (ii) Renovation of Industrial Tech Buildings
- \$400,000
- (d) Florence Darlington Technical College
 - (i) Industrial Trades Training Facility
- \$2,200,000
- (ii) Darlington County Campus \$1
- (e) Greenville Technical College
 - Maintenance, Renovation, and Replacement
- \$4,500,000
- (f) Horry Georgetown Technical College
 - (i) Renovation of Grand Strand Building
- \$2,300,000
- (ii) Health Professions Training Complex \$1
- (g) Midlands Technical College

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QuickJobs and Dual Enrollment
\$6,500,000

(h) Northeastern Technical College
Maintenance, Renovation, and Replacement
\$300,000

(i) Orangeburg Calhoun Technical College
Maintenance, Renovation, and Replacement
\$2,361,096

(j) Piedmont Technical College
Maintenance, Renovation, and Replacement
\$2,300,000

(k) Spartanburg Community College
Maintenance, Renovation, and Replacement \$1

(l) Technical College of the Lowcountry
Maintenance, Renovation, and Replacement
\$1,300,000

(m) Tri County Technical College
Maintenance, Renovation, and Replacement
\$500,000

(n) Trident Technical College
Maintenance, Renovation, and Replacement
\$2,300,000

(o) Williamsburg Technical College
Maintenance, Renovation, and Replacement
\$500,000

(p) York Technical College
Maintenance, Renovation, and Replacement
\$2,300,000

(22) J120 Department of Mental Health
Stone VA Nursing Home \$5,000,000

(23) H790 Department of Archives and History
Exhibit Hall and Meeting Space Expansion
\$1,000,000

(24) P210 SC State University Public Service Activities
Construction of the South Carolina Limnology Research Center
\$2,000,000

(25) P320 Department of Commerce
SC Nexus \$5,000,000

(26) Y140 State Ports Authority
North Charleston Economic Development Land Acquisition
\$55,000,000

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- (27) D300 Office of Resilience
Disaster Relief and Resilience Reserve Fund
\$4,000,000
 - (28) P240 Department of Natural Resources
Waterfowl Impoundments Infrastructure Maintenance
\$1,200,000
 - (29) P400 Conservation Bank
 - (a) Conservation Grant Funding \$6,000,000
 - (b) Working Ag Lands Grant Funding\$1,000,000
 - (30) N040 Department of Corrections
 - (a) Cell Phone Interdiction \$1
 - (b) Security and Maintenance Funds\$4,500,000
 - (31) R400 Department of Motor Vehicles
SCDMV IT System Modernization \$2,350,779
 - (32) A170 Legislative Services Agency
Network Infrastructure \$753,766
 - (33) D500 Department of Administration
Healthcare Campus Relocation \$14,511,113
 - (34) E240 Adjutant General
 - (a) SCEMD – State EOC Expansion \$1
 - (b) Armory Revitalization \$3,300,000
 - (35) E260 Department of Veterans’ Affairs
 - (a) Veteran Homes Capital Improvements
 - (b) MJ “Dolly” Cooper State Veterans’ Cemetery Committal Shelter II \$1,280,000
 - (c) Military Enhancement Fund \$2,000,000
 - (d) Veteran Trust Fund \$1,000,000
- Renumber sections to conform.
Amend title to conform.

Rep. BANNISTER explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister

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Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Guest	Guffey	Haddon
Hager	Hardee	Hartnett
Hayes	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	S. Jones	W. Jones
Kilmartin	King	Kirby
Landing	Lawson	Ligon
Long	Magnuson	May
McCabe	McCrary	McDaniel
McGinnis	Mitchell	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pope	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Vaughan	Weeks	West
Wetmore	White	Whitmire
Willis	Wooten	

Total--101

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

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The Senate Amendments were amended, and the Joint Resolution was ordered returned to the Senate.

H. 5023--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J. L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

Rep. BANNISTER moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5100--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

The Senate Amendments to the following Bill were taken up for consideration:

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Reps. BANNISTER, HERBKERSMAN, WHITMIRE, STAVRINAKIS, LOWE, BALLENTINE, CRAWFORD, MOSS, and MURPHY proposed the following Amendment No. 1A Passed By The

[HJ]

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House (Doc Name h:\legwork\house\amend\h-wm\011\h2-amend back.docx), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting the bill as passed by the House of Representatives on March 13, 2024, which is hereby incorporated into this amendment.

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 3, line 18, opposite /Math Resources and Support/ by decreasing the amount in Column 5 by:

Column 5	Column 6
1,000,000	

Amend the bill further, as and if amended, Section 1, DEPARTMENT OF EDUCATION, page 6, line 3, opposite /Regional Education Centers (R600)/ by decreasing the amount in Column 5 by:

Column 5	Column 6
501,250	

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 6, line 11, opposite /Dept of Juvenile Justice (N120)/ by increasing the amount in Column 5 by:

Column 5	Column 6
136,500	

Amend the bill further, as and if amended, Section 1, DEPARTMENT OF EDUCATION, page 6, line 20, opposite /Dept. of Corrections (N040)/ by increasing the amount in Columns 5 by:

Column 5	Column 6
178,750	

Amend the bill further, as and if amended, Section 1, DEPARTMENT OF EDUCATION, page 6, line 23, opposite /Project HYPE (H630)/ by increasing the amount in Column 5 by:

Column 5	Column 6
200,000	

Amend the bill further, as and if amended, Part IA, Section 13, THE CITADEL, page 25, line 10, opposite /OTHER OPERATING EXPENSES/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
3,000,000	3,000,000

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 37, line 10, opposite /OTHER OPERATING EXPENSES/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
4,190,000	4,190,000

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Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 39, line 7, opposite /NEW POSITIONS – ADMINISTRATIVE COORDINATOR/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
200,000	200,000

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 39, line 9, opposite /NEW POSITIONS – ATTORNEY I/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
500,000	500,000

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 39, line 10, opposite /NEW POSITIONS – STUDENT SERVICES MANAGER I/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
500,000	500,000

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 39, line 14, opposite /NEW POSITIONS – PROFESSOR/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
720,000	720,000

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 39, line 16, opposite /OTHER OPERATING EXPENSES/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
2,812,000	2,812,000

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 41, line 14, opposite /OTHER OPERATING EXPENSES/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
2,000,000	2,000,000

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 42, line 2, opposite /EMPLOYER CONTRIBUTIONS/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
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768,000 768,000

Amend the bill further, as and if amended, Part IA, Section 23, MEDICAL UNIVERSITY OF SOUTH CAROLINA, page 57, line 34, opposite /OTHER OPERATING EXPENSES/ by decreasing the amounts in Columns 5 and 6 by:

Column 5 Column 6
2,000,000 2,000,000

Amend the bill further, as and if amended, Part IA, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 81, line 5, opposite /CLTC - COMMUNITY LONG TERM CARE/ by increasing the amounts in Columns 5 and 6 by:

Column 5 Column 6
1,500,000 1,500,000

Amend the bill further, as and if amended, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 81, line 6, opposite /COORDINATED CARE/ by decreasing the amounts in Columns 5 and 6 by:

Column 5 Column 6
2,000,000 2,000,000

Amend the bill further, as and if amended, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 81, line 31, opposite /DISABILITIES & SPECIAL NEEDS/ by increasing the amounts in Columns 5 and 6 by:

Column 5 Column 6
500,000 500,000

Amend the bill further, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 99, line 19, opposite /CASE SERVICES/ by increasing the amount in Column 5 by:

Column 5 Column 6
95,739

Amend the bill further, as and if amended, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 100, line 12, opposite /CASE SERVICES/ by increasing the amount in Column 5 by:

Column 5 Column 6
276,280

Amend the bill further, as and if amended, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 100, line 17, opposite /IMD GROUP HOMES/ by increasing the amount in Column 5 by:

Column 5 Column 6
1,317,901

Amend the bill further, as and if amended, Part IA, Section 38,

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DEPARTMENT OF SOCIAL SERVICES, page 100, line 26, opposite /CLASSIFIED POSITIONS/ by increasing the amount in Column 5 by:

Column 5	Column 6
229,786	
(2.00)	(2.00)

Amend the bill further, as and if amended, Part IA, Section 39, COMMISSION FOR THE BLIND, page 106, line 26, opposite /CLASSIFIED POSITIONS/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
(2.00)	(2.00)

Amend the bill further, as and if amended, Section 50, DEPARTMENT OF COMMERCE, page 139, immediately after line 4, by inserting a new line to read:

Column 5	Column 6
FOREIGN OPERATIONS	
1	1

Amend the bill further, as and if amended, Section 50, DEPARTMENT OF COMMERCE, page 141, immediately after line 33, by inserting a new line to read:

Column 5	Column 6
OTHER OPERATING EXPENSES	
1	1

Amend the bill further, as and if amended, Section 50, DEPARTMENT OF COMMERCE, page 141, immediately after line 33, by inserting a new line to read:

Column 5	Column 6
DISTRIBUTION TO SUBDIVISIONS	
1	1

Amend the bill further, as and if amended, Part IA, Section 53, S.C. CONSERVATION BANK, page 145, immediately after line 11, by inserting a new line to read:

Column 5	Column 6
WORKING AG LANDS GRANT	
1	1

Amend the bill further, as and if amended, Section 62, STATE LAW ENFORCEMENT DIVISION, page 163, immediately after line 20, by inserting a new line to read:

Column 5	Column 6
CWP PROGRAM	
1	1

[HJ]

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Amend the bill further, as and if amended, Part IA, Section 62, STATE LAW ENFORCEMENT DIVISION, page 163, immediately after line 20, by inserting a new lines to read:

Column 5	Column 6
NEW POSITIONS - LAW ENFORCEMENT OFFICER III	

(2.00)	(2.00)
--------	--------

NEW POSITIONS - PROGRAM ASSISTANT

(1.00)	(1.00)
--------	--------

NEW POSITIONS - ACCOUNTANT/FISCAL ANALYST

(1.00)	(1.00)
--------	--------

Amend the bill further, as and if amended, Part IA, Section 62, STATE LAW ENFORCEMENT DIVISION, page 164, line 26, opposite /NEW POSITIONS - LAW ENFORCEMENT OFFICER II/ by increasing the amount(s) in Columns 5 and 6 by:

Column 5	Column 6
348,486	348,486
(3.00)	(3.00)

Amend the bill further, as and if amended, Part IA, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 167, line 24, opposite /OTHER OPERATING EXPENSES/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
45,000	45,000

Amend the bill further, as and if amended, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 167, line 26, opposite /SCHOOL RESOURCE OFFICERS/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
2,000,000	2,000,000

Amend the bill further, as and if amended, Part IA, Section 74, WORKERS' COMPENSATION COMMISSION, page 185, line 7, opposite /Other Operating Expenses/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
2,500,000	2,500,000

Amend the bill further, as and if amended, Part IA, Section 91A, LEG. DEPT - THE SENATE, page 209, line 7, opposite /Other Operating Expenses/ by increasing the amounts in Columns 5 and 6 by:

[HJ]

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Column 5	Column 6
300,000	300,000

Amend the bill further, as and if amended, Section 91C, LEG. DEPT - CODIFICATION OF LAWS & LEG. COUNCIL, page 211, immediately after line 7, by inserting a new line to read:

Column 5	Column 6
PROGRAM MANAGER II	
120,000	120,000
(1.00)	(1.00)

Amend the bill further, as and if amended, Section 91C, LEG. DEPT - CODIFICATION OF LAWS & LEG. COUNCIL, page 211, line 8, opposite /OTHER OPERATING EXPENSES/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
6,000	6,000

Amend the bill further, as and if amended, Section 91C, LEG. DEPT - CODIFICATION OF LAWS & LEG. COUNCIL, page 211, line 20, opposite /EMPLOYER CONTRIBUTIONS/ by increasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
54,000	54,000

Amend the bill further, as and if amended, Part IA, Section 92D, OFFICE OF RESILIENCE, page 216, line 4, opposite /CLASSIFIED POSITIONS/ by decreasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
1,912,770	1,912,770

Amend the bill further, as and if amended, Section 92D, OFFICE OF RESILIENCE, page 217, line 26, opposite /OTHER OPERATING EXPENSES/ by decreasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
737,700	737,700

Amend the bill further, as and if amended, Part IA, Section 106, STATEWIDE EMPLOYEE BENEFITS, page 243, line 7, opposite /HEALTH INSURANCE - EMPLOYER/ by decreasing the amounts in Columns 5 and 6 by:

Column 5	Column 6
10,292,140	10,292,140

Amend the bill further, as and if amended, Part IA, Section 107, CAPITAL AND GENERAL RESERVE FUNDS, page 244, line 2, opposite /Capital Reserve Fund/ by decreasing the amounts in Columns 5 and 6 by:

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Column 5 Column 6
20,347,881 20,347,881

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 324, lines 31-33 by striking subsection (C).

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 325, after line 35, by adding an appropriately numbered proviso to read:

/ (SDE-EIA: Systematic Study of Higher Education) With the funds appropriated to the Education Oversight Committee, the Committee shall contract with state and national experts, consultants, and advisors to conduct a study that will ensure that South Carolina's public higher education system can provide the workforce for the future. The report will identify and recommend strategies that will address the sustainability, accessibility, and affordability of public higher education for the citizens of the State. The study shall address, but not be limited to, the following topics and analysis: (1) analysis of the impact of the declining birth rate on the current and future enrollment trends in public higher education from a State and from regional perspectives; (2) assessment of the utilization of existing physical space/buildings on existing campuses and projections of additional capital projects needed given enrollment trends and utilization of virtual technologies; (3) analysis of the graduation rates and credentials and diplomas earned in public higher education institutions compared to the workforce needs of the State; (4) recommendations to improve the efficiency and effectiveness of our public higher education system; and (4) identification of barriers that prevent citizens from earning a postsecondary degree or credential, which must include an analysis of the cost of a postsecondary degree or credential compared to other states in our region. The thirty-three public institutions of higher education, the Commission on Higher Education, the South Carolina Technical College System, and the Department of Employment Workforce will collaborate with and provide data as requested by the committee. Procurements by the committee of any experts, consultants, and advisors including, but not limited to, accountants and attorneys, are exempt from the purchasing procedures of the South Carolina Consolidated Procurement Code in Chapter 35, Title 11, and any other provisions of the general law of this State in conflict with these directives. Procurements made by the committee pursuant to this provision shall be made with as much competition as is practicable under the circumstances. The committee shall submit the final report to

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the Governor, Speaker of the House of Representatives, Chairman of the House Ways and Means Committee, President of the Senate, and Chairman of the Senate Finance Committee by June 30, 2025. In the event that the committee needs an extension of up to six months, the extension can be granted upon the approval of the Governor, the President of the Senate, and the Speaker of the House. /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 332, proviso 3.6, line 3, by striking /\$16,348,953/ and inserting /\$12,348,952/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 332, proviso 3.6, after line 5, by inserting:

/ () Commission on Higher Education – College Transition Program Scholarships \$1;

() Commission on Higher Education – Newberry College Dyslexia Program \$1,000,000;

() Education Oversight Committee – Governor’s Study on Higher Education \$3,000,000; /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 332, proviso 3.6, line 11, by striking /\$30,000,000/ and inserting /\$29,999,998/.

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 332, proviso 3.6, after line 16, by inserting:

/ () Commission on Higher Education – Technology – Public Four-Year, Two-Year, and State Technical \$1;

() Department of Education - Teacher Strategic Compensation Pilot Program \$1;

Amend the bill further, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 344, after line 4, by adding an appropriately numbered proviso to read:

/ (CHE: Dual Enrollment Study) Of the funds appropriated to the Commission on Higher Education, the commission shall convene an appropriately representative working group of stakeholders to examine the current process utilized to review and approve dual enrollment credit sites at the sixteen technical colleges in the State and the four two-year institutions at the University of South Carolina. The commission shall report the working group’s findings and recommendations, if any, to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education

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Committee, and the Chairman of the House Education and Public Works Committee by June 30th of the current fiscal year./

Amend the bill further, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 407, after line 6, by adding an appropriately numbered proviso to read:

/ (PRT: Criterion Club of Dillon Funds) Funds remaining of the \$125,000 appropriated in Act 239 of 2022, Proviso 118.19 (B)(93)(ffff) to the Department of Parks, Recreation and Tourism for the Criterion Club of Dillon shall be transferred and used for the Dillon School District 4 Facility upgrades. /

Amend the bill further, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 410, after line 29, by adding an appropriately numbered proviso to read:

/ (CMRC: Lexington County Repurpose) The \$10,000,000 appropriated in Act No. 84 of 2023, by proviso 118.19, Item (87)(o) to the Town of Lexington for the Lexington Conference Center shall be redirected to be used for the Sunset Split project. Unexpended funds may be carried forward to be expended for the same purpose. /

Amend the bill further, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 416, after line 29, by adding an appropriately numbered proviso to read:

/ (DES: York Water Filtration Fund) Funds remaining of the \$700,000 appropriated in Act 239 of 2022, Proviso 118.19 (B)(83)(h) to the Department of Environmental Health & Services for the York Water Filtration Plant shall be transferred and used for the Lincoln Road Sidewalk Project. /

Amend the bill further, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 446, paragraph 73.10, line 11, AFTER / STATE. / BY INSERTING:

/ Grant funds provided by the SC Broadband Office under ARPA and the IJA will be treated as contributions of capital of the recipients for South Carolina tax purposes. /

Amend the bill further, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 446, paragraph 73.10, line 25, by striking / Energy Office / and Inserting / SC Broadband Office /

Amend the bill further, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 470, after line 35, by adding an appropriately numbered proviso to read:

/ (DOA: State House Complex Improvements) With the funds appropriated, the Department of Administration shall produce a cost analysis study related to the burying of the powerlines and infrastructure

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improvements on and around the State House Complex. A copy of this study shall be presented to the Governor, Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

/

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 492, after line 4, by adding an appropriately numbered proviso to read:

/ (PEBA: Employer Contribution Requirement) A retired member who has been restored to active employment by appointment of the governor and whose compensation in that employment is subject to Section 8-11-160 of the Code of Laws shall be considered eligible for the provisions of Section 9-1-1590 if the member continues in such service for a period of at least thirty-six consecutive months at an annual compensation equal to or greater than seventy-five percent of his average final compensation at retirement. /

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 492, after line 4, by adding an appropriately numbered proviso to read:

/ (PEBA: JSRS Benefits) For the current fiscal year, the monthly benefit of a member of the Retirement System for Judges and Solicitors of the State of South Carolina (JSRS) who was retired and continuing to serve as a judge as of May 1, 2024, pursuant to Section 9-8-60(7)(b), and who vacated his or her office no later than June 1, 2024, must be calculated based upon the position the judge held at the time he or she vacated office. /

Amend the bill further, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 494, proviso 109.19, lines 20 - 30, by striking the proviso in its entirety.

Amend the bill further, as and if amended, Section 109, DEPARTMENT OF REVENUE, page 494, after line 30, by adding an appropriately numbered proviso to read:

/ (DOR: Food Manufacturing Equipment) Clothing required by Current Good Manufacturing Practices pursuant to 21 C.F.R. Section 111.10, as it may be amended, at perishable prepared food manufacturing facilities defined by the North American Industry Classification System 311991 to prevent health hazards, including outer garments, gloves of an impermeable material, hairnets, headbands, beard covers, caps, hair covers or other effective hair restraints, and other attire required pursuant to 21 C.F.R. Section 110.10 for persons working in direct contact with food, food contact services, and food packaging materials to protect against contamination of food in

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perishable prepared food manufacturing facilities shall be exempt from all sales and use taxes. /

Amend the bill further, as and if amended, Section 112, DEBT SERVICE, page 495, paragraph 112.2, line 32, by inserting at the end to read:

/ All outstanding agency loans, to include any accrued interest, made pursuant to Proviso 112.2 of Act 264 of 2018 shall be deemed satisfied.
/

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 524, proviso 117.90, lines 19-24 , by striking the proviso in its entirety.

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, proviso 117.181, lines 1-3 , by striking the proviso in its entirety and inserting:

/ 117.181. (GP: Retiree Return to Work) For the current fiscal year, Section 9-1-1790 is suspended for any retiree under the South Carolina Retirement System or the Police Officers Retirement System who retired on or before December 31, 2023, and returns to employment with a public school district as a school bus driver. /

Amend the bill further, as and if amended, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/ (GP: Required Net Yield) For the current fiscal year, the required net yield referenced in S.C. Code Sections 37-23-20(6), (15) is replaced with the average prime offer rate as defined in 12 C.F.R. 1026.35(a)(2) that applies to a comparable transaction, as published by the United States Consumer Financial Protection Bureau as of the last date the discounted interest rate for the transaction is set before consummation.
/

Amend the bill further, as and if amended, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/ (GP: Regulation review period) In the current fiscal year, the one hundred-twenty-day legislative review period for regulations is tolled, except for the period beginning on the second Tuesday in January and ending on the second Thursday in May. No funds appropriated or authorized in this act may be expended, in contradiction of this proviso, to make a regulation become effective by automatic approval by publication in the State Register. /

Amend the bill further, as and if amended, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately

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numbered proviso to read:

/ (GP: Judgeship) A judge who is elected to serve after the age of sixty-two shall vest in the retirement system in the same manner as that of solicitors. /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, pages 590-595, proviso 118.20, by striking the proviso in its entirety and inserting:

/ (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:

(1) \$57,879,811 from Contingency Reserve Fund;

(2) \$453,077,259 from Fiscal Year 2023-24 Projected

Surplus;

(3) \$9,058,046 from Litigation Recovery Account;

(4) \$5,151,700 from Excess Debt Service;

(5) \$7,674,703 from Excess Statewide Employee Benefits;

(6) \$74,500,000 from COVID-19 Vaccine Reserve Fund (Act 2 of 2021) – Admin 31070000;

(7) \$22,133,208 from COVID-19 Vaccine Reserve Fund (Act 2 of 2021) – DHEC 31070000;

(8) \$36,580,215 COVID-19 Vaccine Response Fund (Act 2 of 2021) – DHEC 31060000;

(9) \$10,600,000 from Statewide Airport Growth Response in Act 239 of 2022 set aside pursuant to proviso 118.19(67.1);

(10) \$7,000,000 Part 1A Transfer;

(11) (\$4,955,000) for Fiscal Year 2023-24 Incremental Income Tax Reduction; and

(12) any residual certified unappropriated general fund dollars.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2023-24 and shall be available for use in Fiscal Year 2024-25.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2024-25 after September 1, 2024, following the Comptroller General's close of the state's books on Fiscal Year 2023-24.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

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The State Treasurer shall disburse the following appropriations by September 30, 2024, for the purposes stated:

(1) A150 - Codification of Laws and Legislative Council

Printing Expenses \$ 100,000;

(2) A170 - Legislative Services Agency

Network Infrastructure \$ 246,235;

(3) B040 - Judicial Department

Legal Fees \$ 5,000,000;

(4) D100 - State Law Enforcement Division

(a) Agency Operating \$ 1,000,000;

(b) Animal Fighting Personnel and Equipment \$

217,800;

(c) Center for School Safety and Targeted Violence

\$ 7,197,226;

(d) CWP Program \$ 1;

(e) Personnel Equipment \$ 500,000;

(f) Specialized Vehicles \$ 1;

(5) D300 - Office of Resilience

Disaster Relief and Resilience Reserve Fund \$

26,000,000;

(6) D500 - Department of Administration

(a) Audit Contracting \$ 3,000,000;

(b) Cybersecurity and Asset Protection Systems \$

4,050,000;

(c) First Responder Communication

Modernization (800MHz) \$ 1,000,000;

(d) Rent Increase for State-Owned Buildings \$

1,000,000;

(e) Statehouse Grounds Study \$ 200,000;

(7) E120 - Comptroller General's Office

Office Modernization \$ 1,250,000;

(8) E160 - State Treasurer's Office

(a) Audit Support \$ 1,200,000;

(b) Database Services \$ 192,000;

(9) E200 - Attorney General's Office

(a) Crime Victim Assistance SAVS Program \$

3,000,000;

(b) Legal Fees \$ 1,800,000;

(c) Residential and Emergency Housing for

Minor Victims of Human Trafficking Grants

\$ 1,000,000;

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(10) E210 - Prosecution Coordination Commission

Diversion Program Database \$ 11,310;

(11) E240 - Adjutant General's Office

(a) City of Bamberg - Tornado Response \$ 1;

(b) Greenwood County - Emergency Services

Complex \$ 1;

(c) SC LEAP \$ 36,000;

(d) SCEMD – State EOC Expansion \$ 6,251,000;

(12) E260 - Department of Veterans' Affairs

(a) Military Child Education Coalition \$ 182,000;

(b) Military Enhancement Fund \$ 6,000,000;

(c) South Carolina Veteran Coalition and Mobile
Application \$ 150,000;

(d) Veteran Homes - Capital Improvements \$

29,048,440;

(e) Veteran Homes - Critical Capability Development

\$ 87,164;

(13) E280 - Election Commission

(a) Election Operations \$ 1;

(b) State Matching Funds for 2023 HAVA Grant \$

216,977;

(c) Voting System Upgrade \$ 1;

(14) E500 - Revenue and Fiscal Affairs Office

Cybersecurity and IT Fees \$ 300,000;

(15) E550 - State Fiscal Accountability Authority

AHSC Performance Management Study \$ 130,000;

(16) F010 - General Reserve Fund

General Reserve Fund Contribution \$ 1;

(17) H090 - The Citadel

(a) Duckett Hall Renovation \$ 1,000,000;

(b) Renovation of Workforce Housing \$ 1;

(18) H120 - Clemson University

College of Veterinary Medicine \$ 1;

(19) H150 - University of Charleston

Campus Expansion \$ 1;

(20) H180 - Francis Marion University

Leatherman Science Facility/

McNair Science Building Renovation \$ 1;

(21) H210 - Lander University

Maintenance, Renovation, and Replacement \$ 1;

(22) H240 - South Carolina State University

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Replacement of the Whittaker Library \$ 25,000,000;

(23) H270 - University of South Carolina - Columbia
Center for Civil Rights History and Research \$ 1;

(24) H290 - University of South Carolina - Aiken
Athletic Facilities Relocation \$ 1;

(25) H340 - University of South Carolina - Upstate
Maintenance, Renovation, and Replacement \$

2,000,000;

(26) H390 - University of South Carolina - Sumter
Maintenance, Renovation, and Replacement \$ 1;

(27) H470 - Winthrop University
Maintenance, Renovation, and Replacement \$ 1;

(28) H510 - Medical University of South Carolina
Dental Workforce \$ 1;

(29) H590 - State Board for Technical and Comprehensive

Education

(a) Aiken Technical College - Maintenance,
Renovation, and Replacement \$ 1,570,000;

(b) Central Carolina Technical College –
Kershaw Campus Expansion \$ 10,000,000;

(c) Sumter Campus Advanced Manufacturing

Training

Center \$ 7,700,000;

(d) Florence-Darlington Technical College –
Industrial Trades Training Facility \$

7,800,000;

(e) Darlington County Campus \$ 1;

(f) Greenville Technical College –
Maintenance, Renovation, and Replacement

\$ 1;

(g) Horry-Georgetown Technical College –
Health Professions Training Complex \$ 1;

(h) Midlands Technical College –
QuickJobs and Dual Enrollment \$ 1;

(i) Orangeburg-Calhoun Technical College –
Maintenance, Renovation, and Replacement

\$ 838,904;

(j) Piedmont Technical College –
Maintenance, Renovation, and Replacement

\$ 1;

(k) Edgefield Campus Completion \$ 1;

[HJ]

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(l) Spartanburg Community College –
Maintenance, Renovation, and Replacement

\$ 1;

(m) Cherokee County Campus \$ 1;

(n) Tri-County Technical College -

Maintenance, Renovation, and Replacement

\$ 1;

(o) Trident Technical College –

Maintenance, Renovation, and Replacement

\$ 1;

(p) York Technical College –

Maintenance, Renovation, and Replacement

\$ 1;

(q) Training Program Equipment and Materials \$

1;

(r) Electric Vehicle Training Equipment \$

1,250,000;

(30) H630 - Department of Education

(a) Character and Resiliency Education

(CARE) and Civics Initiatives \$ 1;

(b) Educational Experience Partnerships \$ 1;

(c) Grants Committee \$ 1;

(d) School of Workforce Innovation Pilot \$ 1;

(e) Western York County Agriculture Arena \$ 1;

(31) H650 - Governor's School for Science and Mathematics

Cooling Tower Replacement \$ 320,000;

(32) H670 - Educational Television Commission

ETV Statewide Transparency Services \$ 1;

(33) H710 - Wil Lou Gray Opportunity School

Dorm Improvement \$ 650,000;

(34) H750 - School for the Deaf and the Blind

(a) Campus Upgrades \$ 340,000;

(b) Campus Wide HVAC \$ 3,000,000;

(c) Campus Wide Improvements \$ 1;

(35) H790 - Department of Archives and History

(a) Digital Enhancements for Research Room

Customers \$ 300,000;

(b) Energy Surcharge and DTO Service Costs Offset

\$ 250,000;

(c) Exhibit Hall and Meeting Space Expansion \$ 1;

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(d) SC American Revolution Sestercentennial Commission \$ 1;

(36) H910 - Arts Commission
Implementation of SCAC Hubs \$ 2,000,000;

(37) H950 - State Museum Commission
Reimagine the Experience Permanent
Gallery Improvement Project \$ 1;

(38) H960 - Confederate Relic Room and Military Museum Commission

(a) Edens Collection of SC Artifacts \$ 177,000;
(b) Renovate Gist Rotating Exhibit Gallery \$

213,000;

(39) J020 - Department of Health and Human Services

(a) Children's Hospital Collaborative \$ 1;

(b) Meals on Wheels of Greenville –
New Facility Construction \$ 1;

(c) Middle Tyger Resource Center –
Construction of New Facility \$ 1;

(d) Oconee Memorial Hospital Foundation – Cancer
Institute \$ 1;

(e) Project Hope Foundation Autism Support –
Expansion of Services in the Upstate \$ 1;

(f) Safe Harbor - Improve Facilities and Services
for Domestic Violence Victims \$ 1;

(g) Williamsburg County - Renovate Facility for
VA, DAODAS and Mental Health Services \$

1;

(40) J060 - Department of Public Health

(a) Community Violence Intervention and Prevention
(CVIP) \$ 500,000;

(b) Fiscal Impact of Restructuring - Facilities \$ 1;

(c) Fiscal Impact of Restructuring - IT \$ 1;

(d) IT Infrastructure Maintenance \$ 3,000,000;

(e) Prostate Cancer Awareness Campaign \$ 1;

(f) SmokeFree SC \$ 1;

(41) J120 - Department of Mental Health

(a) Alternative Transportation Program \$ 1;

(b) Serious Mental Illness (SMI) Youth Treatment at
W.S. Hall \$ 1;

(42) J160 - Department of Disabilities and Special Needs
Greenwood Genetics Center \$ 1;

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(43) K050 - Department of Public Safety

(a) Berkeley County - Rehabilitation of
Berkeley County Regional Services Training

Center \$ 1;

(b) IT Infrastructure Maintenance \$ 1,900,000;

(c) Newberry County Sheriff's Office –
Tactical Vehicle and Technology Upgrades \$

1;

(d) Palmetto 800 Fire and EMS Pageland \$ 1;

(e) Town of Yemassee Capital Improvements \$ 1;

(f) Vehicle Equipment and Radars \$ 500,000;

(g) Vehicle Maintenance Costs \$ 1,000,000;

(h) Weapon Transition \$ 1;

(44) L040 - Department of Social Services

(a) ESSAM-DDI Phase \$ 1;

(b) Family Resource Center - Judicial Circuit 14 \$

1,000,000;

(45) L080 - Department of Children's Advocacy

SC Network of Children's Advocacy Centers \$ 1;

(46) L120 - Governor's School for Agriculture at John de la

Howe

(a) Campus Security Cameras \$ 400,000;

(b) De la Howe Hall Site Work \$ 3,000,000;

(c) Meat Processing Lab and Cannery \$

1,000,000;

(47) L320 - Housing Finance and Development Authority

(a) City of Columbia - Neighborhood Revitalization
and Weatherization \$ 1;

(b) Dorchester County Community Outreach –
Homeless Shelter Relocation and Expansion

\$ 1;

(48) N040 - Department of Corrections

(a) Agency Operating \$ 7,989,000;

(b) Marion County - Improvements to
County Detention Center \$ 1;

(c) Transitional Care Unit and K9 Unit \$ 500,000;

(49) N080 - Department of Probation, Parole and Pardon

Services

IT Infrastructure Maintenance \$ 1,200,000;

(50) N120 - Department of Juvenile Justice

(a) Cyber Security Remediation \$ 1;

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- (b) IT Application Assessment \$ 1;
- (c) Master Plan Implementation \$ 1;
- (d) Technical Consulting and Assistance \$

2,500,000;

(51) P120 - Forestry Commission

Recruitment and Retention \$ 350,000;

(52) P160 - Department of Agriculture

(a) ChangeSC Pilot Project \$ 1;

(b) DHEC Food Protection Restructuring \$ 1;

(c) Pee Dee State Farmers Market RV Park and

Paving \$ 1;

(d) State Farmers Market Safety and Traffic

Upgrades \$ 1;

(e) Technology Efficiency Infrastructure \$ 1;

(53) P200 - Clemson University Public Service Activities

PSA Renovation, Repair, and Equipment \$

2,500,000;

(54) P210 - SC State University Public Service Activities

(a) Construction of the South

Carolina Limnology Research Center \$ 1;

(b) Health Quad Initiative \$ 250,000;

(55) P240 - Department of Natural Resources

(a) Agency Equipment \$ 1;

(b) Body Worn Camera Implementation \$ 1;

(c) Habitat Protection and Land Conservation \$ 1;

(d) Hatchery Operations \$ 500,000;

(e) Insurance Reserve Fund Increase and Utilities

\$ 2,500,000;

(f) Law Enforcement Boat Rotation \$ 500,000;

(g) Technology Equipment Rotation and

Communication Lines \$ 1;

(56) P280 - Department of Parks, Recreation and Tourism

(a) Agency Property Development \$ 12,000,000;

(b) Beaufort County Economic Development

Corporation - Gullah Geechee Cultural Center and

Market \$ 1;

(c) Calhoun Falls Marina Replacement \$ 1;

(d) City of Columbia - Marketplace at Congaree

Pointe \$ 1;

(e) City of Conway - Kingston Ferry and Trail \$ 1;

(f) City of Darlington - Blue Street Ballfields

WEDNESDAY, MAY 8, 2024

Renovation \$ 1;

(g) City of Forest Acres –

Richland County Mall Redevelopment \$ 1;

(h) City of Isle of Palms - Beach Renourishment \$

1;

(i) City of Laurens - Laurens Amphitheater Project \$

1;

(j) City of Myrtle Beach - Downtown Revitalization \$

1;

(k) City of North Myrtle Beach - Cherry Grove

Dredging \$ 1;

(l) City of Sumter - Downtown

Lighting and Event Infrastructure \$ 1;

(m) City of Sumter - Riley Ballpark Support Facilities

\$ 1;

(n) City of Sumter - Swan Lake Iris Gardens \$ 1;

(o) City of West Columbia - Historic Mill

Village Redevelopment and Mobility

Improvements \$ 1;

(p) City of Westminster - Streetscape and Recreation

\$ 1;

(q) City of York - Recreation Facility

Upgrades and Additional Parking \$ 1;

(r) Darla Moore Foundation - Art Fields \$ 1;

(s) Destination Specific Grants \$ 11,450,000;

(t) Film Incentives \$ 10,000,000;

(u) Georgetown County - Murrells Inlet Dredging \$

1;

(v) Hickory Park Remodel \$ 1;

(w) Historic Mitchelville Freedom Park - Interpretive

Center \$ 1;

(x) Horry County - Conway to Myrtle Beach Multi-

Use Path \$ 1;

(y) International African American

Museum - Marketing Support \$ 1;

(z) Lexington County Recreation Commission –

Multi Sports Facility Complex \$ 1;

(aa) Oconee County - Community Investments \$ 1;

(bb) SCATR - Regional Promotions \$ 1,100,000;

(cc) Sports Marketing Program \$ 5,000,000;

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(dd) State Park Boardwalk and Dock Improvements

\$ 1;

(ee) State Park Cabin Upgrades \$ 1;

(ff) State Park Road Paving \$ 1;

(gg) Statewide Marketing \$ 1,000,000;

(hh) Sumter County - County Building Renovation \$

1;

(ii) Tourism Development \$ 2,000,000;

(jj) Town of Cheraw - Downtown Revitalization \$ 1;

(kk) Town of Clover - Construction of New
Indoor Recreation Facility \$ 1;

(ll) Town of Mount Pleasant - Mathis Ferry Trail \$

1;

(mm) Town of Mount Pleasant –

Shem Creek Sustainability/Dredging \$ 1;

(nn) Undiscovered SC Grant Program \$ 250,000;

(oo) Venues at Arsenal Hill Project \$ 1,000,000;

(57) P320 - Department of Commerce

(a) Charleston International Airport \$ 20,000,000;

(b) City of Clinton - Industrial Park Upgrades \$ 1;

(c) Closing Fund \$ 10,000,000;

(d) Columbia Airport \$ 1;

(e) Columbia Airport - Customs Expansion \$ 1;

(f) Greenville-Spartanburg International Airport \$

4,000,000;

(g) Interagency Loan Repayment \$ 1;

(h) LocateSC \$ 1;

(i) Myrtle Beach International Airport \$ 1;

(j) SC Nexus \$ 10,000,000;

(k) Spartanburg Regional Airport \$ 1;

(l) Strategic Existing Workforce Retraining \$ 1;

(58) P400 - SC Conservation Bank

Conservation Grant Funding \$ 13,000,000;

(59) P450 - Rural Infrastructure Authority

(a) Water Quality Revolving Loan Fund Match \$

4,082,990;

(b) Woodruff-Roebuck Water District - System

Expansion \$ 1;

(60) P500 - Department of Environmental Services

(a) Clean-Up of Uncontrolled Hazardous Waste Sites

\$ 2,500,000;

[HJ]

WEDNESDAY, MAY 8, 2024

- (b) Fiscal Impact of Restructuring - IT \$ 1;
 - (c) IT Infrastructure Maintenance \$ 1,977,443;
 - (d) Transfer - State Water Plan and River Basin Planning Implementation \$ 2,800,000;
- (61) R360 - Department of Labor, Licensing and Regulation
 - (a) Matching Funds for Grants \$ 503,095;
 - (b) Office of State Fire Marshal - Operational Expenses \$ 1,054,333;
- (62) R400 - Department of Motor Vehicles
 - (a) Act 37 of 2021 \$ 1,600,000;
 - (b) SCDMV IT System Modernization \$ 3,400,000;
- (63) U120 - Department of Transportation
 - (a) Bridge Modernization (NR Proviso) \$ 100,000,000;
 - (b) City of Columbia - Five Points Parking Garage \$ 1;
 - (c) City of Columbia - Quiet Zone – Infrastructure and Technology at Rail Crossings \$ 1;
 - (d) Pickens County CTC - Traffic Mitigation in Easley \$ 1;
 - (e) SCDOT - Highway 90 Improvements \$ 1;
 - (f) York County - Transportation Infrastructure \$ 1;
- (64) U300 - Division of Aeronautics
 - (a) Beaufort County Airports Board – Relocation of St. James Baptist Church \$ 1;
 - (b) Investing for Statewide Airport System General Airports \$ 1;
- (65) X220 - Aid to Subdivisions - State Treasurer Aid to Planning Districts \$ 1,000,000;
- (66) E240 - Adjutant General's Office
 - (a) City of Sumter - Military Museum \$ 3,000,000;
 - (b) National Medal of Honor Center for Leadership \$ 5,000,000;
 - (c) Polaris Tech Charter School – Jasper Area Emergency Response Center \$ 500,000;
- (67) E260 - Department of Veterans' Affairs
 - (a) City of Walterboro - Washington Street Plaza & Colleton Co. Veterans Memorial Rehab Project \$ 125,000;

WEDNESDAY, MAY 8, 2024

- \$ 75,000;
- (b) Dillon VFW Post 6091 - Building Improvements
- \$ 100,000;
- (c) Operation Patriots FOB - Warrior Program \$
- Project\$ 96,000;
- (d) Upstate Circle of Friends - Vetforward Housing
- (68) H030 - Commission on Higher Education
- (a) Riley Institute at Furman University –
SCALE Afterschool Program \$ 400,000;
- (b) UIDP - HBCU Engage 205 \$ 300,000;
- (69) H630 - Department of Education
- (a) Abbeville County Career Center –
Automotive Technology Lab Equipment
Upgrades \$ 300,000;
- (b) ActivEd - Walkabouts Active Learning Program
- \$ 400,000;
- (c) Back the Pack - Rock Hill Schools Education
Foundation \$ 80,000;
- (d) Bettis Preparatory Leadership Academy –
Multipurpose Shelter \$ 550,000;
- (e) BRAVO Foundation of Clarendon County –
Teacher Innovation & Service Learning Grant
Program \$ 50,000;
- (f) ColaJazz Foundation - Music Education Camps \$
- 100,000;
- (g) Communities in Schools - Behavioral Programs
- \$ 100,000;
- (h) Due West Robotics - Palmetto Innovation
and Technology Center \$ 250,000;
- (i) Foster Park Elementary - The Leader In Me \$
- 36,000;
- (j) Greenbrier Resource Community
Development Center - After-school Facility \$
- 50,000;
- (k) Healthy Learners \$ 100,000;
- (l) Johnathan Foundation - Middle School Screenings
- \$ 300,000;
- (m) Laurens County School District 55 and 56 – CATE
Center \$ 1,500,000;
- (n) Maroon Innovation Services Inc. - Literacy
Program \$ 175,000;

WEDNESDAY, MAY 8, 2024

211,000;
150,000;
Minute \$ 905,000;
Initiative \$ 150,000;
Tech \$ 300,000;
(70) H790 - Department of Archives and History
(a) African American Settlement Communities
Historic Commission, Inc. - 1904 Long Point
School House Restoration \$ 150,000;
(b) City of Florence - Historic Carolina Theatre \$
2,000,000;
700,000;
1,400,000;
Inc. -
Lancaster County Archives Center
Construction \$ 1,950,000;
250,000;
(g) Soapstone Empowerment Foundation -
Historic Site Preservation \$ 250,000;
(71) H870 - State Library
(a) Abbeville County Library - Computer Equipment
\$ 50,000;
950,000;
Building \$ 1,000,000;
(d) Pat Conroy Literary Center - Fall 2024 Signature
Events \$ 50,000;

WEDNESDAY, MAY 8, 2024

- 800,000;
(e) Sumter County - Main Library Renovations \$
- (72) H950 - State Museum Commission
(a) Children's Museum of the Lowcountry –
Summerville Children's Museum \$
- 1,000,000;
(b) Darlington African American Museum -
Upgrades \$ 500,000;
(c) Dennis Community Development Corporation of
Lee County - Improvements to Historic
Dennis High School \$ 100,000;
(d) Fork Shoals Historical Society –
McCullough's House Inn Restoration \$
- 500,000;
(e) Friends of Honey Hill, Inc. - Honey Hill
Battlefield \$ 725,000;
(f) Friends of the Aiken Railroad Museum \$ 350,000;
(g) Georgetown Rice Museum - Elevator
Replacement \$ 50,000;
(h) Gibbes Museum of Art - Art Charleston Festival
\$ 500,000;
(i) Goodwill Educational and Historical Society, Inc. –
Improvements to Historic Goodwill Parochial
School \$ 594,000;
(j) Historic Bluffton Foundation - Heyward House
Museum and Bluffton Welcome Center \$
- 200,000;
(k) Lincoln High School Preservation Alumni
Association –
African American History Museum \$
- 700,000;
(l) Parris Island Heritage Foundation Museum
Enhancement \$ 125,000;
(m) South Carolina Alliance of Children's Museums –
Safety Improvements \$ 500,000;
(n) St. George Rosenwald School - Children's
Museum \$ 213,000;
(o) The Charleston Museum - From Civil War to Civil
Rights Exhibit \$ 400,000;
(73) J020 - Department of Health and Human Services

WEDNESDAY, MAY 8, 2024

- 500,000;
(a) ALS Association - ALS Care Services \$
- (b) Bluffton Jasper Volunteers in Medicine – Sustainability Program \$ 300,000;
(c) Community Medicine Foundation, Inc – Sickle Cell Program \$ 750,000;
(d) Pregnancy Center & Clinic of the Low Country – Prenatal Medical Care \$ 100,000;
(e) Rural Health Center, Inc. \$ 500,000;
(f) SC Association of Pregnancy Care Centers – Statewide Pregnancy Care Center Support \$
- 3,000,000;
(g) The Kollock Alumni Association - Facility Upgrades \$ 156,000;
(h) Town of McClellanville - McClellanville Medical Facility & Community Center \$ 750,000;
(i) United Way of the Midlands - Young Men United \$ 250,000;
(74) J060 - Department of Public Health
(a) Behavioral Health Services of Pickens County – Renovations \$ 2,000,000;
(b) Berkeley County - EMS Apprenticeships for Veterans \$ 270,000;
(c) Clarity Upstate - Audiology Services \$ 150,000;
(d) EMS Closet \$ 50,000;
(e) Greenville Prisma Health Sickle Cell \$
- 2,000,000;
(f) Hope Health Inc. - Men's Health Center \$
- 500,000;
(g) Kershaw County Health Services District – Indoor Pool and Community Health Center \$
- 1,500,000;
(h) Lions Vision Services - Palmetto Eyecare Program \$ 500,000;
(i) Louvenia D. Barksdale Sickle Cell Anemia Foundation – Project Hope \$ 100,000;
(j) MedEx Academy - Summer Educational Programs \$ 150,000;

WEDNESDAY, MAY 8, 2024

(k) No One Left Alone - Long COVID Research Support \$ 900,000;

(l) Sandhills Medical Foundation - Expansion of Services in Mental and Healthcare \$ 1,000,000;

(m) St. John Holistic Wellness Center \$ 100,000;
(75) J120 - Department of Mental Health

(a) Department of Mental Health – Incarcerated Inmates Support \$ 400,000;

(b) MIRCI \$ 250,000;

(c) The Giving Back Fund c/o Mental Wealth Alliance

=

Mental Health Gym \$ 175,000;

(76) J160 - Department of Disabilities and Special Needs

(a) Osprey Village - Amenities Center \$ 500,000;

(b) The Therapy Place - Therapeutic Pool and

Critical

Repairs \$ 400,000;

(77) J200 - Department of Alcohol and Other Drug Abuse

Services

(a) DAODAS/ Athletic Coaches Association -

Coaches vs.

Overdoses \$ 800,000;

(b) Decisions.org - Cope EMS Wingman App \$

820,000;

(c) RIZE Prevention - Teen Drug Prevention

Program \$ 300,000;

(d) The Courage Center - Midlands Recovery

Community Expansion and Operation \$

300,000;

(78) K050 - Department of Public Safety

(a) Abbeville Police Department - Vehicle Support

\$ 135,000;

(b) Allendale County - Sherriff's Department \$

620,000;

(c) Anderson County Sheriff's Office - Rapid

Deployment

Command Vehicle \$ 300,000;

(d) Beaufort County Sheriffs - Crime Lab \$

500,000;

WEDNESDAY, MAY 8, 2024

- Center
- (e) Berkeley County Emergency Services - Training Refurbishment \$ 1,617,000;
- (f) Berkeley County Sheriff's Office - Mobile Incident Command Vehicle \$ 1,250,000;
- (g) Calhoun County Sheriff's Office - Technology Upgrades \$ 100,000;
- and (h) Chester County Sheriff's Office - Body Scanner Drone Vehicle \$ 265,000;
- Radio (i) City of Conway Police and Fire Departments – Upgrades \$ 500,000;
- (j) City of Dillon - First Responder Equipment \$ 100,000;
- Storage \$ 1,000,000;
- (k) City of Florence - Police Department Evidence (l) City of Inman Police Department - Replacement of Police Vehicles \$ 125,000;
- (m) City of Mauldin Police Department – Mobile Command Center & SRT Equipment \$ 500,000;
- Equipment, (n) City of Sumter Police Department - Vehicles, and Software \$ 1,000,000;
- (o) City of Walhalla - Police Station \$ 4,250,000;
- (p) Darlington County Sheriff's Department –
- LENSLOCK Cameras \$ 63,000;
- Training (q) Dillon County Sheriffs Office - Equipment & Facility Grant \$ 100,000;
- (r) Horry County Government - Public Safety Enhancements \$ 4,000,000;
- (s) Lancaster County Sheriff's Office – Equipment Replacement \$ 600,000;
- Security (t) Lee County Sheriff's Office - AFIS, Drone and and Safety Upgrades \$ 80,000;
- McCarty (u) Lexington County Sheriff's Office - A. Lewis

WEDNESDAY, MAY 8, 2024

Firearms Range and Training Facility \$

573,000;

(v) Marion County Sheriff's Office - Training Facility and Equipment \$ 300,000;

(w) Richland County Sheriff's Department – Mobile Command Post \$ 900,000;

(x) Serve and Connect - Law Enforcement

Community

Connection Program \$ 1,000,000;

(y) Sumter County Sheriff's Office - Phase II of

Training

Center \$ 879,000;

(z) Town of Batesburg-Leesville - First Responder Equipment \$ 200,000;

(aa) Town of Bluffton Police Department - K9 Program \$ 50,000;

(bb) Town of Varnville - Public Safety Communication Equipment \$ 280,000;

(cc) Town of Yemassee - Yemassee Police Station \$

500,000;

(79) L040 - Department of Social Services

(a) ASAFO Community Development Association – Conflict to Careers Mentoring Program \$

200,000;

(b) Beaufort - Jasper YMCA of the Lowcountry \$

600,000;

(c) Bethany Christian Services - Post Adoption

Services \$ 150,000;

(d) Feed the City \$ 100,000;

(e) Florence Crittenton Programs of SC - Housing

and

Support Services \$ 400,000;

(f) Fostering the Family - Foster Support Programs \$

100,000;

(g) Jenkins Youth and Family Village/Orphan Aid Society, Inc. - Summer Enrichment Program

\$ 100,000;

(h) Juveniles Upholding Morals and Principles of

Society

(JUMPS) - Mentoring Initiatives \$ 200,000;

WEDNESDAY, MAY 8, 2024

- 300,000;
644,000;
Peace \$ 70,000;
\$ 50,000;
1,000,000;
\$ 325,000;
\$ 400,000;
1,000,000;
Repair
Services
- (i) Midlands Community Development Corporation \$
 - (j) Midlands Fatherhood Coalition - Site Expansion \$
 - (k) My Community's Keeper Mentor Group - Advance
 - (l) Palmetto Hope Foundation - Charleston Navigation
Center \$ 200,000;
 - (m) Pee Dee Coalition Against Domestic and Sexual
Assault - New Beginnings Transitional Shelter
 - (n) Richland County - Family Services Center \$
 - (o) Smart Box - Food for All \$ 50,000;
 - (p) The Hive Community Circle \$ 500,000;
 - (q) The Salvation Army of Greenville County – Social
Services Campus \$ 500,000;
 - (r) Trent Hill Center \$ 250,000;
 - (s) United Way Association of South Carolina, Inc. –
AmeriCorps \$ 1,014,000;
 - (80) L060 - Department on Aging
 - (a) Allendale County - Recreational Walking Trail
 - (b) Antioch Senior Center \$ 250,000;
 - (c) The Unumb Center of Neurodevelopment – Adult
Residential Campus \$ 3,000,000;
 - (d) Tri-City Visionaries Inc. - Senior Housing Repairs
 - (81) L240 - Commission for the Blind
Sight Savers America - Vision Screenings \$ 250,000;
 - (82) L320 - Housing Finance and Development Authority
 - (a) City of Columbia - Belvedere & Greenview
Neighborhood Revitalization Programs \$
 - (b) City of Columbia - Fairwold Housing Assistance
Program \$ 500,000;
 - (c) St. Francis Center on St. Helena Island - Home
Program \$ 100,000;
 - (83) N080 - Department of Probation, Parole and Pardon

WEDNESDAY, MAY 8, 2024

(a) Pilot Program at Orangeburg-Calhoun Detention Center \$ 400,000;

(b) Turn90 - Prison Re-Entry Services \$ 500,000;

(84) N120 - Department of Juvenile Justice

Palmetto Project - Charleston Alternative to Detention

\$ 250,000;

(85) P160 - Department of Agriculture

The FARM Center in Oconee County \$ 985,000;

(86) P240 - Department of Natural Resources

(a) Beaufort County - Alljoy Boat Landing

Improvements \$ 1,200,000;

(b) Cross Chapter #45 of Wildlife Action, Inc –

Updates to Wildlife Community Center \$

20,000;

(c) DNR - Waddell Mariculture Center Hatchery

Support \$ 250,000;

(87) P280 - Department of Parks, Recreation and Tourism

(a) Arts Council of York County - Blues and Jazz

Festival \$ 25,000;

(b) Battery Park Alumni Association - Battery Park

Elementary School Renovation \$ 500,000;

(c) Bluffton Eagles Community Action Property

Improvement \$ 50,000;

(d) Bon Secours Wellness Arena - Renovation and

Expansion \$ 5,000,000;

(e) Brookgreen Gardens - Welcome Center &

Conservatory

Gardens \$ 1,000,000;

(f) Cameron Community Club - Facility and Grounds

Upgrades \$ 262,000;

(g) Campbell Chapel African Methodist

Episcopal Church - Restoration and

Rehabilitation \$ 200,000;

(h) Cancer Survivors Park \$ 500,000;

(i) Christmasville \$ 72,000;

(j) City of Cayce - Riverwalk Expansion \$ 500,000;

(k) City of Columbia - Riverfront Park Trail

Enhancements \$ 350,000;

(l) City of Gaffney - Henry L. Jolly Park Amphitheater

Cover \$ 500,000;

WEDNESDAY, MAY 8, 2024

450,000;
(m) City of Marion - Green St. Sports Complex \$
5,150,000;
(n) City of Seneca - Recreation Complex Addition \$
\$ 455,000;
(o) City of Spartanburg - Mary H. Wright Greenway
\$ 1,500,000;
(p) City of Sumter - African American Historic Park
Facilities \$ 5,900,000;
(q) City of Sumter - Richardson Competition
(r) Coastal Carolina YMCA - Community Outreach
and
Program Support \$ 500,000;
(s) Dorchester County - Oakbrooks Sports Complex
\$ 1,000,000;
(t) Dorchester Heritage Center, Inc. - The Wall That
Heals \$ 64,000;
(u) Edgefield County Star Park \$ 750,000;
(v) Festival on the Avenue \$ 100,000;
(w) Forty-One Community Center - Building
Renovations \$ 100,000;
(x) Freedom Walkway Event \$ 10,000;
(y) Greenville Zoo - Farmyard \$ 1,000,000;
(z) Hagood Mill Foundation - Heritage Pavilion
Enclosure \$ 1,000,000;
(aa) Holly Hill Youth Sports Organization - Activity
Bus \$ 120,000;
(bb) Indian Land Green \$ 1,000,000;
(cc) Land United Foundation - Indian Land Athletic
Fields \$ 350,000;
(dd) Mill Town Players - Historic Pelzer Auditorium
\$ 1,000,000;
(ee) Mount Moriah Baptist Church - Prayer Garden
\$ 35,000;
(ff) N.O.W.W. Empowerment Housing and
Community
Projects \$ 25,000;
(gg) Pineville Eadytown Community Park – Park
Improvements \$ 98,000;
(hh) Richland County Recreation Commission –
Aquatics

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Center \$ 6,000,000;
(ii) Riverbanks Zoo & Gardens - Infrastructure \$
1,000,000;
Island
Roads and Grounds Improvements \$
2,500,000;
Morgan
Trail System \$ 2,000,000;
(ll) Special Olympics - 2024 Unified Outreach
Initiative \$ 300,000;
(mm) Sumter County - Patriot Park Amphitheater \$
3,300,000;
(nn) Surf Dreams Foundation - Surf Clinics \$ 10,000;
(oo) The REcing Crew Inc. - North Augusta
Multipurpose
Miracle League Field \$ 175,000;
(pp) The South Carolina Athletic Coaches Association
=
North vs. South All-Star Football Game \$
100,000;
(qq) Town of Aynor - Levister Recreation Center \$
1,500,000;
(rr) Town of Cowpens - East Spartanburg Sports
Center \$ 2,500,000;
(ss) Town of Eutawville - The 2024 Eutaw Village
Festival \$ 45,000;
(tt) Town of Irmo - New Town Hall \$ 500,000;
(uu) Town of Jefferson - Blue Jay Nest Gymnasium \$
120,000;
(vv) Town of Latta - Historic Edwards House \$
50,000;
(vw) Town of Summerville - Main St. Resiliency
Project \$ 1,500,000;
(xx) Town of Williamston - Mineral Springs and
Brookdale
Parks \$ 750,000;
(yy) Tri-Community Center, Inc. - Upfit for National
Shelter
System Site Designation \$ 50,000;

WEDNESDAY, MAY 8, 2024

250,000;
(zz) Umoja Village - Community Projects \$
Foothills
(aaa) Upstate Greenways & Trails Alliance –
Trail Revitalization \$ 300,000;
(bbb) Wassamassaw Recreation League (WRL) –
Outdoor
Projects and Upgrades \$ 20,000;
(ccc) Williamsburg County - Muddy Creek
Community Center
and Park \$ 100,000;
(ddd) York County - Worth Mountain Park Upgrades
\$ 750,000;
(88) P320 - Department of Commerce
(a) City of Mauldin - Multi-Purpose Stadium \$
6,000,000;
(b) City of Myrtle Beach - Revitalization and Tech
Hub \$ 5,000,000;
(c) SC Center for Visual Arts - Downtown Building
Revitalization Acquisition \$ 400,000;
(d) South Carolina Research Authority - AI
Symposium \$ 55,000;
(e) State Christmas Tree Ornaments –
Columbia Garden Club Foundation \$ 5,000;
(f) Vision Center, Inc. - Conference Center Renovations
\$ 2,000,000;
(89) P450 - Rural Infrastructure Authority
(a) Charleston County Public Works - Hollings Road
Drainage Improvements \$ 1,000,000;
(b) Chester County Wastewater Recovery – Sewer
Expansion on I-77 NE Quadrant \$
2,000,000;
(c) City of Clemson - Pendleton-Clemson Sewer
Upgrade \$ 1,500,000;
(d) City of Dillon - Public Works \$ 570,000;
(e) City of Georgetown - Stormwater Pump Station
Upgrade \$ 375,000;
(f) City of Honea Path, SC - Water and Sewer Line
Repair \$ 175,000;
(g) City of Inman Public Works - Sewer Extension \$
767,000;

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\$ 1,250,000; (h) City of Isle of Palms - Stormwater Infrastructure
175,000; (i) City of Iva - Water and Sewer Line Repair \$
1,000,000; (j) City of Sumter - Utility Replacement and Repair \$
Improvements \$ 2,000,000; (k) City of West Columbia - Water System
Treatment \$ 2,945,000; (l) Dorchester County - Greater St. George Water
\$ 1,000,000; (m) Dupont Wappoo Drainage Improvement Project
Phase II \$ 1,000,000; (n) Greenville Water - 60 Inch Water Main Project,
Regional (o) Lancaster County Water and Sewer District –
Water Transmission Infrastructure \$
500,000; (p) MetroConnects - Judson Mill Village Wastewater
Rehabilitation Project \$ 2,500,000;
Branch (q) Spartanburg Sanitary Sewer District - Cinder
2,500,000; Pump Station and Force Main Project \$
Project \$ 1,200,000; (r) Town of Chesterfield - Sewer Rehabilitation
(s) Town of Harleyville - Radio Read Water
Meter Improvements \$ 125,000;
1,200,000; (t) Town of Kershaw - Sewer Pump Station \$
Project \$ 1,000,000; (u) Windermere Drainage and Outfall Improvement
(90) P500 - Department of Environmental Services
(a) Clarendon County - Newman Branch Swamp
Clearing \$ 950,000; (b) Daufuskie Marsh Tacky Society - Land
Improvement and Infrastructure \$ 20,000;
Watershed (c) Easley Combined Utilities - Upper Saluda
Restoration \$ 2,200,000;

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(d) Grand Strand Humane Society \$ 2,000,000;

(e) James Island Public Service District –

Environmental Mitigation \$ 500,000;

(f) Kind Keeper - No-Kill Animal Shelter \$ 300,000;

(g) Pawmetto Lifeline - Veterinary Services \$

250,000;

(91) R360 - Department of Labor, Licensing and Regulation

(a) Allendale County - St. Mark Community

Upgrades \$ 1,200,000;

(b) Alligator Fire District - Asphalt Driveways \$

31,000;

(c) Anderson Fire Department - Safety Equipment

\$ 125,000;

(d) Bethany Santiago Fire Department \$ 400,000;

(e) Boiling Springs Fire Department –

Urban/Wildland Interface Truck \$ 450,000;

(f) Boiling Springs Fire District - Safety Equipment \$

350,000;

(g) Calhoun Falls Fire Department - Refurbishment

\$ 102,000;

(h) Center Rock Fire Department Station 11 – Annex

Building \$ 100,000;

(i) Centerville Fire Station 9 - Critical Repairs \$

91,000;

(j) Chesnee Community Fire Department –

Frontline Fire Engine \$ 750,000;

(k) Chester County Emergency Services - West

Chester

Fire Department and Ambulance Expansion

\$ 500,000;

(l) City of Bennettsville - Fire Department \$ 750,000;

(m) City of Florence - Fire Engine Apparatus \$

1,250,000;

(n) City of Goose Creek - Fire and Police Training

Facility \$ 1,500,000;

(o) City of York - Fire Apparatus \$ 1,200,000;

(p) CKC Fire Department - Station Construction \$

725,000;

(q) Clarendon County - Fire Rescue Station Ten

Replacement \$ 550,000;

WEDNESDAY, MAY 8, 2024

750,000; (r) Corinth Fire Department - Improvements \$
13,000; (s) Dillon County Fire Dept. Station 2 – Equipment
3,400,000; Upgrades \$ 200,000;
\$ 40,000; (t) Double Springs Fire Department - Renovation \$
Relocation \$ 500,000; (u) Fire House #2 with Police Substation \$
70,000; (v) Lake View Rescue Squad - Extrication Equipment
13,000; (w) Oakdale Fire Department - Fire Station
and (x) Oakland Volunteer Fire Dept. - Brush Truck \$
965,000; (y) Rock Hill Fire Department - Ballistic Vests \$
Packs \$ 55,000; (z) Sharon Volunteer Fire Department - Equipment
56,000; Upgrades \$ 250,000;
\$ 200,000; (aa) South Spartanburg Fire District –
(92) R600 - Department of Employment and Workforce
Heart of Life - Youth Workforce Development Program
(93) U120 - Department of Transportation
Improvements \$ 2,000,000; (a) Charleston County - Highway 61 Corridor
2,500,000; (b) City of Belton - Sidewalk Repair \$ 800,000;
2,500,000; (c) City of Columbia - Assembly St. Railroad Grade
2,250,000; Separation Project \$ 5,000,000;
(d) City of Columbia - Bridge to the Greenway \$
(e) City of Columbia - Five Points Project \$
(f) City of Greenville - East North Gateway \$

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(g) City of Greenville - Infrastructure Improvements
\$ 2,250,000;

(h) City of Travelers Rest - N. Poinsett Hwy Project
\$ 1,000,000;

(i) Department of Transportation - Devine Street
Corridor \$ 2,000,000;

(j) Greenville County - Bracken Road \$ 2,900,000;
(k) Historic Sol Legare Community Safety Project \$
1,000,000;

(l) Horry County - Augusta Plantation Interchange at
SC 31 \$ 2,000,000;

(m) Lexington County - Caulks Ferry Road
Interchange \$ 1,000,000;

(n) Locust Hill Road / Highway 290 Widening \$
1,000,000;

(o) SCDOT - Old Buncombe Rd Crash Mitigation
Project \$ 915,000;

(94) X220 - Aid to Subdivisions - State Treasurer
(a) Aiken County Administration - Financial
Assistance
for Ambulance Replacements \$ 370,000;

(b) Anderson County - Caroline Community Center
\$ 150,000;

(c) Bamberg County - Courthouse Critical Repairs
\$ 1,500,000;

(d) Bishopville Depot Renovation & Community
Health
and Wellness Center \$ 1,000,000;

(e) Capital City/ Lake Murry Country RTB - Lake
Murray
Regional Visitor's Center \$ 100,000;

(f) Catholic Charities - Next Level Services and Getting
Ahead Programs \$ 100,000;

(g) Central Midlands Council of Government -
Deferred
Maintenance and Upfit of CMCOG Office \$
1,000,000;

(h) City of Beaufort - Cyber Security Education
Facility \$ 1,500,000;

(i) City of Columbia - Beltline Community
Improvements \$ 1,500,000;

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(j) City of Conway - Conservation Property \$ 75,000;
(k) City of Florence - Freedom Blvd Water Line
Extension \$ 5,000,000;
1,300,000;
(l) City of Fountain Inn - Municipal Center \$
1,000,000;
(m) City of Loris - Old Loris High School
Revitalization \$ 1,000,000;
1,500,000;
(n) City of Orangeburg - New City Hall \$
(o) City of Rock Hill - Southside Home Improvement
Program \$ 500,000;
(p) City of Simpsonville - Traffic Realignment and
Downtown Improvements \$ 1,000,000;
(q) Dillon County - Emergency Services Facility \$
1,500,000;
II \$ 1,000,000;
(r) Georgetown County - Brick Chimney Road Phase
Center
(s) Nicholtown Community Center - Community
Refurbishment \$ 550,000;
(t) Omegas of Spartanburg - Uplift Center Renovations
\$ 452,000;
(u) River Road/Brownswood Road Safety Upgrades
\$ 5,000,000;
Building
(v) SC Appalachian Council of Governments -
Expansion \$ 400,000;
(w) Town of Clover - American Thread \$
1,500,000;
(x) Town of Lynchburg - Town Hall Renovations \$
40,000;
(y) Town of North - Parks and Recreation Facilities
\$ 75,000;
(z) Town of Pamplico - Zero Turn Mower \$ 13,000;
(aa) Town of Ridgeville - Community Center
Improvement \$ 267,000;
(bb) Town of Troy - Revitalization Projects \$
156,000;
(cc) Town of Turbeville - Town Hall Renovations \$
40,000;
(dd) Town of Winnsboro - Washington and Congress

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Downtown District Improvements \$

1,000,000;

(ee) West Greenville Community Center \$ 500,000;

and

(ff) Williamsburg County - Alex Chatman Judicial

Complex

Renovations \$ 500,000.

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes. /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 595, after line 17, by adding an appropriately numbered proviso to read:

/ (SR: Homestead Exemption Fund) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following source:

\$600 million from the Homestead Exemption Fund.

Any restrictions concerning specific utilization of these funds are suspended for the specified fiscal year. The above agency transfer shall occur no later than thirty days after the close of the books on Fiscal Year 2023-24 and shall be available for use in Fiscal Year 2024-25 after September 1, 2024, following the Comptroller General's close of the State's book on Fiscal Year 2023-24.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2024 for the purposes stated:

(1) \$150 million of the Homestead Exemption Fund balance to counties to be used to provide a property tax credit for owner-occupied property in the current fiscal year against county operating taxes. The funds are to be distributed in the proportion that the population of the county is to the total population of the State. Population data must be as determined in the decennial United States Census and the most recent update to that data as determined by the Revenue and Fiscal Affairs Office. The credit is an amount determined by dividing the total estimated revenues credited to the county by the number of parcels in the county eligible for the credit. Counties are required to reflect this credit as a separate line on the property tax bill with the phrase "South

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Carolina Legislative Tax Credit” and the amount of the credit. The Department of Revenue shall provide, by July 31, an estimate of the amount of funds to be disbursed to each county and shall disburse these funds no later than December 1. By March 31st, counties must notify the department of the total amount of these credits issued and return any portion of the funds received in excess of the amount necessary to provide this credit. The department shall have the authority to audit this credit.

(2) U200 - County Transportation Funds CTC Acceleration Fund \$1;

(3) U120 – Department of Transportation

(a) Bridge Acceleration Fund \$1;

(b) Rural Road Safety Program \$1;

(3.1)Of the funds appropriated to the Rural Road Safety Program, an amount not to exceed \$21,500,000 shall be used to improve aviation facility access, support traffic flow, and promote economic development.

(4) P450 – Rural Infrastructure Authority

(a) Rural Infrastructure Fund \$1;

(b) Statewide Water and Sewer Fund \$1;

and

(5) H270 – University of South Carolina Health Sciences Campus Bond Avoidance \$1.

Funding included in item 3 above shall be utilized to enhance both programs and shall not supplant any funds currently designated for these purposes. Allocations of funding contained in items 2, 3, and 4 above shall take into account the availability of matching federal funds.

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BANNISTER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 7

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister

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Bauer	Bernstein	Blackwell
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Crawford
Davis	Dillard	Elliott
Erickson	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Guest	Guffey
Haddon	Hager	Hardee
Hartnett	Hayes	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	McCravy	McGinnis
Mitchell	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	Oremus	Ott
Pedalino	Pope	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Vaughan	Weeks	West
Wetmore	White	Whitmire
Willis	Wooten	Yow

Total--93

Those who voted in the negative are:

Beach	Cromer	Harris
S. Jones	Magnuson	O'Neal
Pace		

Total--7

So, the amendment was adopted.

[HJ]

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Rep. KIRBY proposed the following Amendment No. 4A to Passed By The House (Doc NameCOUNCIL\DG\5100C014.CC.DG24.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 299, after line 35, by adding an appropriately numbered paragraph to read:

/ (SDE: Williamsburg County School District) Of the funds appropriated to the Department of Education, the department shall prepare a written report on the Williamsburg County School District which is under management by the department. The report must be provided to the Williamsburg County Legislative Delegation by January 1st. The report must include the initial reasons cited by the State Superintendent of Education for declaring a state of emergency that resulted in the department assuming management of the district, the year in which the declaration was made, and the steps taken by the department to address such matters. This report also must include recommended actions to end the management of the district, including a plan that contains stated benchmarks and timelines for returning management of the school district back to the locally elected school board. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. KIRBY explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch

[HJ]

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Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	Magnuson	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Willis	Wooten	Yow

Total--111

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

SPEAKER PRO TEMPORE IN CHAIR

Rep. GUFFEY proposed the following Amendment No. 5A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\012\h2-interscholastic athletics.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 299, after line 35, by adding

[HJ]

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an appropriately numbered proviso to read:

/ (SDE: Interscholastic athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(1) student resides within the attendance zone boundaries of the public school;

(2) independent school that the student attends is not a member of the South Carolina High School League and the private school's enrollment for grades nine through twelve does not exceed two hundred students;

(3) independent school attended by the student does not offer the particular sport for the student's gender;

(4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport;

(7) student meets all public school district eligibility requirements with the exception of the:

(a) school district's school or class attendance requirements;
and

(b) class and enrollment requirements of the association administering the interscholastic sports;

(8) student and the student's parent or guardian agree for the student to be subject to the code of conduct of the public school; and

(9) student was not expelled from the same public school during the same academic year.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or

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application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) A public school may expend funds on students specified in subsection (A) to participate in an interscholastic athletic program.

(E) The provisions of this proviso shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

(F) For purposes of this proviso, "independent school" means a school:

(1) established by an entity other than the State or a subdivision of the State;

(2) supported primarily by private or nonpublic funds; and

(3) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. GUFFEY explained the amendment.

SPEAKER IN CHAIR

Rep. GUFFEY continued speaking.

The yeas and nays were taken resulting as follows:

Yeas 87; Nays 19

Those who voted in the affirmative are:

Alexander	Bailey	Ballentine
Bannister	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Carter	Caskey
Chapman	Chumley	Collins
Connell	B. L. Cox	Crawford
Cromer	Davis	Elliott
Erickson	Forrest	Gagnon
Gatch	Gibson	Gilliam

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Gilliard	Guest	Guffey
Haddon	Hager	Harris
Hartnett	Herbkersman	Hewitt
Hiott	Hixon	Hyde
J. E. Johnson	S. Jones	Kilmartin
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCraw	McGinnis	Mitchell
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pope
Robbins	Rose	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Trantham	Vaughan	West
Wheeler	White	Whitmire
Willis	Wooten	Yow

Total--87

Those who voted in the negative are:

Atkinson	Bamberg	Bauer
Cobb-Hunter	Dillard	Garvin
Hayes	Henderson-Myers	Henegan
Hosey	J. L. Johnson	W. Jones
King	Kirby	McDaniel
Pendarvis	Rivers	Weeks
Williams		

Total--19

So, the amendment was adopted.

Rep. KILMARTIN moved to reconsider the vote whereby Amendment 1A was adopted.

Rep. BANNISTER moved to table the motion to reconsider.

[HJ]

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Rep. BEACH demanded the yeas and nays which were taken,
resulting as follows:

Yeas 94; Nays 16

Those who voted in the affirmative are:

Alexander	Atkinson	Bailey
Ballentine	Bannister	Bauer
Bernstein	Blackwell	Brewer
Brittain	Calhoon	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	W. Jones	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCravy	McDaniel
McGinnis	Mitchell	T. Moore
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
Ott	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Vaughan	Weeks	West
Wetmore	Wheeler	Whitmire
Williams	Willis	Wooten
Yow		

Total--94

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Those who voted in the negative are:

Beach	Chumley	Cromer
Harris	S. Jones	Kilmartin
Magnuson	May	McCabe
A. M. Morgan	T. A. Morgan	O'Neal
Oremus	Pace	Trantham
White		

Total--16

So, the motion to reconsider was tabled.

Rep. GUFFEY proposed the following Amendment No. 6A Passed By The House (Doc Name COUNCIL\DG\5100C015.CC.DG24.DOCX)

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF CORRECTIONS, page 438, after line 12, by adding an appropriately numbered paragraph to read:

/ (CORR: Cell Phone Jamming) From the funds appropriated to the Department of Corrections, in order to promote safety within the correctional facility, the director of the department may designate one of its correctional facilities in which to employ technology that jams cellular phone signals from contraband cellular phones. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. GUFFEY explained the amendment.

Rep. GUFFEY moved to adjourn debate on the amendment, which was agreed to.

Rep. BAUER proposed the following Amendment No. 7A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-state treasurer salary.docx), which was tabled:

Amend the bill, as and if amended, Part IA, Section 98, STATE TREASURER'S OFFICE, page 229, line 2, opposite /STATE TREASURER/ by decreasing the amount(s) in Columns 5 and 6 by:

Column 5	Column 6
163,999	163,999

Renumber sections to conform.

Amend totals and titles to conform.

[HJ]

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Rep. BAUER explained the amendment.

Rep. MURPHY spoke against the amendment.

Rep. MURPHY moved to table the amendment.

Rep. BAUER demanded the yeas and nays which were taken, resulting as follows:

Yeas 85; Nays 20

Those who voted in the affirmative are:

Atkinson	Bailey	Ballentine
Bannister	Beach	Blackwell
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Elliott	Erickson	Felder
Forrest	Gagnon	Gibson
Gilliam	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Hyde	J. E. Johnson
S. Jones	Kilmartin	Landing
Lawson	Leber	Ligon
Long	Magnuson	May
McCabe	McCrary	McGinnis
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Pace
Pedalino	Pope	Robbins
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinnakis
Taylor	Trantham	Vaughan

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West	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--85

Those who voted in the negative are:

Bauer	Bernstein	Clyburn
Cobb-Hunter	Dillard	Garvin
Gatch	Gilliard	Henderson-Myers
Henegan	Hosey	Jefferson
W. Jones	King	McDaniel
Ott	Rivers	Rose
Weeks	Wetmore	

Total--20

So, the amendment was tabled.

Rep. PACE proposed the following Amendment No. 8A to Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-agency lease payments.docx), which was tabled:

Amend the bill, as and if amended, Part IA, Section 31, DEPARTMENT OF PUBLIC HEALTH, page 73, line 10, opposite /AGENCY LEASE PAYMENTS/ by decreasing the amount(s) in Columns 5 and 6 by:

Column 5	Column 6
3,514,513	3,514,513

Amend the bill further, as and if amended, Part IA, Section 35, DEPARTMENT OF MENTAL HEALTH, page 84, line 10, opposite /AGENCY LEASE PAYMENTS/ by decreasing the amount(s) in Columns 5 and 6 by:

Column 5	Column 6
1,025,107.50	1,025,107.50

Amend the bill further, as and if amended, Section 36, DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, page 91, line 8, opposite /AGENCY LEASE PAYMENTS/ by decreasing the amount(s) in Columns 5 and 6 by:

Column 5	Column 6
836,301.50	836,301.50

Amend the bill further, as and if amended, Section 37,

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DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE SERVICES, page 95, line 7, opposite /AGENCY LEASE PAYMENTS/ by decreasing the amount(s) in Columns 5 and 6 by:

Column 5	Column 6
181,619	181,619

Renumber sections to conform.

Amend totals and titles to conform.

Rep. PACE explained the amendment.

Rep. PACE spoke in favor of the amendment.

Rep. HERBKERSMAN spoke against the amendment.

Rep. HERBKERSMAN moved to table the amendment.

Rep. BEACH demanded the yeas and nays which were taken, resulting as follows:

Yeas 96; Nays 19

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Brewer	Brittain
Bustos	Calhoon	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Haddon	Hardee	Hart
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	W. Jones
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	McCravy	McDaniel

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McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	Ott	Pedalino
Pope	Rivers	Robbins
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--96

Those who voted in the negative are:

Beach	Burns	Chumley
Cromer	Guffey	Hager
Harris	S. Jones	Kilmartin
Magnuson	May	McCabe
A. M. Morgan	T. A. Morgan	O'Neal
Oremus	Pace	Trantham
White		

Total--19

So, the amendment was tabled.

Rep. PACE proposed the following Amendment No. 9A to Passed By The House (Doc Name h:\legwork\house\amend\h-wm\012\h2-gold and silver as tender.docx), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/ (GP: Gold and Silver Tender) For the current fiscal year, gold and silver coins minted foreign or domestic shall be legal tender in the State of South Carolina. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. PACE explained the amendment.

[HJ]

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Rep. CASKEY spoke upon the amendment.

POINT OF ORDER

Rep. MURPHY raised the Rule 5.3.B Point of Order that Amendment No. 9A to H. 5100 was not germane.

Rep. PACE argued contra.

The SPEAKER stated that the amendment did not have the principal purpose of appropriating funds or raising revenue and he sustained the Point of Order. The amendment was ruled out of order.

Rep. BAUER proposed the following Amendment No. 10A Passed By The House

(Doc Name h:\legwork\house\amend\h-wm\011\h2-food safety inspections.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 44, DEPARTMENT OF AGRICULTURE, page 400, after line 8, by adding an appropriately numbered proviso to read:

/ (AGRI: Food Safety Inspections) Using funds appropriated for this fiscal year, as part of its retail food safety inspections of school cafeterias, the South Carolina Department of Agriculture's review of the premises shall include the entire physical facility where the school cafeteria is located. This review shall include a review of the entirety of the building itself and any surrounding areas that may impact cafeteria personnel, facilities, or operations. The Department of Agriculture shall verify that the school cafeteria and all adjacent indoor and outdoor areas are maintained in a way that complies with applicable regulations and maximizes student health and safety. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. BAUER explained the amendment.

Rep. SANDIFER moved to table the amendment.

Rep. BAUER demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 46

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Beach	Brewer	Brittain

[HJ]

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Bustos	Calhoon	Carter
Chapman	Collins	B. L. Cox
Crawford	Cromer	Davis
Elliott	Felder	Gagnon
Gibson	Gilliam	Guest
Hardee	Harris	Hart
Herbkersman	Hewitt	Hiott
Hixon	Hyde	J. E. Johnson
Kilmartin	Landing	Lawson
Leber	Ligon	Long
Lowe	McCravy	McGinnis
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Pace	Pope	Robbins
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Taylor
Vaughan	West	Whitmire
Willis	Yow	

Total--62

Those who voted in the negative are:

Anderson	Atkinson	Bauer
Bernstein	Blackwell	Burns
Chumley	Clyburn	Cobb-Hunter
Connell	Dillard	Erickson
Garvin	Gatch	Gilliard
Haddon	Hager	Hartnett
Hayes	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	S. Jones	W. Jones
King	Kirby	Magnuson
McCabe	McDaniel	Mitchell
J. Moore	T. Moore	Oremus
Ott	Pedalino	Rivers
Rose	Trantham	Weeks
Wetmore	Wheeler	Williams
Wooten		

Total--46

[HJ]

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So, the amendment was tabled.

Rep. STAVRINAKIS proposed the following Amendment No. 12A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-activity buses.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 299, after line 35, by adding an appropriately numbered proviso to read:

/ (SDE: Activity Buses) In the current fiscal year, school districts may offer the services of activity buses to nonprofit organizations and may charge a fee for the use of the buses. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. STAVRINAKIS explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 17

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Dillard	Elliott	Erickson
Felder	Gagnon	Garvin
Gatch	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hart	Hartnett
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
W. Jones	Kilmartin	Landing
Lawson	Leber	Ligon
Long	Lowe	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	Moss

[HJ]

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Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Pedalino	Pope	Rivers
Robbins	Rose	Sandifer
Schuessler	Sessions	G. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Whitmire
Williams	Willis	Wooten
Yow		

Total--88

Those who voted in the negative are:

Atkinson	Beach	Calhoon
Cromer	Gibson	Gilliam
Harris	Hayes	S. Jones
Kirby	Magnuson	May
McCabe	T. A. Morgan	Oremus
Pace	White	

Total--17

So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 13A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-transfer policy.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGER EDUCATION, page 344, after line 4, by adding an appropriately numbered proviso to read:

/(CHE: Transfer Policy) All public comprehensive institutions shall establish and implement a transfer policy that will provide students a clear path to degree completion. The policy must ensure students transferring in with an AA or AS degree shall receive at least 60 applicable transfer credits towards fulfilling general education requirements. Course prerequisites and minimum credit requirements for awarding degrees shall still apply. By December 15, the comprehensive institutions must submit their transfer policy to the Commission on Higher Education and ensure it is easily accessible on their website. Independent institutions may participate voluntarily. /

[HJ]

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Renumber sections to conform.
Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 112; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pope
Rivers	Robbins	Rose
Sandifer	Schuessler	Sessions

[HJ]

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G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--112

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. GAGNON proposed the following Amendment No. 14A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-calhoun falls.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/(GP: Town of Calhoun Falls Audit) Of the funds appropriated in this act and/or carried forward from the previous fiscal year, the Office of the State Auditor, in coordination with the Office of the Inspector General, is directed to contract a firm to conduct a forensic audit on the finances of the Town of Calhoun Falls from Fiscal Year 2019-20 through Fiscal Year 2023-24. The State Auditor shall oversee the auditing process and provide interim and final reports to the Town of Calhoun Falls, the Abbeville County Delegation, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways & Means Committee upon completion./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. GAGNON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Henegan
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--113

[HJ]

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Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. HAGER proposed the following Amendment No. 15A Passed By The House

(Doc Name H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-HAMPTON COUNTY AUDIT.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/(GP: Hampton County Audit) Of the funds appropriated in this act and/or carried forward from the previous fiscal year, the Office of the State Auditor, in coordination with the Office of the Inspector General, is directed to contract a firm to conduct a forensic audit on the finances of Hampton County from Fiscal Year 2015-16 through Fiscal Year 2023-24. The State Auditor shall oversee the auditing process and provide interim and final reports to the Hampton County Council, the Hampton County Delegation, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways & Means Committee upon completion./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HAGER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell

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B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--113

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

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STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 5100, Amendment No. 15A. If I had been present, I would have voted in favor of the Amendment.

Rep. Jay West

Rep. POPE proposed the following Amendment No. 16A to Passed By The House

(Doc Name h:\legwork\house\amend\h-wm\011\h2-pors scrs return to work.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 491, proviso 108.16, after line 36, by inserting an appropriately numbered subsection to read:

/ () For compensation earnings during the current fiscal year, the earnings limitation does not apply if compensation received by the retired member from the covered employer is for employment in a critical needs fire service position. As determined by the South Carolina Fire Mobilization Oversight Committee. For this provision to apply, the South Carolina Fire Mobilization Oversight Committee must review and approve, from the documentation provided by the covered employer, that no qualified, non retired member is available for employment in the position, and that the member selected for employment meets the requirements of this provision. No later than January 1st of the current year, the South Carolina Fire Mobilization Oversight Committee must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the positions requested for inclusion in the earnings limitation exception under this provision. The earnings limitation exception in this provision only applies to those positions approved by the General Assembly for the fiscal year in response to the report submitted by the South Carolina Fire Mobilization Oversight Committee. The South Carolina Fire Mobilization Oversight Committee shall develop guidelines and curriculum for these officers to be recertified./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. POPE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 115; Nays 0

[HJ]

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	O'Neal
Oremus	Ott	Pace
Pendarvis	Pope	Rivers
Robbins	Rose	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore

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Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--115

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 17A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-fire academy instructors.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/ (GP: Fire Academy Instructors) Any certified instructor of the South Carolina Fire Academy who has retired from the Police Officers Retirement System (PORS) or the South Carolina Retirement System (SCRS) on or before December 31, 2023, may return to employment at the South Carolina Fire Academy within the South Carolina Department of Labor, Licensing and Regulation as a critical needs Fire Academy Instructor without affecting the monthly retirement allowance that they are receiving from PORS or SCRS. The South Carolina Fire Academy must develop guidelines and curriculum for these instructors to be recertified as fire academy instructors if they have been inactive for a year or more. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein

[HJ]

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Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--113

Those who voted in the negative are:

Total--0

[HJ]

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So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 18A Passed By The House (Doc Name h:\legwork\house\amend\hwm\011\h2-state of education emergency.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 325, after line 35, by adding an appropriately numbered proviso to read:

/ (SDE-EIA: State of Education Emergency) With funds appropriated to the Department of Education for the current fiscal year, the State Superintendent of Education may seek a state-of-education emergency declaration for a district if a report of the State Inspector General finds substantive governance deficiencies rising to the level of violations of federal or state statute or regulation. The enactment of this provision, including due process protections for the district, shall be conducted in accordance with the provisions of Section 59-18-1640. Management of the district under the state-of-education emergency may include direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 116; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon

[HJ]

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Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--116

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 19A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-inspector general report.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL

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PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/ (GP: Inspector General Report) If an investigation performed by the office of the State Inspector General results in recommendations for subsequent audits or raises concerns supporting subsequent audits, the appropriate oversight agency may conduct or hire an outside auditing firm to conduct the audits. The audit process shall be overseen by the State Inspector General, in coordination with the oversight agency. The agency or political subdivision being audited must pay reasonable costs associated with the audit./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Blackwell
Brewer	Brittain	Burns
Bustos	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hayes	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	S. Jones	W. Jones
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe

[HJ]

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Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--112

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 20A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-education scholarship trust fund.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 299, after line 35, by adding an appropriately numbered proviso to read:

/ (SDE: Education Scholarship Trust Fund) Pursuant to the funds appropriated to the Education Scholarship Trust Fund program, the department may accept scholarship applications on a rolling basis after the March 15th deadline, if available space and funds exist. The ESTF program may accept any student who meets the requisite age specifications and is the child of active-duty military personnel who was killed while on active-duty status or an active-duty member of the Armed Forces of the United States who has received permanent change of station orders to a military base and who, as a result, will reside in South Carolina and meets the requisite age specifications. For the current

[HJ]

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fiscal year, the requirements of Section 59-8-140(F)(1) and Section 59-8-115 (E)(4)(b) are suspended. /

Renumber sections to conform.
Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Connell	B. L. Cox	Crawford
Cromer	Davis	Elliott
Erickson	Felder	Forrest
Gagnon	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	S. Jones	W. Jones
Kilmartin	King	Landing
Lawson	Leber	Ligon
Long	Lowe	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Rivers	Robbins

[HJ]

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Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 21A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-charter authorizer fees.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 299, after line 35, by adding an appropriately numbered proviso to read:

/(SDE: Charter Authorizer Fees) From the funds appropriated, the South Carlina Public Charter School District and a registered public or independent institution of higher learning sponsor of a charter school may retain no more than two percent of the total state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. The sponsor's administrative fee does not include costs incurred in delivering services that a charter school may purchase at its discretion from the sponsor, however, a sponsor is prohibited from selling services to schools over which the sponsor has oversight. This does not prohibit a school or a sponsor from purchasing services from a statewide contract or any other approved collective purchasing agreement. A sponsor shall post on its website, in a conspicuous location, any services that may be purchased by schools and the cost of the services. The sponsor's fee is not applicable to federal money or grants received by the charter school. The sponsor shall use its funding provided pursuant to this proviso exclusively for the purpose of fulfilling sponsor obligations in accordance with applicable charter school law./

Renumber sections to conform.

Amend totals and titles to conform.

[HJ]

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Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brittain	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Gibson	Gilliam
Gilliard	Guest	Haddon
Hager	Harris	Hart
Hartnett	Hayes	Henderson-Myers
Henegan	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Leber	Long
Lowe	Magnuson	May
McCabe	McCravy	McDaniel
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Neese
B. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pope	Rivers
Robbins	Rose	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	White

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Whitmire
Wooten

Williams
Yow

Willis

Total--101

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. HERBKERSMAN proposed the following Amendment No. 22A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\012\h2-pfas pilot program.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 416, after line 29, by adding an appropriately numbered proviso to read:

/ (DES: PFAS Pilot Program) There is established within the Department of Environmental Services the PFAS Removal Evaluation Fund. The Department of Environmental Services shall use the fund to create and implement the PFAS Removal Evaluation Pilot Program. The purpose of the pilot program is to evaluate and facilitate the implementation of emerging technologies to remove PFAS compounds from industrial wastewater. The department will establish the selection criteria, terms, and conditions for participation in the pilot program. A progress report on the viability of the piloted technologies and their effectiveness in PFAS removal shall be submitted to the General Assembly no later than June 30, 2025. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. HERBKERSMAN explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson
Bamberg
Beach
Brewer

Atkinson
Bannister
Bernstein
Burns

Bailey
Bauer
Blackwell
Bustos

[HJ]

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Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	Nutt	O'Neal
Oremus	Pace	Pedalino
Pope	Rivers	Rose
Sandifer	Schuessler	Sessions
M. M. Smith	Stavrinakis	Taylor
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. HERBKERSMAN proposed the following Amendment No. 23A

[HJ]

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Passed By The House (Doc Name h:\legwork\house\amend\h-wm\012\h2-building maintenance.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 593, proviso 118.19, after line 15, by inserting:

/ () PFAS Pilot Program \$ 900,000; /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HERBKERSMAN explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Gatch	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	Nutt	O'Neal

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Oremus	Ott	Pace
Pedalino	Rivers	Robbins
Rose	Sandifer	Schuessler
M. M. Smith	Stavrinakis	Taylor
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. PACE proposed the following Amendment No. 24A to Passed By The House (Doc Name COUNCIL\SA\5100C012.JN.SA24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 98, STATE TREASURER'S OFFICE, page 475, after line 5, by adding an appropriately numbered paragraph to read:

/ (TREAS: Study Committee) From the funds appropriated to the State Treasurer's Office, the Treasurer shall create a study committee to examine the feasibility of establishing gold and silver as legal tender. The committee also shall examine the possibility of the creation of a state depository for precious metal bullion. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. PACE explained the amendment.

POINT OF ORDER

Rep. MURPHY raised the Rule 5.3.B Point of Order that Amendment No. 24A was not germane to H.5100.

The SPEAKER sustained the Point of Order. The amendment was ruled out of order.

Rep. ERICKSON proposed the following Amendment No. 25A

[HJ]

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Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-dual enrollment study.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 344, by amending amendment bearing document number

H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-AMEND

BACK.DOCX by deleting the following new proviso in its entirety:

/ (CHE: Dual Enrollment Study) Of the funds appropriated to the Commission on Higher Education, the commission shall convene an appropriately representative working group of stakeholders to examine the current process utilized to review and approve dual enrollment credit sites at the sixteen technical colleges in the State and the four two-year institutions at the University of South Carolina. The commission shall report the working group's findings and recommendations, if any, to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee by June 30th of the current fiscal year./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Gagnon	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris

[HJ]

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Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
J. E. Johnson	J. L. Johnson	W. Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Wheeler
White	Whitmire	Williams
Willis	Wooten	Yow

Total--114

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. ERICKSON proposed the following Amendment No. 26A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-dual enrollment study sde.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 299, after line 35, by adding an appropriately numbered proviso to read:

/(SDE: Dual Enrollment Study) Of the funds appropriated to the Department of Education, the department shall convene an

[HJ]

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appropriately representative working group of stakeholders to examine the current process utilized to review and approve dual enrollment credit sites at the sixteen technical colleges in the State and the four two-year institutions at the University of South Carolina. The commission shall report the working group's findings and recommendations, if any, to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee by June 30th of the current fiscal year.!

Renumber sections to conform.

Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Collins
Connell	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Gagnon	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Henegan
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary

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McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--112

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. BANNISTER proposed the following Amendment No. 27A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-richland county - emergency operations.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 590, proviso 118.20, item (79)(n) by amending amendment bearing document number H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-AMEND BACK.DOCX by striking / *Family Services* / and inserting / *Emergency Operations* /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BANNISTER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

[HJ]

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Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Wheeler
White	Whitmire	Williams
Willis	Wooten	Yow

Total--114

[HJ]

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Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. A.M. MORGAN proposed the following Amendment No. 29A
Passed By The House

(Doc Name h:\legwork\house\amend\h-wm\012\h2-voter registration form.docx), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered proviso to read:

/ (GP: Voter Registration Forms) No funds appropriated to the department pursuant to this appropriations act shall be used to distribute voter registration forms or voter registration declination forms to noncitizens. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. A. M. MORGAN explained the amendment.

ACTING SPEAKER HIOTT IN CHAIR

Rep. A. M. MORGAN spoke in favor of the amendment.

SPEAKER IN CHAIR

Rep. BURNS moved that the House recede until 2:12 p.m.

Rep. B. NEWTON demanded the yeas and nays which were taken, resulting as follows:

Yeas 17; Nays 95

Those who voted in the affirmative are:

Beach	Blackwell	Burns
Bustos	Chumley	Haddon
Harris	Jefferson	Kilmartin
McCabe	O'Neal	Pace

[HJ]

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Rivers	Sessions	Wetmore
White	Williams	

Total--17

Those who voted in the negative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Bernstein	Brewer
Brittain	Calhoon	Carter
Caskey	Chapman	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Gatch	Gibson	Gilliam
Gilliard	Guest	Hager
Hardee	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	J. E. Johnson
S. Jones	W. Jones	Jordan
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	Oremus
Ott	Pedalino	Pendarvis
Pope	Robbins	Rose
Rutherford	Sandifer	Schuessler
G. M. Smith	M. M. Smith	Stavrakis
Taylor	Thigpen	Trantham
Vaughan	Weeks	West
Wheeler	Whitmire	Willis
Wooten	Yow	

Total--95

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So, the House refused to recede.

POINT OF ORDER

Rep. B. NEWTON raised the Rule 5.3.B Point of Order that Amendment No. 29A was not germane.

Speaker GM SMITH stated that the amendment's principal effect was not to appropriate funds or affect revenue, and he sustained the Point of Order.

MOTION TO APPEAL RULING OF THE SPEAKER TABLED

Rep. MAY appealed the Ruling of the SPEAKER and the SPEAKER *Pro Tempore* was called to the Chair to act as Presiding Officer.

Rep. CASKEY spoke against the motion to appeal the ruling of the Speaker.

Rep. MAGNUSON spoke in favor of the motion to appeal the ruling of the Speaker.

Rep. LOWE spoke against the motion to appeal the ruling of the Speaker.

Rep. LOWE moved to table the appeal.

Rep. WILLIAMS demanded the yeas and nays which were taken, resulting as follows:

Yeas 98; Nays 14

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Bustos	Calhoon	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Hager	Hardee
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt

[HJ]

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Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	W. Jones	Jordan
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	Ott
Pedalino	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
M. M. Smith	Stavrinakis	Taylor
Thigpen	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Burns	Chumley	Cromer
Harris	S. Jones	Kilmartin
Magnuson	May	McCabe
A. M. Morgan	T. A. Morgan	Pace
Trantham	White	

Total--14

So, the motion to appeal the ruling of the SPEAKER was tabled.

Reps. A.M. MORGAN and BEACH proposed the following Amendment No. 30A Passed By The House (Doc Name COUNCIL\SA\5100C007.JN.SA24.DOCX), which was ruled out order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered paragraph to read:

/ (GP: Voter Registration Forms) From the funds appropriated in this act, any voter registration form or voter registration declination form that is provided to an individual in this State must include a question

[HJ]

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about citizenship.

Renumber sections to conform.
Amend totals and titles to conform.

Rep. A. M. MORGAN explained the amendment.

Rep. OTT spoke against the amendment.
Rep. GATCH spoke against the amendment.

LEAVE OF ABSENCE

The SPEAKER PRO TEMPORE granted Rep. GUFFEY a temporary leave of absence.

Rep. GATCH continued speaking.

POINT OF ORDER

Rep. KING raised the Point of Order that Amendment No. 30A was not germane to H. 5100.

The SPEAKER PRO-TEMPORE stated that the amendment's principal effect was not to appropriate funds or affect revenue. He sustained the Point of Order.

Rep. WOOTEN proposed the following Amendment No. 31A Passed By The House

(Doc Name h:\legwork\house\amend\h-wm\011\h2-lexington cc redirect.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 410, after line 29, by adding an appropriately numbered proviso to read:

/ (CMRC: Lexington County CC Repurpose) The \$1,000,000 appropriated in Act No. 94 of 2021, by proviso 118.18(77) to the town of Lexington for the Lexington County Convention Center and the \$5,000,000 appropriated in Act 239 of 2022, by proviso 118.19(93)(rrrrr) to the Town of Lexington for the Lexington County Conference Center shall be redirected to be used for the Sunset Split project. Unexpended funds may be carried forward to be expended for the same purpose. /

Renumber sections to conform.
Amend totals and titles to conform.

Rep. STAVRINAKIS explained the amendment.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gilliam	Guest
Hager	Hardee	Harris
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	Nutt	O'Neal
Ott	Pace	Pedalino
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Wheeler

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White	Whitmire	Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Reps. M.M. SMITH and ELLIOTT proposed the following Amendment No. 32A Passed By The House (Doc Name COUNCIL\SA\5100C011.JN.SA24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered paragraph to read:

/ (GP: Sunday Sales) (A) For the current fiscal year, Section 61-6-4160 of the S.C. Code is suspended. The Department of Revenue is authorized to issue permits for the sale of alcoholic liquors on Sundays for off-premises consumption on Sunday between 1:00 p.m. and 5:00 p.m. in compliance with the provisions of the Alcoholic Beverage Control Act in counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit. The referendum may be conducted by petition or by ordinance in accordance with the referendum procedures set forth in Section 61-6-2010(C)(1), (3), and (D) of the S.C. Code. The question on the ballot must be:

"Shall the South Carolina Department of Revenue be authorized to issue permits to licensed retail dealers in this (county) (municipality) to allow for the sale of alcoholic liquors for off-premises consumption on Sunday between 1:00 p.m. and 5:00 p.m. in compliance with the provisions of the Alcoholic Beverage Control Act?"

(B) Permits issued by the Department of Revenue may be issued in all parts of a municipality if any part of the municipality is located in a county where the issuance of these permits is allowed. The filing fee and purposes for which the revenue may be used by the municipality or county shall be as provided in Section 61-6-2010(B) of the S.C. Code.

(C) The department may charge a nonrefundable filing fee of one hundred dollars for processing each permit application. /

[HJ]

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Renumber sections to conform.
Amend totals and titles to conform.

Rep. M. M. SMITH explained the amendment.

POINT OF ORDER

Rep. MAGNUSON raised the Rule 5.3.B Point of Order that Amendment No. 32A was not germane to H. 5100.

The SPEAKER PRO-TEMPORE stated that the amendment's principal effect violated Rule 5.3.B, and sustained the Point of Order.

Rep. PACE proposed the following Amendment No. 35A to Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-clarendon and colleton county libraries.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 590, proviso 118.20, by amending amendment bearing document number H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-AMEND BACK.DOCX by deleting items (71)(b) and (71)(c) in their entirety.

Renumber sections to conform.
Amend totals and titles to conform.

Rep. PACE explained the amendment.

Rep. PACE moved to table the amendment, which was agreed to.

Rep. Herbkersman proposed the following Amendment No. 37A Passed By The House (Doc Name COUNCIL\DG\5100C019.CC.DG24.DOCX), which was adopted:

Amend the bill, as and if amended, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered paragraph to read:

/(GP: Food Safety) Using funds appropriated to the agency for which the administration of the food safety program was transferred pursuant to Act 60 of 2023, as part of its retail food safety inspections of school cafeterias, the successor agency's review of the premises shall include the entire physical facility where the school cafeteria is located. This review shall include a review of the entirety of the building itself and any surrounding areas that may impact cafeteria personnel, facilities, or operations. The successor agency shall verify that the school cafeteria and all adjacent indoor and outdoor areas are maintained in a way that

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complies with applicable regulations and maximizes student health and safety./

Renumber sections to conform.
Amend totals and titles to conform.

Rep. HERBKERSMAN explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Brewer	Brittain
Burns	Bustos	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Crawford
Cromer	Davis	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hosey
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pope	Robbins	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Thigpen

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Trantham	West	Wetmore
White	Whitmire	Williams
Willis	Wooten	Yow

Total--99

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. BEACH proposed the following Amendment No. 38A Passed By The House (Doc Name COUNCIL\DG\5100C020.CC.DG24.DOCX), which was tabled:

Amend the bill, as and if amended, PART IB, SECTION 118, STATEWIDE REVENUE, PROVISIO 118.20, BY AMENDING AMENDMENT H:\LEGWORK\HOUSE\AMEND\

H-WM\001\H2-AMEND BACK.DOCX, PAGE 25 BY striking item (56)(t) and inserting:

/(t) Film Incentives § 1:/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BEACH explained the amendment.

LEAVE OF ABSENCE

The SPEAKER PRO TEMPORE granted Rep. J. L. JOHNSON a temporary leave of absence.

Rep. BEACH continued speaking.

POINT OF ORDER

Rep. BRITAIN raised the Point of Order that Amendment No. 38A violated Rule 5.3.B and was not germane to H. 5100.

The SPEAKER PRO-TEMPORE overruled the Point of Order and stated that the amendment was germane to the bill.

Rep. ERICKSON moved to table the amendment.

[HJ]

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Rep. BEACH demanded the yeas and nays which were taken,
resulting as follows:

Yeas 93; Nays 15

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Brewer	Brittain
Bustos	Calhoon	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Davis
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Hager
Hardee	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
W. Jones	Jordan	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pedalino	Pope
Rivers	Robbins	Sandifer
Schuessler	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--93

Those who voted in the negative are:

Beach	Burns	Chumley
-------	-------	---------

[HJ]

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Cromer	Harris	S. Jones
Kilmartin	Magnuson	May
McCabe	A. M. Morgan	T. A. Morgan
Pace	Trantham	White

Total--15

So, the amendment was tabled.

Rep. M.M. SMITH proposed the following Amendment No. 39A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-nr items reallocation.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 590, proviso 118.20, Item (78)(e) by amending amendment bearing document number H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-AMEND BACK.DOCX by deleting / Berkeley County Emergency Services - Training Center Refurbishment

\$ 1,617,000; / and inserting / City of Hanahan – Enhancing Hawks Nest Park & Completing Steward Street Park \$1,150,000; /

Amend the amendment further, Part IB, Section 118, STATEWIDE REVENUE, page 590, proviso 118.20, by adding a new item at the end to read:

/ () South Carolina Infant Mental Health Association – Safe Babies Court \$467,000; /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. M. M. SMITH explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 15

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bamberg	Bannister	Bauer
Bernstein	Blackwell	Brewer
Brittain	Bustos	Calhoon
Carter	Chapman	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer

[HJ]

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Davis	Elliott	Erickson
Forrest	Gagnon	Garvin
Gatch	Gilliard	Guest
Guffey	Hager	Hardee
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Pedalino	Pope
Rivers	Robbins	Sandifer
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	Whitmire
Williams	Willis	Wooten
Yow		

Total--91

Those who voted in the negative are:

Beach	Burns	Chumley
Gibson	Gilliam	Haddon
Harris	S. Jones	Magnuson
May	McCabe	A. M. Morgan
T. A. Morgan	Pace	White

Total--15

So, the amendment was adopted.

ACTING SPEAKER HIOTT IN CHAIR

Rep. OTT proposed the following Amendment No. 40A to Passed By

[HJ]

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The House (Doc Name COUNCIL\SA\5100C014.JN.SA24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 447, after line 26, by adding an appropriately numbered paragraph to read:

//

Re-number sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

POINT OF ORDER

Rep. MAGNUSON raised the Rule 5.3.B Point of Order that Amendment No. 40A was not germane to H. 5100.

Acting Speaker HIOTT sustained the Point of Order and ruled the amendment out of order.

Rep. BANNISTER proposed the following Amendment No. 41A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\011\h2-balancing.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 590, proviso 118.20, Item (59)(a), by amending amendment bearing document number H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-AMEND

BACK.DOCX by deleting / \$4,082,990; / and inserting / \$3,232,990; /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. BANNISTER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Chapman
Chumley	Clyburn	Cobb-Hunter

[HJ]

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Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Ott
Pace	Pedalino	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--113

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

[HJ]

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LEAVE OF ABSENCE

The SPEAKER granted Rep. WHEELER a temporary leave of absence due to a court appearance.

Rep. BAMBERG proposed the following Amendment No. 3A Passed By The House (Doc Name COUNCIL\SA\5100C009.JN.SA24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 561, after line 3, by adding an appropriately numbered paragraph to read:

/ (GP: Self-Defense Shooting Data Reporting) (A) From the funds appropriated, in the current fiscal year, when a law enforcement agency investigates a use of deadly force, if a law enforcement agency declines to arrest the person who used deadly force, the local law enforcement agency shall submit a report which documents all investigative efforts to the South Carolina Judicial Council.

(B) In the current fiscal year, when a prosecutor declines to prosecute a person who used deadly force because the prosecutor determines that there is not probable cause for a criminal prosecution, the prosecutor shall submit a report which documents all investigative efforts to the South Carolina Judicial Council.

(C) In the current fiscal year, the Judicial Council of South Carolina shall publish a report on a publicly accessible website analyzing reports the Council received from local law enforcement agencies and prosecutors that declined to arrest or prosecute a person who used deadly force. The report shall include demographic information from the reports, including the race and gender of each person who used deadly force and the race and gender of each person or persons against whom deadly force was used.

(D) The Judicial Council of South Carolina shall collect and compile statistics on all criminal cases in which the justification described in article 6, Chapter 11, Title 16 of the S.C. Code, was raised, including dismissals, trial convictions, and trial acquittals, as well as demographic information, including the race and gender of the person who sought the justification and the race and gender of the person or persons against whom the person who sought the justification used force. The Judicial Council shall publish a report detailing the statistics collected during the current fiscal year on a publicly accessible website./

Renumber sections to conform.

Amend totals and titles to conform.

[HJ]

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Rep. BAMBERG explained the amendment.

POINT OF ORDER

Rep. LOWE raised the Rule 5.3.B Point of Order that Amendment No. 3A was not germane to H. 5100.

The SPEAKER PRO-TEMPORE sustained the Point of Order and ruled the amendment to be out of order.

Rep. GUFFEY proposed the following Amendment No. 6A Passed By The House (Doc Name COUNCIL\DG\5100C015.CC.DG24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF CORRECTIONS, page 438, after line 12, by adding an appropriately numbered paragraph to read:

/ (CORR: Cell Phone Jamming) From the funds appropriated to the Department of Corrections, in order to promote safety within the correctional facility, the director of the department may designate one of its correctional facilities in which to employ technology that jams cellular phone signals from contraband cellular phones. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. GUFFEY spoke in favor of the amendment.

POINT OF ORDER

Rep. McDANIEL raised the Rule 5.3.B Point of Order that Amendment No. 6A was not germane to H. 5100.

The SPEAKER PRO-TEMPORE sustained the Point of Order and ruled the amendment to be out of order.

Rep. KING proposed the following Amendment No. 28A to Passed By The House (Doc Name H:\LEGWORK\HOUSE\AMEND\H-WM\012\H2-JEFFERSON ST. PARK.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, proviso 118.20, Item (73)(c) by amending amendment h:\legwork\house\amend\

h-wm\0011\h2-amend back.docx, page 28 by striking:

*/(c) Community Medicine Foundation, Inc –
Sickle Cell Program \$ 750,000;*

/ and inserting:

/(c) Community Medicine Foundation, Inc –

[HJ]

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Sickle Cell Program \$ 550,000; /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE proviso 118.20, by amending amendment h:\legwork\house\amend\

h-wm\0011\h2-amend back.docx, page 24, after P280 - Department of Parks, Recreation and Tourism by inserting:

/ () York Count School District – Jefferson Field Development \$200,000; /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. KING moved to table the amendment, which was agreed to.

Reps. BANNISTER and COBB-HUNTER proposed the following Amendment No. 36A Passed By The House (Doc Name H:\LEGWORK\HOUSE\AMEND\H-WM\011\H2-HFDA COLLABORATION V2.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 42, HOUSING FINANCE & DEVELOPMENT AUTHORITY, page 398, proviso 42.7, lines 15-17, by striking the proviso in its entirety and inserting:

/ 42.7. (HFDA: Collaboration) To address the issues of lack of affordable home ownership across the state, the South Carolina Housing Finance and Development Authority shall collaborate with Habitat for Humanity South Carolina and may spend up to fifteen million dollars of existing funds to explore funding opportunities aimed at increasing and preserving the supply of affordable housing and workforce housing in the State. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. BANNISTER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 15

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Carter

[HJ]

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Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Crawford
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
W. Jones	Jordan	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pedalino	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Trantham
Weeks	West	Wetmore
Whitmire	Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Beach	Calhoon	Cromer
Gibson	Gilliam	Harris
S. Jones	Kilmartin	Magnuson
May	McCabe	A. M. Morgan
T. A. Morgan	Pace	White

Total--15

So, the amendment was adopted.

[HJ]

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STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 5100, Amendment No. 36A. If I had been present, I would have voted in favor of the Amendment.

Rep. Bill Herbkersman

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 5100, Amendment No. 36A. If I had been present, I would have voted in favor of the Amendment.

Rep. David Vaughan

Reps. HADDON, HIOTT, FELDER, POPE, J.E. JOHNSON, and SCHUESSLER PROPOSED THE following Amendment No. 42A Passed By The House (Doc Name h:\legwork\house\amend\h-wm\012\h2-agribusiness fund.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 44, DEPARTMENT OF AGRICULTURE, page 400, after line 8, by adding an appropriately numbered proviso to read:

/ (AGRI: Agribusiness Fund Allocations) Of the funds appropriated in Act 84 of 2023, Section 118.19, Item (33)(c) to Growing Agribusiness Fund, shall be redirected as follows:

(1) \$5,000,000 for Meat Processing Lab and Cannery at the Governor's School for Agriculture at John de la Howe;

(2) \$1,000,000 for City of Pickens for City Hall Renovations;

(3) \$1,000,000 for Pickens Regional Joint Water System;

(4) \$200,000 for York County School District – Jefferson Field Development;

(5) \$4,000,000 for Fort Mill Community Center Renovations;

(6) \$3,770,000 for Town of Aynor for the Levister Recreation Center;

(7) \$730,000 for Horry County - County Transportation Funds for the Traffic Signal at US 378 and Juniper Bay Road; and

(8) \$750,000 for SOS Care - Autism Community Training Homes Phase 4 Construction. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HIOTT explained the amendment.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 104; Nays 4

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hart	Hartnett
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Leber	Ligon
Long	Lowe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pedalino
Pope	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total--104

[HJ]

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Those who voted in the negative are:

Magnuson McCabe A. M. Morgan
T. A. Morgan

Total--4

So, the amendment was adopted.

RECORD FOR VOTING

I inadvertently voted in favor of Amendment 42A to H. 5100. Had I known that the amendment was redirecting funds from the current year's budget, I would have voted against the amendment.

Rep. Russell Ott

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

ABSTENTION FROM VOTING

H. 5100--General Appropriations Bill

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on **H. 5100, the annual General Appropriations Bill for Fiscal Year 2024-2025**, for the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendment Numbers Agency Name

22A SECTION 55, DEPARTMENT OF ENVIRONMENTAL SERVICES

23A SECTION 118, STATEWIDE REVENUE

The reason for abstaining on the above referenced legislation is [check applicable reasons(s)]:

a. A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code § 8-13-700(B)**.

b. A potential conflict may exist under **S.C. Code § 8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

[HJ]

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c. A potential conflict may exist under **S.C. Code § 8-13-745(B) and (C)** because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. Thomas C. "Case" Brittain, Jr.

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on **H. 5100, the annual General Appropriations Bill for Fiscal Year 2024-2025**, for the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendment Numbers Agency Name

22A SECTION 55, DEPARTMENT OF ENVIRONMENTAL SERVICES

23A SECTION 118, STATEWIDE REVENUE

The reason for abstaining on the above referenced legislation is:

a. A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code § 8-13-700(B)**.

b. A potential conflict may exist under **S.C. Code § 8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

c. A potential conflict may exist under **S.C. Code § 8-13-745(B) and (C)** because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. G. Murrell Smith, Jr.

Rep. BANNISTER moved that the House recede until 3:45 p.m., which was agreed to.

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LEAVE OF ABSENCE

The SPEAKER PRO TEMPORE granted Rep. HENEGAN a leave of absence for the remainder of the day.

THE HOUSE RESUMES

At 3:45 p.m. the House resumed, the SPEAKER in the Chair.

POINT OF QUORUM

The question of a quorum was raised.
A quorum was later present.

H. 4624--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

H. 4624 -- Reps. Hiott, G. M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

Rep. HIOTT moved cloture on the entire matter, which was agreed to.

Rep. M. M. SMITH moved to adjourn debate on the Senate Amendments, cloture having been orderd, which was agreed to.

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RETURNED TO THE SENATE WITH AMENDMENTS

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 1017 -- Senators M. Johnson, Peeler, Climer, Setzler and Kimbrell: 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.

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 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

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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.

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

S. 1234--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE

The following Concurrent Resolution was taken up:

S. 1234 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 SOUTH IN

[HJ]

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FAIRFIELD COUNTY FROM THE INTERSECTION OF WEST CHURCH STREET AND LONGTOWN ROAD TO THE RICHLAND COUNTY LINE "DONALD PRIOLEAU SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS STRETCH OF ROAD CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

H. 5520--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 5520 -- Rep. King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OGDEN ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HECKLE BOULEVARD TO ITS INTERSECTION WITH HARRISON STREET "DAISY ROGERS MCDUFFIE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

MOTION PERIOD

The motion period was dispensed with on motion of Rep. FORREST.

S. 915--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young, Senn, Fanning and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND

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POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 915 (LC-915.VR0018H), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Title 44 of the S.C. Code is amended by adding:

CHAPTER 12

Executive Office of Health and Policy

Section 44-12-10. There is created within the executive branch of the state government an agency to be known as the Executive Office of Health and Policy with the organization, duties, functions, and powers defined in this chapter and other applicable provisions of law.

Section 44-12-20. The Secretary of Health and Policy shall be the head and governing authority of the office. The secretary must be appointed by the Governor with the advice and consent of the Senate, subject to removal from office by the Governor pursuant to the provisions of Section 1-3-240(B).

Section 44-12-30. As used in this chapter:

- (1) "Secretary" means the Secretary of Health and Policy.
- (2) "Office" means the Executive Office of Health and Policy.
- (3) "Department" or "departments" means any one or more of the component departments housed within the office.
- (4) "State Health Plan" means the cohesive, coordinated, and comprehensive state plan for public health services developed by the secretary.

Section 44-12-40. In performing his duties as authorized by this chapter, the secretary:

- (1) shall develop a cohesive, coordinated, and comprehensive State Health Plan for public health services provided by the component departments housed within the office so that there is a maximum level of coordination among the component departments. The plan should

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serve as a blueprint for the State to assess and improve the quality of care that South Carolinians receive. The plan should be continually updated and must include, at a minimum, an inventory, projections, and standards for health services, facilities, equipment, and workforce which have the potential to substantially impact delivery of care, costs, and accessibility within the State. The plan should also address how to improve health services delivery in the State, recognize operational efficiencies, and maximize resource utilization. The secretary shall establish and appoint members to a health planning advisory committee to provide advice in the development of the plan. Members of the advisory committee should include health care providers, consumers, payers, and public health professionals. Members of the advisory committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions;

(2) shall review and approve or disapprove all regulations promulgated by the component departments prior to their submission to the General Assembly;

(3) shall be the sole advisor of the State concerning all questions involving the protection of public health within its limits;

(4) shall have the authority to determine the appropriate course of treatment for patients with complex or co-occurring diagnoses necessitating involvement of two or more component departments;

(5) shall, subject to applicable federal law, require data sharing to the fullest extent possible among the component departments when necessary to accomplish the goals of the plan;

(6) shall, to the extent practicable, consolidate administrative services among the component departments. Consolidated administrative services include, but are not limited to:

(a) financial and accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing, and financial reporting assistance;

(b) human resources administrative support, such as transaction processing and reporting, payroll processing, and human resources training;

(c) budget support, such as budget transaction processing and budget reporting assistance; and

(d) information technology;

(7) shall, with regard to information technology, ensure that the office and the component departments comply with all plans, policies, and directives of the Department of Administration;

(8) may employ such persons as he determines are necessary to

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carry out the office's duties; and

(9) may enter into contracts with public agencies, institutions of higher education, and private organizations or individuals for the purpose of carrying out the office's duties.

Section 44-12-50. (A) The Executive Office of Health and Policy shall consist of the following component departments:

- (1) the Department of Health Financing;
- (2) the Department of Public Health;
- (3) the Department on Aging;
- (4) the Department of Intellectual and Related Disabilities; and
- (5) the Department of Behavioral Health and Substance Abuse

Services.

(B)(1) The component departments shall be headed by a department director appointed by the secretary. Department directors shall serve at the will and pleasure of the secretary. In the case of a vacancy in a department director's position prior to the appointment of a successor, the secretary may assign an employee of the department or the office to perform the duties required of the vacant position on an interim basis.

(2) The secretary shall develop the budget for the office with each component department constituting a separate program area. The secretary shall consult with each component department director in developing the priorities and funding request for his component department.

(3) The secretary may, to the extent authorized through the annual appropriations act or relevant permanent law, organize the administration of the office, including the assignment of personnel to the office and among its component departments, as is necessary to carry out the office's duties.

Section 44-12-60. The component departments shall carry out their duties, functions, and powers as provided in their respective enabling statutes and as otherwise provided by laws subject to the management decisions, policy development, and standards established of and by the secretary as provided in this chapter.

SECTION 2. Section 1-30-10(A) of the S.C. Code is amended to read:

(A) There are hereby created, within the executive branch of the state government, the following departments:

1. Department of Administration
2. Department of Agriculture
- ~~3. Department of Alcohol and Other Drug Abuse Services~~
4. 3. Department of Commerce

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- ~~5-4.~~ Department of Corrections
- ~~6.~~ Department of Disabilities and Special Needs
- ~~7-5.~~ Department of Education
- ~~8.~~ Department of Public Health
- ~~9.~~ Department of Health and Human Services
- ~~10-6.~~ Department of Insurance
- ~~11-7.~~ Department of Juvenile Justice
- ~~12-8.~~ Department of Labor, Licensing and Regulation
- ~~13.~~ Department of Mental Health
- ~~14-9.~~ Department of Motor Vehicles
- ~~15-10.~~ Department of Natural Resources
- ~~16-11.~~ Department of Parks, Recreation and Tourism
- ~~17-12.~~ Department of Probation, Parole and Pardon Services
- ~~18-13.~~ Department of Public Safety
- ~~19-14.~~ Department of Revenue
- ~~20-15.~~ Department of Social Services
- ~~21-16.~~ Department of Transportation
- ~~22-17.~~ Department of Employment and Workforce
- ~~23.~~ Department on Aging
- ~~24-18.~~ Department of Veterans' Affairs.
- ~~25-19.~~ Department of Environmental Services
- 20. Executive Office of Health and Policy

SECTION 3. Section 8-17-370 of the S.C. Code is amended by adding:

(21) The Secretary of Health and Policy, the directors of the component departments of the Executive Office of Health and Policy, all direct reports to the Secretary and to directors of the component departments, and all direct reports to division directors within the Department of Behavioral Health and Substance Abuse Services.

SECTION 4. The Code Commissioner is directed to change the following headings in the S.C. Code:

(1) Chapter 6, Title 44 shall be entitled "Department of Health Financing";

(2) Chapter 1, Title 44 shall be entitled "Department of Public Health";

(3) Chapter 20, Title 44 shall be entitled "Department of Intellectual and Related Disabilities"; and

(4) Chapter 9, Title 44 shall be entitled "Department of Behavioral Health and Substance Abuse Services".

SECTION 5. Chapter 49, Title 44 of the S.C. Code is repealed.

SECTION 6. (A) Upon the effective date of this act, the Directors of

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the Departments of Public Health and Aging shall serve as the interim department directors of their respective departments within the Executive Office of Health and Policy, unless otherwise removed by the Secretary of Health and Policy, until such time as a successor is appointed by the secretary and assumes the position. The Director of the Department of Health and Human Services shall serve as the interim Director of the Department of Health Financing, unless otherwise removed by the Secretary of Health and Policy, until such time as a successor is appointed by the secretary and assumes the position. The Director of the Department of Disabilities and Special Needs shall serve as the interim Director of the Department of Intellectual and Related Disabilities, unless otherwise removed by the Secretary of Health and Policy, until such time as a successor is appointed by the secretary and assumes the position. In the case of a vacancy in the director's position in one or more of the departments on or after the effective date of this act and prior to the appointment of a successor, the Secretary of Health and Policy may assign an employee of the department or the Executive Office of Health and Policy to perform the duties required of the vacant position in the interim.

(B) Upon the effective date of this act, the Director of the Department of Mental Health shall serve as the interim Director of the Department of Behavioral Health and Substance Abuse Services, unless otherwise removed by the Secretary of Health and Policy, until such time as a successor is appointed by the secretary and assumes the position. In the case of a vacancy in the director's position at the Department of Behavioral Health and Substance Abuse Services on or after the effective date of this act and prior to the appointment of a successor, the Secretary of Health and Policy may assign an employee of the department or the Executive Office of Health and Policy to perform the duties required of the vacant position in the interim.

(C) Upon the effective date of this act, the Director of the Department of Alcohol and Other Drug Abuse Services shall serve as the interim Director of the Division on Alcohol and Drug Addiction of the Department of Behavioral Health and Substance Abuse Services until such time as a replacement is appointed by the Director of the Department of Behavioral Health and Substance Abuse Services. Prior to the appointment of the Director of the Department of Behavioral Health and Substance Abuse Services, the Secretary of Health and Policy has the discretion to remove the division director. In the case of a vacancy in the director's position at the Department of Alcohol and Other Drug Abuse Services or the Division on Alcohol and Drug

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Addition on or after the effective date of this act and prior to the appointment of a successor by the Director of the Department of Behavioral Health and Substance Abuse Services, the Secretary of Health and Policy may assign an employee of the department or the Executive Office of Health and Policy to perform the duties required of the vacant position in the interim.

(D) Nothing in this act prevents the Secretary of Health and Policy from reappointing the directors of their respective departments serving in those roles as of the effective date of this act.

(E) The Governor's initial appointee as Secretary of Health and Policy shall serve in an interim capacity with the powers and duties assigned to the Secretary through this act until such time as the Senate provides advise and consent regarding the appointment. Should the Senate not advise and consent to the initial appointee prior to sine die adjournment of the 2025 regular session, the office shall be vacant, and the interim appointee shall not serve in hold over status.

SECTION 7. (A) Except for personnel and funds transferred pursuant to subsection (B) of this Section, the Departments of Health Financing, Public Health, Aging, and Intellectual and Related Disabilities shall operate as component departments of the Executive Office of Health and Policy in the 2024-2025 Fiscal Year using the authority and funds appropriated to the Departments of Health and Human Services, Public Health, Aging, and Disabilities and Special Needs as standalone agencies in the appropriations act of 2024. Except for personnel and funds transferred pursuant to subsection (B) of this Section, the Department of Behavioral Health and Substance Abuse Services shall operate as a component department of the Executive Office of Health and Policy in the 2024-2025 Fiscal Year using the authority and funds appropriated to the Departments of Mental Health and Alcohol and Other Drug Abuse Services as standalone agencies in the appropriations act of 2024.

(B) Upon appointment and confirmation, the Secretary of Health and Policy may cause the transfer to the Executive Office of Health and Policy such: (1) personnel and attendant funding included in the administrative areas of the 2024 appropriations act and (2) operating expenses included in the administrative areas of the 2024 appropriations act of one or more of the component departments of the Office as, in the determination of the Secretary, is necessary to carry out the duties of the Office. The Department of Administration shall cause all necessary actions to be taken to accomplish any such transfer and shall in consultation with the Secretary prescribe the manner in which the

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transfer provided for in this section shall be accomplished. The Department of Administration's actions in facilitating the provisions of this section are ministerial in nature and shall not be construed as an approval process over any of the transfers.

(C) Except for those positions transferred pursuant to this section or otherwise specifically referenced in this act, employees of the Departments of Health and Human Services, Public Health, Aging, Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services shall maintain their same status with the appropriate component department of the Executive Office of Health and Policy. Employees of the Departments of Public Health and Aging shall become employees of their respective departments within the Executive Office of Health and Policy. Employees of the Department of Health and Human Services shall become employees of the Department of Health Financing within the Executive Office of Health and Policy. Employees of the Departments of Mental Health and Alcohol and Other Drug Abuse Services shall become employees of the Department of Behavioral Health and Substance Abuse Services within the Executive Office of Health and Policy. Employees of the Department of Disabilities and Special Needs shall become employees of the Department of Intellectual and Related Disabilities.

(D) Nothing in this act affects bonded indebtedness, if applicable, real and personal property, assets, liabilities, contracts, regulations, or policies of the Departments of Health and Human Services, Public Health, Aging, Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services existing on the effective date. All applicable bonded indebtedness, real and personal property, assets, liabilities, contracts, regulations, or policies shall continue in effect in the name of the Executive Office of Health and Policy or the appropriate component division.

SECTION 8.A. Section 44-1-20 of the S.C. Code is amended to read:

Section 44-1-20. There is created the South Carolina Department of Public Health to be headed by a director who is appointed by the Secretary of Health and Policy pursuant to Section 44-12-50(B)(1).

B. Sections 44-1-80 through 44-1-140 of the S.C. Code are amended to read:

Section 44-1-80. (A) ~~The Board of Health and Environmental Control~~ Department of Public Health or its designated agents must investigate the reported causes of communicable or epidemic disease. The Department of Public Health, upon approval by the Governor, may ~~and must~~ enforce or prescribe ~~these~~ preventive measures as may be

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needed to suppress or prevent the spread of these diseases by proper quarantine or other measures of prevention, as may be necessary to protect the citizens of the State. ~~The Board of Health and Environmental Control~~ Department of Public Health or its designated agents shall declare, when the facts justify it, any place as infected and, in case of hydrophobia or other diseases transmitted from animals to man, must declare such animal or animals quarantined, and must place all such restrictions upon ingress and egress of persons or animals therefrom as may be, in its judgment, necessary to prevent the spread of disease from the infected locality.

(B)(1) Whenever the ~~board~~ department learns of a case of a reportable illness or health condition, an unusual cluster, or a suspicious event that it reasonably believes has the potential to cause a public health emergency, as defined in Section 44-4-130, it is authorized to notify the appropriate public safety authority, tribal authorities, and federal health and public safety authorities.

(2) The sharing of information on reportable illnesses, health conditions, unusual clusters, or suspicious events between authorized personnel must be restricted to information necessary for the treatment, control, investigation, and prevention of a public health emergency. Restriction of access to this information to those authorized personnel for the protection of public health ensures compliance with all state and federal health information privacy laws.

(3) The ~~board~~ department and its agents must have full access to medical records and nonmedical records when necessary to investigate the causes, character, and means of preventing the spread of a qualifying health event or public health emergency. For purposes of this item, "nonmedical records" mean records of entities, including businesses, health facilities, and pharmacies, which are needed to adequately identify and locate persons believed to have been potentially exposed or known to have been infected with a contagious disease.

~~—(4) An order of the board given to effectuate the purposes of this subsection is enforceable immediately by the public safety authority.~~

~~(5)~~(4) For purposes of this subsection, the terms qualifying health event, public health emergency, and public safety authority have the same meanings as provided in Section 44-4-130.

Section 44-1-90. ~~The State Board of Health and Environmental Control~~ Department of Public Health or its designated agents, when it is deemed necessary by the municipal officers of any town or city or the governing body of any county, may (a) visit cities, towns, villages or localities where disease is prevalent or threatened, (b) investigate and

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advise with the local authorities or persons as to such measures as may tend to prevent the spread of disease or to remove or abate causes that may tend to cause or intensify disease, (c) advise, when practicable or possible, as to measures of sanitation or hygiene and (d) investigate and advise as to all matters respecting water supply, sewage, drainage, ventilation, heating, lighting or other measures connected with public sanitation or safety.

Section 44-1-100. ~~All~~ If so ordered by the Governor, all sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns must aid and assist the Director of the Department of Public Health and Environmental Control and must carry out and obey his orders, or those of the Department of Public Health and Environmental Control, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed. During a state of public health emergency, as defined in Section 44-4-130, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44, which may be deployed or activated only upon order of the Governor.

Section 44-1-110. ~~The Department of Health and Environmental Control is invested with all the rights and charged with all the duties pertaining to organizations of like character and is the sole advisor of the State in all questions involving the protection of the public health within its limits. The Department of Public Health shall advise the Secretary of Health and Policy on all questions involving the protection of public health within its limits.~~

‡ The Department of Public Health shall, through its representatives, investigate the causes, character, and means of preventing the epidemic and endemic diseases as the State is liable to suffer from and the influence of climate, location, and occupations, habits, drainage, scavenging, water supply, heating, and ventilation. It shall have, upon request, full access to the medical records, tumor registries, and other special disease record systems maintained by physicians, hospitals, and other health facilities as necessary to carry out its investigation of these diseases. No physician, hospital, or health facility, or person in charge of these records is liable in any action-at-law for permitting the examination or review. Patient-identifying

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information elicited from these records and registries must be kept confidential by the department and it is exempt from the provisions of Chapter 4 of Title 30. It shall supervise and control the quarantine system of the State. It may establish quarantine both by land and sea.

Section 44-1-130. The Department of Public Health—~~and Environmental Control~~ may divide the State into health districts and establish in these districts advisory boards of health which shall consist of representatives from each county in the district. Boards of health now existing in the districts shall have representation on the district advisory board. Counties not having local boards of health shall be represented by individuals appointed by the county legislative delegation. The number of members of a district advisory board shall be determined by the department with due consideration to the population and community needs of the district. District advisory boards of health shall be subject to the supervisory and advisory control of the department. District advisory boards are charged with the duty of advising the district medical director or administrator in all matters of sanitary interest and scientific importance bearing upon the protection of the public health.

The district medical director or administrator shall be secretary of the advisory board and the district advisory board shall elect annually from its membership a chairman.

Section 44-1-140. (A) The Department of Public Health may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats, and other vehicles of transportation in this State and all convict camps, penitentiaries, jails, hotels, schools, and other places used by or open to the public;

~~—(2) the sanitation of hotels, restaurants, cafes, drugstores, hot dog and hamburger stands, and all other places or establishments providing eating or drinking facilities and all other places known as private nursing homes or places of similar nature, operated for gain or profit;~~

~~—(3) the safety and sanitation in the harvesting, storing, processing, handling and transportation of mollusks, fin fish, and crustaceans;~~

~~—(4) the safety, safe operation and sanitation of public swimming pools and other public bathing places, construction, tourist and trailer camps, and fairs;~~

~~(5)~~(2) the care, segregation, and isolation of persons having or suspected of having any communicable, contagious, or infectious disease; and

~~(6)~~(3) the thorough investigation and study of the causes of all

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diseases, epidemic and otherwise, in this State, the means for the prevention of contagious disease and the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease.

(B) The department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other danger to the public life and health.

(C) Prior to the submission of rules or regulations pursuant to this section, the department must receive approval from the Secretary of Health and Policy.

C. Sections 44-1-151 through 44-1-152 of the S.C. Code are amended to read:

Section 44-1-151. Notwithstanding any other provision of law, all shellfish involved in any violation of law, including any regulation, regarding shellfish may be confiscated and disposed of at the discretion of the arresting officer. Any person convicted of a second offense of harvesting shellfish in any polluted area shall, upon such conviction, be fined not less than two hundred dollars and not more than five hundred dollars or imprisoned for not less than thirty days and not more than sixty days. Any person convicted of a third or subsequent offense of harvesting shellfish in any polluted area shall, upon such conviction, be fined not less than five hundred dollars and not more than one thousand or imprisoned for not less than sixty days and not more than ninety days. All equipment, including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a first offense of harvesting shellfish in any polluted area may be impounded at the discretion of the arresting officer. The equipment impounded shall be delivered to the sheriff of the county in which the arrest was made and shall be retained by the sheriff. Such equipment may not be returned to the owner until the case has been finally disposed of. All equipment, including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a second, third, or subsequent offense of harvesting shellfish in any polluted area shall be confiscated. All such confiscated equipment shall be sold at auction by the sheriff of the county in which such second, third, or subsequent offense took place and by a representative of the ~~State Department of Health and Environmental Control~~ State Department of Health and Environmental Control Services, except for weapons, which, following confiscation,

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shall be disposed of in the manner set forth in Sections 16-23-50, 16-23-460, and 16-23-500.

Section 44-1-152. Notwithstanding any other provision of law, all revenue from any fine or any forfeiture of bond for any violation of any shellfish law or regulation provided by this title must be deposited monthly with the treasurer of the county in which the arrest for such violation was made. One-third of such revenue must be retained by the county treasurer to be used for the general operating needs of the county pursuant to the direction of the governing body of the county. Two-thirds of such revenue must be remitted quarterly to the ~~state~~ Department of ~~Health and Environmental Control~~ Services of which one-half is to be used in enforcing shellfish laws and regulations and one-half of such revenue must be remitted quarterly to the state's general fund. All monies derived from auction sales of confiscated equipment pursuant to Section 44-1-151 must be deposited, retained, remitted, and used in the same manner as provided in this section for all revenue derived from any fine or any violation of any shellfish law or regulation. A report of fines for forfeitures of bonds regarding shellfish violations must be sent to the ~~state~~ Department of ~~Health and Environmental Control~~ Services monthly by each magistrate and clerk of court in this State. A report of monies derived from auction of sales of confiscated equipment must be sent to the ~~state~~ Department of ~~Health and Environmental Control~~ Services monthly by each sheriff.

D. Sections 44-1-165 through 44-1-300 of the S.C. Code are amended to read:

Section 44-1-165. (A) There is established within the Department of ~~Health and Environmental Control~~ Services the Expedited Review Program to provide an expedited process for permit application review. Participation in this program is voluntary and the program must be supported by expedited review fees promulgated in regulation pursuant to subsection (B)(1). The department shall determine the project applications to review, and the process may be applied to any one or all of the permit programs administered by the department.

(B)(1) Before January 1, 2009, the department shall promulgate regulations necessary to carry out the provisions of this section. The regulations shall include, but are not limited to, definitions of "completeness" for applications submitted, consideration of joint federal- state permitting activities, standards for applications submitted that advance environmental protection, and expedited process application review fees.

(2) Regulations promulgated pursuant to this section must not

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alter public notice requirements for any permits, certifications, or licenses issued by the department.

(C) Until such time as regulations are promulgated pursuant to subsection (B), the department shall conduct a pilot expedited review program to determine the most environmentally sound, cost efficient, and economically beneficial process for implementation of a statewide expedited review program. The department shall determine which permit programs, or subcomponents of a program, to include in the pilot program and also may establish pilot program expedited process application fees.

(D) There is created the Expedited Review Fund that is separate and distinct from the general fund of the State and all other funds. Fees established in regulation pursuant to subsection (B)(1) and assessed pursuant to subsection (C) must be credited to the fund and used for the costs of implementing the expedited review program. Interest accruing to the fund must be retained by the fund and used for the same purposes. Revenue in the fund not expended during a fiscal year, including fees generated pursuant to subsection (C), must be carried forward to the succeeding fiscal year and must be used for the same purposes.

(E) No later than January 1, 2008, the department shall report to the Board of Health and Environmental Control the department's findings on the implementation of the pilot expedited review program provided for in subsection (C).

Section 44-1-170. The Department of Public Health—~~and Environmental Control~~ may direct and supervise the action of the local boards of health in incorporated cities and towns and in all townships in all matters pertaining to such local boards.

Section 44-1-180. The Department of Public Health—~~and Environmental Control~~ may establish charges for maintenance and medical care for all persons served in State health centers and other health facilities under the jurisdiction of the department and by personnel of the department and of the health units under its jurisdiction in homes and any other places where health services are needed. The terms “medical care” and “health services” include the services of physicians, dentists, optometrists, nurses, sanitarians, physical therapists, medical social workers, occupational therapists, health aides, speech therapists, X-ray technologists, dietitians, nutritionists, laboratory technicians, and other professional and subprofessional health workers. The charges, which may be adjusted from time to time, shall be reasonable and based on the total costs of the services rendered, including operating costs, depreciation costs, and all other elements of costs.

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Section 44-1-190. The Department of Public Health—~~and Environmental Control~~ shall make such investigations as it deems necessary to determine which persons or which of the parents, guardians, trustees, committees or other persons or agencies legally responsible therefor are financially able to pay the expenses of the care and treatment, and may contract with any person or agency for the care and treatment of any person to the extent permitted by the resources available to the department. The department may require any county or State agency to furnish information which would be helpful to it in making the investigations. In arriving at the amount to be charged, the department shall have due regard for the financial condition and estate of the person, his present and future needs and the present and future needs of his lawful dependents, and whenever considered necessary to protect him or his dependents, may agree to accept a sum less than the actual cost of services. No person shall be deprived of available health services solely because of inability to pay. No fees shall be charged for services which in the judgment of the department should be made freely available in order to protect and promote the public health.

Section 44-1-200. The Department of Public Health—~~and Environmental Control~~ may provide home health services to those persons living in areas of the State in which adequate home health services are not available and may charge fees for such services. Home health services shall include care of the ill and disabled rendered at home including, but not limited to, bedside care, treatment and rehabilitation services. In order that it may provide such services, the department may employ the necessary personnel, including nurses, physical therapists, speech therapists, occupational therapists, medical social workers, home health aides, nutritionists, and supervisory personnel, and may purchase equipment and materials necessary to maintain an effective program. The department shall, wherever possible, assist and advise nonprofit agencies or associations in the development of home health services programs and may enter into agreements with such agencies or associations specifying the type of assistance and advice it will provide.

Section 44-1-210. All fees and charges collected pursuant to Sections 44-1-180 to 44-1-200, including vital statistics fees as now provided by law, shall be deposited in the State Treasury and shall be used in the operation of the public health program of the bureau, division, district health unit or local county health department which performed the services for which the fees and charges were collected. An annual report shall be made to the State Fiscal Accountability Authority, Executive Budget Office and the Revenue and Fiscal Affairs

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Office of the receipts and expenditures made under the provisions of Sections 44-1-180 to 44-1-200.

Section 44-1-215. Notwithstanding Section 13-7-85, the Department of Health and Environmental Control may retain all funds generated in excess of those funds remitted to the general fund in fiscal year 2000-2001 from fees listed in Regulation R61-64 Title B.

Section 44-1-220. All skilled and intermediate care nursing facilities licensed by the Department of Public Health—~~and Environmental Control~~ shall be required to furnish an item-by-item billing for all charges to the patient or the person paying such bill, upon request by such patient or person. Items which remain unpaid are not required to be itemized again. Such requests for itemized billing shall remain in effect until further notification by the patient or person paying such bill. Provided, that the provision herein shall not apply to the contracted amount of a state or federal agency. Any amount above such contract shall be itemized as provided herein.

Section 44-1-230. The Department of Public Health—~~and Environmental Control~~ shall give consideration to any benefits available to an individual, including private, group or other insurance benefits, to meet, in whole or in part, the cost of any medical or health services. Such benefits shall be utilized insofar as possible; provided, however, the availability of such benefits shall not be the sole basis for determining eligibility for program services of the department. Insurance carriers shall not deny payment of benefits otherwise available to the insured solely on the basis that an individual has applied for, or has been deemed eligible to receive, or has received, services, or on the basis that payments have been made for services by the department.

Section 44-1-260. Upon conducting an early periodic screening, diagnosis, and treatment screening (EPSDT), or another physical examination of a child from which it is determined that the child may benefit from the use of assistive technology, the department or person conducting the screening or examination may refer the child to an appropriate agency for an assistive technology evaluation. For purposes of this section, “assistive technology” means a device or service which is used to increase, maintain, or improve the functional capacities of an individual with a disability. An “assistive technology device” is an item, piece of equipment, or product system, whether acquired commercially, off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capacities of an individual with a disability including, but not limited to, aids for daily living, augmentative communication devices, wheelchairs, and mobility aids, seating and

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positioning aids, computer aids, environmental controls, home and workplace modifications, prosthetics and orthotics, or aids for vision or hearing impairments. An “assistive technology service” is a service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device.

Section 44-1-280. ~~The Board and~~ Department of Public Health and Environmental Control in establishing priorities and funding for programs and services which impact on children and families during the first years of a child's life, within the powers and duties granted to it, must support, as appropriate, the South Carolina First Steps to School Readiness initiative, as established in Title 59, Chapter 152, at the state and local levels.

Section 44-1-290. A corporation or person whose only purpose is furnishing, supplying, marketing, or selling treated effluent for irrigation purposes, shall not be considered a public utility for purposes of Title 58 by virtue of the furnishing, supplying, marketing, or selling of the treated effluent, provided that the effluent has not been permitted for consumption by the ~~department~~ Department of Environmental Services or other regulatory agency.

Section 44-1-300. ~~The department~~ Department of Agriculture shall not use any funds appropriated or authorized to the ~~department~~ Department of Agriculture to enforce Regulation 61-25 to the extent that its enforcement would prohibit a church or charitable organization from preparing and serving food to the public on their own premises at not more than one function a month or not more than twelve functions a year.

E. Section 44-1-310 (A) and (J) of the S.C. Code is amended to read:

(A) The Department of Public Health and Environmental Control shall establish a Maternal Morbidity and Mortality Review Committee to review maternal deaths and to develop strategies for the prevention of maternal deaths. The committee must be multidisciplinary and composed of members deemed appropriate by the department. The committee also may review severe maternal morbidity. The department may contract with an external organization to assist in collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the committee, and performing other tasks as may be incident to these activities, including providing the necessary data, information, and resources to ensure successful completion of the ongoing review required by this section.

(J) Reports of aggregated nonindividually identifiable data for the previous calendar year must be compiled and disseminated by March first of the following year in an effort to further study the causes and

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problems associated with maternal deaths. Reports must be distributed to the General Assembly, the Director of the Department of Public Health and Environmental Control, health care providers and facilities, key governmental agencies, and others necessary to reduce the maternal death rate.

F. Section 44-1-310 of the S.C. Code is amended by adding:

(M) The Executive Office of Health and Policy shall have access to the data collected pursuant to Section 44-1-370 as necessary for the execution of duties of the Secretary of Health and Policy and in furtherance of the State Health Plan. The Executive Office of Health and Policy shall not disclose this data except as permitted by law.

G. Section 44-1-315 of the S.C. Code is amended to read:

Section 44-1-315. (A) For purposes of the section, “impacted location” means any facility issued or otherwise subject to a permit, license, or approval from the North Carolina Department of Environment and Natural Resources that has now been determined to be located within the jurisdiction of the ~~South Carolina~~ Department of ~~Health and Environmental Control~~ Services as a result of the amendments to Section 1-1-10, effective January 1, 2017.

(B) Notwithstanding any other provision of law, the ~~South Carolina~~ Department of ~~Health and Environmental Control~~ Services, in issuing any environmental permit, license, or approval to an impacted location shall provide a schedule of compliance that allows the permittee a reasonable period of time to be no greater than five years to come into compliance with any South Carolina environmental rule, regulation, or standard established by the department or by law that has no corresponding rule, regulation, or standard under North Carolina law or regulation, or is more stringent than the corresponding rule, regulation, or standard established under North Carolina law or regulation. The department may include increments of progress applicable in each year of the schedule established under this subsection, and may shorten the period of compliance as necessary to prevent an imminent threat to the public health and environment. The department may extend a permittee's compliance schedule under this section beyond five years upon written application by the permittee only if the department determines that circumstances reasonably require such an extension, and the extension of time would pose no threat to public health or the environment.

H. Sections 44-1-30, 44-1-40, 44-1-50, 44-1-70, 44-1-143, 44-1-145, and 44-1-148 of the S.C. Code are repealed.

SECTION 9. Article (1), Chapter 6, Title 44 of the S.C. Code is amended to read:

Article 1

General Provisions

Section 44-6-5. As used in this chapter:

~~—(1) “Department” means the State Department of Health and Human Services.~~

~~—(2) “Office” means the Revenue and Fiscal Affairs Office.~~

~~—(3) “Costs of medical education” means the direct and indirect teaching costs as defined under Medicare.~~

~~—(4) “Market basket index” means the index used by the federal government on January 1, 1986, to measure the inflation in hospital input prices for Medicare reimbursement. If that measure ceases to be calculated in the same manner, the market basket index must be developed and regulations must be promulgated by the commission using substantially the same methodology as the federal market basket uses on January 1, 1986. Prior to submitting the regulations concerning the index to the General Assembly for approval pursuant to the Administrative Procedures Act, the department shall submit them to the Health Care Planning and Oversight Committee for review.~~

~~—(5) “Medically indigent” means:~~

~~—(a) all persons whose gross family income and size falls at or below the federal Community Service Administration guidelines and who meet certain qualifying criteria regarding real property allowance, qualifying services, residency requirements, and other sponsorship, and migrant or seasonal farm workers who have no established domicile in any state; and~~

~~—(b) all persons whose gross family income and size falls between one hundred percent and two hundred percent of the Community Service Administration guidelines who meet certain other qualifying criteria regarding real property allowance, qualifying services, residency requirements, and other sponsorship and whose medical bill is sufficiently large in relation to their income and resources to preclude full payment. For the purposes of this definition, the qualifying criteria for real property allowance shall permit ownership of up to fifty acres of farmland upon which the family has resided for at least twenty five years.~~

~~—(6) “Net inpatient charges” means the total gross inpatient charges, minus the unreimbursed cost of medical education and the unreimbursed cost of providing medical care to medically indigent persons. The cost of care provided by a hospital to meet its Hill Burton obligation is not considered an unreimbursed cost of providing medical care to medically indigent persons.~~

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~~—(7) “South Carolina growth index” means the percentage points added to the market basket index to adjust for the South Carolina specific experience. The Health Care Planning and Oversight Committee shall complete a study which identifies and quantifies those elements which should be included in the growth index. The elements may include, but are not limited to: population increases, aging of the population, changes in the type and intensity of hospital services, technological advances, the cost of hospital care in South Carolina relative to the rest of the nation, and needed improvements in the health status of state residents. Based on the study, the department shall develop and promulgate regulations for the annual computation of the growth index. Prior to submitting the regulations concerning the index to the General Assembly for approval pursuant to the Administrative Procedures Act, the department shall submit them to the Health Care Planning and Oversight Committee for review. Until a formula for computing the South Carolina growth index is promulgated, the annual index must be six and six tenths percent which is equal to the average percentage difference between South Carolina hospital expenditures and the federal market basket index for the previous ten years.~~

~~—(8) “State resident” means a person who is domiciled in South Carolina. A domicile once established is lost or changes only when one moves to a new locality with the intention of abandoning his old domicile and intends to live permanently or indefinitely in the new locale.~~

~~—(9) “Target rate of increase” means the federal market basket index as modified by the South Carolina growth index.~~

~~—(10) “General hospital” means any hospital licensed as a general hospital by the Department of Health and Environmental Control.~~

~~(1) “Costs of medical education” means the direct and indirect teaching costs as defined under Medicare.~~

~~(2) “Department” means the Department of Health Financing.~~

~~(3) “General hospital” means any hospital licensed as a general hospital by the Department of Public Health.~~

~~(4) “Market basket index” means the index used by the federal government on January 1, 1986, to measure the inflation in hospital input prices for Medicare reimbursement. If that measure ceases to be calculated in the same manner, the market basket index must be developed and regulations must be promulgated by the department using substantially the same methodology as the federal market basket uses on January 1, 1986. Prior to submitting the regulations concerning the index to the General Assembly for approval pursuant to the~~

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Administrative Procedures Act, the department shall submit them to the Health Care Planning and Oversight Committee for review.

(5) “Medically indigent” means:

(a) all persons whose gross family income and size falls at or below the federal Community Service Administration guidelines and who meet certain qualifying criteria regarding real property allowance, qualifying services, residency requirements, and other sponsorship, and migrant or seasonal farm workers who have no established domicile in any state; and

(b) all persons whose gross family income and size falls between one hundred percent and two hundred percent of the Community Service Administration guidelines who meet certain other qualifying criteria regarding real property allowance, qualifying services, residency requirements, and other sponsorship and whose medical bill is sufficiently large in relation to their income and resources to preclude full payment. For the purposes of this definition, the qualifying criteria for real property allowance shall permit ownership of up to fifty acres of farmland upon which the family has resided for at least twenty-five years.

(6) “Net inpatient charges” means the total gross inpatient charges, minus the unreimbursed cost of medical education and the unreimbursed cost of providing medical care to medically indigent persons. The cost of care provided by a hospital to meet its Hill-Burton obligation is not considered an unreimbursed cost of providing medical care to medically indigent persons.

(7) “Office” means the Revenue and Fiscal Affairs Office.

(8) “Secretary” means the Secretary of Health and Policy.

(9) “South Carolina growth index” means the percentage points added to the market basket index to adjust for the South Carolina specific experience. The elements of the South Carolina growth index may include, but are not limited to, population increases, aging of the population, changes in the type and intensity of hospital services, technological advances, the cost of hospital care in South Carolina relative to the rest of the nation, and needed improvements in the health status of state residents. The department shall develop and promulgate regulations for the annual computation of the growth index.

(10) “State resident” means a person who is domiciled in South Carolina. A domicile once established is lost or changes only when one moves to a new locality with the intention of abandoning his old domicile and intends to live permanently or indefinitely in the new locale.

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(11) “Target rate of increase” means the federal market basket index as modified by the South Carolina growth index.

~~Section 44-6-10. There is created the State Department of Health and Human Services Financing which shall be headed by a Director appointed by the Governor, upon the advice and consent of the Senate Secretary of Health and Policy. The director is subject to removal by the Governor Secretary pursuant to the provisions of Section 1-3-240 Section 44-12-50(B)(1).~~

Section 44-6-30. The department shall:

(1) administer Title XIX of the Social Security Act (Medicaid); ~~including the Early Periodic Screening, Diagnostic and Treatment Program, and the Community Long Term Care System;~~

(2) be designated as the South Carolina Center for Health Statistics to operate the Cooperative Health Statistics Program pursuant to the Public Health Services Act;

~~—(3) be prohibited from engaging in the delivery of services.~~

(3) administer payments for programs as designated by the Secretary;

(4) be prohibited from engaging in the delivery of services.

Section 44-6-35. In administering home- and community-based waiver programs, the department shall, to the extent possible, maintain the waiver status of an eligible family member of a member of the armed services who maintains his South Carolina state residence, regardless of where the service member is stationed. Consequently, a person on a waiver waiting list would return to the same place on the waiting list when the family returns to South Carolina. Furthermore, the eligible family member previously enrolled in a waiver program and who received active services would be reinstated into the waiver program once Medicaid eligibility is established, upon their return to South Carolina. It is not the intent of this section to authorize services provided outside the South Carolina Medicaid Service Area. These provisions are contingent upon the department receiving federal approval.

Section 44-6-40. For all health and human services interagency programs provided for in this chapter, the department shall have the following duties:

(1) Prepare and approve state and federal plans prior to submission to the appropriate authority as required by law for final approval or for state or federal funding, or both.

Such plans shall be guided by the goal of delivering services to citizens and administering plans in the most effective and efficient ways possible.

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(2) Compile and maintain in a unified, concise, and orderly form information concerning programs provided for in this chapter.

(3) Continuously review and evaluate programs to determine the extent to which they:

- (a) meet fiscal, administrative, and program objectives; and
- (b) are being operated cost effectively.

(4) Evaluate plans and programs in terms of their compatibility with state objectives and priorities giving specific attention to areas outlined in Section 44-6-70.

(5) Formulate for consideration and promulgation criteria, standards, and procedures that ensure assigned programs are administered effectively, equitably, and economically and in accordance with statewide policies and priorities.

(6) Inform the ~~Governor and the General Assembly~~ Secretary as to the effectiveness of the criteria, standards, and procedures promulgated pursuant to item (5) ~~of this section~~.

(7) ~~Develop in conjunction with other state agencies~~ Cooperate with the Secretary in the development of an information system to provide data on comparative client and fiscal information needed for programs.

(8) Develop a mechanism for local planning.

(9) ~~Obtain from participating state agencies~~ Coordinate with the Secretary to obtain information considered necessary by the department to perform duties assigned to the department.

Section 44-6-45. The ~~State~~ Department of Health ~~and Human Services~~ Financing may collect administrative fees associated with accounts receivable for those individuals or entities which negotiate repayment to the agency. The administrative fee may not exceed one and one-half percent of the amounts negotiated and must be remitted to the State Treasurer and deposited to the credit of the general fund of the State.

Section 44-6-50. In carrying out the duties provided for in Section 44-6-30, the department shall:

(1) Contract for health and human services eligibility determination with performance standards regarding quality control as required by law or regulation.

(2) Contract for operation of certified Medicaid management information claims processing system. ~~For the first year of its operation it shall contract for such system with the Department of Social Services.~~

(3) Contract for other operational components of programs administered under this chapter as considered appropriate.

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(4) Monitor and evaluate all contractual services authorized pursuant to this chapter to assure effective performance. Any contract entered into under the provisions of this chapter must be in accordance with the provisions of the South Carolina Consolidated Procurement Code.

(5) Establish a procedure whereby inquiries from members of the General Assembly concerning the department's work and responsibility shall be answered as expeditiously and definitely as possible in coordination with the Secretary.

Section 44-6-70. A state plan must be prepared by the department for each program assigned to it and the department must also prepare resource allocation recommendations based on such plans. The resource allocation recommendations must be approved pursuant to state and federal law. The state plans must address state policy and priority areas of service with specific attention to the following objectives:

(a) Prevention measures as addressed in health and human services programs.

(b) Achievement of a balanced health care delivery system assuring that regulations, coverage, and reimbursement policies assure that while the most appropriate care is given, tailored to the client's needs, it is delivered in the most cost-effective manner.

(c) Simplification of paperwork requirements.

(d) Achievement of optimum cost effectiveness in administration and delivery of services provided quality of care is assured.

(e) Improvement of effectiveness of third party reimbursement efforts.

(f) Assurance of maximum utilization of private and nonprofit providers in administration and service delivery systems, provided quality of care is assured.

(g) Encouragement of structured volunteer programs in administration and service delivery.

Section 44-6-80. The department must submit to the ~~Governor, the State Fiscal Accountability Authority, Revenue and Fiscal Affairs Office, and the Executive Budget Office, and the General Assembly Secretary~~ an annual report concerning the work of the department including details on improvements in the cost effectiveness achieved since the enactment of this chapter and must recommend changes for further improvements.

Interim reports must be submitted as needed to advise the ~~Governor and the General Assembly Secretary~~ of substantive issues.

Section 44-6-90. The department may promulgate regulations to

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carry out its duties. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

All state and local agencies whose responsibilities include administration or delivery of services which are covered by this chapter shall cooperate with the department and comply with its regulations.

Section 44-6-100. The department employees shall have such general duties and receive such compensation as determined by the director, with the authority given by the Secretary. The director shall be responsible for administration of state personnel policies and general ~~department~~ personnel policies of the Executive Office of Health and Policy. The director shall have sole authority to employ and discharge employees subject to such personnel policies and funding available for that purpose.

In all instances, the director shall serve as the chief administrative officer of the department and shall have the responsibility of executing policies, directives, and actions of the department either personally or by issuing appropriate directives to the employees.

The goal of the provisions of this section is to ensure that the department's business is conducted according to sound administrative practice, ~~without unnecessary interference with its internal affairs.~~ Public officers and employees shall be guided by this goal and comply with these provisions.

Section 44-6-110. A Medicaid provider, outside of the geographical boundary of South Carolina but within the South Carolina Medicaid Service Area, as defined by R. 126-300(B) of the Code of State Regulations, prior to the effective date of the amendments to Section 1-1-10, which are effective January 1, 2017, shall not lose status as a Medicaid provider as a result of the clarification of the South Carolina-North Carolina border.

Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department

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protocols and utilization controls.

(C) A pharmacist shall be enrolled as an ordering, referring, and dispensing provider under the Medicaid program prior to rendering a pharmacist service that is submitted by a Medicaid pharmacy provider for reimbursement pursuant to this section.

(D) The director of the department shall seek any necessary federal approvals to implement this section. This section shall not be implemented until the necessary federal approvals are obtained and shall be implemented only to the extent that federal financial participation is available.

(E) This section does not restrict or prohibit any services currently provided by pharmacists as authorized by law including, but not limited to, this chapter or the Medicaid state plan.

SECTION 10.A. Section 44-6-140(A)(2) of the S.C. Code is amended to read:

(2) payment on a timely basis to the hospital by the ~~commission~~ department or patient or both, of the maximum allowable payment amount determined by the ~~commission~~ department; and

B. Section 44-6-146(A) of the S.C. Code is amended to read:

(A) Every fiscal year the State Treasurer shall withhold from the portion of the Local Government Fund allotted to the counties a sum equal to fifty cents per capita based on the population of the several counties as shown by the latest official census of the United States. The money withheld by the State Treasurer must be placed to the credit of the ~~commission~~ department and used to provide Title XIX (Medicaid) services.

C. Section 44-6-150 (A) of the S.C. Code is amended to read:

(A) There is created the South Carolina Medically Indigent Assistance Program administered by the department. The program is authorized to sponsor inpatient hospital care for which hospitals shall receive no reimbursement. A general hospital equipped to provide the necessary treatment shall:

(1) admit a patient sponsored by the program; and

(2) accept the transfer of a patient sponsored by the program from a hospital which is not equipped to provide the necessary treatment.

In addition to or in lieu of an action taken affecting the license of the hospital, when it is established that an officer, employee, or member of the hospital medical staff has violated this section, the South Carolina Department of ~~Public Health and Environmental Control~~ shall require the hospital to pay a civil penalty of up to ten thousand dollars.

D. Section 44-6-170 (A), (B), (C), and (I) of the S.C. Code is amended

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to read:

(A) As used in this section:

(1) "Office" means the Revenue and Fiscal Affairs Office.

(2) "Council" means the Data Oversight Council.

~~(3) "Committee" means the Joint Legislative Health Care Planning and Oversight Committee.~~

(B) There is established the Data Oversight Council comprised of:

(1) one hospital administrator;

(2) the chief executive officer or designee of the South Carolina Hospital Association;

(3) one physician;

(4) the chief executive officer or designee of the South Carolina Medical Association;

(5) one representative of major third-party health care payers;

(6) one representative of the managed health care industry;

(7) one nursing home administrator;

(8) three representatives of nonhealth care-related businesses;

(9) one representative of a nonhealth care-related business of less than one hundred employees;

(10) the executive vice president or designee of the South Carolina Chamber of Commerce;

(11) a member of the Governor's office staff;

(12) the director or his designee of the South Carolina Department of Public Health and Environmental Control;

(13) the executive director or his designee of the ~~State~~ Department of Health and Human Services Financing.

The members enumerated in items (1) through (10) must be appointed by the ~~Governor for three year terms and~~ Secretary until their successors are appointed and qualify; the remaining members serve ex officio. The ~~Governor~~ Secretary shall appoint one of the members to serve as chairman. The office shall provide staff assistance to the council.

(C) The duties of the council are to:

(1) make periodic recommendations to the ~~committee and the General Assembly~~ Secretary concerning the collection and release of health care-related data by the State which the council considers necessary to assist in the formation of health care policy in the State;

(2) convene expert panels as necessary to assist in developing recommendations for the collection and release of health care-related data;

(3) approve all regulations for the collection and release of health

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care-related data to be promulgated by the office;

(4) approve release of health care-related data consistent with regulations promulgated by the office;

(5) recommend to the office appropriate dissemination of health care-related data reports, training of personnel, and use of health care-related data.

(I) A person, as defined in Section 44-7-130, seeking to collect health care data or information for a registry shall coordinate with the office to utilize existing data collection formats as provided for by the office and consistent with regulations promulgated by the office. With the exception of information that may be obtained from the Office of Vital Records, Department of ~~Public Health and Environmental Control~~, in accordance with Section 44-63-20 and Regulation 61-19 and disease information required to be reported to the Department of ~~Public Health and Environmental Control~~ under Sections 44-29-10, 44-29-70, and 44-31-10 and Regulations 61-20 and 61-21 and notwithstanding any other provision of law, no hospital or health care facility or health care professional required by this section to submit health care data is required to submit data to a registry which has not complied with this section.

E. Section 44-6-170 of the S.C. Code is amended by adding:

(J) The Executive Office of Health and Policy shall have access to data collected pursuant to Section 44-6-170 as necessary for the execution of duties of the Secretary of Health and Policy and in furtherance of the State Health Plan. The Executive Office of Health and Policy shall not disclose this data except as permitted by law.

F. Section 44-6-190 of the S.C. Code is amended to read:

Section 44-6-190. The department may promulgate regulations pursuant to the Administrative Procedures Act. Appeals from decisions by the department are heard pursuant to the Administrative Procedures Act, Administrative Law Judge, Article 5, Chapter 23 of Title 1 of the 1976 Code.

The department shall promulgate regulations to comply with federal requirements to limit the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the Medicaid program.

Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

G. Section 44-6-400 of the S.C. Code is amended to read:

Section 44-6-400. As used in this article:

(1) "Department" means the Department of Health ~~and Human~~

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Services Financing.

(2) "Nursing home" means a facility subject to licensure as a nursing home by the Department of ~~Public Health and Environmental Control~~ and subject to the permit provisions of Article 2, Chapter 7 of Title 44 and which has been certified for participation in the Medicaid program or has been dually certified for participation in the Medicaid and Medicare programs.

(3) "Resident" means a person who resides or resided in a nursing home during a period of an alleged violation.

(4) "Survey agency" means the South Carolina Department of ~~Public Health and Environmental Control~~ or any other agency designated to conduct compliance surveys of nursing facilities participating in the Title XIX (Medicaid) program.

H. Section 44-6-530 of the S.C. Code is amended to read:

Section 44-6-530. Before instituting an action under this article, the Department of ~~Health and Human Services~~ Services Financing shall determine if the Secretary of the United States Department of Health and Human Services has jurisdiction under federal law. In such cases, it shall coordinate its efforts with the Secretary of the United States Department of Health and Human Services to maintain an action against the nursing home. In an action against a nursing home owned and operated by the State of South Carolina, the Secretary of the United States Department of Health and Human Services has exclusive jurisdiction.

I. Section 44-6-540 of the S.C. Code is amended to read:

Section 44-6-540. The department is authorized to promulgate regulations, pursuant to the Administrative Procedures Act, to administer this article, and to ensure compliance with the requirements for participation in the Medicaid program. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

J. Section 44-6-720(B)(4)(b)(iv) of the S.C. Code is amended to read:

(iv) other deductions provided in regulations of the ~~State Health and Human Services Finance Commission~~ Department of Health Financing;

K. Section 44-6-730 of the S.C. Code is amended to read:

Section 44-6-730. The ~~State Health and Human Services Finance Commission~~ Department of Health Financing shall promulgate regulations as are necessary for the implementation of this article and as are necessary to comply with federal law. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy. In addition, the ~~commission~~ department shall amend

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the state Medicaid plan in a manner that is consistent with this article.

L. Section 44-6-1010 of the S.C. Code is amended to read:

Section 44-6-1010. There is created within the Department of ~~Health and Human Services~~ Financing the Pharmacy and Therapeutics Committee. The committee must consist of fifteen members appointed by the director and serving at the pleasure of the director of the department. The members must include eleven physicians and four pharmacists licensed to practice in South Carolina and actively engaged in providing services to the South Carolina Medicaid population. The physicians may include, but are not limited to, doctors who have experience in treating diabetes, cancer, HIV/AIDS, mental illness, and hemophilia and who practice in internal medicine, primary care, and pediatrics.

M. Article (5), Chapter 6, Title 44 of the S.C. Code is repealed.

SECTION 11.A. Section 44-7-77 of the S.C. Code is amended to read:

Section 44-7-77. The Department of Public Health ~~and Environmental Control~~ and the State Department of Social Services, in conjunction with the South Carolina Hospital Association, shall develop and implement a program to promote obtaining voluntary acknowledgments of paternity as soon after birth as possible and where possible before the release of the newborn from the hospital. A voluntary acknowledgment including those obtained through an in-hospital program shall contain the requirements of Section 63-17-60(A)(4) and the social security number, or the alien identification number assigned to a resident alien who does not have a social security number, of both parents, and must be signed by both parents. The signatures must be notarized. As part of its in-hospital voluntary acknowledgment of paternity program, a birthing hospital as part of the birth registration process, shall collect, where ascertainable, information which is or may be necessary for the establishment of the paternity of the child and for the establishment of child support. The information to be collected on the father or on the putative father if paternity has not been established includes, but is not limited to, the name of the father, his date of birth, home address, social security number, or the alien identification number assigned to a resident alien who does not have a social security number, and employer's name, and additionally for the putative father, the names and addresses of the putative father's parents.

B. Section 44-7-80(6) of the S.C. Code is amended to read:

(6) "Department" means the Department of Public Health ~~and Environmental Control~~.

C. Section 44-7-84 of the S.C. Code is amended to read:

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Section 44-7-84. (A) In the annual appropriations act, the General Assembly shall establish the maximum number of Medicaid patient days for which the department is authorized to issue Medicaid nursing home permits. ~~The State Department of Health and Human Services~~ Financing shall provide the number of Medicaid patient days available to the department within thirty days after the effective date of the annual appropriations act.

(B) Based on a method the department develops for determining the need for nursing home care for Medicaid patients in each area of the State, the department shall determine the distribution of Medicaid patient days for which Medicaid nursing home permits can be issued. Nursing homes holding a Medicaid nursing home permit must be allocated Medicaid days based on their current allocation and available funds. Requests for days must be submitted to the department no later than June fifteenth each year. The department shall issue permits to the facilities by August first of each year. The application must state the specific number of Medicaid patient days the nursing home will provide. If a nursing home requests fewer days than the previous year, or is permitted fewer days, those days first must be offered to the facilities within the same county currently holding a Medicaid nursing home permit. However, if Medicaid patient days remain available after being offered to those nursing homes currently holding a Medicaid patient days permit in that county, then existing nursing homes with a restricted Certificate of Need, within the same county, may apply for a Medicaid nursing home permit to receive the Medicaid permit days remaining available. Following the initial allocation of Medicaid patient days, any additional Medicaid permit days must be credited to a statewide pool and the days must be allocated to those counties showing the greatest need based on the average number of fully eligible Medicaid nursing facility applicants by county in the Community Long Term Care awaiting placement reports for the past twelve months. ~~The Department of Health and Human Services~~ Financing shall provide this information to the department no later than July fifteenth of each year. The Medicaid permit days must be proportionately allocated to each facility within the county that currently holds a Medicaid permit and is currently in compliance with its Medicaid permit. A facility is deemed to be in compliance for allocation of these additional Medicaid permit days if it has not exceeded its stated Medicaid permit by more than seven percent. In addition, a nursing home that provides less than ninety percent of the stated Medicaid permit in any fiscal year may not apply for additional Medicaid permit days in the next fiscal year. If a nursing home fails to provide

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ninety percent of the stated Medicaid permit days for two consecutive fiscal years, the department may issue a Medicaid nursing home permit for fewer days than requested in order to ensure that the nursing home will serve the minimum number of Medicaid patients and that the State will optimize the available Medicaid days. If a nursing home has its Medicaid patient days reduced, the freed days first must be offered to other facilities in the same county before being offered to other nursing homes in the State. The department shall analyze the performance of nursing homes that are under the permit minimum or exceed the permit maximum for a fiscal year, including utilization data from the ~~State Department of Health and Human Services~~ Financing, anticipated back days, delayed payments, CLTC waiting list, and other factors considered significant by the department. A nursing home which terminates its Medicaid contract must not be penalized for not meeting the requirements of this section if the nursing home was in compliance with its permit at the time of the cancellation. Facilities designated as Special Focus Facilities may not be issued additional Medicaid permit days while they remain on the Special Focus list.

(C) If the Department of ~~Health and Human Services~~ Financing or the General Assembly decreases the number of Medicaid patient days available to the department, the department shall proportionately decrease the authorized Medicaid patient days for each nursing home. If additional Medicaid patient days are authorized in the following year, they must be restored proportionately to each nursing home in accordance with subsection (B).

D. Section 44-7-90 of the S.C. Code is amended to read:

Section 44-7-90. (A) Based on reports from the ~~State Department of Health and Human Services~~ Financing, the department shall determine each nursing home's compliance with its Medicaid nursing home permit. Violations of this article include:

- (1) a nursing home exceeding by more than five percent the number of Medicaid patient days stated in its permit;
- (2) the provisions of any Medicaid patient days by a home without a Medicaid nursing home permit.

(B) A nursing home which exceeds its Medicaid patient days stated in its permit may be fined on the number of Medicaid patient days exceeding the permit days multiplied by its daily Medicaid per diem. Medicaid permit days provided to Complex Care residents, as certified by the Department of ~~Health and Human Services~~ Financing, must not be counted against the facility's Medicaid permit for the first six months of their care. Any complex care provided after six months must be

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counted toward the facility's Medicaid patient days under the permit days times their daily Medicaid per diem rate less the statewide average patient per diem recurring income times thirty percent. Complex Care reimbursement must not be used in the fine calculation. A facility may be fined incrementally for exceeding its Medicaid permit. Violations above five and up to ten percent of the stated permit may be fined at thirty percent of its Medicaid per diem rate less the statewide average patient per diem recurring income times the number of excess Medicaid permit days. A facility may be fined fifty percent of its Medicaid per diem rate less the statewide average patient per diem recurring income for each day above ten and up to fifteen percent of its Medicaid permit. A facility may be fined seventy percent of its Medicaid per diem rate less the statewide average patient per diem recurring income for each day in excess of fifteen percent of its stated Medicaid permit. A facility may appeal to the department any fine for days over its permit based on the facility's inability to discharge a resident based on the requirements of Section 44-7-88 if the facility can prove:

(1) the resident's primary pay source upon admission was not Medicaid;

(2) the resident did not convert to Medicaid within twenty days of being admitted as a Medicare or Medicaid replacement policy resident; and

(3) the resident did not convert to Medicaid within thirty days of being admitted as a private pay resident.

(C) In the event of a voluntary or involuntary discontinuation of participation of a nursing facility in the Medicaid program, the State must ensure that the facility provides for patient safety and freedom of choice. The Department of Public Health and Environmental Control and the Department of Health and Human Services Financing must determine the availability of existing patient days statewide for the purpose of relocating these patients. Based upon this determination, the department, at its discretion, may reallocate the patient days from a facility discontinuing its Medicaid participation to a facility that participates in the Medicaid program and agrees to accept the residents from the facility that is discontinuing Medicaid participation. The Medicaid permit day shall permanently remain with the facility accepting the resident. In the allocation of patient days from the facility discontinuing Medicaid participation, the department must give first priority to restoring a county's allocation where a facility holding a permit closes, or discontinues participation in Medicaid. A nursing home receiving beds under the provisions of this subsection must not be a

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Special Focus Facility at the time of allocation.

~~(D) Effective July 1, 2014, All nursing facility providers holding a Medicaid permit must report their daily Medicaid resident census information to the South Carolina Department of Health and Human Services Financing or its contractor for the purpose of maintaining a statewide bed locator and permit day tracking system.~~

(E) Each Medicaid day above the allowable range is considered a separate violation. A fine assessed against a nursing home must be deducted from the nursing home's Medicaid reimbursement.

E. Section 44-7-130 (4), (10), and (24) of the S.C. Code is amended to read:

~~(4) "Board" means the State Board of Health and Environmental Control Reserved.~~

(10) "Department" means the Department of Public Health and Environmental Control.

~~—(24) "Solely for research" means a service, procedure, or equipment which has not been approved by the Food and Drug Administration (FDA) but which is currently undergoing review by the FDA as an investigational device. FDA research protocol and any applicable Investigational Device Exemption (IDE) policies and regulations must be followed by a facility proposing a project "solely for research".~~

~~(24) "Secretary" means the Secretary of Health and Policy.~~

(25) "Solely for research" means a service, procedure, or equipment which has not been approved by the Food and Drug Administration (FDA) but which is currently undergoing review by the FDA as an investigational device. FDA research protocol and any applicable Investigational Device Exemption (IDE) policies and regulations must be followed by a facility proposing a project "solely for research".

F. Section 44-7-150(A)(3) and (5) of the S.C. Code is amended to read:

(3) adopt in accordance with Article I of the Administrative Procedures Act substantive and procedural regulations considered necessary by the department and approved by the ~~board~~ Secretary to carry out the department's licensure duties under this article;

(5) promulgate regulations, in accordance with the Administrative Procedures Act, that establish fees as authorized by this article. Prior to the submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

G. Section 44-7-170(A) of the S.C. Code is amended by adding:

(4) the establishment or addition of inpatient psychiatric beds pursuant to an agreement with a South Carolina state agency to apply

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appropriated funds for increased access or availability of services.

H. Section 44-7-190 of the S.C. Code is amended to read:

Section 44-7-190. ~~(A)~~ The department shall adopt, upon approval of the ~~board~~ Secretary, Project Review Criteria which, at a minimum, must provide for the determination of need for health care facilities, beds, services and equipment, including demographic needs, appropriate distribution, and utilization; accessibility to underserved groups; availability of facilities and services without regard to ability to pay; absence of less costly and more effective alternatives; appropriate financial considerations, including method of financing, financial feasibility, and cost containment; consideration of impact on health systems resources; site and building suitability; consideration of quality of care; and relevant special considerations as may be appropriate. ~~The Project Review Criteria must be adopted as a regulation pursuant to the Administrative Procedures Act.~~

~~—(B) The project review criteria promulgated in regulation must be used in reviewing all projects under the Certificate of Need process. When the criteria are weighted to determine the relative importance for the specific project, the department may reorder the relative importance of the criteria no more than one time after the project review meeting. When an application has been appealed, the department may not change the weighted formula.~~

~~—(C) Project review criteria must prioritize timely access to health care services and seek a balance between competition in the marketplace and regulation in the provision of health care and must support reasonable patient choice in health care facilities and services. The department shall promulgate regulations within one year of the effective date of this act identifying how the department will incorporate these considerations in reviewing Certificate of Need applications.~~

I. Section 44-7-200 (C), (D), and (E) of the S.C. Code is amended to read:

~~—(C) Upon publication of this notice and until a contested case hearing is requested pursuant to Section 44-1-60(G):~~

~~—(1) members of the board and persons appointed by the board to hold a final review conference on staff decisions may not communicate directly or indirectly with any person in connection with the application; and~~

~~—(2) no person shall communicate, or cause another to communicate, as to the merits of the application with members of the board and persons appointed by the board to hold a final review conference on staff decisions.~~

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~~—A person who violates this subsection is subject to the penalties provided in Section 1-23-360.~~

~~(D)~~(C) After receipt of an application with proof of publication and payment of the initial application fee, the department shall publish in the State Register a notice that an application has been accepted for filing. Within fifteen days of acceptance of the application, the department may request additional information as may be necessary to complete the application. The applicant has fifteen days from the date of the request to submit the additional information. If the applicant fails to submit the requested information within the fifteen-day period, the application is considered withdrawn.

~~(E)~~(D) After a Certificate of Need application has been filed with the department, state and federal elected officials are prohibited from communicating with the department with regard to the Certificate of Need application at any time. This prohibition does not include written communication of support or opposition to an application. Such written communication must be included in the administrative record.

J. Section 44-7-210 (C), (D), (E), (F), and (G) of the S.C. Code is amended to read:

(C) On the basis of staff review of the application, the staff shall make a staff decision to grant or deny the Certificate of Need and the staff shall issue a decision in accordance with Section 44-1-60(D). Notice of the decision must be sent to the applicant and affected persons who have asked to be notified. The decision becomes the final agency decision unless a timely written request for a final review is filed with the department as provided for in Section 44-1-60(E).

However, a person may not file a request for final review of a contested case hearing in opposition to the staff decision on a Certificate of Need unless the person provided written notice to the department during the staff review that he is an affected person and specifically states his opposition to the application under review.

~~—(D) The staff's decision is not the final agency decision until the completion of the final review process provided for in Section 44-1-60(F).~~

~~(E)~~(D) A contested case hearing of the final agency decision must be requested in accordance with Section 44-1-60(G). The issues considered at the contested case hearing considering a Certificate of Need are limited to those presented or considered during the staff review.

~~(F)~~(E) Notwithstanding any other provision of law, including Section 1-23-650(C), in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny

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a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the following apply:

(1) each party may name no more than five witnesses who may testify at the contested case hearing;

(2) each party is permitted to take only the deposition of a person listed by an opposing party as a witness who may testify at the contested case hearing and one Federal Rules of Civil Procedure Rule 30(b)(6) deposition;

(3) each party is permitted to serve only ten interrogatories pursuant to Rule 33 of the South Carolina Rules of Civil Procedure;

(4) each party is permitted to serve only ten requests for admission, including subparts;

(5) each party is permitted to serve only fifteen requests for production, including subparts; and

(6) the parties shall complete discovery within one hundred twenty days after the assignment of the administrative law judge.

~~(G)~~(F) Notwithstanding any other provision of law, in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the Administrative Law Court shall file a final decision no later than twelve months after the contested case is filed with the Clerk of the Administrative Law Court. An affected person who was a party to the contested case has a right to appeal to the Supreme Court final decisions issued by the Administrative Law Court for a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or denial of a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160.

K. Section 44-7-260 (B) and (E) of the S.C. Code is amended to read:

(B) The licensing provisions of this article do not apply to:

(1) infirmaries for the exclusive use of the student bodies of privately-owned educational institutions which maintain infirmaries;

(2) community-based housing sponsored, licensed, or certified by the ~~South Carolina~~ Department of Intellectual and Related Disabilities and Special Needs. The Department of Intellectual and Related Disabilities and Special Needs shall provide to the Department of Public Health and Environmental Control the names and locations of these facilities on a continuing basis; or

(3) homeshare programs designated by the Department of ~~Mental~~

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Behavioral Health and Substance Abuse Services, provided that these programs do not serve more than two persons at each program location, the length of stay does not exceed fourteen consecutive days for one of the two persons, and the temporarily displaced person must be directly transferred from a homeshare program location. The Department of ~~Mental Behavioral Health and Substance Abuse Services~~ shall provide to the Department of ~~Public Health and Environmental Control~~ the names and locations of these programs on a continuing basis.

(E) No person, regardless of his ability to pay or county of residence, may be denied emergency care if a member of the admitting hospital's medical staff or, in the case of a transfer, a member of the accepting hospital's medical staff determines that the person is in need of emergency care. "Emergency care" means treatment which is usually and customarily available at the respective hospital and that must be provided immediately to sustain a person's life, to prevent serious permanent disfigurement, or loss or impairment of the function of a bodily member or organ, or to provide for the care of a woman in active labor if the hospital is so equipped and, if the hospital is not so equipped, to provide necessary treatment to allow the woman to travel to a more appropriate facility without undue risk of serious harm. In addition to or in lieu of any action taken by the South Carolina Department of ~~Public Health and Environmental Control~~ affecting the license of any hospital, when it is established that any officer, employee, or member of the hospital medical staff has recklessly violated the provisions of this section, the department may require the hospital to pay a civil penalty of up to ten thousand dollars.

L. Section 44-7-265 of the S.C. Code is amended to read:

Section 44-7-265. The department shall promulgate regulations for licensing freestanding or mobile technology. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy. At a minimum, the regulations must include:

- (1) standards for the maintenance and operation of freestanding or mobile technology to ensure the safe and effective treatment of persons served;
- (2) a description of the professional qualifications necessary for personnel to operate the equipment and interpret the test results;
- (3) minimum staffing requirements to ensure the safe operation of the equipment and interpret the test results; and
- (4) that all freestanding or mobile technology must be in conformance with professional organizational standards.

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M. Section 44-7-266(D) of the S.C. Code is amended to read:

(D) The department shall promulgate regulations within one year of the effective date of this act setting forth the necessary duties to comply with this provision. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

N. Section 44-7-370 of the S.C. Code is amended to read:

Section 44-7-370. (A) ~~The South Carolina~~ Department of Public Health and Environmental Control shall establish a Residential Care Committee to advise the department regarding licensing and inspection of community residential care facilities.

(1) The committee consists of the Long Term Care Ombudsman, three operators of homes with ten beds or less, four operators of homes with eleven beds or more, and three members to represent the department appointed by the ~~commissioner~~ director for terms of four years.

(2) The terms must be staggered and no member may serve more than two consecutive terms. Any person may submit names to the ~~commissioner~~ director for consideration. The advisory committee shall meet at least once annually with representatives of the department to evaluate current licensing regulations and inspection practices. Members shall serve without compensation.

(B) The Department of Public Health and Environmental Control shall appoint a Renal Dialysis Advisory Council to advise the department regarding licensing and inspection of renal dialysis centers. The council must be consulted and have the opportunity to review all regulations promulgated by the ~~board~~ department affecting renal dialysis prior to submission of the proposed regulations to the General Assembly.

(1) The council is composed of a minimum of fourteen persons, one member recommended by the Palmetto Chapter of the American Nephrology Nurses Association; one member recommended by the South Carolina Chapter of the National Association of Patients on Hemodialysis and Transplants; three physicians specializing in nephrology recommended by the South Carolina Renal Physicians Association; two administrators of facilities certified for dialysis treatment or kidney transplant services; one member recommended by the South Carolina Kidney Foundation; one member recommended by the South Carolina Hospital Association; one member recommended by the South Carolina Medical Association; one member of the general public; one member representing technicians working in renal dialysis facilities; one member recommended by the Council of Nephrology Social Workers; and one member recommended by the Council of Renal

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Nutritionists. The directors of dialysis programs at the Medical School of the University of South Carolina and the Medical University of South Carolina, or their designees, are ex officio members of the council.

(2) Members shall serve four-year terms and until their successors are appointed and qualify. No member of council shall serve more than two consecutive terms. The council shall meet as frequently as the ~~board~~ director considers necessary, but not less than twice each year. Members shall serve without compensation.

O. Section 44-7-392 (B) and (C) of the S.C. Code is amended to read:

(B) The confidentiality provisions of subsection (A) do not prevent committees appointed by the Department of Public Health ~~and Environmental Control~~ from issuing reports containing solely nonidentifying data and information.

(C) Nothing in this section affects the duty of a hospital licensed by the Department of Public Health ~~and Environmental Control~~ to report accidents or incidents pursuant to the department's regulations. However, anything reported pursuant to the department's regulations must not be considered a waiver of any privilege or confidentiality provided in subsection (A).

P. Section 44-7-180 of the S.C. Code is repealed.

SECTION 12.A. Section 44-7-510(4) of the S.C. Code is amended to read:

(4) "Department" means the Department of Public Health ~~and Environmental Control~~.

B. Section 44-7-570(D) of the S.C. Code is amended to read:

(D) The department shall promulgate regulations to implement the provisions of this article including any fees and application costs associated with the monitoring and oversight of cooperative agreements approved under this article. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

C. Section 44-7-1420 (2) and (4) of the S.C. Code is amended to read:

(2) Unless measures are adopted to alleviate such need, the shortage of such facilities will become increasingly more urgent and serious; ~~and.~~

(4) It is the purpose of this article to empower the governing bodies of the several counties of the State under the terms and conditions of this article to finance the acquisition, enlargement, improvement, construction, equipping and providing of such hospital facilities to the end that the public health and welfare of the people of the State will be promoted at the least possible expense to those utilizing such hospital facilities so provided. In this connection, such governing bodies shall

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function under the guidance of the State Fiscal Accountability Authority of South Carolina and the Department of Public Health~~—and Environmental Control~~ and shall be vested with all powers necessary to enable them to accomplish the purposes of this article, which powers shall be in all respects exercised for the benefits of the inhabitants of the State and to promote the public health and welfare of its citizens.

D. Section 44-7-1440 of the S.C. Code before the numbered items is amended to read:

Section 44-7-1440. Subject to obtaining approvals from the Authority required by Section 44-7-1590 and from the Department of Public Health~~—and Environmental Control~~, required by Section 44-7-1490, the several counties of the State functioning through their respective county boards shall be empowered:

E. Section 44-7-1490 of the S.C. Code is amended to read:

Section 44-7-1490. The county board shall not undertake the acquisition, construction, expansion, equipping or financing of any hospital facilities unless and until such approval of the Department of Public Health~~—and Environmental Control~~ for such undertaking as may be required under Article 3, Chapter 7, Title 44, shall have been obtained.

F. Section 44-7-1590 of the S.C. Code is amended to read:

Section 44-7-1590. (A) No bonds may be issued pursuant to the provisions of this article until the proposal of the county board to issue the bonds receives the approval of the authority. Whenever a county board proposes to issue bonds pursuant to the provisions of this article, it shall file its petition with the authority setting forth:

(1) a brief description of the hospital facilities proposed to be undertaken and the refinancing or refunding proposed;

(2) a statement setting forth the action taken by the Department of Public Health~~—and Environmental Control~~ in connection with the hospital facilities;

(3) a reasonable estimate of the cost of hospital facilities;

(4) a general summary of the terms and conditions of the proposed loan agreement; and

(5) such other information as the authority requires.

(B) Upon the filing of the petition the authority, as soon as practicable, shall conduct the review as it considers advisable, and if it finds that the proposal of the governing board is intended to promote the purposes of this article, it is authorized to approve the proposal. At any time following the approval, the county board may proceed with the issuance of the bonds in accordance with the proposal as approved by

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the authority. Notice of the approval of the proposal by the authority must be published at least once by the authority in a newspaper having general circulation in the county where the hospital facilities are or are to be located. The notice must set forth the action taken by the county board pursuant to Section 44-7-1480 and the action taken by the Department of Public Health and Environmental Control pursuant to Section 44-7-1490.

(C) Any interested party, within twenty days after the date of the publication of the notice, but not afterwards, may challenge the action so taken by the authority, the county board, or the Department of Public Health and Environmental Control, by action de novo in the court of common pleas in any county where the hospital facilities are to be located.

G. Section 44-7-1660(B) of the S.C. Code is amended to read:

(B) The county board may not enter into a subsidiary loan agreement to finance the acquisition, construction, expansion, equipping, or financing of any hospital facilities until approval of the agreement by the ~~South Carolina~~ Department of Public Health and Environmental Control as may be required under Article 3 of Chapter 7 of Title 44.

H. Section 44-7-1690 of the S.C. Code is amended to read:

Section 44-7-1690. Notice of the approval by a county board of any intergovernmental loan agreement or subsidiary loan agreement must be published at least once in a newspaper having general circulation in each county by the respective county board prior to the execution of such agreements. With respect to a subsidiary loan agreement, the notice must set forth the action taken by the county board and the ~~South Carolina~~ Department of Public Health and Environmental Control pursuant to Section 44-7-1660. The intergovernmental loan agreement and subsidiary loan agreement must be filed with the clerk of court of the authorizing issuer and the clerk of court of the project county prior to the issuance of the bonds authorized thereby.

Any interested party may, within twenty days after the date of the publication of the notice, challenge the action taken by the county board of the authorizing issuer or the project county in approving the intergovernmental loan agreement by action de novo in the court of common pleas of the project county or the authorizing issuer.

Any interested party may, within twenty days after the date of the publication of the notice, challenge the action taken by the county board in approving the subsidiary loan agreement or the Department of Public Health and Environmental Control with respect to the hospital facilities

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by action de novo in the court of common pleas in any county where the hospital facilities are to be located.

SECTION 13.A. Section 44-7-2420(1) of the S.C. Code is amended to read:

(1) "Department" means the Department of Public Health~~and Environmental Control~~.

B. Section 44-7-2430(C)(1) of the S.C. Code is amended to read:

(1) ~~The Board of Health and Environmental Control~~ Secretary of Health and Policy shall appoint an advisory committee that must have an equal number of members representing all involved parties. ~~The board secretary~~ shall seek recommendations for appointments to the advisory committee from organizations that represent the interests of hospitals, consumers, businesses, purchasers of health care services, physicians, and other professionals involved in the research and control of infections.

C. Section 44-7-2450(B) of the S.C. Code is amended to read:

(B) Nothing in this section affects the duty of a facility or activity licensed by the Department of Public Health~~and Environmental Control~~ to report accidents or incidents pursuant to the department's regulations. However, anything reported pursuant to the department's regulations must not be considered to waive any privilege or confidentiality provided in subsection (A).

D. Section 44-7-2460(B) of the S.C. Code is amended to read:

(B) The department may promulgate regulations as necessary to carry out its responsibilities under this article. Prior to the submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

SECTION 14.A. Section 44-7-2550 of the S.C. Code is amended to read:

Section 44-7-2550. The department shall promulgate regulations necessary to carry out the purposes of this article. Prior to the submission of these regulations, the department must receive approval from the Secretary of Health and Policy. Through regulation or interagency agreement when appropriate the department may develop standards addressing the coordination and provision of early intervention services, including personnel qualifications and health, safety, and program standards for the facilities where the services are offered.

B. Section 44-7-2910(B)(1)(e) of the S.C. Code is amended to read:

(e) a residential program operated or contracted for operation by the Department of ~~Mental Health~~ Behavioral Health and Substance Abuse Services or the Department of Intellectual and Related Disabilities~~and~~

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Special Needs;

C. Section 44-7-2940 of the S.C. Code is amended to read:

Section 44-7-2940. The Department of Public Health—~~and Environmental Control~~ shall verify that a direct care entity is conducting criminal record checks as required in this article before the department issues a renewal license for the direct care entity. The department shall act as the channeling agency for any federal criminal record checks required by this article.

D. Section 44-7-3430 of the S.C. Code is amended to read:

Section 44-7-3430. All clinical staff, clinical trainees, medical students, interns, and resident physicians of a hospital shall wear badges clearly stating their names, using at a minimum either first or last names with appropriate initials, their departments, and their job or trainee titles. All clinical trainees, medical students, interns, and resident physicians must be explicitly identified as such on their badges. This information must be clearly visible and must be stated in terms or abbreviations reasonably understandable to the average person, as recognized by the Department of Public Health—~~and Environmental Control~~.

E. Sections 44-7-3455 through 44-7-3460 of the S.C. Code are amended to read:

Section 44-7-3455. The provisions of this article do not apply to hospitals owned or operated by the Department of ~~Mental Health Behavioral Health and Substance Abuse Services~~ or by specialized hospitals licensed exclusively for treatment of alcohol or drug abuse and which are under contract with the Department of ~~Alcohol and Other Drug Abuse Services Behavioral Health and Substance Abuse Services~~.

Section 44-7-3460. The Department of Public Health—~~and Environmental Control~~ shall administer and enforce the provisions of this article in accordance with procedures and penalties provided in law and regulation.

SECTION 15.A. Chapter 9, Title 44 of the S.C. Code is amended to read:

CHAPTER 9

~~State Department of Mental Health~~ Department of Behavioral Health and Substance Abuse Services

Section 44-9-10. There is hereby created the ~~State Department of Mental Health~~ Department of Behavioral Health and Substance Abuse Services which shall have jurisdiction over all of the State's mental hospitals, clinics and centers, joint State and community sponsored mental health clinics and centers and facilities for the treatment and care of alcohol and drug addicts, including the authority to name each facility.

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The department shall be vested with all the functions, powers, and duties of the South Carolina Commission on Alcoholism and the South Carolina Commission on Alcohol and Drug Abuse and shall have full authority for formulating, coordinating and administering the state plans for controlling narcotics and controlled substances and alcohol abuse. The Department of Behavioral Health and Substance Abuse Services shall promote comprehensive, client-centered services in the areas of mental health and substance use treatment in furtherance of the goals of the State Health Plan.

Section 44-9-20. All the powers and duties vested in the South Carolina Mental Health Commission immediately prior to March 26, 1964 are hereby transferred to and vested in the Department of ~~Mental Health~~ Behavioral Health and Substance Abuse Services. All records, files and other papers belonging to the South Carolina Mental Health Commission shall be continued as part of the records and files of the Department of ~~Mental Health~~ Behavioral Health and Substance Abuse Services.

Section 44-9-30. (A)(1) There is created the ~~governing board advisory board~~ for the ~~State Department of Mental Health~~ Department of Behavioral Health and Substance Abuse Services known as the South Carolina ~~Mental Health Commission~~ Behavioral Health and Substance Abuse Services Advisory Board. The ~~commission~~ advisory board shall consist of seven members, one from each congressional district, appointed by the ~~Governor, upon the advice and consent of the Senate~~ Secretary of Health and Policy.

(2) The ~~Governor~~ Secretary of Health and Policy shall consider consumer and family representation when appointing members.

(B) The members serve for terms of five years and until their successors are appointed and qualify. The terms of no more than two members may expire in one year. The ~~Governor~~ Secretary of Health and Policy may remove a member ~~pursuant to the provisions of Section 1-3-240~~ when the Secretary determines removal is in the best interest of the State. A vacancy must be filled by the ~~Governor~~ Secretary of Health and Policy for the unexpired portion of the term.

~~—(C) The commission shall determine policies and promulgate regulations governing the operation of the department and the employment of professional and staff personnel.~~

~~(D)~~(C) The members shall receive the same subsistence, mileage, and per diem provided by law for members of state boards, committees, and commissions.

Section 44-9-40. ~~The Mental Health Commission shall appoint and~~

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~~remove a State Director of Mental Health, who is the chief executive of the State Department of Mental Health. Subject to the supervision and control of the Mental Health Commission, the state director shall administer the policies and regulations established by the commission. The Secretary of Health and Policy shall appoint, and may remove at will, a Director of Behavioral Health and Substance Abuse Services, who is the chief executive of the Department of Behavioral Health and Substance Abuse Services. The director must be a person of proven executive and administrative ability with appropriate education and substantial experience in the field of mental illness treatment delivery of behavioral health services, including addiction services. The director must appoint and remove all other officers and employees of the Department of Mental Health, subject to the approval of the Mental Health Commission. Department employees shall have such general duties and receive such compensation as determined by the director, within the authority given by the Secretary. The director shall be responsible for administration of state personnel policies and general personnel policies of the Executive Office of Health and Policy. The director shall have sole authority to employ and discharge employees subject to such personnel policies and funding available for that purpose.~~

Section 44-9-50. (A) The Department of Mental Health Behavioral Health and Substance Abuse Services may be divided into such divisions as may be authorized by the director of Mental Health and approved by the commission. Director of Behavioral Health and Substance Abuse Services. One of the divisions must be a Division on Alcohol and Drug Addiction which shall have primary responsibility in the State for treatment of alcohol and drug addicts. One of the divisions must be a Division for Long Term Care which shall have primary responsibility for care and treatment of elderly persons with mental and physical disabilities to the extent that their needs are not met in other facilities either public or private.

(B) The department shall appoint a supervisor of adult education for the prevention of alcoholism, who shall be responsible for activating and implementing an adequate alcoholic education program for the citizens of this State above high school age. The program shall be designed to prevent or reduce alcoholism in this State and to create a recognition and understanding of the problem. The department shall furnish the supervisor of adult education for the prevention of alcoholism adequate ways and means to accomplish an effective educational program for the prevention of alcoholism in this State.

In carrying out the provisions of this section, the department and

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the supervisor of adult education for the prevention of alcoholism may consult and work in conjunction with groups such as Alcoholics Anonymous, the Yale Center of Alcohol Studies of Yale University, the Research Council on Problems of Alcohol of the American Association for the Advancement of Science, the South Carolina Medical Association, the Christian Action Council, the Committee on Alcoholism of the South Carolina Conference of Social Work and other groups or agencies that are able to assist in the study, prevention, treatment and rehabilitation of alcoholics and in a scientific educational program on the problems of alcohol.

(C) The department shall establish a program to provide alcohol and drug abuse intervention, prevention, and treatment services for the public schools of the State. The department shall provide staff and support necessary to administer the program. Funds for this program must be annually appropriated by the General Assembly from the Education Improvement Act of 1984 Fund as it determines appropriate. The appropriated funds must be forwarded to the Department of Behavioral Health and Substance Abuse Services from the Education Improvement Act of 1984 Fund in the manner the State Treasurer shall direct.

Section 44-9-60. The director of the Department of ~~Mental Health Behavioral Health and Substance Abuse Services~~ may appoint a director of each hospital. Each director must be knowledgeable in the treatment of the mentally ill and in hospital administration. The director of each hospital under the jurisdiction of the Department of ~~Mental Health Behavioral Health and Substance Abuse Services~~ is responsible for the employment of all personnel at the hospital, subject to the approval of the director of the department. The director of the department may serve as director of one or more hospitals or other mental health facilities.

Section 44-9-70. The ~~State~~ Department of ~~Mental Health Behavioral Health and Substance Abuse Services~~ is hereby designated as the state's ~~mental~~ behavioral health authority for purposes of administering federal funds allotted to South Carolina under the provisions of the National Mental Health Act, as amended. The ~~State~~ Department of ~~Mental Health Behavioral Health and Substance Abuse Services~~ is further designated as the state agency authorized to administer minimum standards and requirements for mental health clinics as conditions for participation in federal-state grants-in-aid under the provisions of the National Mental Health Act, as amended, and is authorized to promote and develop community mental health outpatient clinics. Provided, that nothing in this article shall be construed to prohibit the operation of outpatient mental health clinics by the ~~South Carolina~~

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~~Medical College Hospital~~ Medical University of South Carolina in Charleston. Provided, further, that nothing herein shall be construed to include any of the functions or responsibilities now granted the Department of Public Health and Environmental Control, or the administration of the State Hospital Construction Act (Hill-Burton Act), as provided in the ~~1976 S.C. Code of Laws and amendments thereto~~.

Section 44-9-80. Payments made to a mental health facility which are derived in whole or in part from Federal funds which become available after June 30, 1967, and which are provided with the stipulation that they be used to improve services to patients shall not be considered fees from paying patients under the terms of Act No. 1100 of 1964 but may be utilized by the ~~State Department of Mental Health~~ Behavioral Health and Substance Abuse Services to improve South Carolina's comprehensive mental health program.

Section 44-9-90. The ~~commission~~ Department of Behavioral Health and Substance Abuse Services shall:

~~(1) form a body corporate in deed and in law with all the powers incident to corporations;~~

~~(2)~~(1) cooperate with persons in charge of penal institutions in this State for the purpose of providing proper care and treatment for mental patients confined in penal institutions because of emergency;

~~(3)~~(2) inaugurate and maintain an appropriate mental health education and public relations program;

~~(4)~~(3) collect statistics bearing on mental illness, drug addiction, and alcoholism;

~~(5)~~(4) provide vocational training and medical treatment which must tend to the mental and physical betterment of patients and which is designed to lessen the increase of mental illness, drug addiction, and alcoholism;

~~(6)~~(5) encourage the directors of hospitals and their medical staffs in the investigation and study of these subjects and of mental health treatment in general; ~~and~~

~~(7)~~(6) provide for and promote a statewide system for the delivery of mental health services to treat, care for, reduce, and prevent mental illness and provide mental health services for citizens of this State, whether or not in a hospital. The system must include services to prevent or postpone the commitment or recommitment of citizens to hospitals and shall account for citizens with mild to moderate persistent, chronic, or acute systems requiring care;

(7) coordinate with state agencies and other providers to ensure the appropriate provision of care for individuals with co-occurring

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diagnoses. The department shall coordinate and cooperate with the Secretary of Health and Policy in complex cases;

(8) perform all functions, powers, and duties of the commissioner of the narcotics and controlled substances section of the State Planning and Grants Division (Division of Administration in the Office of the Governor) previously transferred to the Department of Alcohol and Other Drug Abuse Services, except those powers and duties related to the traffic of narcotics and controlled substances as defined in Section 44-53-130 which shall be vested in the State Law Enforcement Division;

(9) establish a block grant mechanism to provide such monies as may be appropriated by the General Assembly for this purpose to each of the agencies designated under Section 61-12-20(a). The agencies designated under Section 61-12-20(a) must expend any funds received through this mechanism in accordance with the county plans required under Section 61-12-20(b); and

(10) determine policies and promulgate regulations governing the operation of the department and the employment of professional and staff personnel. Prior to the submission of these regulations, the department must receive approval from the Secretary of Health and Policy.

Section 44-9-100. ~~The commission~~ department may:

(1) prescribe the form of and information to be contained in applications, records, reports, and medical certificates provided for under this chapter, Chapter 11, Chapter 13, Article 1 of Chapter 15, Chapter 17, Chapter 22, Chapter 23, Chapter 24, Chapter 27, Chapter 48, and Chapter 52;

(2) require reports from the director of a state hospital relating to the admission, examination, diagnosis, discharge, or conditional discharge of a patient;

(3) investigate complaints made by a patient or by a person on behalf of a patient;

(4) adopt regulations not inconsistent with this chapter, Chapter 11, Chapter 13, Article 1 of Chapter 15, Chapter 17, Chapter 22, Chapter 23, Chapter 24, Chapter 27, Chapter 48, and Chapter 52 as it may find to be reasonably necessary for the government of all institutions over which it has authority and of state mental health facilities and the proper and efficient treatment of persons with a mental illness or substance abuse disorder. Prior to the submission of these regulations, the department must receive approval from the Secretary of Health and Policy;

(5) take appropriate action to initiate and develop relationships and agreements with state, local, federal, and private agencies, hospitals, and

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clinics as the commission considers necessary to increase and enhance the accessibility and delivery of emergency and all other types of mental health and substance abuse services; and

(6) develop such rules and regulations not inconsistent with the provisions of this chapter as it may find to be reasonably appropriate for the government of the county plans called for in Section 61-12-20(b), and the financial and programmatic accountability of funds provided under this section and all other funds provided by the department to agencies designated under Section 61-12-20(a).

~~Section 44-9-110.—The Mental Health Commission may accept on behalf of the Department of Mental Health or any of its facilities or services, The Department of Behavioral Health and Substance Abuse Services may accept gifts, bequests, devises, grants, donations of money or real and personal property of whatever kind, but no such gift or grant shall be accepted upon the condition that it shall diminish an obligation due the department. The Commission department may refuse to accept any such gift or grant and the acceptance of any such gift or grant shall not incur any obligation on the part of the State. Any gift or grant given to a specific facility or service shall be used for that facility or service only, or to its successor. The Commission department may promulgate rules and regulations governing the disposition of such gifts and grants. Prior to submission of these regulations, the department must receive approval from the Secretary of Health and Policy.~~

~~Section 44-9-120. The Commission department shall submit an annual report to the Governor Secretary of Health and Policy before the eleventh day of January of each year setting forth its activities, the financial affairs and the state and condition of the state mental health facilities and any other statistical information which is usually required of facilities of the type over which it has charge. The report shall include any recommendations which in the opinion of the Commission department will improve the mental behavioral health program of the State.—A copy of the report shall also be submitted to the General Assembly.~~

~~Section 44-9-160. Wherever in the 1976 S.C. Code reference is made to the State Hospital, it shall mean a state hospital; wherever reference is made requiring the signature of the superintendent of any mental health facility, it shall mean the superintendent or his designee; and wherever reference is made to the State Commissioner of Mental Health, it shall mean the State Director of the Department of Mental Health Behavioral Health and Substance Abuse Services.~~

B. Chapter 9, Title 44 of the S.C. Code is amended by adding:

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Section 44-9-95. (A) The department shall be vested with the following powers and duties relating to narcotics and controlled substances:

(1) The department shall arrange for the exchange of information between governmental officials concerning the use and abuse of controlled substances.

(2) Results, information, and evidence received from the Department of Public Health relating to the regulatory functions of this chapter and Article 3, Chapter 53, Title 44, including results of inspections conducted by such department, may be relied upon and acted upon by the department in conformance with its administration and coordinating duties under this chapter and Article 3, Chapter 53, Title 44.

(3) The department shall:

(a) plan, coordinate and cooperate in educational programs for schools, communities, and the general public designed to prevent and deter misuse and abuse of controlled substances;

(b) promote better recognition of the problems of misuse and abuse of controlled substances within the regulated industry and among interested groups and organizations;

(c) assist the regulated industry, interested groups, and organizations in contributing to the reduction of misuse and abuse of controlled substances;

(d) consult with interested groups and organizations to aid them in solving administrative and organizational problems;

(e) evaluate procedures, projects, techniques, and controls conducted or proposed as part of educational programs on misuse and abuse of controlled substances;

(f) disseminate the results of research on misuse and abuse of controlled substances to promote a better public understanding of what problems exist and what can be done to combat them;

(g) assist in the education and training of state and local law enforcement officials in their efforts to control misuse and abuse of controlled substances;

(h) encourage research on misuse and abuse of controlled substances;

(i) cooperate in establishing methods to assess accurately the effects of controlled substances and to identify and characterize controlled substances with potential for abuse; and

(j) cooperate in making studies and in undertaking programs of research to:

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(i) develop new or improved approaches, techniques, systems, equipment, and devices to strengthen the enforcement of this section, Sections 44-9-10 and 44-9-90, and Article 3, Chapter 53, Title 44;

(ii) determine patterns of misuse and abuse of controlled substances and the social effects thereof; and

(iii) improve methods for preventing, predicting, understanding and dealing with the misuse and abuse of controlled substances.

(B) The department may enter into contracts with public agencies, institutions of higher education, and private organizations or individuals for the purpose of conducting research, demonstrations, or special projects which bear directly on misuse and abuse of controlled substances.

(C) The department may enter into contracts for educational and research activities without performance bonds.

(D) The department is authorized to accept gifts, bequests, devises, contributions, and grants, public or private, including federal funds, or funds from any other source for use in furthering the purpose of the department. The department is authorized to administer the grants and contracts arising from the federal program entitled the Drug Free Schools and Communities Act of 1986, P.L. 99-570.

C. Chapter 9, Title 44 of the S.C. Code is amended by adding:

Section 44-9-105. (A) The department shall develop and initiate negotiation of the service contracts through which it provides funds to service providers to accomplish the purposes set forth in this chapter. The department may, notwithstanding any provision of law to the contrary, disburse state and federal funds appropriated to it for substance abuse services directly to the service provider.

(B) The service contract shall:

(1) delineate the responsibilities of the department and the service provider;

(2) specify conditions that must be met for the receipt of state and federal funds;

(3) identify the groups of individuals to be served with state and federal funds;

(4) contain specific outcome measures for individuals receiving services, provider performance measures, satisfaction measures for individuals receiving services, and participation and involvement measures for individuals receiving services and their family members;

(5) contain provisions that enable the department to enforce the

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service contract in the event that the service provider fails to substantially comply with the requirements of its service contract, which shall include:

(a) provisions to ensure that the service provider is notified when it fails to substantially comply with the requirements of its service contract;

(b) a remediation process to allow the service provider, after failing to substantially comply with its service contract, to come into substantial compliance with its service contract;

(c) provisions for withholding or reducing funds, repayment of funds, or termination of all or part of a service contract in accordance with the provisions of subsection (E) in the event that the service provider fails to come into substantial compliance with the provisions of its service contract despite utilization of the remediation process described in subsection (B); and

(d) provisions for appeal of an enforcement action undertaken by the department; and

(6) include requirements for the service provider to report specific information about (i) its revenues, costs, and services; (ii) individuals served; and (iii) any other information deemed necessary by the department, which shall be displayed in a consistent, comparable format developed by the department.

(D) The department shall develop and implement a process for regular, ongoing monitoring of the performance of service providers to ensure compliance with the requirements of service contracts entered into pursuant to this section.

(E) If a service provider fails to comply with the requirements of its service contract, the department shall utilize the remediation process described in the service contract to allow the service provider to come into compliance. The department shall notify the service provider upon initiation of the remediation process and provide regular updates regarding the service provider's progress toward coming into compliance.

If a service provider fails to come into compliance after utilization of the remediation process, the department shall, after affording the service provider an adequate opportunity to use the appeal process described in the service contract, terminate all or a portion of the service contract.

(F) Upon terminating all or a portion of a service contract pursuant to subsection (E), the department may, negotiate a performance contract with another service provider to obtain services that were the subject of

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the terminated performance contract.

(G) No service provider shall be eligible to receive state or federal funds for substance abuse services, unless (i) its performance contract has been approved or renewed by the department; (ii) it provides service, cost, and revenue data and information, and aggregate and individual data and information about individuals receiving services to the department in the format prescribed by the department; (iii) it uses standardized cost accounting and financial management practices approved by the department; and (iv) the service provider is in compliance with its service contract or is making progress to become compliant through the department's remediation process.

SECTION 16.A. Sections 44-20-10 through 44-20-440 of the S.C. Code are amended to read:

Section 44-20-10. This chapter may be cited as the ~~“South Carolina Intellectual Disability, Related Disabilities, Head Injuries, and Spinal Cord Injuries Act”~~ “South Carolina Intellectual and Related Disabilities Act”.

Section 44-20-20. The State of South Carolina recognizes that a person with intellectual disability, a related disability, head injury, ~~or spinal cord injury, or autism~~ is a person who experiences the benefits of family, education, employment, and community as do all citizens. It is the purpose of this chapter to assist persons with intellectual disability, related disabilities, head injuries, ~~or spinal cord injuries, or autism~~ by providing services to enable them to participate as valued members of their communities to the maximum extent practical and to live with their families or in family settings in the community in the least restrictive environment available.

When persons with intellectual disability, related disabilities, head injuries, ~~or spinal cord injuries, or autism~~ cannot live in communities or with their families, the State shall provide quality care and treatment in the least restrictive environment practical.

In order to plan and coordinate state and locally funded services for persons with intellectual disability, related disabilities, head injuries, ~~or spinal cord injuries, or autism~~, a statewide network of ~~local boards of disabilities and special needs~~ county intellectual and related disabilities boards is established. Services will be delivered to clients in their homes or communities through these boards and other local providers.

It is recognized that persons with intellectual disability, related disabilities, head injuries, ~~or spinal cord injuries, or autism~~ have the right to receive services from public and other agencies that provide services to South Carolina citizens and to have those services coordinated with

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the services needed because of their disabilities.

South Carolina recognizes the value of preventing intellectual disability, related disabilities, head injuries, ~~and spinal cord injuries,~~ and autism through education and research and supports efforts to this end.

The State recognizes the importance of the role of parents and families in shaping services for persons with intellectual disability, related disabilities, head injuries, ~~or spinal cord injuries,~~ or autism as well as the importance of providing services to families to enable them to care for a family member with these disabilities.

Admission to services of the South Carolina Department of Intellectual and Related Disabilities ~~and Special Needs~~ does not terminate or reduce the rights and responsibilities of parents. Parental involvement and participation in mutual planning with the department to meet the needs of the client facilitates decisions and treatment plans that serve the best interest and welfare of the client.

Section 44-20-30. As used in this chapter:

~~—(1) “Applicant” means a person who is believed to have intellectual disability, one or more related disabilities, one or more head injuries, one or more spinal cord injuries, or an infant at high risk of a developmental disability who has applied for services of the South Carolina Department of Disabilities and Special Needs.~~

~~—(2) “Client” is a person who is determined by the Department of Disabilities and Special Needs to have intellectual disability, a related disability, head injury, or spinal cord injury and is receiving services or is an infant at risk of having a developmental disability and is receiving services.~~

~~—(3) “Commission” means the South Carolina Commission on Disabilities and Special Needs, the policy making and governing body of the Department of Disabilities and Special Needs.~~

~~—(4) “County disabilities and special needs boards” means the local public body administering, planning, coordinating, or providing services within a county or combination of counties for persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries and recognized by the department.~~

~~—(5) “Day programs” are programs provided to persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries outside of their residences affording development, training, employment, or recreational opportunities as prescribed by the Department of Disabilities and Special Needs.~~

~~—(6) “Department” means the South Carolina Department of Disabilities and Special Needs.~~

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~~—(7) “Director” means the South Carolina Director of the Department of Disabilities and Special Needs, the chief executive director appointed by the commission.~~

~~—(8) “Disabilities and special needs services” are activities designed to achieve the results specified in an individual client’s plan.~~

~~—(9) “High risk infant” means a child less than thirty six months of age whose genetic, medical, or environmental history is predictive of a substantially greater risk for a developmental disability than that for the general population.~~

~~—(10) “Least restrictive environment” means the surrounding circumstances that provide as little intrusion and disruption from the normal pattern of living as possible.~~

~~—(11) “Improvements” means the construction, reconstruction of buildings, and other permanent improvements for regional centers and other programs provided by the department directly or through contract with county boards of disabilities and special needs, including equipment and the cost of acquiring and improving lands for equipment.~~

~~—(12) “Intellectual disability” means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.~~

~~—(13) “Obligations” means the obligations in the form of notes or bonds or contractual agreements issued or entered into by the commission pursuant to the authorization of this chapter and of Act 1377 of 1968 to provide funds with which to repay the proceeds of capital improvement bonds allocated by the State Fiscal Accountability Authority.~~

~~—(14) “Regional residential center” is a twenty four hour residential facility serving a multicounty area and designated by the department.~~

~~—(15) “Related disability” is a severe, chronic condition found to be closely related to intellectual disability or to require treatment similar to that required for persons with intellectual disability and must meet the following conditions:~~

~~—(a) It is attributable to cerebral palsy, epilepsy, autism, or any other condition other than mental illness found to be closely related to intellectual disability because this condition results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with intellectual disability and requires treatment or services similar to those required for these persons.~~

~~—(b) It is manifested before twenty two years of age.~~

~~—(c) It is likely to continue indefinitely.~~

~~—(d) It results in substantial functional limitations in three or more~~

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of the following areas of major life activity: self care, understanding and use of language, learning, mobility, self direction, and capacity for independent living.

~~— (16) “Residential programs” are services providing dwelling places to clients for an extended period of time with assistance for activities of daily living ranging from constant to intermittent supervision as required by the individual client's needs.~~

~~— (17) “Revenues” or “its revenues” means revenue derived from paying clients at regional residential centers and community residences but does not include Medicaid, Medicare, or other federal funds received with the stipulation that they be used to provide services to clients.~~

~~— (18) “State capital improvement bonds” means bonds issued pursuant to Act 1377 of 1968.~~

~~— (19) “Department” shall mean the State Department of Administration as constituted pursuant to Chapter 11, Title 1.~~

(1) “Advisory board” means the South Carolina Advisory Board of Intellectual and Related Disabilities, the policy-making body of the Department of Intellectual and Related Disabilities.

(2) “Applicant” means a person who is believed to have intellectual disability, one or more related disabilities, one or more head injuries, one or more spinal cord injuries, autism, or an infant at high risk of a developmental disability who has applied for services of the South Carolina Department of Intellectual and Related Disabilities.

(3) “Autism” means autism spectrum disorder as defined in the most recent edition of Diagnostic and Statistical Manual of Mental Disorders.

(4) “Client” means a person who is determined by the Department of Intellectual and Related Disabilities to have intellectual disability, a related disability, head injury, spinal cord injury, or autism and is receiving services or is an infant at risk of having a developmental disability and is receiving services.

(5) “County intellectual and related disabilities boards” or “county boards” means the local public body administering, planning, coordinating, or providing services within a county or combination of counties for persons with intellectual disability, related disabilities, head injuries, spinal cord injuries, or autism and recognized by the department.

(6) “Day programs” means programs provided to persons with intellectual disability, related disabilities, head injuries, spinal cord injuries, or autism outside of their residences affording development, training, employment, or recreational opportunities as prescribed by the

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Department of Intellectual and Related Disabilities.

(7) “Department” means the Department of Intellectual and Related Disabilities.

(8) “Director” means the Director of the Department of Intellectual and Related Disabilities, the chief executive director appointed by the Secretary of Health and Policy.

(9) “High risk infant” means a child less than thirty-six months of age whose genetic, medical, or environmental history is predictive of a substantially greater risk for a developmental disability than that for the general population.

(10) “Improvements” means the construction, reconstruction of buildings, and other permanent improvements for regional centers and other programs provided by the department directly or through contract with county intellectual and related disabilities boards, including equipment and the cost of acquiring and improving lands for equipment.

(11) “Intellectual and related disabilities services” means activities designed to achieve the results specified in the individual client’s plan.

(12) “Intellectual disability” means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.

(13) “Least restrictive environment” means the surrounding circumstances that provide as little intrusion and disruption from the normal pattern of living as possible.

(14) “Obligations” means the obligations in the form of notes or bonds or contractual agreements issued or entered into by the department pursuant to the authorization of this chapter and of Act 1377 of 1968 to provide funds with which to repay the proceeds of capital improvement bonds allocated by the State Fiscal Accountability Authority.

(15) “Regional residential center” means a twenty-four-hour residential facility serving a multicounty area and designated by the department.

(16) “Related disability” means a severe, chronic condition found to be closely related to intellectual disability or to require treatment similar to that required for persons with intellectual disability and must meet the following conditions:

(a) It is attributable to cerebral palsy, epilepsy, autism, or any other condition other than mental illness found to be closely related to intellectual disability because this condition results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with intellectual disability and requires treatment or services similar to those required for these persons.

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(b) It is manifested before twenty-two years of age.

(c) It is likely to continue indefinitely.

(d) It results in substantial functional limitations in three or more of the following areas of major life activity: self-care, understanding and use of language, learning, mobility, self-direction, and capacity for independent living.

(17) "Residential programs" means services providing dwelling places to clients for an extended period of time with assistance for activities of daily living ranging from constant to intermittent supervision as required by the individual client's needs.

(18) "Revenues" or "its revenues" means revenue derived from paying clients at regional residential centers and community residences but does not include Medicaid, Medicare, or other federal funds received with the stipulation that they be used to provide services to clients.

(19) "Secretary" means the Secretary of Health and Policy.

(20) "State capital improvement bonds" means bonds issued pursuant to Act 1377 of 1968.

(21) "State Health Plan" means the state plan for health developed by the Secretary of Health and Policy.

~~Section 44-20-210. There is created the South Carolina Commission on Disabilities and Special Needs. The commission consists of seven members. One member must be a resident of each congressional district appointed by the Governor upon the advice and consent of the Senate. There is created the South Carolina Advisory Board of Intellectual and Related Disabilities. The advisory board consists of seven members appointed by the Secretary of Health and Policy. They shall serve for four years and until their successors are appointed and qualify. Members of the ~~commission~~ advisory board are subject to removal by the Governor pursuant to the provisions of Section 1-3-240 Secretary pursuant to the provisions of Section 44-12-50(B)(1). A vacancy may be filled by the ~~Governor~~ Secretary for the unexpired portion of the term.~~

~~Section 44-20-220. The commission shall determine the policy and promulgate regulations governing the operation of the department and the employment of professional staff and personnel. The members of the commission shall receive subsistence, mileage, and per diem as may be provided by law for members of state boards, committees, and commissions. The commission shall appoint and in its discretion remove a South Carolina Director of Disabilities and Special Needs who is the chief executive officer of the department. The commission may appoint advisory committees it considers necessary to assist in the effective~~

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~~conduct of its responsibilities. The commission may educate the public and state and local officials as to the need for the funding, development, and coordination of services for persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries and promote the best interest of persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries. The commission is authorized to promulgate regulations to carry out the provisions of this chapter and other laws related to intellectual disability, related disabilities, head injuries, or spinal cord injuries. In promulgating these regulations, the commission must consult with the advisory committee of the division for which the regulations shall apply. The advisory board shall advise the department on the policy and issues affecting the clients of the department. The members of the advisory board shall receive subsistence, mileage, and per diem as may be provided by law for members of state boards, committees, and commissions. The advisory board may appoint advisory committees it considers necessary to assist in the effective conduct of its responsibilities. The advisory board shall submit a written annual report to the director of any policy recommendations.~~

~~Section 44-20-230. Subject to the supervision, direction, and control of the commission, the director shall administer the policies and regulations established by the commission. The director may appoint and in his discretion remove all other officers and employees of the department subject to the approval of the commission. The department shall be headed by a director appointed by the Secretary. The director is subject to removal by the Secretary pursuant to the provisions of Section 44-12-50(B)(1). The director shall administer the policies and regulations of the department. Department employees have such general duties and receive such compensation as determined by the director, within the authority given by the Secretary. The director shall be responsible for the administration of state personnel policies and general personnel policies of the Secretary of Health and Policy. The director shall have the sole authority to employ and discharge employees subject to the personnel policies and funding available for that purpose.~~

~~Section 44-20-240. There is created the South Carolina Department of Disabilities and Special Needs Department of Intellectual and Related Disabilities, which has authority over all of the state's services and programs for the treatment and training of persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries, and autism. This authority does not include services delivered by other agencies of the State as prescribed by statute, unless the services are~~

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delivered pursuant to the State Health Plan enacted by the Secretary of Health and Policy. The department is authorized to promulgate regulations governing the operation of the department and to carry out the provisions of this chapter and other laws related to intellectual disability, related disabilities, head injuries, spinal cord injuries, and autism. Prior to the submission of these regulations, the department must receive approval from the Secretary of Health and Policy. The department must be comprised of an Intellectual Disability Division, an Autism Division, and a Head and Spinal Cord Injuries Division. The department may be divided into additional divisions as may be determined by the director and approved and named by the commission. Responsibility for all autistic services is transferred from the Department of Mental Health to the Department of Disabilities and Special Needs.

Section 44-20-250. The department shall coordinate services and programs with other state and local agencies for persons with intellectual disability, related disabilities, head injuries, ~~and spinal cord injuries,~~ and autism in accordance with the State Health Plan. The department may negotiate and contract with local agencies, ~~county boards of disabilities and special needs~~ intellectual and related disabilities boards, private organizations, and foundations in order to implement the planning and development of a full range of services and programs for persons with intellectual disability, related disabilities, head injuries, ~~and spinal cord injuries,~~ and autism, subject to law and the availability of fiscal resources. The department has the same right to be reimbursed for expenses in providing intellectual and related disabilities ~~and special needs~~ services through a contractual arrangement as it has to be reimbursed for expenses provided through direct departmental services. The department shall develop service standards for programs of the department and for programs for which the department may contract and shall review and evaluate these programs on a periodic basis. The department shall regularly provide to the Secretary a reporting on operation of the county intellectual and related disabilities boards to include information reported by the county boards to the department as required in Section 44-20-385.

Section 44-20-255. (A) Upon execution of the deed as provided in subsection (B) of this section, ownership of the tract of real property in Richland County described in Section 1 of Act 1645 of 1972 is confirmed in the Department of Intellectual and Related Disabilities as the successor agency to the South Carolina Department of Disabilities and Special Needs ~~as~~, the successor agency to the South Carolina Department of Mental Retardation.

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(B) The State Department of Administration shall cause to be executed and recorded an appropriate deed conveying the tract to the ~~South Carolina Department of Disabilities and Special Needs~~ Department of Intellectual and Related Disabilities.

(C) Proceeds of a subsequent sale of the tract that is the subject of this section may be retained by the ~~South Carolina Department of Disabilities and Special Needs~~ Department of Intellectual and Related Disabilities.

Section 44-20-260. The department, with funds available for these purposes, may conduct research to determine the causes, proper treatment, and diagnosis of intellectual disability, related disabilities, head injuries, ~~and~~ spinal cord injuries, and autism and may use facilities and personnel under its control and management for carrying out the research so long as the rights of the client are preserved and prior consent is obtained pursuant to Section 44-26-180.

Section 44-20-270. The department is designated as the state's intellectual disability, related disabilities, head injuries, ~~and~~ spinal cord injuries, and autism authority for the purpose of administering federal funds allocated to South Carolina for intellectual disability programs, related disability programs, head injury programs, ~~and~~ spinal cord injury programs, and autism programs. This authority does not include the functions and responsibilities granted to the South Carolina Department of ~~Public Health and Environmental Control~~ or to the South Carolina Department of Vocational Rehabilitation or the administration of the "State Hospital Construction and Franchising Act".

Section 44-20-280. The department may negotiate and contract with an agency of the United States or a state or private agency to obtain grants to assist in the expansion and improvement of services to persons with intellectual disability, related disabilities, head injuries, ~~or~~ spinal cord injuries, or autism and may expend the grants under the terms and conditions of the award.

Section 44-20-290. The director or his designee may employ at regional centers security guards who are vested and charged with the powers and the duties of peace officers. They may arrest felons and misdemeanants, eject trespassers, and, without warrant, arrest persons for disorderly conduct who are trespassers on the grounds of the regional center and have them tried in a court of competent jurisdiction. Officers so employed must be bonded and under the direct supervision of the South Carolina Law Enforcement Division and shall report directly to the director or his designee.

Section 44-20-300. The department may acquire motor vehicle

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liability insurance for employees operating department vehicles or private vehicles in connection with their official departmental duties to protect against liability.

Section 44-20-310. The department may sell timber from its forest lands with the proceeds from the sales to be deposited in the general fund of the State. Before a sale, the Department of Administration shall consult with the State Forester to determine the economic feasibility of the sale, and a sale must not be made without the approval of the department.

Section 44-20-320. The department or any of its programs may accept gifts, bequests, devises, grants, and donations of money, real property, and personal property for use in expanding and improving services to persons with intellectual disability, related disabilities, head injuries, ~~and~~ spinal cord injuries, ~~and~~ autism available to the people of this State. However, nothing may be accepted by the department with the understanding that it diminishes an obligation for paying care and maintenance charges or other monies due the department for services rendered. ~~The commission~~ department may formulate policies and promulgate regulations governing the disposition of gifts, bequests, devises, grants, and donations. If they are given to a specific service program of the department they must remain and be used for that program only or to its successor program.

Section 44-20-330. The department may grant easements, permits, or rights-of-way on terms and conditions it considers to be in the best interest of the State, across, over, or under land held by the department for the construction of water, sewer, drainage, natural gas, telephone, telegraph, and electric power lines.

Section 44-20-340. (A) A person, hospital, or other organization may provide information, interviews, reports, statements, written memoranda, documents, or other data related to the condition and treatment of a client or applicant to the department, and no liability for damages or other relief arises against the person, hospital, or organization for providing the information or material.

(B) All records pertaining to the identity of a person whose condition or treatment has been studied by the department are confidential and privileged information. However, upon the written request of the client, the client's or applicant's parent with legal custody, legal guardian, or spouse with the written permission of the client or applicant or under subpoena by a court of law, the department may furnish pertinent records in its possession to appropriate parties.

Section 44-20-350. (A) Reasonable reimbursement to the State for

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its fiscal outlay on behalf of services rendered by the department or any other agency authorized by the department to offer services to clients is a just obligation of the person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism, his estate, or his parent or guardian under the conditions and terms provided in this section.

(B) The department or an agency authorized by the department to offer services to clients may charge for its services. However, no service may be denied a client or his parent or guardian because of inability to pay part or all of the department's or other agency's expenses in providing that service. Where federal reimbursement is authorized for services provided, the department initially shall seek federal reimbursement. No charge or combination of charges may exceed the actual cost of services rendered. ~~The commission~~ the department shall approve the procedures established to determine ability to pay and may authorize its designees to reduce or waive charges based upon its findings.

(C) Parents, guardians, or other responsible relatives must not be charged for regional center or community residential services provided by the department for their child or ward. However, a person receiving nonresidential services or his parent or guardian may be assessed a charge for services received, not to exceed cost. ~~The department with the approval of the commission~~ may determine for which services it charges.

(D) The department shall establish a hearing and review procedure so that a client or his parent or guardian may appeal charges made for services or may present to officials of the department information or evidence to be considered in establishing charges. The department may utilize legal procedures to collect lawful claims.

(E) The department may establish by regulation charges for other services it renders.

Section 44-20-355. The department shall assess and collect a fee on all Intermediate Care Facilities for the persons with intellectual disability, as defined in Section 44-7-130(19). Providers holding licenses on these facilities shall pay to the department a fee equal to eight dollars and fifty cents a patient day in these facilities. The department shall pay all proceeds from the fee into the general fund of the State.

Section 44-20-360. (A) The physical boundaries of Midlands Center, Coastal Center, Pee Dee Center, and Whitten Center are designated as independent school districts. These facilities may elect to participate in the usual activities of the districts, to receive state and federal aid, and to utilize other benefits enjoyed by independent school

districts in general.

(B) The ~~commission~~ department operates as the board of trustees for these districts for administrative purposes, including the receipt and expenditure of funds granted to these districts for any purpose.

Section 44-20-365. No regional center of the department may be closed except as authorized by the General Assembly by law in an enactment that specifies by name the regional center to be closed.

Section 44-20-370. (A) The department shall:

(1) notify applicants when they have qualified under the provisions of this chapter;

(2) establish standards of operation and service for county ~~disabilities and special needs~~ intellectual and related disabilities programs funded in part or in whole by state appropriations to the department or through other fiscal resources under its control;

(3) review service plans submitted by county ~~boards of disabilities and special needs~~ intellectual and related disabilities boards and determine priorities for funding plans or portions of the plans subject to available funds;

(4) review county programs covered in this chapter;

(5) offer consultation and direction to county boards;

(6) take other action not inconsistent with the law to promote a high quality of services to persons with intellectual disability, related disabilities, head injuries, ~~or~~ spinal cord injuries, or autism and their families.

(B) The department shall seek to develop and utilize the most current and promising methods for the training of persons with intellectual disability, related disabilities, head injuries, ~~and~~ spinal cord injuries, and autism. It shall utilize the assistance, services, and findings of other state and federal agencies. The department shall disseminate these methods to county boards and programs providing related services.

Section 44-20-375. (A) Before July 1, 1992, county boards of intellectual and related ~~disabilities and special needs~~ must be created within a county or within a combination of counties by ordinance of the governing bodies of the counties concerned. The ordinance must establish the number, terms, appointment, and removal of board members and provide for their powers and duties in compliance with state law and the process for appointing board members which existed on January 1, 1991, must be preserved in the ordinance. However, where the county legislative delegation or county council recommends board members to the appointing authority, the delegation may transfer its authority to recommend to the council or the council may transfer its

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authority to the delegation. If there is a transfer, preservation of the authority to recommend existing on January 1, 1991, is not required, and the new recommending authority must be contained in the ordinance.

(B) County boards of intellectual and related disabilities ~~and special needs~~ established before January 1, 1991, shall continue to exist, operate, and function as they existed on January 1, 1991, until created by ordinance pursuant to subsection (A).

(C) After June 30, 1992, the department shall recognize only county boards of intellectual and related disabilities ~~and special needs~~ that plan, administer, or provide services to persons with intellectual disability, related disabilities, head injuries, ~~and~~ spinal cord injuries, and autism within a county or combination of counties which are created or established pursuant to this section, including those whose members are appointed by the Governor. A county board of intellectual and related disabilities ~~and special needs~~ created by ordinance before January 1, 1991, is considered created pursuant to this section, provided the ordinance includes and complies with the provisions of subsection (A).

(D) A county board of intellectual and related disabilities ~~and special needs~~ is a public entity.

(E) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.

(F) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996.

Section 44-20-378. A county board of intellectual and related disabilities ~~and special needs~~ established pursuant to Section 44-20-375 must consist of not less than five members. If the board is created within a combination of counties, the number of members representing each county must be proportional to the county's population in relation to the total population of the counties served by the board. However, a county participating in a multicounty board must not have less than two members. The term of the members is four years and until their successors are appointed and qualify. Vacancies for unexpired terms must be filled in the same manner as the original appointments. A member may be removed by the appointing authority for neglect of duty, misconduct, or malfeasance in office after being given a written statement of reasons and an opportunity to be heard.

Section 44-20-380. (A) ~~County disabilities and special needs boards~~ County intellectual and related disabilities boards are encouraged to utilize lawful sources of funding to further the development of appropriate community services to meet the needs of persons with intellectual disability, related disabilities, head injuries, ~~or~~ spinal cord

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injuries, or autism and their families.

(B) County boards may apply to the department for funds for community services development under the terms and conditions as may be prescribed by the department. The department shall review the applications and, with the approval of the Secretary and subject to state appropriations to the department or to other funds under the department's control, may fund the programs it considers in the best interest of service delivery to the citizens of the State with intellectual disability, related disabilities, head injuries, ~~or~~ spinal cord injuries, or autism.

(C) Subject to the approval of the department, county boards may seek state or federal funds administered by state agencies other than the department, funds from local governments or from private sources, or funds available from agencies of the federal government. The county boards may not apply directly to the General Assembly for funding or receive funds directly from the General Assembly.

Section 44-20-385. Subject to the provisions of this chapter and the regulations of the department each county ~~disabilities and special needs~~ intellectual and related disabilities board:

(1) is the administrative, planning, coordinating, and service delivery body for county disabilities and special needs services funded in whole or in part by state appropriations ~~to the department or funded from other sources under the department's control~~. It is a body corporate in deed and in law with all the powers incident to corporation including the power to incur debt insofar as that debt is payable from contract, grant, or other revenues and is not the debt of the State or its other political subdivisions. A county board may purchase and hold real and mortgage property and erect and maintain buildings. The department shall approve all debt of a county board to be paid in whole or in part from contract, grant, or other revenues provided by the State. However, the department has no responsibility for the debt so approved;

(2) shall submit an annual plan and projected budget to the department for approval and consideration of funding;

(3) shall review and evaluate on at least an annual basis the county ~~disabilities and special needs~~ board services provided pursuant to this chapter and report its findings and recommendations to the department;

(4) shall promote and accept local financial support for the county program from private and other lawful sources and promote public support from municipal and county sources;

(5) shall employ personnel and expend its budget for the direct delivery of services or contract with those service vendors necessary to carry out the county intellectual disability, related disabilities, head

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injuries, ~~and~~ spinal cord injuries, and autism services program who meet specifications prescribed by the department;

(6) shall plan, arrange, implement, and monitor working agreements with other human service agencies, public and private, and with other educational and judicial agencies;

(7) shall provide the department records, reports, and access to its sponsored services and facilities the department may require and submit its sponsored services and facilities to licensing requirements of the department or to the licensing requirements of other state or local agencies having this legal authority;

(8) shall represent the best interest of persons with intellectual disability, related disabilities, head injuries, ~~or~~ spinal cord injuries, or autism to the public, public officials, and other public or private organizations.

Section 44-20-390. (A) In order to provide assistance to families and individuals the department shall provide an initial intake and assessment service to a person believed to be in need of services and who makes application for them. An assessment must be provided ~~through diagnostic centers~~ at a diagnostic center of the department or a diagnostic center approved by the department. If upon completion of the assessment, the applicant is determined to have intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism, and be in need of services, he may become a client of the department and eligible for services. A service plan must be designated for each person assessed. A person determined to have intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism, and who chooses to become a client of the department, must be provided with the delivery or coordination of services by the department. A person determined not to have intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism may be provided by the department with referral and assistance in obtaining appropriate services or further evaluation.

(B) Service plans must recommend the services to assist the individual in developing to the fullest potential in the least restrictive environment available. The department shall determine the "least restrictive environment" and may contract with individuals or organizations for a reasonable sum as determined by the department to provide the services. The department shall review service plans of its clients at least periodically according to standards prescribing the frequency to ensure that appropriate services are being provided in the least restrictive environment available. The parents, the legal guardian, the client, and other appropriate parties must be included in the review.

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The department shall develop standards prescribing the service plan review.

(C) No individual believed to have intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism may be admitted to the services of the department until he has been examined at a diagnostic center of the department or a diagnostic center approved by the department and certified by the department on the basis of acceptable data to have intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism, ~~or~~ unless he is an infant at risk of a developmental disability and in need of the department's services.

(D) The applicant shall meet residency requirements in at least one of the following categories:

(1) The applicant or his spouse, parent, with or without legal custody, or legal guardian is domiciled in South Carolina.

(2) The applicant or his spouse, parent, with or without legal custody, or legal guardian lives outside South Carolina but retains legal residency in this State and demonstrates to the department's satisfaction his intent to return to South Carolina.

(3) The applicant or his spouse or parent, with or without legal custody, or legal guardian is a legal resident of a state which is an active member of the Interstate Compact on Mental Health and qualifies for services under it.

Section 44-20-400. Upon the written request of the person, the person's parents, parent with legal custody, or lawful custodian or legal guardian and subject to the availability of suitable accommodations and services, a person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism may be admitted to the services of the department for evaluation and diagnosis and shall remain in the residential services of the department for that period required to complete the diagnostic study. However, this period may not exceed thirty days except upon approval of the director or his designee. Individuals admitted under the provisions of this section are subject to the same regulations and departmental policies as regular admissions. The department may prescribe the form of the written application for diagnostic services.

Section 44-20-410. A person who is determined to be eligible for services is subject to the following considerations regarding his order of admission to services and programs:

(1) relative need of the person for special training, supervision, treatment, or care;

(2) availability of services suitable to the needs of the applicant.

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Section 44-20-420. The director or his designee may designate the service or program in which a client is placed. The appropriate services and programs must be determined by the evaluation and assessment of the needs, interests, and goals of the client. The designation must align with the State Health Plan.

Section 44-20-430. The director or his designee has the final authority over applicant eligibility, determination, or services and admission order, subject to policies adopted by the ~~commission~~ Secretary, and direction as specified in the State Health Plan.

Section 44-20-440. Subject to the availability of suitable services and programs and subject to the provisions of “Requirement for Admission to Services”, “Order in which Person May be Admitted”, and “Final Authority over Eligibility”, the director or his designee may admit a client to the services of the department upon the written request of the parents of the person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism, a parent with legal custody, spouse, lawful custodian or legal guardian, or the person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism seeking to be admitted to the department's services if the person is twenty-one years of age or over and competent to make the decision. The department shall prescribe the form of the application for services.

B. Chapter 20, Title 44 of the S.C. Code is amended by adding:

Section 44-20-372. (A) The department shall develop and initiate negotiation of the service contracts through which it provides funds to service providers to accomplish the purposes set forth in this chapter. The department may, notwithstanding any provision of law to the contrary, disburse state and federal funds appropriated to it for intellectual and related disabilities services directly to the service provider.

(B) The service contract shall:

(1) delineate the responsibilities of the department and the service provider;

(2) specify conditions that must be met for the receipt of state and federal funds;

(3) identify the groups of individuals to be served with state and federal funds;

(4) contain specific outcome measures for individuals receiving services, provider performance measures, satisfaction measures for individuals receiving services, and participation and involvement measures for individuals receiving services and their family members;

(5) contain provisions that enable the department to enforce the

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service contract in the event that the service provider fails to substantially comply with the requirements of its service contract, which shall include:

(a) provisions to ensure that the service provider is notified when it fails to substantially comply with the requirements of its service contract;

(b) a remediation process to allow the service provider, after failing to substantially comply with its service contract, to come into substantial compliance with its service contract;

(c) provisions for withholding or reducing funds, repayment of funds, or termination of all or part of a service contract in accordance with the provisions of subsection (E) in the event that the service provider fails to come into substantial compliance with the provisions of its service contract despite utilization of the remediation process described in subsection (B); and

(d) provisions for appeal of an enforcement action undertaken by the department; and

(6) include requirements for the service provider to report specific information about (i) its revenues, costs, and services; (ii) individuals served; and (iii) any other information deemed necessary by the department, which must be displayed in a consistent, comparable format developed by the department.

(C) The department shall develop and implement a process for regular, ongoing monitoring of the performance of service providers to ensure compliance with the requirements of service contracts entered into pursuant to this section.

(D) If a service provider fails to comply with the requirements of its service contract, the department shall utilize the remediation process described in the service contract to allow the service provider to come into compliance. The department shall notify the service provider upon initiation of the remediation process and provide regular updates regarding the service provider's progress toward coming into compliance. If a service provider fails to come into compliance after utilization of the remediation process, the Department shall, after affording the service provider an adequate opportunity to use the appeal process described in the service contract, terminate all or a portion of the service contract.

(E) Upon terminating all or a portion of a service contract pursuant to subsection E, the Department may, negotiate a performance contract with another service provider to obtain services that were the subject of the terminated performance contract.

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(F) No service provider is eligible to receive state or federal funds for intellectual and related disabilities services, unless (i) its performance contract has been approved or renewed by the department; (ii) it provides service, cost, and revenue data and information, and aggregate and individual data and information about individuals receiving services to the department in the format prescribed by the department; (iii) it uses standardized cost accounting and financial management practices approved by the department, and (iv) the service provider is in compliance with its service contract or is making progress to become compliant through the department's remediation process.

C. Section 44-20-490(A) of the S.C. Code is amended to read:

(A) When the department determines that a client may benefit from being placed in an employment situation, the department shall regulate the terms and conditions of employment, shall supervise persons with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism so employed, and may assist the client in the management of monies earned through employment to the end that the best interests of the client are served.

D. Section 44-20-510 of the S.C. Code is amended to read:

Section 44-20-510. Placement of a person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism in a program of the department does not preclude his attendance in community-based public school classes when the individual qualifies for the classes.

SECTION 17.A. Section 44-20-710 of the S.C. Code is amended to read:

Section 44-20-710. No day program in part or in full for the care, training, or treatment of a person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism may deliver services unless a license first is obtained from the department. For the purpose of this article "in part" means a program operating for ten hours a week or more. Educational and training services offered under the sponsorship and direction of school districts and other state agencies are not required to be licensed under this article.

B. Section 44-20-740 of the S.C. Code is amended to read:

Section 44-20-740. No day program may accept a person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism for services other than those for which it is licensed. No program may serve more than the number of clients as provided on the license. An applicant for a license shall file an application with the department in a form and under conditions the department may

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prescribe. The license must be issued for up to three years unless sooner suspended, revoked, or surrendered. The license is not transferable and must not be assigned.

C. Section 44-20-900(A) of the S.C. Code is amended to read:

(A) The department, in accordance with the laws of the State governing injunctions and other processes, may maintain an action in the name of the State against a person for establishing, conducting, managing, or operating a day program for the care, training, and treatment of a person with intellectual disability, a related disability, head injury, ~~or~~ spinal cord injury, or autism without obtaining a license as provided in this article. In charging a defendant in a complaint in the action, it is sufficient to charge that the defendant, upon a certain day and in a certain county, provided day program services without a license, without averring more particular facts concerning the charge.

SECTION 18. Article (7), Chapter 20, Title 44 of the S.C. Code is amended to read:

Article 7

Capital Improvements ~~for Disabilities and Special Needs~~

Section 44-20-1110. The department has authority for all of the state's ~~disabilities and special needs~~ intellectual and related disabilities services and programs.

~~—Section 44-20-1120. The commission may raise monies for the construction of improvements under the terms and conditions of this article.~~

Section 44-20-1130. The aggregate of the outstanding principal amounts of state capital improvement bonds issued for the ~~commission~~ department may not exceed twenty million dollars.

Section 44-20-1140. If the ~~commission~~ department determines that improvements are required for a residential regional center or community facility, it may make application for them to the State Fiscal Accountability Authority or Department of Administration, as appropriate. The application must contain:

- (1) a description of the improvements sought and their estimated cost;
- (2) the number of paying clients receiving services from the department, the amount of fees received from the clients during the preceding fiscal year, and the estimated amount to be received from them during the next succeeding fiscal year;
- (3) the revenues derived from the paying clients during the preceding three fiscal years;
- (4) a suggested maturity schedule, which may not exceed twenty

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years, for the repayment of monies to be made available to the commission for state capital improvement bonds;

(5) a statement showing the debt service requirements of other outstanding obligations.

Section 44-20-1150. The State Fiscal Accountability Authority or Department of Administration, as appropriate, may approve, in whole or in part, or may modify an application received from the ~~commission department~~. If it finds that a need for the improvements sought by the ~~commission department~~ exists, it may contract to make available to the ~~commission department~~ funds to be realized from the sale of state capital improvements bonds if it finds that the revenues for the preceding fiscal year, if multiplied by the number of years, which may not exceed twenty, contemplated by the suggested or revised maturity schedule for the repayment of the monies to be made available to the ~~commission department~~, result in the production of a sum equal to not less than one hundred twenty-five percent of the aggregate principal and interest requirement of all outstanding obligations and all obligations to be incurred by the ~~commission department~~.

Section 44-20-1160. Upon receiving the approval of the State Fiscal Accountability Authority or Department of Administration, as appropriate, the ~~commission department~~ shall obligate itself to apply all monies derived from its revenues to the payment of the principal and interest of its outstanding obligations and those to be issued and to deliver to the county board its obligations.

Section 44-20-1170. (A) Following the execution and delivery of its obligations, the ~~commission department~~ shall remit to the State Treasurer all its revenues, including accumulated revenues not applicable to prior obligations, for credit to a special fund. The special fund must be applied to meet the sums due by the ~~commission department~~ under its obligations. These monies from the special fund must be applied by the State Treasurer to the payment of the principal of and interest on outstanding state capital improvement bonds.

(B) If the accumulation of revenues of the ~~commission department~~ in the special fund exceeds the payment due or to become due during the then current fiscal year and an additional sum equal to the maximum annual debt service requirement of the obligations for a succeeding fiscal year, the State Fiscal Accountability Authority or the Department of Administration, as applicable, may permit the ~~commission department~~ to withdraw the excess and apply it to improvements that have received the approval of the ~~authority or department~~ State Fiscal Accountability Authority or the Department of Administration, as applicable, or to

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transfer the excess out of the special fund for contract awards to ~~local disabilities and special needs boards~~ county intellectual and related disabilities boards for needed improvements at the local level and for nonrecurring prevention, assistive technology, and quality initiatives at the regional centers and ~~local county~~ boards.

SECTION 19.A. Section 43-21-10 of the S.C. Code is amended to read:

Section 43-21-10. There is created the Department on Aging. The department must be supported by an Advisory Council on Aging consisting of one member from each of the ten planning and service areas and five members from the State at large. The director of the department shall provide statewide notice that nominations may be submitted to the director from which the ~~Governor~~ Secretary of Health and Policy shall appoint the members of the council. The members must be citizens of the State who have an interest in and a knowledge of the problems of an aging population. In making appointments to the council, consideration must be given to assure that the council is composed of appointees who are diverse in age, who are able and disabled, and who are active leaders in organizations and institutions that represent different concerns of older citizens and their families. The chair must be elected by the members of the advisory council from its members for a term of two years and until a successor is elected. Members of the council shall serve without compensation but shall receive mileage and subsistence authorized by law for members of boards, commissions, and committees. The advisory council shall meet at least once each quarter and special meetings may be called at the discretion of the director of the department. Rules and procedures must be adopted by the council for the governance of its operations and activities.

B. Section 43-21-20 of the S.C. Code is amended to read:

Section 43-21-20. The members of the advisory council shall serve for terms of four years and until their successors are appointed and qualify. The terms of the members expire on June thirtieth and all vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. No member may serve more than two consecutive terms.

The ~~Governor~~ Secretary of Health and Policy may terminate a member of the council for any reason pursuant to the provisions of ~~Section 13-240, and the reason for the termination must be communicated to each member of the council~~ Section 44-12-50(B)(1).

C. Section 43-21-40 of the S.C. Code is amended to read:

Section 43-21-40. The department shall be the designated state

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agency to implement and administer all programs of the federal government relating to the aging, requiring acts within the State which are not the specific responsibility of another state agency under the provisions of federal or state law. The department may accept and disburse any funds available or which might become available pursuant to the purposes of this chapter, upon approval from the Secretary of Health and Policy.

The department shall study, investigate, plan, promote, and execute a program to meet the present and future needs of aging citizens of the State, in accordance with the State Health Plan, and it shall receive the cooperation of other state departments and agencies in carrying out a coordinated program.

It shall also be the duty of the department to encourage and assist in the development of programs for the aging in the counties and municipalities of this State. It shall consult and cooperate with the Secretary of Health and Policy, with public and voluntary groups, with county and municipal officers and agencies, and with any federal or state agency or officer for the purpose of promoting cooperation between state and local plans and programs, and between state and interstate plans and programs for the aging.

Without limiting the foregoing, the department is specifically authorized to:

(a) initiate requests for the investigation of potential resources and problems of the aging people of the State, encourage research programs, initiate pilot projects to demonstrate new services, and promote the training of personnel for work in the field of aging;

(b) promote community education in the problems of older people through institutes, publications, radio, television, and the press;

(c) cooperate with, encourage, and assist local groups, both public and voluntary, which are concerned with the problems of the aging;

(d) encourage the cooperation of agencies in dealing with problems of the aging and offer assistance to voluntary groups in the fulfillment of their responsibility for the aging;

(e) serve as a clearinghouse for information in the field of aging;

(f) appoint such committees as it deems necessary for carrying out the purposes of this chapter, such committee members to serve without compensation;

(g) engage in any other activity deemed necessary by the department to promote the health and well-being of the aging citizens of this State, not inconsistent with the purposes of this chapter or the public policies of the State, including the State Health Plan;

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(h) certify homemakers and home health aides pursuant to the Federal Omnibus Budget Reconciliation Act of 1987 and subsequent amendments to that act and through regulations promulgated in accordance with the Administrative Procedures Act establish and collect fees for the administration of this certification program. Fees collected must be placed on deposit with the State Treasurer. Accounting records must be maintained in accordance with the Comptroller General's policies and procedures. Unused fees may be carried forward to the next fiscal year for the same purpose;

(i) award grants and contracts to public and private organizations for the purpose of planning, coordinating, administering, developing, and delivering aging programs and services;

(j) designate area agencies on aging as required by the Older Americans Act;

(k) administer the Senior Citizens Center Permanent Improvement Fund established pursuant to Section 12-21-3441 and community services programs in accordance with Section 12-21-3590.

D.Sections 43-21-60 through 43-21-140 of the S.C. Code are amended to read:

Section 43-21-60. The Department on Aging shall submit an annual report to the Secretary of Health and Policy, the Governor, and ~~to the~~ General Assembly on or before January first of each year. The report shall deal with the present and future needs of the elderly and with the work of the department during the year.

Section 43-21-70. ~~The Governor~~ Secretary of Health and Policy shall appoint ~~with the advice and consent of the Senate~~ a director to be the administrative officer of the Department on Aging who shall serve at the ~~Governor's~~ Secretary's pleasure and who is subject to removal pursuant to the provisions of ~~Section 1-3-240~~ Section 44-12-50(B)(1).

Section 43-21-80. ~~The director shall appoint any other personnel and consultants considered necessary for the efficient performance of the duties prescribed by this chapter and shall fix the compensation therefore in accordance with the Human Resource Management Division of the State Department of Administration and Merit System requirements. The director shall administer the policies and regulations of the department. Department employees shall have such general duties and receive such compensation as determined by the director, within the authority given by the Secretary. The director shall be responsible for the administration of state personnel policies and general personnel policies of the Executive Office of Health and Policy. The director shall have sole authority to employ and discharge employees subject to such~~

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personnel policies and funding available for that purpose.

~~—Section 43-21-100. The Department on Aging shall prepare the budget for its operation which must be submitted to the Governor and to the General Assembly for approval.~~

~~—Section 43-21-110. The General Assembly shall provide an annual appropriation to carry out the work of the commission.~~

~~—Section 43-21-120. There is created the Coordinating Council to the Department on Aging to work with the department on the coordination of programs related to the field of aging, and to advise and make pertinent recommendations, composed of the following: the Director of the Department of Health and Environmental Control, the State Director of Social Services, the Director of the Department of Mental Health, the Superintendent of Education, the Director of the State Department of Labor, Licensing and Regulation, the Executive Director of the South Carolina State Department of Employment and Workforce, the Secretary of Commerce, the Commissioner of the State Department of Vocational Rehabilitation, the Director of the Clemson University Extension Service, the Director of the South Carolina Department of Parks, Recreation and Tourism, the Director of the South Carolina Retirement System, the Executive Director of the South Carolina Municipal Association, the Executive Director of the State Office of Economic Opportunity, the Executive Director of the South Carolina Association of Counties, the Commissioner of the Commission for the Blind, the Director of the Department of Health and Human Services, the Director of the Department of Alcohol and Other Drug Abuse Services, and the Chairperson of the Commission on Women.~~

~~—The council shall meet at least once each six months and special meetings may be called at the discretion of the chairman or upon request of a majority of the members.~~

~~—The chairman of the advisory commission and the director of the Department on Aging, who shall serve as secretary to the council, shall attend the meetings of the council.~~

~~—The director of each agency or department making up the council shall serve as chairman of the council for a term of one year. The office of chairman is held in the order in which the membership of the council is listed in this section.~~

Section 43-21-130. (A) There is created the Long Term Care Council (council) composed of the following voting members:

- (1) the ~~Governor or his designee~~ Long Term Care Ombudsman;
- (2) the Director of the Department of Social Services;
- (3) the Director of the Department of Public Health ~~and~~

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Environmental Control;

(4) the Director of the Department of ~~Mental Health~~ Behavioral Health and Substance Abuse Services;

(5) the Director of the Department of Intellectual and Related Disabilities and Special Needs;

(6) the Director of the ~~Division~~ Department on Aging;

(7) the Director of the Department of ~~Health and Human Services~~ Financing;

— (8) the Chairman of the Joint Legislative Health Care Planning and Oversight Committee, or his designee;

— (9) the Chairman of the Joint Legislative Committee on Aging, or his designee;

— (10) one representative of each of the following groups appointed by the Lieutenant Governor annually:

— (a) long term care providers;

— (b) long term care consumers;

— (c) persons in the insurance industry developing or marketing a long term care product.

(8) one representative of each of the following groups appointed by the Secretary of Health and Policy annually:

(a) long term care providers;

(b) long term care consumers;

(c) persons in the insurance industry developing or marketing a long term care product.

(B) Each director serving as a council member may authorize in writing a designee to vote on his behalf ~~at two meetings a year~~. Members appointed by the ~~Lieutenant Governor~~ Secretary to represent private groups serve without compensation.

(C) The council shall meet at least quarterly, provide for its own officers, and make an annual report to the Secretary of Health and Policy, the Governor, and the General Assembly before January second each year. This report must include new council recommendations.

Section 43-21-140. The council has no authority to direct or require any implementing action from any member agency. The council shall identify future policy issues in long term care and may conduct research and demonstration activities related to these issues. Through close coordination of each member agency's planning efforts, the council shall develop recommendations for a statewide service delivery system for all health-impaired elderly or disabled persons, regardless of the persons' resources or source of payment in furtherance of the State Health Plan. These recommendations must be updated annually as needed. The

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service delivery system must provide for:

- (1) charges based on ability to pay for persons not eligible for Medicaid;
- (2) coordination of community services;
- (3) access to and receipt of an appropriate mix of long term care services for all health-impaired elderly or disabled persons;
- (4) case management; and
- (5) discharge planning and services.

The council, through its member agencies, shall study and make recommendations concerning the costs and benefits of: adult day care centers, in-home and institutional respite care, adult foster homes, incentives for families to provide in-home care, such as cash assistance, tax credits or deductions, and home-delivered services to aid families caring for chronically impaired elderly relatives.

SECTION 20. Section 48-6-60(A) of the S.C. Code is amended to read:

(A) The Department of Environmental Services may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

- (1) the classification of waters;
- ~~— (2) the control of disease bearing insects, including the impounding of waters;~~
- ~~(3)~~(2) the control of industrial plants, including the protection of workers from fumes, gases, and dust, whether obnoxious or toxic;
- ~~(4)~~(3) the use of water in air humidifiers;
- ~~(5)~~(4) the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town, or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction, or otherwise; ~~and~~
- ~~(6)~~(5) the alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes; ~~;~~
- (6) the safety and sanitation regarding harvesting, storing, processing, handling, and transportation of mollusks, fin fish, and crustaceans; and
- (7) the safety, safe operation, and sanitation of public swimming pools and other public bathing places, construction, tourist and trailer camps, and fairs.

SECTION 21. This act takes effect upon approval by the Governor.

Renumber sections to conform.

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Amend title to conform.

Rep. JORDAN explained the amendment.

The amendment was then adopted.

Rep. Pace proposed the following Amendment No. 2 to S. 915 (LC-915.VR0019H), which was ruled out of order:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. This act may be cited as the “Medical Freedom Act.”

SECTION 2. Chapter 17, Title 16 of the S.C. Code is amended by adding:

Section 16-17-780. (A) For purposes of this section:

(1) “Novel vaccine” means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years; and

(2) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(3) “Indemnified product” means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) It is unlawful for any person, partnership, for-profit or non-profit corporation, limited liability corporation, colleges, schools, or the State and its political subdivisions and their agents that employ one or more employees to mandate employees, contractors, students, patrons, customers, clients, or guests to receive a novel vaccine, indemnified product, or gene therapy described in this section as a precondition for employment, entry into buildings and grounds, attendance, participation, or purchase or receipt of any products and services offered.

(C) A person who violates the provisions of this section:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both;

(2) for a second offense, is guilty of a misdemeanor and, upon

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conviction, must be fined not more than two thousand five hundred dollars or imprisoned for not more than three years or both; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

SECTION 3. Chapter 1, Title 41 of the S.C. Code is amended by adding:

Section 41-1-55. (A) As used in this section:

(1) "Agent" means any former supervisor or the employer's designee.

(2) "Employer" means any person, partnership, for-profit or non-profit corporation, limited liability corporation, or the State and its political subdivisions and their agents that employ one or more employees.

(3) "Employee" means any person employed by an employer.

(4) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(5) "Novel vaccine" means a vaccine which has obtained emergency use authorization, which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years; and

(6) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

(7) "Indemnified product" means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) Employers are prohibited from taking any adverse pre-employment or employment action including, but not limited to, discrimination, termination, suspension, involuntary reassignment, unpaid leave, demotion, harassment, coercion, or retaliation against an individual who declines to receive a novel vaccine, indemnified product, or gene therapy as defined in this section.

(C) If an employer violates the provisions of this section, an aggrieved employee shall have the right to apply for and receive unemployment benefits subject to the benefit amounts, duration, and

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requirements provided in Article 1, Chapter 35, Title 41, as well as back pay, front pay, lost wages, consequential damages, emotional damages, court and litigation costs, and attorney's fees.

(D) If an employer willfully or maliciously discriminates or commits a violation of this section, they shall also be liable to the employee or prospective employee for punitive damages in the treble amount of the actual damages awarded.

SECTION 4. Section 40-43-86(E) of the S.C. Code is amended to read:

(E)(1) A prescription drug order shall contain at a minimum, the:

~~(1)(a)~~ full name and address of the patient;

~~(2)(b)~~ name, address, telephone number, and degree classification of the prescriber; license number, and Drug Enforcement Agency registration number of the prescribing practitioner where required by law;

~~(3)(c)~~ date of issuance;

~~(4)(d)~~ name, strength, dosage form, and quantity of drug prescribed;

~~(5)(e)~~ directions for use;

~~(6)(f)~~ number of refills authorized. No prescription marked "PRN" or any other unspecified number of refills may be refilled more than two years beyond the date it was originally written. ~~Nothing in this subsection abridges the right of a pharmacist to refuse to fill or refill a prescription; and~~

~~(7)(g)~~ a written order signed by the prescriber, which shall bear the name of the patient; name, strength, and quantity of the drug or device prescribed; directions for use; date of issue; and, either rubber stamped, typed, printed by hand, or typeset, the name, address, telephone number, and degree classification of the prescriber; and, if a controlled substance is prescribed, the prescriber's federal registration number;

~~(8)(h)~~ only one drug and set of instructions for each blank, if preprinted; and

~~(9)(i)~~ a chart order is exempt from the requirements of this subsection.

(2) A pharmacist may refuse to fill or refill a prescription when:

(a) a contradiction is detected in the patient's records;

(b) patterns of narcotic abuse are observed in the patient's records;

(c) the order is not complete or unclear;

(d) the pharmacist objects to filling the prescription for religious, moral, or ethical reasons pursuant to the Medical Ethics and

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Diversity Act, Title 44, Chapter 139. Nothing in this subsection allows pharmacists to deny “right to try” prescriptions as defined in Section 44-137-10; or

(e) the prescription is for off label use of the prescribed drug, during a state of emergency declared by the Governor, and the patient is unable to pay for the prescription in cash. For the purposes of this subitem, “off label use” means the practice of prescribing a prescription drug for a different purpose than the federal Food and Drug Administration’s approved purpose.

SECTION 5. Section 44-1-100 of the S.C. Code is amended to read:

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns ~~must~~ may aid and assist the Director of the Department of Public Health and Environmental Control and ~~must~~ may carry out and obey his orders, or those of the Department of Public Health and Environmental Control, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed. ~~During~~ during a state of public health emergency, as defined in Section 44-4-130, ~~the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44.~~

SECTION 6. Section 44-4-130 of the S.C. Code is amended to read:

Section 44-4-130. As used in the chapter:

(A) “Biological agent” means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) “Bioterrorism” means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) “Chemical agent” means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) “Chemical terrorism” means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) “Chain of custody” means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing,

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and transporting the specimens and reporting test results.

(F) ~~“Commissioner”~~ “Director” means the ~~Commissioner~~ Director of the Department of Public Health and Environmental Control.

(G) “Contagious disease” is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) “Coroners, medical examiners, and funeral directors” have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~“DHEC”~~ “Department” means the Department of Public Health and Environmental Control, or any person authorized to act on behalf of the Department of Public Health and Environmental Control.

(J) “Facility” means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

(K) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~(L) “Health care facility” means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

~~(L)~~(M) “Health care provider” means any person or entity who provides health care services including, but not limited to, hospitals, medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory

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technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

~~(M)~~(N) “Infectious disease” is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

~~(N)~~(O) “Isolation” and “quarantine” mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit the transmission of the disease to others; if the context so requires, “quarantine” means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. “Isolation” means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

~~(O)~~(P) “Protected health information” means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

~~(P)~~(Q) “Public health emergency” means the occurrence or imminent risk of a qualifying health condition.

~~(Q)~~(R) “Public safety authority” means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

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~~(R)~~(S) “Qualifying health condition” means:

(1) a natural disaster; or

—~~(2)~~an illness or health condition that may be caused by terrorism, epidemic or pandemic disease, widespread illness, or a novel infectious agent or biological or chemical agent and that poses a substantial risk of a significant number of human fatalities, ~~or serious economic impact to the agricultural sector, including food supply.~~ or incidents of permanent or long-term disability.

~~(S)~~(T) “Radioactive material” means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

~~(F)~~(U) “Radiological terrorism” means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

~~(U)~~(V) “Specimens” include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

~~(V)~~(W) “Tests” include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

~~(W)~~(X) “Trial court” is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health.

(Y) “Vaccine” means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

SECTION 7. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person or person who has been exposed to the

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contagious disease for which the public health emergency has been declared whose refusal of physical examination or testing results in uncertainty regarding whether he or she has been exposed to or is infected with a the contagious disease or possibly contagious disease or otherwise poses a danger to public health.

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

SECTION 8. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

(2) to treat persons exposed to or infected with disease; and

(3) to ~~prevent the spread of contagious or possibly contagious disease, DHEC may~~ isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason (including, but not limited to, health, religion, or conscience) to undergo vaccination or treatment pursuant to this section.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~ provide informed consent to the vaccinations or treatment, or both.

(C)(1) ~~Vaccination~~ Vaccinations may be performed by any qualified person authorized by ~~DHEC~~the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, “informed consent” means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

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(1) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(2) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(3) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7); and

(4) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion.

(F) The safety and efficacy of vaccines, tests, and treatments performed and administered as provided in this section must be reviewed and adverse events monitored by the department. References to evidence-based data determined to validate vaccines, tests, and treatments including, but not limited to VAERS data, must be prominently posted on the department's public website.

SECTION 9. Section 44-4-530 of the S.C. Code is amended to read:

Section 44-4-530. (A) During a public health emergency, ~~DHEC~~ the department may isolate or quarantine an individual or groups of individuals who have been diagnosed with or exposed to the contagious disease for which the public health emergency was declared. This includes individuals or groups who have not been vaccinated, treated, tested, or examined pursuant to Sections 44-4-510 and 44-4-520. ~~DHEC~~ The department may also establish and maintain places of isolation and quarantine, ~~and~~ set rules, and make orders.

(B) ~~DHEC~~ The department must adhere to the following conditions and principles when isolating or quarantining individuals or groups of individuals:

(1) isolation and quarantine must be by the least restrictive means necessary to prevent the ~~spread-transmission of a~~ contagious or possibly contagious disease to others and may include, but are not limited to, confinement to private homes or other private and public premises;

(2) individuals isolated because of objective evidence of infection or contagious disease must be confined separately from quarantined asymptomatic individuals;

(3) the health status of isolated and quarantined individuals must be monitored regularly to determine if they require isolation or quarantine;

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(4) an asymptomatic quarantined individual must be confined for no more than twenty-one days;

~~(4)(5)~~ if a quarantined individual becomes infected or is reasonably believed to be infected with a the contagious ~~or possibly contagious~~ disease, he or she must be promptly removed to isolation;

~~(5)(6)~~ isolated and quarantined individuals must be immediately released when they no longer pose a substantial risk of transmitting a contagious ~~or possibly contagious~~ disease to others;

~~(6)(7)~~ the needs of persons isolated and quarantined must be addressed in a systematic and competent fashion including, but not limited to, providing adequate food, clothing, shelter, means of communication with those in isolation or quarantine and outside these settings, medication, and competent medical care;

~~(7)(8)~~ premises used for isolation and quarantine must be maintained in a safe and hygienic manner and be designed to minimize the likelihood of further transmission of infection or other harms to persons isolated or quarantined; ~~and~~

~~(8)(9)~~ to the extent possible, cultural and religious beliefs must be considered in addressing the needs of the individuals and establishing and maintaining isolation and quarantine premises; ~~;~~ and

(10) individuals who have recovered from the contagious disease must not be separated from quarantined or isolated family members.

(C) A person subject to isolation or quarantine must comply with ~~DHEC's~~ the department's rules and orders, and must not go beyond the isolation or quarantine premises. Failure to comply with these rules and orders constitutes a ~~felony~~ misdemeanor and, upon conviction, a person must be fined not more than ~~one thousand~~ two hundred dollars or imprisoned not more than thirty days, ~~or both.~~

(D)(1) ~~DHEC~~ The department may authorize physicians, health care workers, or others access to individuals in isolation or quarantine as necessary to meet the needs of isolated or quarantined individuals.

~~(2) No person, other than a person authorized by DHEC, shall enter isolation or quarantine premises. Failure to comply with this provision constitutes a felony and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.~~

~~(3)(2)~~ A person entering an isolation or quarantine premises with or without authorization ~~of DHEC~~ from the department may be isolated or quarantined as provided for in this chapter.

~~(4)(3)~~ The public safety authority and other law enforcement officers may arrest, isolate, or quarantine an individual who is acting in

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violation of an isolation or quarantine order after the order is given to the individual pursuant to Section 44-4-540(B)(3) ~~or after the individual is provided notice of the order. In a case where an individual is not the subject of an isolation or quarantine order under Section 44-4-540, law enforcement officers may provide written or verbal notice of the order.~~ Law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of isolation or quarantine ~~rules orders~~ after the ~~rules orders~~ are established and the individual is given written ~~or verbal~~ notice of the ~~rules orders~~. An arrest warrant or ~~an additional~~ isolation or quarantine order is not required for arrest, isolation, or quarantine under Section 44-4-530(D)~~(4)~~(3).

(E) An employer may not fire, demote, or otherwise discriminate against an employee complying with an isolation or quarantine order issued pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540; however, nothing in this section prohibits an employer from requiring an employee to use annual or sick leave to comply with such an order.

SECTION 10. Section 44-4-540 of the S.C. Code is amended to read:

Section 44-4-540. (A) During a public health emergency, the isolation and quarantine of an individual or groups of individuals must be undertaken in accordance with the procedures provided in this section.

~~—(B)(1) The DHEC~~Department of Public Health may temporarily isolate or quarantine an individual or groups of individuals through an emergency order signed by the commissioner or his designee, if delay in imposing the isolation or quarantine would significantly jeopardize ~~DHEC's~~the department ability to prevent or limit the transmission of a contagious or possibly contagious disease to others.

(2) The emergency order must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, if known; and (v) a copy of Article V of this act and relevant definitions of this act.

(3) A copy of the emergency order must be given to the individual(s) or groups of individuals to be isolated or quarantined, or if impractical to be given to a group of individuals, it may be posted in a conspicuous place in the isolation or quarantine premises.

(4) Within ~~ten~~five days after issuing the emergency order, ~~DHEC~~the department must file a petition pursuant to subsection (C) of this section for a court order authorizing the continued isolation or

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quarantine of the isolated or quarantined individual or groups of individuals.

(C)(1) ~~DHEC~~The department may make a written petition to the trial court for an order authorizing the isolation or quarantine of an individual or groups of individuals.

(2) A petition under subsection (C)(1) must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, ~~if known~~; and (v) a statement of compliance with the conditions and principles for isolation or quarantine of Section 44-4-530(B); and (vi) a statement of the basis upon which isolation or quarantine is justified in compliance with this article. The petition must be accompanied by a sworn affidavit ~~of DHEC~~from the department attesting to the facts asserted in the petition, together with any further information that may be relevant and material to the court's consideration.

(3) Notice to individuals or groups of individuals identified in the petition must be accomplished within twenty-four hours in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(4) A hearing must be held on any petition filed pursuant to this subsection within five days of filing of the petition. ~~In extraordinary circumstances and for good cause shown, DHEC may apply to continue the hearing date on a petition filed pursuant to this section for up to ten days, which continuance the court may grant in its discretion giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence.~~

(5)(a) The court must grant the petition if, by a preponderance of the evidence, isolation or quarantine is shown to be reasonably necessary to prevent or limit the transmission of a contagious ~~or possibly contagious~~ disease.

(b) An order authorizing isolation or quarantine may do so for a period not to exceed ~~30~~ the maximum number of days allowed pursuant to Section 44-4-530.

(c) The order must: (i) identify the isolated or quarantined individuals or groups of individuals by name or shared or similar characteristics or circumstances; (ii) specify factual findings warranting isolation or quarantine pursuant to this act; (iii) include any conditions necessary to ensure that isolation or quarantine is carried out within the

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stated purposes and restrictions of this act; and (iv) served on affected individuals or groups of individuals in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(d) Prior to the expiration of an order issued pursuant to this item, ~~DHEC~~ the department may move to continue the isolation or quarantine for additional periods not to exceed thirty days each. The court must consider the motion in accordance with standards set forth in this item.

(D)(A)(1) An individual or group of individuals isolated or quarantined pursuant to this act may apply to the trial court for an order to show cause why the individual or group of individuals should not be released. The court must rule on the application to show cause within forty-eight hours of its filing. If the court grants the application, the court must schedule a hearing on the order to show cause within twenty-four hours from issuance of the order to show cause. The issuance of the order to show cause does not stay or enjoin the isolation or quarantine order.

(2)(a) An individual or group of individuals isolated or quarantined pursuant to this act may request a hearing in the trial court for remedies regarding breaches to the conditions of isolation or quarantine. A request for a hearing does not stay or enjoin the isolation or quarantine order.

(b) Upon receipt of a request under this subsection alleging extraordinary circumstances justifying the immediate granting of relief, the court must fix a date for hearing on the matters alleged not more than twenty-four hours from receipt of the request.

(c) Otherwise, upon receipt of a request under this subsection, the court must fix a date for hearing on the matters alleged within five days from receipt of the request.

(3) In any proceedings brought for relief under this subsection, in extraordinary circumstances and for good cause shown, ~~DHEC~~ the department may move the court to extend the time for a hearing up to forty-eight hours, which extension the court in its discretion may grant giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of the necessary witnesses and evidence.

(E)(B) A record of the proceedings pursuant to this section must be made and retained. In the event that, given a state of public health emergency, parties cannot personally appear before the court, proceedings may be conducted by their authorized representatives and be held via any means that allow all parties to fully participate.

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(F)(C) The court must appoint counsel to represent individuals or groups of individuals who are or who are about to be isolated or quarantined pursuant to the provisions of this act and who are not otherwise represented by counsel. Payment for these appointments must be made in accordance with other appointments for legal representation in actions arising outside of matters in this act, and is not the responsibility of any one state agency. Appointments last throughout the duration of the isolation or quarantine of the individual or groups of individuals. ~~DHEC~~The department must provide adequate means of communication between such individuals or groups of individuals and their counsel. Where necessary, additional counsel for ~~DHEC~~the department from other state agencies or from private attorneys appointed to represent state agencies, must be appointed to provide adequate representation for the agency and to allow timely hearings of the petitions and motions specified in this section.

~~(G) In any proceedings brought pursuant to this section, to promote the fair and efficient operation of justice and having given due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence, the court may order the consolidation of individual claims into groups of claims where:~~

~~— (1) the number of individuals involved or to be affected is so large as to render individual participation impractical;~~

~~— (2) there are questions of law or fact common to the individual claims or rights to be determined;~~

~~— (3) the group claims or rights to be determined are typical of the affected individuals' claims or rights; and~~

~~— (4) the entire group will be adequately represented in the consolidation.~~

(G)(H) Notwithstanding the provisions of subsection (A), prior to the Governor declaring a public health emergency, as defined in Section 44-4-130, the isolation and quarantine of an individual or groups of individuals pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540 must be undertaken in accordance with the procedures provided in this section.

SECTION 11. Section 44-4-570 of the S.C. Code is amended to read:

Section 44-4-570. (A) ~~DHEC~~The department, in coordination with the appropriate licensing authority and the Department of Labor, Licensing and Regulation, may exercise, for such period as the state of public health emergency exists, in addition to existing emergency powers, the following emergency powers regarding licensing of health

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personnel:

~~—(1) to require in-state health care providers to assist in the performance of vaccination, treatment, examination, or testing of any individual as a condition of licensure, authorization, or the ability to continue to function as a health care provider in this State;~~

~~(2)~~(1) to accept the volunteer services of in-state and out-of-state health care providers consistent with Title 8, Chapter 25, to appoint such in-state and out-of-state health care providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response; and

~~(3)~~(2) to authorize the medical examiner or coroner to appoint and prescribe the duties of such emergency assistant medical examiners or coroners as may be required for the proper performance of the duties of the office.

(B)(1) The appointment of in-state and out-of-state health care providers pursuant to this section may be for a limited or unlimited time but must not exceed the termination of the state of public health emergency. ~~DHEC~~The department may terminate the in-state and out-of-state appointments at any time or for any reason provided that any termination will not jeopardize the health, safety, and welfare of the people of this State.

(2) The appropriate licensing authority may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for health care providers from other jurisdictions to practice in this State.

(C)(1) Any health care provider appointed by the department pursuant to this section must not be held liable for any civil damages as a result of medical care or treatment including, but not limited to, trauma care and triage assessment, related to the appointment of the health care provider and the prescribed duties unless the damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of the patient.

(2) This subsection applies if the health care provider does not receive payment from the State other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the health care provider is an employee of the State, the health care provider may continue to receive compensation from the health care provider's employer. This subsection applies whether the health care provider was paid, should have been paid, or expected to be paid for the services at the time of rendering the services from sources including, but not limited

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to, Medicaid, Medicare, reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 512, et seq., or private health insurance.

(D)(1) The appointment of emergency assistant medical examiners or coroners pursuant to this section may be for a limited or unlimited time, but must not exceed the termination of the state of public health emergency. The medical examiner or coroner may terminate the emergency appointments at any time or for any reason, if the termination will not impede the performance of the duties of the office.

(2) The medical examiner or coroner may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for the performance of these duties.

(3) Any emergency assistant medical examiner or coroner appointed pursuant to this section is immune from civil liability for damages resulting from services relating to and performed during the period of appointment unless the damages result from providing, or failing to provide, services under circumstances demonstrating a reckless disregard for the consequences.

SECTION 12. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 13. This act takes effect July 1, 2024.

Re-number sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. W. NEWTON raised the Rule 9.3 Point of Order that Amendment No. 2 was not germane to S. 915.

Rep. PACE argued contra.

The SPEAKER stated that the amendment was very large, but that's its substantial effect and impact went beyond the scope of the bill. He stated that the bill concerned the restructuring of various South Carolina state health agencies under one central authority, but the proposed amendment dealt with health care policies, labor law, pharmacy law, and

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how health care policies are to be carried out. Thus, he sustained the Point of Order and ruled the amendment out of order.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. G. M. Smith proposed the following Amendment No. 3 to S. 915 (LC-915.SA0027H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-12-20 and inserting:

Section 44-12-20. The Secretary of Health and Policy shall be the head and governing authority of the office. The secretary must be appointed by the Governor with the advice and consent of a majority vote of the members of the Senate and a majority vote of the members of the House of Representatives, subject to removal from office by the Governor pursuant to the provisions of Section 1-3-240(B).

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The amendment was then adopted.

Rep. Harris proposed the following Amendment No. 4 to S. 915 (LC-915.VR0023H), which was ruled out of order:

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

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

Article 27

Federal Treaties

Section 1-1-1710. (A) It is the intent of the General Assembly to defend the State of South Carolina against violations of the United States Constitution and further prevent the subjecting of the sovereignty and rights of the United States of America to the Charter of the United Nations.

(B) Notwithstanding another provision of law, no state agency, or political subdivision of this State, including school districts, or publicly funded organizations, or any elected or appointed official or employee of the same, may employ state funds, personnel, or facilities to implement the provisions of any treaty that has not received ratification by a two-thirds vote of the United States Senate as required by the United States Constitution, Article II, Section 2. This section must be expressly

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applied to any treaty drafted under the framework of “a WHO Convention, Agreement, or Other International Agreement on Pandemic Prevention, Preparedness, and Response” or under color of amendments to the International Health Regulations.

(C) A violation of this section raises a cause of action in state court for injunctive and declaratory relief, plus compensatory damages of up to ten thousand dollars per violation, and attorney’s fees. A state agency or political subdivision that publishes a rule, regulation, or guidance recommending or requiring compliance with a provision of a treaty that has not received ratification in the United States Senate bears the burden of proof to show that the rule, regulation, or guidance was developed independent of influence by the Centers for Disease Control (CDC), the World Health Organization (WHO), or the United Nations (UN) and that the treaty was not a factor in determining whether to publish the rule, regulation, or guidance.

(D) This section is enacted under the authority of Article VI of the United States Constitution, the Tenth Amendment to the United States Constitution, and the inherent power reserved to South Carolina as a sovereign state.

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. JORDAN raised the Rule 9.3 Point of Order that Amendment No. 4 was not germane to S. 915.

The SPEAKER PRO-TEMPORE sustained the Point of Order.

Rep. T. Moore proposed the following Amendment No. 5 to S. 915 (LC-915.SA0029H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-12-40(4) and inserting:

(4) shall have the authority to determine the appropriate course of treatment for patients with complex or co-occurring diagnoses necessitating involvement of two or more component departments, provided that the determination may not preempt or override treatment decisions arrived at between a patient and his physician;

Renumber sections to conform.

Amend title to conform.

Rep. T. MOORE explained the amendment.

The amendment was then adopted.

[HJ]

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Reps Murphy and Brewer proposed the following Amendment No. 6 to S. 915 (LC-915.VR0020H), which was ruled out of order:

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

SECTION X. Section 48-39-10(B) of the S.C. Code is amended to read:

(B) "Coastal zone" means all coastal waters and submerged lands seaward to the state's jurisdictional limits and all lands and waters in the counties, or portions of counties, of the State which contain any one or more of the critical areas. These counties are Beaufort, Berkeley, Charleston, Colleton, ~~Dorchester~~, Horry, Jasper, ~~and~~ Georgetown, and the seaward portion of Dorchester County bounded beginning at the intersection of the county line and S.C. 165, then northward along S.C. 165 until its intersection with S.C. 642, then southeastward along S.C. 642 until its intersection with the county line.

Renumber sections to conform.

Amend title to conform.

Rep. MURPHY explained the amendment.

POINT OF ORDER

Rep. MAGNUSON raised the Rule 9.3 Point of Order that Amendment No. 6 was not germane to S. 915.

Rep. MURPHY argued contra.

The SPEAKER PRO-TEMPORE sustained the Point of Order and ruled the amendment out of order.

Rep. Pace proposed the following Amendment No. 7 to S. 915 (LC-915.AHB0022H), which was ruled out of order:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. SECTION 10 of Act 142 of 2022 is amended to read:

SECTION 10. The provisions contained in Act 99 of 2021, the South Carolina COVID-19 Liability Immunity Act, are hereby reenacted, retroactive to the date that Act 99 of 2021 expired, by this act. Act 99 of 2021's provisions apply to all civil and administrative causes of action that arise ~~between~~ after March 13, 2020, ~~and December 31, 2023~~, and are based upon facts that occurred during this time period.

SECTION 2. SECTION 12 of Act 142 of 2022 is amended to read:

SECTION 12. This act takes effect upon approval by the Governor. ~~All provisions of this act are repealed on December 31, 2023, unless~~

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~~reauthorized by the General Assembly.~~

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. JORDAN raised the Rule 9.3 Point of Order that Amendment No. 7 was not germane to S. 915.

The SPEAKER PRO-TEMPORE sustained the Point of Order.

Rep. CROMER moved to adjourn debate on the Bill.

Rep. HIOTT moved to table the motion.

Rep. BEACH demanded the yeas and nays which were taken, resulting as follows:

Yeas 95; Nays 14

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Bernstein	Blackwell
Brewer	Brittain	Bustos
Calhoon	Carter	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Hartnett	Hayes	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	W. Jones	Jordan
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton

[HJ]

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Nutt	Oremus	Ott
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Vaughan
Weeks	West	Wetmore
Whitmire	Williams	Willis
Wooten	Yow	

Total--95

Those who voted in the negative are:

Beach	Burns	Chumley
Cromer	Harris	S. Jones
Kilmartin	Magnuson	May
McCabe	A. M. Morgan	T. A. Morgan
O'Neal	Pace	

Total--14

So, the motion to adjourn debate was tabled.

Rep. PACE spoke against the Bill.

LEAVE OF ABSENCE

The SPEAKER granted Rep. GATCH a leave of absence for the remainder of the day.

Rep. CROMER invoked Rule 5.21.

The Reading Clerk began reading the Bill.

RULE 3.9 INVOKED

Rep. BAMBERG moved that Rule 3.9 be invoked. The SPEAKER *PRO TEMPORE* ordered a quorum call.

The SPEAKER *PRO TEMPORE* announced that a quorum was present.

The SPEAKER *PRO TEMPORE* ordered the Reading Clerk to continue reading the Bill.

RULE 3.9 INVOKED

[HJ]

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Rep. HIOTT invoked Rule 3.9 and requested an attendance vote.

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinnakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore

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Whitmire
Wooten

Williams
Yow

Willis

Total Present—113

Ten members requested that the SPEAKER send for the members absent without leave.

HOUSE STANDS AT EASE

The House stood at ease, subject to the arrival of the absent members.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. CROMER withdrew her request to read the Bill under Rule 5.21.

Rule 3.9 Rescinded.

Rep. HIOTT moved to rescind Rule 3.9

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson

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S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Vaughan	Weeks	West
Wetmore	Whitmire	Williams
Willis	Wooten	Yow

Total--111

Those who voted in the negative are:

Total--0

So, Rule 3.9 was rescinded.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 15

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Brewer	Brittain
Bustos	Calhoon	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	Connell

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B. L. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
W. Jones	Jordan	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Ott	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore
Whitmire	Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Beach	Burns	Chumley
Cromer	Harris	S. Jones
Kilmartin	Magnuson	May
McCabe	A. M. Morgan	T. A. Morgan
Nutt	O'Neal	Pace

Total--15

So, the Bill, as amended, was read the second time and ordered to third reading.

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LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. ATKINSON a leave of absence for the remainder of the day.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. MCDANIEL a leave of absence for the remainder of the day.

H. 5438--DEBATE ADJOURNED

The following Bill was taken up:

H. 5438 -- Reps. Hiott, McCravy and Magnuson: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SCHOOL AND CLASSROOM LIBRARY MATERIALS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5269, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Rep. HIOTT moved to adjourn debate on the Bill, which was agreed to.

S. 1--DEBATE ADJOURNED

The following Bill was taken up:

S. 1 -- Senators Alexander, Turner, Senn, Young, Gustafson, Peeler, Setzler, Rankin, Adams, Bennett, Climer, Campsen and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; BY AMENDING SECTION 16-1-10, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, SO AS TO ADD DRUG-INDUCED HOMICIDE; AND BY AMENDING SECTION 44-53-190, RELATING TO SCHEDULE I DRUGS, SO AS TO ADD FENTANYL-RELATED SUBSTANCES.

Rep. HIOTT moved to adjourn debate on the Bill, which was agreed to.

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S. 1021--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 1021 -- Senators Davis, Matthews and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 1021 (LC-1021.DG0001H), which was adopted:

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

SECTION X.A. Article 25, Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3810. (A) As used in this section:

(1) "Department" means the South Carolina Department of Commerce.

(2) "Eligible taxpayer" means any railroad owner located in this State that is classified by the United States Surface Transportation Board as a Class II or Class III railroad.

(3) "Qualified railroad reconstruction or replacement expenditures" means gross expenditures for maintenance, reconstruction or replacement of railroad infrastructure, including track, roadbed, bridges, industrial leads and sidings, and track-related structures owned or leased by a Class II or Class III railroad located in this State.

(4) "Eligible transferee" means any taxpayer subject to tax under Section 12-6-510, 12-6-530, 12-11-20, or 38-7-20.

(B)(1) There is allowed a credit against the tax imposed pursuant to Section 12-6-510, 12-6-530, 12-11-20, or 38-7-20 equal to fifty percent of an eligible taxpayer's qualified railroad reconstruction or replacement expenditures.

(2) For qualified railroad reconstruction or replacement expenditures the amount of the credit may not exceed five thousand dollars multiplied by the number of miles of railroad track owned or leased within this State by the eligible taxpayer as of the close of the taxable year.

(C)(1) Following the completion of qualified railroad

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reconstruction or replacement expenditures, the eligible taxpayer shall submit to the Department of Commerce a verification of qualified expenditures on a form provided for that purpose by the Department of Commerce. The verification must include a statement certifying:

- (a) the status of the owner or lessee of the railroad as an eligible taxpayer;
- (b) certification of the miles of railroad track owned or leased in this State;
- (c) the qualified railroad reconstruction or replacement work completed; and
- (d) a description of the amount of qualified railroad reconstruction or replacement expenditures paid or incurred.

Within thirty days after receipt and approval of the foregoing documentation from the eligible taxpayer, the department shall issue a tax credit certificate in an amount equivalent to the amount of the qualified railroad reconstruction or replacement expenditures incurred by the eligible taxpayer, not to exceed the amount of the tax credits reserved for the project.

(2) At the end of each year, the department shall furnish to the Department of Revenue a list of all eligible taxpayers who have qualified for the credit along with the amount of the credit authorized.

(3) Section 12-54-240 may not apply to any information exchanged between the Department of Commerce and the Department of Revenue relating to the credit allowed pursuant to this section.

(D) The department may adopt rules to implement and administer this section and to enable the certification of the income tax credit amount earned by each eligible taxpayer.

(E) In order to obtain a credit against any state income tax due, an eligible taxpayer shall file the tax credit certificate with the taxpayer's South Carolina state income tax return.

(F) Any tax credit generated pursuant to the provisions of this section, to the extent not used, may be carried forward for each of the five years following the year of qualification.

(G)(1) An eligible taxpayer may transfer any unused credit to any eligible transferee by written agreement, at any time during the five years following the tax year the qualified railroad reconstruction or replacement expenditures are incurred. Any eligible transferee is entitled to claim the credit only for any period remaining for the tax credit.

(2) The eligible taxpayer and the eligible transferee must file jointly a copy of the written transfer agreement with the Department of Revenue, within thirty days of the transfer. The written agreement must

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contain the name, address, and taxpayer identification number of the eligible taxpayer and the eligible transferee, the tax year the eligible taxpayer incurred the qualified railroad reconstruction or replacement expenditures, the amount of credit being transferred, and the tax year or years for which the credit maybe claimed.

(H) The department shall report to the Senate Finance Committee and the House Ways and Means Committee by July 1, 2026, and annually thereafter for the duration of the existence of this program, on the use of the credit, including the number of tax credits applied for and the number of tax credits granted from the qualified railroad reconstruction or replacement expenditures for which tax credits have been allowed.

B. This SECTION takes effect upon approval by the Governor and first applies to income tax years beginning after December 31, 2023. The provisions of this act are repealed on December 31, 2028, except that if the credit allowed by Section 12-6-3810, as added by this act, is earned before the repeal, then the provisions of Section 12-6-3810 continue to apply until the credits have been fully claimed.

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY explained the amendment.

The amendment was then adopted.

Rep. Herbkersman proposed the following Amendment No. 2 to S. 1021 (LC-1021.SA0006H), which was adopted:

Amend the bill, as and if amended, by adding a subsection to Section 12-6-3810 to read:

(I) A member of a railroad construction limited liability company must refrain from competing with the company in the conduct of the company's business before the dissolution of the company. This section does not apply when the member becomes a member of another limited liability company, and that company does not have an enforceable noncompete provision in its operating agreement.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 33-44-409(b) of the S.C. Code is amended to read:

(b) A member's duty of loyalty to a member-managed company and its other members is limited to the following:

(1) to account to the company and to hold as trustee for it any

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property, profit, or benefit derived by the member in the conduct or winding up of the company's business or derived from a use by the member of the company's property, including the appropriation of a company's opportunity;

(2) to refrain from dealing with the company in the conduct or winding up of the company's business as or on behalf of a party having an interest adverse to the company; and

(3) to refrain from competing with the company in the conduct of the company's business before the dissolution of the company. This item does not apply when the member becomes a member of another limited liability company, and that company does not have an enforceable noncompete provision in its operating agreement.

Re-number sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

The amendment was then adopted.

Rep. PACE spoke against the Bill.

Rep. PACE moved that the House recur to the morning hour.

Rep. HIOTT moved to table the motion.

Rep. BEACH demanded the yeas and nays which were taken, resulting as follows:

Yeas 93; Nays 12

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Bannister	Bauer	Bernstein
Blackwell	Brewer	Brittain
Bustos	Calhoon	Carter
Caskey	Chapman	Clyburn
Collins	Connell	B. L. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Haddon	Hager
Hardee	Hartnett	Hayes

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Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	W. Jones	Jordan
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Ott
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Vaughan	Weeks	West
Wetmore	Whitmire	Williams
Willis	Wooten	Yow

Total--93

Those who voted in the negative are:

Beach	Chumley	Cromer
Harris	S. Jones	Kilmartin
Magnuson	May	McCabe
A. M. Morgan	T. A. Morgan	Pace

Total--12

So, the House tabled the motion to recur to the morning hour.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 8

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Bernstein	Blackwell	Brewer

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Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	Connell	B. L. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Haddon	Hager
Hardee	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCray	McGinnis
Mitchell	J. Moore	T. Moore
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore
Whitmire	Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Beach	Cromer	Harris
Magnuson	May	A. M. Morgan
T. A. Morgan	Pace	

Total--8

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So, the Bill, as amended, was read the second time and ordered to third reading.

SPEAKER IN CHAIR

S. 577--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 577 (LC-577.DG0002H), which was adopted:

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

SECTION X. Section 12-2-140 (A) and (B) of the S.C. Code is amended to read:

(A) Each state agency and each political subdivision of the State, is authorized, as necessary to comply with Internal Revenue Service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the State Law Enforcement Division and the Federal Bureau of Investigation on all applicants, prospective employees, employees, subcontractors, and contractors with access to federal tax information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions, and political subdivisions of the State which have access to federal tax information in order to comply with Publication 1075.

(B) An applicant, prospective employee, employee, subcontractor, or contractor of a state agency or a political subdivision of the State with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the applicable state agency or political subdivision for the purpose of verifying criminal history information for noncriminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal

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history background check and investigation to be conducted by the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal Bureau of Investigation.

Renumber sections to conform.

Amend title to conform.

Rep. B. NEWTON explained the amendment.

The amendment was then adopted.

Rep. Cobb-Hunter proposed the following Amendment No. 2 to S. 577 (LC-577.DG0003H), which was adopted:

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

SECTION X. Section 31-12-30(6) of the S.C. Code is amended to read:

(6) “Redevelopment project” means buildings, improvements, including street improvements, water, sewer and storm drainage facilities, parking facilities, and recreational facilities. A project or undertaking authorized under Section 6-21-50 also may qualify as a redevelopment project under this chapter. All such projects may be owned by the authority, the municipality, the county, or other appropriate public body. This term includes portions of the redevelopment project located outside the redevelopment project area so long as they provide needed infrastructure support for the redevelopment project area or the municipality makes specific findings of benefit to the redevelopment project area. A redevelopment project for purposes of this chapter also includes affordable housing projects where all or a part of new property tax revenues generated in the tax increment financing district is used to provide or support publicly and privately owned affordable housing in the district or is used to provide infrastructure projects to support publicly and privately owned affordable housing in the district. The term “affordable housing” as used herein means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed eighty percent of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD).

SECTION X. Section 31-12-210(F) of the S.C. Code is amended to read:

(F) The obligations must be issued not later than ~~fifteen~~ thirty-five

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years after the adoption of an ordinance by the municipality pursuant to Section 31-12-280 concurring in an authority's redevelopment plan.

Amend the bill further, by striking SECTION 7 and inserting:

SECTION 7. This act takes effect upon approval by the Governor except that the provisions of this act that amend Section 31-12-210 take effect on July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Howard	Hyde	Jefferson
J. E. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Lowe
Magnuson	May	McCabe
McCravy	McGinnis	Mitchell

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J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thigpen	Vaughan	Weeks
West	Wetmore	Whitmire
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

LEAVE OF ABSENCE

The SPEAKER granted Rep. CONNELL a leave of absence for the remainder of the day.

S. 946--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 946 (LC-946.VR0003H), which was adopted:

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Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-1210(A) and inserting:

(A) A State Advisory Committee on the Regulation of Childcare Facilities is established. ~~It consists~~ consisting of ~~seventeen~~ fifteen members. Two members serve ex officio and thirteen are appointed by the Governor, in accordance with the following:

(1) ~~Five~~ Three of the members appointed must be parents of children who are receiving childcare services at the time of appointment, with no less than ~~three~~ two representing the ~~entrepreneurial~~ for-profit facilities.

(2) ~~Eight~~ Six of the members appointed must be representative of owners and operators of childcare facilities, one of which must be an operator of a childcare home. No less than ~~five~~ four other appointees must be operators of facilities subject to regulation who are actively engaged in the operation for profit with one appointed from a registered faith-based center.

(3) One member appointed shall represent the educational community of the State.

Nominees for membership on the advisory committee pursuant to items (1), (2), and (3) must be made from lists furnished the Governor by South Carolina organizations representing the various types of childcare facilities defined in this chapter.

(4) One member appointed shall represent the business community of the State. ~~Nominees for membership pursuant to this item must be made from lists furnished the Governor by the South Carolina Chamber of Commerce.~~

(5) Two members appointed shall represent church-operated childcare centers, one of whom must be an operator of a church childcare center and one of whom must be a parent of a child who is receiving childcare services in a church-operated childcare center at the time of appointment.

(6) The Executive Director of the Office of South Carolina First Steps to School Readiness or his designee and the State Child Advocate of the South Carolina Department of Children's Advocacy or his designee shall serve as ex officio, nonvoting members.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 63-13-1240 of the S.C. Code is amended to read:

Section 63-13-1240. ~~The department~~ South Carolina Department of Children's Advocacy shall provide reasonable secretarial and

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administrative support to the advisory committee.

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Pace	Pedalino	Pope

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Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Vaughan	Weeks	West
Wetmore	Whitmire	Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on S. 946. If I had been present, I would have voted in favor of the Bill.

Rep. Gilda Cobb-Hunter

S. 241--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 241 -- Senators Garrett and Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO PROVIDE FOR THE REGULATION OF GENETIC COUNSELORS, TO ESTABLISH THE BOARD OF GENETIC COUNSELOR EXAMINERS, TO PROVIDE THE POWERS AND DUTIES OF THE BOARD, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE PROCEDURES AND CRITERIA FOR LICENSURE BY THE BOARD, TO PROVIDE RELATED DUTIES OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO PROVIDE FOR THE INVESTIGATION OF VIOLATIONS AND IMPOSITION OF PENALTIES, AND TO PROVIDE CERTAIN EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, AMONG OTHER THINGS.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to S. 241 (LC-

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241.WAB0004H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 40-84-40(B)(3)(b) and inserting:

(b) ABGC certification.

Amend the bill further, SECTION 1, by striking Section 40-84-40(C) and inserting:

(C) The board may issue a limited license to a limited licensee applicant who meets all of the requirements for licensure except the certification requirement in this section and has obtained active candidate status establishing eligibility to sit for the certification examination administered by the ABGC or ACGC. A limited license shall expire automatically upon the earliest of:

(1) issuance of a full license;

(2) thirty days after the applicant fails to pass the certification examination; or

(3) one year from the date the limited license was issued.

Renumber sections to conform.

Amend title to conform.

Rep. M. M. SMITH explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 15

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Bernstein	Blackwell
Brewer	Brittain	Burns
Bustos	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Forrest
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hart	Hartnett

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Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	W. Jones
Jordan	King	Kirby
Landing	Lawson	Leber
Long	Lowe	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	Ott	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
West	Wetmore	Whitmire
Williams	Willis	Wooten
Yow		

Total--94

Those who voted in the negative are:

Beach	Calhoon	Cromer
Felder	Harris	S. Jones
Kilmartin	Magnuson	May
McCabe	A. M. Morgan	T. A. Morgan
O'Neal	Oremus	Pace

Total--15

So, the Bill, as amended, was read the second time and ordered to third reading.

S. 445--ORDERED TO THIRD READING

The following Bill was taken up:

S. 445 -- Senators Garrett and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO CHAPTER 49, TITLE 44 SO AS TO REQUIRE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES TO

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APPROVE A CREDENTIALING ENTITY TO DEVELOP AND ADMINISTER A VOLUNTARY CERTIFICATION PROGRAM FOR RECOVERY HOUSING; TO REQUIRE THE APPROVED CREDENTIALING ENTITY TO ESTABLISH RECOVERY HOUSING CERTIFICATION REQUIREMENTS AND PROCEDURES BASED UPON NATIONALLY RECOGNIZED QUALITY STANDARDS; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 49 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Rep. M. M. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan

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T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinnakis
Taylor	Thigpen	Vaughan
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

S. 455--ORDERED TO THIRD READING

The following Bill was taken up:

S. 455 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-29-230, RELATING TO TESTING REQUIRED WHEN A HEALTH CARE WORKER IS EXPOSED TO BLOODBORNE DISEASE, SO AS TO REPLACE REFERENCES TO PHYSICIAN WITH HEALTH CARE PROFESSIONALS, TO INCLUDE DENTISTS IN THE DEFINITION OF HEALTH CARE PROFESSIONALS, AND TO ADD HEPATITIS C TO THE LIST OF BLOODBORNE DISEASES.

Rep. M. M. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Beach

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Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hart	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCravy	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thigpen
Vaughan	Weeks	West
Wetmore	Wheeler	Whitmire
Williams	Willis	Wooten
Yow		

Total--109

Those who voted in the negative are:

Total--0

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So, the Bill was read the second time and ordered to third reading.

S. 558--ORDERED TO THIRD READING

The following Bill was taken up:

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.

Rep. M. M. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Blackwell
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May

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McCabe	McCrary	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore
Whitmire	Williams	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

S. 1074--DEBATE ADJOURNED

The following Bill was taken up:

S. 1074 -- Senators Davis and Fanning: 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.

Rep. OTT moved to adjourn debate on the Bill, which was agreed to.

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S. 134--DEBATE ADJOURNED

The following Bill was taken up:

S. 134 -- Senators Hembree, Gustafson, Verdin, Climer and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2024.

Rep. ERICKSON moved to adjourn debate on the Bill, which was agreed to.

S. 1188--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1188 -- Senators Tedder and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL.

Rep. ERICKSON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 7

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Blackwell
Brewer	Brittain	Burns

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Bustos	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Harris	Hartnett
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	J. E. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thigpen	Vaughan	Weeks
West	Wetmore	Wheeler
Williams	Willis	Wooten

Total--99

Those who voted in the negative are:

Felder	Hardee	Hayes
Jefferson	McCabe	McCrary
Yow		

Total--7

So, the Bill was read the second time and ordered to third reading.

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S. 1051--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

The Committee on Agriculture, Natural Res. and Environmental Affairs proposed the following Amendment No. 1 to S. 1051 (LC-1051.PH0004H), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 50-11-580 of the S.C. Code is amended to read:

Section 50-11-580. (A) The season for hunting and taking a male wild turkey is April 10 through May 10.:

— (1) in Game Zones 1 and 2, April 1 through May 10; and

— (2) in Game Zones 3 and 4, March 22 through April 30.

(B) The season bag limit for male wild turkeys is ~~three~~two statewide for residents and two statewide for nonresidents. The daily bag limit is one, ~~provided that:~~

— (1) ~~only one male wild turkey may be taken from April 1 through April 10 from within Game Zones 1 and 2; and~~

— (2) ~~only one male wild turkey may be taken from March 22 through March 31 from within Game Zones 3 and 4.~~

(C) It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50-11-500(3).

(D) The department shall provide an annual report on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee.

SECTION 2. Section 50-11-580(A) and (B) of the S.C. Code is amended to read:

Section 50-11-580. (A) The season for hunting and taking a male wild turkey is ~~April 10 through May 10.~~

(1) in Game Zones 1 and 2, April 1 through May 10; and

(2) in Game Zones 3 and 4, March 22 through April 30.

(B) The season bag limit for male wild turkeys is ~~two~~three statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that:

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(1) only one male wild turkey may be taken from April 1 through April 10 from within Game Zones 1 and 2; and

(2) only one male wild turkey may be taken from March 22 through March 31 from within Game Zones 3 and 4.

SECTION 3. The amendments in this act of Sections 1 and 2 of Section 50-11-580 of the S.C. Code do not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under Sections 1 and 2 of Section 50-11-580. After the effective dates included in this act, the provisions of law referred to as amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the applicable effective dates of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the amended laws.

SECTION 4. Section 1 of this act takes effect January 1, 2025. Section 2 of this act takes effect January 1, 2030.

SECTION 5. Section 50-25-1330(B) of the S.C. Code is amended to read:

(B) It is unlawful on Lake H. Taylor Blalock to:

(1) operate personal watercraft, including jet skis;

(2) operate any boat, watercraft, or any other type of vessel between midnight and one hour before sunrise, except that public access to Lake H. Taylor Blalock for the purpose of hunting waterfowl on department leased premises shall be open on Wednesday mornings during the federal waterfowl hunting season beginning at 5:00 a.m., provided the hunting of waterfowl shall no longer be allowed on Lake H. Taylor Blalock after the ~~2023-2024-2028-2029~~ federal waterfowl hunting season, unless reauthorized in statute;

(3) operate any boat, watercraft, or any other type of vessel with an outboard motor having horsepower in excess of the United States Coast Guard rating for the watercraft or with the Coast Guard rating plate missing or changed;

(4) operate, anchor, moor, or dock any boat, watercraft, or allow such vessel to enter within five hundred feet of any pump station, water intake of a dam, hydroelectric generator outfall, or spillways, and these restricted areas must be clearly marked with signs designed and installed by the Spartanburg Water System. Boats, watercraft, and other vessels operated for law enforcement, emergency medical service, or dam maintenance and repair are exempted from this requirement;

(5) operate, anchor, moor, or dock any boat, watercraft, or any

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other type of vessel within one hundred fifty feet of public fishing piers;
(6) operate sailing craft with a mast height in excess of thirty feet;
(7) wade, bathe, or swim within two hundred feet of any public landing, bridge, or restricted area, and these restricted areas must be clearly marked with signs designed and installed by the Spartanburg Water System.

SECTION 6. Sections 3 and 5 of this act take effect upon approval by the Governor.

 Renumber sections to conform.
 Amend title to conform.

Rep. FORREST explained the amendment.
The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
 Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Blackwell
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson

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May	McCabe	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	M. M. Smith	Stavrinakis
Thigpen	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total--104

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

S. 903--DEBATE ADJOURNED

The following Bill was taken up:

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

Rep. HIOTT moved to adjourn debate on the Bill, which was agreed to.

S. 955--DEBATE ADJOURNED

The following Bill was taken up:

S. 955 -- Senators Campsen and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING

[HJ]

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THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

Rep. HIOTT moved to adjourn debate on the Bill, which was agreed to.

S. 841--DEBATE ADJOURNED

The following Bill was taken up:

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING

[HJ]

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PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

Rep. JORDAN moved to adjourn debate on the Bill, which was agreed to.

S. 112--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 112 -- Senators Allen, Hembree and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17-22-910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

Rep. King proposed the following Amendment No. 1 to S. 112 (LC-112.SA0006H), which was adopted:

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

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

Section 17-1-43. (A) Notwithstanding the provisions of Section 17-1-40, not later than one hundred eighty days after an investigation by a law enforcement or prosecution agency reveals that a person was arrested as a result of mistaken identity, the law enforcement or prosecution agency with appropriate jurisdiction shall destroy the arrest records of that person made as a result of mistaken identity. The law enforcement or prosecution agency, as appropriate, shall establish a review process for verifying that a person's arrest records relating to

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mistaken identity in which no charges were filed have been destroyed as provided in this section. Neither the law enforcement or prosecution agency may charge or collect a fee for the destruction of arrest records pursuant to the provisions of this section.

(B) Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, administrative hearings, and to defend the agency and the agency's employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order.

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

Section 17-1-70. (A) A person charged with an offense listed in subsection (B) may petition the solicitor in the county in which the alleged offense occurred for dismissal of the alleged offense that has not been adjudicated by trial or guilty plea, or otherwise disposed of or dismissed, after five years from the date he was charged with the offense. If the petitioner has no other pending charges unrelated to the subject charge and no criminal convictions subsequent to the alleged offense, the solicitor must approve the dismissal of the offense charged and must do so within thirty days of receipt of the petition for dismissal.

(B) The following offenses are eligible for dismissal pursuant to the provisions of subsection (A):

- (1) simple assault or assault and battery in the third degree pursuant to Section 16-3-600(E);
- (2) public intoxication or disorderly conduct pursuant to Section 16-17-530;
- (3) breach of trust with fraudulent intent pursuant to Section 16-13-230(1);
- (4) open container in a motor vehicle pursuant to Section 61-4-110;
- (5) trespassing pursuant to Section 16-11-600;
- (6) misdemeanor drawing or uttering a fraudulent check pursuant to Sections 34-11-60 and 34-11-90;
- (7) misdemeanor shoplifting pursuant to Section 16-13-110(B)(1);
- (8) driving under suspension pursuant to Section 56-1-460(A)(1);
- (9) simple possession of a controlled substance pursuant to

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Article 3, Chapter 53, Title 44; or

(10) a similar local or state offense for which, in the discretion of the solicitor, the elements are substantially similar as for any of the above listed offenses.

(C) Upon dismissal of the offense pursuant to the requirements of this section, the solicitor in the county in which the alleged offense occurred shall notify the State Law Enforcement Division (SLED) and SLED shall remove the pending charge from the petitioner's criminal record within ten days of notification of dismissal. Additionally, any arrest and booking records, associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may be retained by any municipal, county, or state agency. A municipal, county, or state agency, or an employee of a municipal, county, or state agency that intentionally violates this subsection is guilty of contempt of court.

Amend the bill further, by striking SECTION 3 and inserting:

SECTION 3. This act takes effect upon approval by the Governor except that the provisions of Chapter 1, Title 17 applies retroactively to offenses charged before the effective date of this act.

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

The amendment was then adopted.

Rep. J. E. JOHNSON explained the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard

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Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinnakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--108

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

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S. 954--DEBATE ADJOURNED

The following Bill was taken up:

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Rep. J. E. JOHNSON moved to adjourn debate on the Bill, which was agreed to.

S. 947--DEBATE ADJOURNED

The following Bill was taken up:

S. 947 -- Senators Hembree, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

Rep. J. E. JOHNSON moved to adjourn debate on the Bill, which was agreed to.

S. 207--ORDERED TO THIRD READING

The following Bill was taken up:

S. 207 -- Senator Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 57-23-1160 SO AS TO CREATE THE PIEDMONT GATEWAY SCENIC BYWAY AND TO IDENTIFY THE THREE SEGMENTS THAT COMPRISE THE BYWAY.

Rep. ERICKSON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

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Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--108

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Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

S. 968--ORDERED TO THIRD READING

The following Bill was taken up:

S. 968 -- Senators Peeler and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

Rep. ERICKSON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber

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Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--108

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

S. 974--ORDERED TO THIRD READING

The following Bill was taken up:

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

Rep. ERICKSON explained the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Anderson	Bailey	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCrary	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thigpen	Vaughan
Weeks	West	Wetmore

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Wheeler
Willis

Whitmire
Wooten

Williams
Yow

Total--108

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

S. 125--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 125 -- Senators Hembree, Turner, Young, Setzler, Fanning and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO ADDITIONAL LIFE SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE THE COMMISSION ON HIGHER EDUCATION PROMULGATE REGULATIONS TO DEFINE EDUCATION MAJOR; BY AMENDING SECTION 59-104-25, RELATING TO ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE FOR THE PROMULGATION OF REGULATIONS; BY AMENDING SECTION 59-149-50, RELATING TO A NUMERICAL ACT EQUIVALENT, SO AS TO SET THE EQUIVALENT SCORE OF THE ACT TO 22; AND BY AMENDING SECTION 59-104-20, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, SO AS TO ALLOW A STUDENT WHO USES A PALMETTO FELLOWS SCHOLARSHIP TO ATTEND A TWO-YEAR INSTITUTION SHALL RECEIVE A MAXIMUM OF FOUR CONTINUOUS SEMESTERS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 125 (LC-125.WAB0009H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-149-15(B) and inserting:

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major, applicable

[HJ]

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beginning with the 2024-2025 School Year to persons who did not receive a LIFE Scholarship stipend before the 2024-2025 School Year. This definition of a science or mathematics major must include, at a minimum, but at a minimum shall include majors in science or mathematics disciplines, computer science or informational technology, engineering, ~~accounting~~~~science education, math education,~~ and health care and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. —~~Additionally, the Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors.~~

(C) The Commission on Higher Education shall by regulation define what constitutes an education major for purposes of this section, applicable beginning with the 2024-2025 School Year to persons who did not receive a LIFE Scholarship stipend before the 2024-2025 School Year. This definition of an education major must include, in addition to other subjects considered appropriate by the commission, (1) mathematics education majors, (2) science education majors, and (3) students who major in mathematics, science, or another subject and obtain teacher certification in a subject area related to their major prior to completion of their undergraduate degree. Additionally, the commission shall set forth eligibility criteria that the student shall meet to receive a LIFE Scholarship stipend, which must include a contractual requirement, including a default provision, that the stipend recipient shall upon graduation work in a South Carolina public school for at least one school year for every year the stipend is received.

(D) A person who qualified for the LIFE Scholarship stipend before the 2024-2025 School Year:

(1) shall remain so qualified and eligible for the LIFE Scholarship stipend on that basis, notwithstanding revisions in eligibility criteria applicable beginning with the 2024-2025 School Year; and

(2) is exempt from the contractual work requirement of education majors in subsection (C).

(E) The Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors in this section.

Amend the bill further, SECTION 2, by striking Section 59-104-25(B) and inserting:

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major, applicable beginning with the 2024-2025 School Year to persons who did not

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receive a Palmetto Fellows Scholarship stipend before the 2024-2025 School Year. This definition of a science or mathematics major must include, at a minimum, but at a minimum shall include majors in science or mathematics disciplines, computer science or informational technology, engineering, accounting, science education, math education, and health care and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. Additionally, the Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors.

(C) The Commission on Higher Education shall by regulation define what constitutes an education major for purposes of this section, applicable beginning with the 2024-2025 School Year to persons who did not receive a Palmetto Fellows Scholarship stipend before the 2024-2025 School Year. This definition of an education major must include, in addition to other subjects considered appropriate by the commission, (1) mathematics education majors, (2) science education majors, and (3) students who major in mathematics, science, or another subject and obtain teacher certification in a subject area related to their major prior to completion of their undergraduate degree. Additionally, the commission shall set forth eligibility criteria that the student shall meet to receive a Palmetto Fellows Scholarship stipend, which must include a contractual requirement, including a default provision, that the stipend recipient shall upon graduation work in a South Carolina public school for at least one school year for every year the stipend is received.

(D) A person who qualified for the Palmetto Fellows Scholarship stipend before the 2024-2025 School Year:

(1) shall remain so qualified and eligible for the Palmetto Fellows Scholarship stipend on that basis, notwithstanding revisions in eligibility criteria applicable beginning with the 2024-2025 School Year; and

(2) is exempt from the contractual work requirement of education majors in subsection (C).

(E) The Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors in this section.

Amend the bill further, SECTION 3, by striking Section 59-149-50A(A) and inserting:

(A) (1) To be eligible for a LIFE Scholarship, a student must be either a student who has graduated from a high school located in this State, a student who has completed at least three of the final four years of high school within this State, a home school student who has

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successfully completed a high school home school program in this State in the manner required by law, a student who has graduated from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent, or a student whose parent or guardian has served in or has retired from one of the United States Armed Forces within the last four years, paid income taxes in this State for a majority of the years of service, and is a resident of this State. These students also must meet the requirements of subsection (B) and be eligible for in-state tuition and fees as determined pursuant to Chapter 112, Title 59 and applicable regulations. In addition, the student must have graduated from high school with a minimum of a 3.0 cumulative grade average on a 4.0 scale and, subject to modification as provided in item (2), have scored 1100 or better on the Scholastic Aptitude Test (SAT) or have the equivalent ACT score as determined by the Commission on Higher Education; provided that, if the student is to attend such a public or independent two-year college or university in this State, including a technical college, the SAT/ACT requirement does not apply. If a student chooses to attend such a public or independent institution of this State and does not make the required SAT/ACT score or the required high school grade point average, as applicable, the student may earn a LIFE Scholarship after his freshman year if he meets the grade point average and semester credit hour requirements of subsection (B). For the purpose of meeting the rank criteria pursuant to this section, the existing high school rank of a South Carolina resident attending an out-of-state high school may be used provided it is calculated pursuant to a state-approved, standardized grading scale at the respective out-of-state high school. If the Commission on Higher Education determines that a state-approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state-approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship.

(2) After the 2024-2025 School Year, if the scoring scale range of the SAT is changed, the Commission on Higher Education shall adjust the minimum SAT/ACT score required in item (1) in order to maintain a minimum scoring requirement that is the functional equivalent of the 2024-2025 standards. In determining whether the SAT/ACT score of an applicant meets the minimum requirements of this section after such an adjustment is made, a college or university shall apply the minimum scoring requirement in effect on the date that the test was taken.

Amend the bill further, by deleting SECTION 4.

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Renumber sections to conform.
Amend title to conform.

Rep. ERICKSON explained the amendment.
The amendment was then adopted.

Rep. ERICKSON explained the Bill.

The yeas and nays were taken resulting as follows:
Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pendarvis

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Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thigpen	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

S. 881--ORDERED TO THIRD READING

The following Bill was taken up:

S. 881 -- Senators M. Johnson, McLeod, Devine and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

Rep. OTT explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Brewer	Brittain	Burns

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Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
M. M. Smith	Stavrinakis	Taylor
Thigpen	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total--104

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

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ABSTENTION FROM VOTING

May 8, 2024

The Honorable Charles Reid
Clerk of the South Carolina House of Representatives
213 Blatt Bldg.
Columbia, SC 29201

Dear Clerk Reid,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 of the SC Code, I hereby recuse myself from voting on S. 881, relating to the "Prohibition of Unfair Real Estate Service Agreements Act," making the prohibitions effective for any unfair real estate service agreements that are recorded on the effective date of this Act or that are executed, modified, extended, or amended on or after the effective date of this Act.

I will abstain from this vote because of a potential conflict of interest, as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,
Rep. Jordan Pace

S. 434--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 434 (LC-434.PH0005H), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 37-1-301(31) and (32) and inserting:

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(31) “Automatic renewal provision” means a provision under which a service contract is renewed for a specified period of more than one month if the renewal causes the service contract to be in effect more than six months after the day of the initiation of the service contract. Such renewal is effective unless the consumer gives notice to the seller of the consumer’s intention to terminate the service contract. This term does not include a contract renewal for services provided by a telecommunications carrier or its affiliate when either the carrier or the affiliate is regulated by the South Carolina Public Service Commission or the Federal Communications Commission. This term also does not include a contract renewal for services provided by any broadband entity covered by Act 175 of 2020, known as the Broadband Accessibility Act.

(32) “Service contract” means a written contract for the performance of services over a fixed period of time or for a specified duration. This term does not include service contracts sold or offered for sale to persons other than a natural person or an individual for personal, family, or household purposes and does not include contracts for services provided by an entity incorporated under Chapter 49, Title 33.

Renumber sections to conform.

Amend title to conform.

Rep. BLACKWELL explained the amendment.
The amendment was then adopted.

Rep. BLACKWELL explained the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard

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Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Hartnett
Hayes	Henderson-Myers	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	Schuessler	Sessions
M. M. Smith	Stavrinakis	Taylor
Thigpen	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total—104

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

S. 700--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO

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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.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 700 (LC-700.SA0005H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-5-820(1) and inserting:

(1) "Consumer" means a natural person who works and resides in the State of South Carolina. A provider may use the work address and mailing address provided by a consumer to determine such consumer's state of employment and residence for purposes of this article.

Amend the bill further, SECTION 1, Section 39-5-820, by striking the first undesignated paragraph immediately after item (7) and inserting:

A voluntary tip or gratuity shall not be deemed to be a fee.

Amend the bill further, SECTION 1, by striking Section 39-5-840(7) and (8) and inserting:

(7) If the provider solicits or receives a tip or gratuity from a consumer, the provider shall:

(a) clearly and conspicuously disclose to the consumer immediately prior to each transaction that a tip or gratuity amount may be zero and is voluntary;

(b) clearly and conspicuously disclose in its service contract with the consumer and elsewhere that tips or gratuities are voluntary and that the offering of earned wage access services, including the amount of proceeds a consumer is eligible to request and the frequency with which proceeds are provided to a consumer, is not contingent on whether the consumer pays any tip or gratuity or on the size of the tip or gratuity;

(c) not mislead or deceive consumers about the voluntary nature of such tips or gratuities; and

(d) make no representations that tips or gratuities will benefit any specific individuals.

(8) In any case in which a provider will seek repayment of outstanding proceeds, fees, or other payments, in connection with the activities covered by this article, including voluntary tips or gratuities from a consumer's account at a depository institution including via electronic transfer, the provider shall:

(a) comply with applicable provisions of the federal Electronic

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Fund Transfer Act and its implementing regulations;

(b) reimburse the consumer for the full amount of any overdraft or non-sufficient funds fees imposed on a consumer by the consumer's depository institution that were caused by the provider attempting to seek payment of any outstanding proceeds, fees, or other payments, in connection with the activities covered by this article, including voluntary tips or gratuities, on a date before, or in an incorrect amount from, the date or amount disclosed to the consumer; and

(c) not be subject to the requirements in subitem (b) with respect to payments of outstanding amounts or fees incurred by a consumer through fraudulent or other unlawful means.

Amend the bill further, SECTION 1, by striking Section 39-5-850(1) and inserting:

(1) share with an employer any fees, voluntary tips or gratuities that were received from or charged to a consumer for earned wage access services;

Amend the bill further, SECTION 1, by striking Section 39-5-850(3) and inserting:

(3) accept payment of outstanding proceeds, fees, voluntary tips, or gratuities from a consumer via credit card or charge card;

Amend the bill further, SECTION 1, by striking Section 39-5-850(9) and inserting:

(9) compel or attempt to compel payment by a consumer of outstanding proceeds, fees, voluntary tips, or gratuities to the provider through any of the following means:

(a) a suit against the consumer in a court of competent jurisdiction;

(b) use of a third party to pursue collection from the consumer on the provider's behalf; or

(c) sale of outstanding amounts to a third-party collector or debt buyer for collection from the consumer.

However, the limitations in this item shall not preclude the use by a provider of any of these methods to compel payment of outstanding amounts or fees incurred by a consumer through fraudulent or other unlawful means, nor shall they preclude a provider from pursuing an employer for breach of its contractual obligations to the provider.

Amend the bill further, SECTION 1, by striking Section 39-5-860(C) and inserting:

(C) Fees, voluntary tips, or gratuities paid by a consumer to a provider shall not be considered a loan finance charge for purposes of Section 37-3-109.

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Renumber sections to conform.
Amend title to conform.

Rep. BLACKWELL explained the amendment.
The amendment was then adopted.

Rep. Ott proposed the following Amendment No. 2 to S. 700 (LC-700.HA0006H), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 5, Title 39 of the S.C. Code is amended by adding:

Article 8

South Carolina Earned Wage Access Services Act

Section 39-5-810. This article may be cited as the “South Carolina Earned Wage Access Services Act”.

Section 39-5-820. As used in this article, unless the context clearly requires otherwise, the term:

(1) “Consumer” means a natural person residing in the State of South Carolina. A provider may use the mailing address provided by a consumer to determine such consumer’s state of residence for purposes of this article.

(2) “Consumer-directed wage access services” means offering or providing earned wage access services directly to consumers based on the consumer’s representations and the provider’s reasonable determination of the consumer’s earned but unpaid income.

(3) “Earned but unpaid income” means salary, wages, compensation, or other income that a consumer or an employer has represented, and that a provider has reasonably determined, have been earned or have accrued to the benefit of the consumer in exchange for the consumer’s provision of services to the employer or on behalf of the employer, including on an hourly, project-based, piecework, or other basis and including where the consumer is acting as an independent contractor of the employer, but have not, at the time of the payment of proceeds, been paid to the consumer by the employer.

(4) “Earned wage access services” means the business of providing consumer-directed wage access services or employer-integrated wage access services, or both.

(5)(a) “Employer” means:

(i) a person who employs a consumer; or

(ii) any other person who is contractually obligated to pay a

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consumer earned but unpaid income in exchange for consumer's provision of services to the employer or on behalf of the employer including on an hourly, project-based, piecework, or other basis and including where the consumer is acting as an independent contractor with respect to the employer.

(b) The term "employer" does not include:

(i) a customer of the employer; or

(ii) any other person whose obligation to make a payment of salary, wages, compensation, or other income to a consumer is not based on the provision of services by that consumer for or on behalf of such person.

(6) "Employer-integrated wage access services" means the business of delivering to consumers access to earned but unpaid income that is based on employment, income, and attendance data obtained directly or indirectly from an employer.

(7) "Fee" shall include a:

(a) fee imposed by a provider for delivery or expedited delivery of proceeds to a consumer; or

(b) subscription or membership fee imposed by a provider for a bona fide group of services that include earned wage access services.

A voluntary tip, gratuity, or other donation shall not be deemed to be a fee.

(8) "Outstanding proceeds" means proceeds remitted to a consumer by a provider that have not yet been repaid to that provider.

(9) "Person" means a partnership, association, corporation, or other business unit.

(10) "Proceeds" means a payment to a consumer by a provider that is based on earned but unpaid income.

(11) "Provider" means a person who is in the business of providing earned wage access services to consumers.

(12) "Department" means the South Carolina Department of Consumer Affairs.

Section 39-5-830. (1) A person, including a person that is not physically located in this State, may not provide earned wage access in this State unless the person is registered under this article as a provider. This article does not apply to any person doing business under authority of and as permitted by any law of this State or the United States relating to banks, credit unions, savings and loan associations, savings banks, or trust companies.

(2) A person required to be registered under subsection (1) shall apply to the department for a registration on a form and in the manner

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prescribed by the department. The application shall include all of the following information:

- (a) the name of the provider;
- (b) the name under which the provider transacts business, if different than listed for item (a);
- (c) the address of the provider's principal office, which may be outside of this State;
- (d) the addresses of all of the provider's offices or retail stores, if any, in this State;
- (e) if the provider provides earned wage access services at a location that is not an office or retail store in this State, a brief description of the manner in which the provider provides earned wage access services;
- (f) the provider's federal employer identification number;
- (g) a copy of the policy of the applicant relating to the privacy of information concerning users;
- (h) a schedule of fees proposed to be charged to a user or employer for the provision of earned wage access services, which must include, without limitation, a statement identifying at least one option for a user to obtain earned wage access services from the applicant at no cost to the user;
- (i) a statement that the applicant is applying to be registered as an employer-integrated earned wage access provider or a consumer-directed earned wage access provider, or both; and
- (j) any other information or documentation the department requires to administer this article.

(3) Registration is on an annual basis and must on a form prescribed by the department. The annual renewable period runs from May first until June thirtieth. A provider that files its renewal and annual report on a timely basis may continue operating unless the registration is denied or revoked by the department.

(4) The application for a registration pursuant to subsection (2) or renewal pursuant to subsection (3) shall be accompanied by a nonrefundable fee of one thousand dollars payable to the department. All application and renewal fees collected by the department may be retained by the department and used to implement the provisions of this article.

(5) A provider shall file with the department, and maintain in force, a surety bond that is issued by a surety company authorized to do business in this State. The surety bond must be:

- (a) in a form satisfactory to the department;

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(b) payable to the State for the benefit of a claimant against the provider to secure the faithful performance of obligations of the provider with respect to earned wage access services;

(c) in an amount equal to \$30,000; and

(d) maintained for three years after revocation, denial, or failure to renew the registration.

(6) A registration issued pursuant to this article is not transferable or assignable.

Section 39-5-840. A provider shall comply with all of the following requirements:

(1) The provider shall develop and implement policies and procedures to respond to questions raised by consumers and address complaints from consumers in an expedient manner.

(2) The provider shall offer to the consumer at least one reasonable option to obtain proceeds at no cost to the consumer and clearly explain how to elect that no-cost option.

(3) Before providing a consumer with earned wage access services, the provider shall provide a consumer with a written paper or electronic document, which can be included as part of the contract to provide earned wage access services, and which meets all of the following requirements:

(a) informs the consumer of the terms and conditions of the earned wage access services;

(b) clearly and conspicuously describes how the consumer may obtain proceeds at no cost to that consumer;

(c) provides a phone number or a website through which consumers can submit complaints about the provider's earned wage access services to the provider and the website and telephone number for the department;

(d) is written in a font and using language intended to be easily understood by a layperson;

(e) discloses any fees that may be directly imposed by the provider in connection with the provision of earned wage access services.

(4) The provider must inform the consumer of the fact of any material changes to the terms and conditions of the earned wage access services before implementing those changes for that consumer, using a font and language intended to be easily understood by a layperson.

(5) The provider shall provide proceeds to a consumer via any means mutually agreed upon by the consumer and provider.

(6) The provider shall comply with all local, state, and federal

privacy and information security laws.

(7) If the provider solicits, charges, or receives a tip, gratuity, or other donation from a consumer, the provider shall:

(a) clearly and conspicuously disclose to the consumer immediately prior to each transaction that a tip, gratuity, or other donation amount may be zero and is voluntary;

(b) clearly and conspicuously disclose in its service contract with the consumer and elsewhere that tips, gratuities, or donations are voluntary and that the offering of earned wage access services, including the amount of proceeds a consumer is eligible to request and the frequency with which proceeds are provided to a consumer, is not contingent on whether the consumer pays any tip, gratuity, or other donation or on the size of the tip, gratuity, or other donation;

(c) not mislead or deceive consumers about the voluntary nature of such tips, gratuities, or other donations; and

(d) make no representations that tips, gratuities, or other donations will benefit any specific individuals.

(8) In any case in which a provider will seek repayment of outstanding proceeds, fees, or other payments, in connection with the activities covered by this article, including voluntary tips, gratuities, or other donations from a consumer's account at a depository institution including via electronic transfer, the provider shall:

(a) comply with applicable provisions of the federal Electronic Fund Transfer Act and its implementing regulations;

(b) reimburse the consumer for the full amount of any overdraft or non-sufficient funds fees imposed on a consumer by the consumer's depository institution that were caused by the provider attempting to seek payment of any outstanding proceeds, fees, or other payments, in connection with the activities covered by this article, including voluntary tips, gratuities, or other donations, on a date before, or in an incorrect amount from, the date or amount disclosed to the consumer; and

(c) not be subject to the requirements in subitem (b) with respect to payments of outstanding amounts or fees incurred by a consumer through fraudulent or other unlawful means.

(9) In any case in which a provider will seek repayment of outstanding proceeds, fees, or other payments in connection with the activities covered by this article, including voluntary tips, gratuities, or other donations from a consumer via payroll deduction, the provider's terms and conditions shall inform the consumer that by using the provider's earned wage access services, the consumer consents to repayment from the consumer's employer or its payroll services

provider.

(10) A provider shall allow a consumer to discontinue receiving services at any time, without imposing a financial penalty on that consumer.

Section 39-5-850. No person subject to this article shall do any of the following:

(1) share with an employer any fees, voluntary tips, gratuities, or other donations that were received from or charged to a consumer for earned wage access services;

(2) charge a late fee, interest, or any other penalty or charge for failure to repay outstanding proceeds;

(3) accept payment of outstanding proceeds, fees, voluntary tips, gratuities, or other donations from a consumer via credit card or charge card;

(4) charge a deferral fee or any other charge in connection with deferring the collection of any outstanding proceeds beyond the original scheduled repayment date;

(5) solicit a consumer to delay repayment of outstanding proceeds for the purpose of increasing the total nonmandatory payments that the provider may collect;

(6) report a consumer's payment or failed repayment of outstanding proceeds to a consumer credit reporting agency or a debt collector;

(7) require a credit score to determine a consumer's eligibility for earned wage access services;

(8) advertise, display, distribute, broadcast, televise, or cause or permit to be advertised, displayed, distributed, broadcasted, or televised in any manner whatsoever any false, misleading, or deceptive statement or representation regarding the conditions of the earned wage access services offered and provided by the provider;

(9) compel or attempt to compel payment by a consumer of outstanding proceeds, fees, voluntary tips, gratuities, or other donations to the provider through any of the following means:

(a) a suit against the consumer in a court of competent jurisdiction;

(b) use of a third party to pursue collection from the consumer on the provider's behalf; or

(c) sale of outstanding amounts to a third-party collector or debt buyer for collection from the consumer;

(10) provide proceeds in an amount that exceeds the consumer's earned but unpaid income, provided that this limitation shall not apply to any provision of proceeds that exceeds the consumer's earned but

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unpaid income due to administrative or technical errors so long as repayment of such proceeds provided due to an error otherwise complies with the repayment provisions of this article.

However, the limitations in this item shall not preclude the use by a provider of any of these methods to compel payment of outstanding amounts or fees incurred by a consumer through fraudulent or other unlawful means, nor shall they preclude a provider from pursuing an employer for breach of its contractual obligations to the provider.

Section 39-5-860. The following shall apply in connection with the earned wage access services offered and provided by a provider in compliance with the provisions of this article:

(A) Proceeds provided to a consumer by the provider shall not be considered a consumer loan for purposes of Section 37-3-104 or a loan for purposes of Section 37-3-106.

(B) The provider shall not be considered a lender for purposes of Section 37-3-107(1), unless the provider is conducting business pursuant to Chapter 3, Title 37.

(C) Fees, voluntary tips, gratuities, or other donations paid by a consumer to a provider shall not be considered a loan finance charge for purposes of Section 37-3-109.

(D) The provider shall not be considered to be engaged in the business of money transmission for purposes of Section 35-11-200.

(E) Earned wage access services shall not be considered wage assignment for the purposes of Section 37-3-403.

(F) The provider shall not be considered a deferred presentment provider for purposes of Section 34-39-130 unless the provider is conducting business pursuant to Chapter 39, Title 34.

Section 39-5-870. (1) A provider shall maintain records of its earned wage access services transactions and shall preserve its records for at least two years after the final date on which it provides proceeds to a consumer. A provider shall keep such books and records that, in the opinion of the department, will enable the department to determine whether the provider is in compliance with this article. The provider may keep books and records at a place of business located outside this State if the provider is able to readily produce those books and records for review.

(2) On or before June thirtieth of each year, a provider shall submit an annual report to the department relating to the provider's business conducted during the prior calendar year in this State. The report shall be on a form prescribed by the department and include, at a minimum:

(a) gross revenue attributable to those earned wage access

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services;

(b) a copy of each complaint that has been filed by a consumer against the provider with the Better Business Bureau or a state or federal agency other than the department and a description of the resolution, if any, of each such complaint;

(c) the total number of transactions in which the provider provided proceeds to consumers;

(d) the total number of unique consumers to whom the provider provided proceeds;

(e) the total dollar amount of proceeds the provider provided to consumers; and

(f) the total dollar amount of fees, voluntary tips, gratuities, or other donations the provider received from consumers.

(3) Data collected by the department pursuant to this section is confidential and may be released only in composite form, except as otherwise provided by law. The department shall prepare and make available to the public a report based on the above data. The report must be made available by October thirty-first each year.

Section 39-5-880. Upon satisfactory evidence that a provider has violated or failed to comply with a provision of this article or regulation promulgated pursuant to the authority of this article, the department may issue an order requiring the provider to cease and desist from engaging in the violation, requiring the provider to pay an administrative penalty or issue a refund to the consumer, denying, revoking, or suspending the provider's registration, or a combination thereof.

Section 39-5-890. An appeal of an order issued by the department must be made pursuant to the Administrative Procedures Act and the rules governing practice before the Administrative Law Court. A contested hearing pursuant to this article is before the Administrative Law Court, with notice to, and an opportunity for a hearing by, the affected provider.

SECTION 2. This act takes effect six months after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

Rep. BLACKWELL explained the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 105; Nays 2

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Gagnon
Garvin	Gibson	Gilliam
Guest	Guffey	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCrary	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--105

[HJ]

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Those who voted in the negative are:

Bustos

Haddon

Total--2

So, the Bill, as amended, was read the second time and ordered to third reading.

RECURRENCE TO THE MORNING HOUR

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

HOUSE RESOLUTION

The following was introduced:

H. 5547 -- Reps. Rutherford, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR BECKY BUDDS, A POLITICAL AND GENERAL ASSIGNMENT REPORTER WITH WLTX, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN HER FUTURE ENDEAVORS AS SHE LEAVES COLUMBIA TO START A NEW CAREER IN CHARLOTTE.

The Resolution was adopted.

[HJ]

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HOUSE RESOLUTION

The following was introduced:

H. 5548 -- Reps. Erickson, Herbkersman, W. Newton, Hager, Bradley, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE AND HONOR DR. FRANK RODRIGUEZ OF BEAUFORT COUNTY SCHOOL DISTRICT UPON BEING NAMED 2025 SOUTH CAROLINA SUPERINTENDENT OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5549 -- Reps. Brewer, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones,

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W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO COMMEND AND THANK THE 150 SOUTH CAROLINA NATIONAL GUARD SOLDIERS AND THEIR COMMANDER, LIEUTENANT COLONEL TRAVIS MOORE, WHO IN THE SUMMER OF 2023 SERVED IN TEXAS TO ASSIST AUTHORITIES WITH OPERATION LONE STAR.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5550 -- Reps. Guest, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF LIEUTENANT COLONEL WALTER LESTER "TRIPP" HUNTER III AND TO

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EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5551 -- Reprs. G. M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CHARLES M. CANNON OF COLUMBIA, FORMER DIRECTOR OF THE SOUTH CAROLINA HOUSE REPUBLICAN CAUCUS, FOR HIS OUTSTANDING SERVICE WITH THE CAUCUS AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS AS HE TAKES ON NEW CHALLENGES.

Whereas, the House of Representatives has learned that Charles M. Cannon of Columbia, former executive director of the South Carolina House Republican Caucus, recently stepped down from the position he held with such distinction for more than two decades; and

Whereas, during his time as executive director of the House Republican Caucus, Charles worked with caucus leadership to communicate legislative activities and priorities to members, supervised all activities

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and daily operations of the caucus, and served as liaison between caucus members and its Business Roundtable members. He also advised current House members and candidates on constituency issues, campaign management, budgeting, and public relations; acted as intermediary between the House Caucus and Senate Caucus regarding legislative initiatives; and established relationships with local and regional officials to assist with candidate recruitment; and

Whereas, while he served with the House Republican Caucus, Charles worked for eight majority leaders and three House Speakers; and

Whereas, prior to taking up his duties with the House Republican Caucus, Charles Cannon served with Beers-York Construction Company as regional business development manager. Earlier, he served with two Beasley for Governor election campaigns, as well as in the office of then-Governor David M. Beasley; and

Whereas, away from the office, Charles Cannon has served on the South Carolina State Museum Foundation Board, and he is also a Hammond School Ambassador and member of the Hammond Finance Committee. He loves to travel, and he finds strong support for all his labors in his family: his lovely wife, Clare; his daughter, Elizabeth; and his son, Charles, Jr.; and

Whereas, in preparation for his career, the young Charles earned his Bachelor of Science in Political Science at Clinton's Presbyterian College (1993); and

Whereas, the South Carolina House of Representatives is grateful for the legacy of dedication and excellence that Charles Cannon has given the people of South Carolina, and the members wish him many years of satisfaction and prosperity in his new pursuits. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and honor Charles M. Cannon of Columbia, former director of the South Carolina House Republican Caucus, for his outstanding service with the caucus and wish him continued success and fulfillment in all his future endeavors as he takes on new challenges.

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Be it further resolved that a copy of this resolution be presented to Charles Cannon.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5552 -- Reps. McDaniel, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MCCROREY-LISTON SCHOOL AND TO CELEBRATE THE SCHOOL'S SEVENTIETH ANNIVERSARY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5553 -- Reps. Chapman, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes,

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Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR BOBBY BOWEN, OPERATIONS LEADER FOR BOSCH IN ANDERSON, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SEVEN YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5554 -- Reps. Kilmartin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR COACH TIM WHIPPLE FOR HIS WELL-ACCOMPLISHED CAREER, TO

[HJ]

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CONGRATULATE HIM ON HIS RETIREMENT, AND TO WISH HIM MUCH HAPPINESS AND SATISFACTION IN THE MORE LEISURELY PACE OF THE DAYS AHEAD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5555 -- Rep. Forrest: A HOUSE RESOLUTION TO CONGRATULATE EDWARD AND HELEN HALLMAN ON THE OCCASION OF THEIR SIXTY-SECOND WEDDING ANNIVERSARY AND TO RECOGNIZE THE INCREDIBLE COMMITMENT THEY HAVE MADE TO EACH OTHER.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5556 -- Rep. Taylor: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CAPTAINS APRIL AND RANDULL TILLER OF THE SALVATION ARMY FOR THEIR OUTSTANDING AND DEDICATED SERVICE TO THE CITIZENS OF AIKEN, ALLENDALE, BARNWELL, AND EDGEFIELD COUNTIES AND TO WISH THEM GOD'S RICHEST BLESSINGS AS THEY TAKE UP NEW DUTIES WITH THE SALVATION ARMY'S MINISTRY IN CONCORD, NORTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5557 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes,

[HJ]

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Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO DECLARE THE MONTH OF MAY 2024 AS "JEWISH AMERICAN HERITAGE MONTH" IN SOUTH CAROLINA AND TO CALL UPON ALL CITIZENS TO COMMEMORATE THIS OCCASION BY APPROPRIATELY CELEBRATING THE CONTRIBUTIONS THAT THE JEWISH COMMUNITY'S HISTORY, HERITAGE, AND CULTURE HAVE MADE TO THIS NATION AND TO THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5558 -- Reps. Garvin, Weeks, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten

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and Yow: A HOUSE RESOLUTION TO CONGRATULATE DOROTHY LOUISE WILLIAMS "DOT" THORNE, A NATIVE OF SUMTER COUNTY, ON THE OCCASION OF HER 81ST BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5559 -- Reprs. Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE EDWARD BYRD, BISHOPVILLE CITY COUNCILMAN, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5560 -- Reps. J. Moore, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND ROSA MARCELA RABENS OF CHARLESTON FOR HER DEDICATED COMMUNITY SERVICE AND TO WISH HER CONTINUED HAPPINESS AND SUCCESS IN THE YEARS AHEAD.

The Resolution was adopted.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1303 -- Senator Williams: A CONCURRENT RESOLUTION TO HEREBY PROCLAIM SEPTEMBER 2024 AS CHILDHOOD CANCER AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT RESEARCH FOR THE CURE OF CHILDHOOD CANCER AND TREATMENT OF CHILDREN DIAGNOSED WITH CHILDHOOD CANCER AND TO SUPPORT THEIR FAMILIES WHO ARE ALL SO DEEPLY IMPACTED.

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The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1314 -- Senators Senn and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT AT FORT JOHNSON ROAD AND HARBOR VIEW ROAD IN CHARLESTON COUNTY "INEZ BROWN CROUCH ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

INTRODUCTION OF BILLS

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 5561 -- Reps. Thigpen, Cobb-Hunter, King, Gilliard, Spann-Wilder, Garvin, Jefferson, Pendarvis, Anderson, Wheeler, Rivers, J. Moore, J. L. Johnson, Henderson-Myers, Hosey, Weeks and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING ACT 111 OF 2024 RELATING TO THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE STATUTES CONTAINED IN THAT ACT REVERT TO THE LANGUAGE CONTAINED IN THEM.

Referred to Committee on Judiciary

H. 5562 -- Reps. Wetmore, Stavrinakis and Bustos: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-720, RELATING TO ZONING ORDINANCES, SO AS TO DEFINE "CONCURRENCY PROGRAMS"; AND BY AMENDING SECTION 6-29-1130, RELATING TO REGULATIONS, SO AS TO INCLUDE A REFERENCE TO AN ADOPTED CONCURRENCY PROGRAM.

Referred to Committee on Medical, Military, Public and Municipal Affairs

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H. 5388--RECOMMITTED

The following Bill was taken up:

H. 5388 -- Reps. Bannister, Elliott, Willis, W. Jones, Dillard, Vaughan and Haddon: A BILL TO AMEND ACT 919 OF 1928, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY MILLION DOLLARS.

Rep. BANNISTER moved to recommit the Bill to the Committee on Greenville Delegation, which was agreed to.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

S. 1001 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

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RETURNED TO THE SENATE WITH AMENDMENTS

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

Rep. FORREST moved that the House adjourn pending receipt of Bills and messages from the Senate to meet at 11:00 a.m. tomorrow, which was agreed to.

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RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3392 -- Rep. M. M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND MELROSE DRIVE IN CHARLESTON COUNTY "DEPUTY SHERIFF JEREMY CHRISTOPHER LADUE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

H. 4040 -- Reps. Gilliard and Stavrinakis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARDEN STREET FROM ITS INTERSECTION WITH HOFF AVENUE TO ITS INTERSECTION WITH HUNTLEY DRIVE IN THE CITY OF CHARLESTON IN CHARLESTON COUNTY "BILL SHARPE WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 4806 -- Reps. Rivers and Gilliard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE SEA ISLAND PARKWAY IN BEAUFORT COUNTY FROM ITS INTERSECTION WITH COWEN CREEK BLUFF TO ITS INTERSECTION WITH COWEN CREEK BRIDGE "MONTFORD POINT MARINES WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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.

H. 4905 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED AT THE INTERSECTION OF SOUTH

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CAROLINA HIGHWAY 9 AND SOUTH CAROLINA HIGHWAY 49 IN UNION COUNTY "PFC FRANKLIN LEROY BARBER BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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.

H. 5378 -- Reps. Thigpen, Howard, Garvin, Bernstein, Bauer, McDaniel and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 (WILSON BOULEVARD) FROM STATE ROAD S-910 (PLUMBERS ROAD) TO ITS INTERSECTION WITH STATE ROAD S-130 (SHARPE ROAD) IN RICHLAND COUNTY "JAMES AND BARBARA MCLAWHORN BOULEVARD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 5339 -- Reps. Jefferson, Cobb-Hunter, Murphy, Pedalino, Brewer, Gatch and Robbins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY "MAYOR CHARLES WILLIAM ACKERMAN HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

H. 5453 -- Reps. Rose, Rutherford, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam,

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Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR STAFF AT THE UNIVERSITY OF SOUTH CAROLINA FOR THEIR HARD WORK AND MANY CONTRIBUTIONS MADE TO THE FLAGSHIP UNIVERSITY, TO CONGRATULATE THEM, AND TO DECLARE MAY 14, 2024, AS "USC STAFF DAY" IN THE PALMETTO STATE.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 8, 2024, at 10:00 a.m. and the following Acts and Joint Resolutions were ratified:

(R. 129, S. 621) -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: AN ACT 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.

(R. 130, S. 845) -- Senators Rankin, Sabb, Talley and Malloy: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, APPOINTMENT PROCEEDINGS, AND ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS IN RELATION TO AN INDIVIDUAL'S ESTATE, REGARDLESS OF THE INDIVIDUAL'S DATE OF DEATH, FOR THE SOLE PURPOSE OF ALLOWING A CLAIM TO BE MADE PURSUANT TO THE "SERGEANT FIRST CLASS HEATH

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ROBINSON HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2022”.

(R. 131, S. 916) -- Senator Cromer: AN ACT TO AMEND SECTION 1(C) OF ACT 485 OF 1998, RELATED TO THE NEWBERRY COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT ALL PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE BOARD OF TRUSTEES MUST FILE A STATEMENT OF INTENTION OF CANDIDACY WITH THE COUNTY ELECTION COMMISSION INSTEAD OF FILING A PETITION.

(R. 132, S. 971) -- Senator Hutto: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

(R. 133, S. 972) -- Senator Garrett: AN ACT TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.

(R. 134, S. 1025) -- Senators Young, Massey, Setzler and Hutto: AN ACT TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

(R. 135, S. 1047) -- Senator Hutto: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE

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MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

(R. 136, S. 1126) -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey, Campsen, Bennett, Martin, Corbin and Verdin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO PROVIDE THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

(R. 137, S. 1266) -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO PAYMENT OF COMPENSATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5266, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

(R. 138, S. 1285) -- Senator Malloy: AN ACT TO AMEND ACT 259 OF 1961, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS AND TO DELETE REFERENCES TO INITIAL BOARD MEMBERS.

(R. 139, H. 3121) -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

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(R. 140, H. 3248) -- Reps. Collins and Carter: AN ACT TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE STIPEND AMOUNT.

(R. 141, H. 3255) -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

(R. 142, H. 3295) -- Reps. Collins, Erickson, Bradley and Alexander: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR EXEMPTING COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR AND INSTRUCTION TIME REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO

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REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

(R. 143, H. 3309) -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-10-215 SO AS TO PROVIDE EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL ADOPT A SEIZURE TRAINING PROGRAM AND TO PROVIDE THE PURPOSES AND REQUIREMENTS OF THE PROGRAMS; AND BY AMENDING SECTION 59-63-80, RELATING TO INDIVIDUAL HEALTH CARE PLANS FOR STUDENTS WITH SPECIAL HEALTH CARE NEEDS, SO AS TO MAKE CONFORMING CHANGES.

(R. 144, H. 3355) -- Reps. Moss and Lawson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH VEHICLE OPERATORS UTILIZING FIFTH WHEEL ASSEMBLIES MAY TOW AN ADDITIONAL TRAILING VEHICLE.

(R. 145, H. 3518) -- Reps. Felder and Williams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-286, RELATING TO THE SUSPENSION OF LICENSES OR PERMITS OR THE DENIAL OF ISSUANCE OF LICENSES OR PERMITS TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH A CERTAIN ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE PERSONS, AFTER THE ISSUANCE OF NOTICES OF SUSPENSIONS, MAY ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, TO PROVIDE THE PERIOD OF TIME THE IGNITION INTERLOCK MUST BE MAINTAINED ON TEMPORARY ALCOHOL LICENSES, TO PROVIDE THE CIRCUMSTANCES WHEN PERSONS CAN OBTAIN TEMPORARY ALCOHOL LICENSES WITHOUT INTERLOCK RESTRICTIONS, AND TO PROVIDE, IF SUSPENSIONS ARE UPHELD, THE PERSONS MUST ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; AND BY AMENDING SECTION 56-5-2951, RELATING TO SUSPENSIONS OF LICENSES FOR THE REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN ALCOHOL CONCENTRATIONS, SO AS TO MAKE

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TECHNICAL CHANGES, TO PROVIDE PERSONS MAY ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM AFTER THE ISSUANCE OF THE NOTICES OF SUSPENSION, TO PROVIDE FEES ASSESSED UNDER THIS PROVISION MUST BE HELD IN TRUST UNTIL THE FINAL DISPOSITIONS OF CONTESTED HEARINGS, TO PROVIDE IF SUSPENSIONS ARE UPHeld AT CONTESTED HEARINGS, THE PERSONS MUST ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, AND TO PROVIDE IF THE SUSPENSIONS ARE OVERTURNED, THE FEES MUST BE REIMBURSED TO THE PERSONS AND THEIR DRIVING PRIVILEGES MUST BE REINSTATED.

(R. 146, H. 3563) -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

(R. 147, H. 3592) -- Reps. Hyde and Carter: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES, SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS; BY ADDING SECTION 40-43-197 SO AS TO PROVIDE PERSONS OR ENTITIES AUTHORIZED TO DISPENSE DRUGS MAY ACQUIRE CERTAIN DRUGS COMPOUNDED OR REPACKAGED BY AN OUTSOURCING FACILITY DIRECTLY FROM THE OUTSOURCING FACILITY WITHOUT AN ORDER AND MAY DISPENSE THE DRUGS TO THE SAME EXTENT AS AUTHORIZED FOR OTHER AUTHORIZED MEANS; AND TO

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PROVIDE THE BOARD OF PHARMACY MUST PROMULGATE CERTAIN RELATED REGULATIONS.

(R. 148, H. 3608) -- Reps. Hixon, Bailey and Brittain: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

(R. 149, H. 3811) -- Rep. Elliott: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.
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(R. 150, H. 3880) -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

(R. 151, H. 3992) -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS

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WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A SPECIFIED ANNUAL STATUTORY RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

(R. 152, H. 4002) -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CAPTAIN ROBERT JOHNSON ACT" BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR INMATES UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

(R. 153, H. 4042) -- Reps. Bernstein, Gilliard, Wheeler, Wetmore, King, Howard, Henegan, Stavrinakis, Bauer, Rutherford, W. Newton, Jordan, Pope, Bannister, J.E. Johnson, Brittain, Elliott and Jefferson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 27 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.

(R. 154, H. 4113) -- Reps. Herbkersman, Sandifer, Jefferson, M.M. Smith, Kirby and Gilliard: AN ACT 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.

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(R. 155, H. 4333) -- Reps. M.M. Smith, King, Davis, Pace, B.L. Cox, McDaniel, Henderson-Myers and Weeks: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-20, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF OPTOMETRY, SO AS TO PROVIDE A NECESSARY DEFINITION; AND BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.

(R. 156, H. 4349) -- Rep. Bannister: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.

(R. 157, H. 4376) -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

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(R. 158, H. 4387) -- Rep. Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

(R. 159, H. 4612) -- Reprs. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B.J. Cox and Bannister: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING ANIMALS FROM AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY HUNT FROM AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

(R. 160, H. 4642) -- Reprs. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT A CERTAIN DELEGATION MAY BE MADE; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE

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FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

(R. 161, H. 4673) -- Reps. Erickson, Gilliam, Williams and Henegan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS, AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO

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MAKE TECHNICAL CHANGES, EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING CERTAIN MOTOR VEHICLES, TO PROVIDE CERTAIN PERSONS AT LEAST FIFTEEN YEARS OF AGE MUST HOLD A BEGINNER'S PERMIT BEFORE BEING ELIGIBLE FOR FULL LICENSURE, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNER'S PERMIT FOR AT LEAST THIRTY DAYS TO OPERATE CERTAIN MOTOR VEHICLES.

(R. 162, H. 4720) -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

(R. 163, H. 4819) -- Reps. Felder, Bernstein and Calhoon: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.

(R. 164, H. 4871) -- Reps. Haddon, Ligon and Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.

(R. 165, H. 4875) -- Reps. Ott, Brewer, Atkinson and Caskey: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER AND RECOVER THE FEES OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.

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(R. 166, H. 4909) -- Reps. B. Newton, Neese, Mitchell and Yow: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

(R. 167, H. 4928) -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF THE VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

(R. 168, H. 4937) -- Reps. Collins, Hiott and Carter: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.

(R. 169, H. 4953) -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

(R. 170, H. 5007) -- Reps. Caskey and Hixon: AN ACT 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.

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(R. 171, H. 5079) -- Rep. W. Newton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

(R. 172, H. 5153) -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: AN ACT 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.

(R. 173, H. 5168) -- Reps. Connell, Mitchell, B. Newton and Wheeler: AN ACT 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.

(R. 174, H. 5231) -- Rep. Bamberg: AN ACT TO AMEND ACT 104 OF 2021, RELATING TO THE ESTABLISHMENT OF THE CONSOLIDATED BAMBERG COUNTY SCHOOL DISTRICT AND ITS NINE MEMBER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SEVEN MEMBERS OF THE BOARD ARE TO BE ELECTED FROM SINGLE-MEMBER DISTRICTS WHICH CORRESPOND WITH THE BAMBERG COUNTY COUNCIL DISTRICTS, AND TWO ADDITIONAL MEMBERS ARE TO BE ELECTED FROM THE COUNTY AT-LARGE.

(R. 175, H. 5267) -- Rep. Forrest: AN ACT TO AMEND ACT 307 OF 2012, RELATING TO THE ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED, SO AS TO REAPPORTION THESE DISTRICTS, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE

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DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.

(R. 176, H. 5395) -- Reps. B. Newton, Mitchell, Yow and Neese: AN ACT TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.

ADJOURNMENT

At 7:46 p.m. the House, in accordance with the motion of Rep. TAYLOR, adjourned in memory of SGM Dwight L. Bradham, to meet at 11:00 a.m. tomorrow.

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