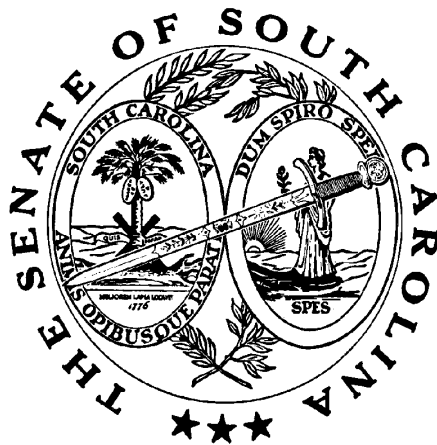


NO. 45

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, MARCH 26, 2024

Tuesday, March 26, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 116:12

We hear the Psalmist asking: “How can I repay the Lord for all his goodness to me?”

Bow in prayer with me, please: O wondrous God, here during this special week, we cannot help but pause and reflect upon the question that the Psalmist asked. It is indeed a pertinent one for all of us. For after all, here in a world beset by so many challenges and difficulties, we nonetheless know how great Your gifts to us truly are. And we humbly recognize that there is no actual way that we might repay You for Your blessings and love, except by our being faithful to You. So to that end, O God, we ask You by Your grace to fill the heart of every Senator and staff member with determination to be the caring, wise and honorable servant our citizens need each one to be. May it be so, dear Lord. In Your loving name we pray. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Martin	Massey
Peeler	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Talley	Turner

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Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator REICHENBACH introduced Dr. Coleman Floyd of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CASH, at 12:07 P.M., Senator LOFTIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 12:49 P.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator McLEOD, at 1:31 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

- S. 95 Sen. Rice
- S. 300 Sen. Stephens
- S. 527 Sens. Cromer and Shealy
- S. 955 Sen. Matthews
- S. 995 Sen. Setzler
- S. 1095 Sen. Climer
- S. 1108 Sen. Stephens
- S. 1114 Sen. Garrett

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1203 -- Senator Grooms: A SENATE RESOLUTION TO HONOR CHARLES F. "CHUCK" DAWLEY, PLS, OWNER OF DAWLEY SURVEYING COMPANY, LLC, AND TO CONGRATULATE HIM FOR BEING NAMED THE 2023-2024 SURVEYOR OF THE YEAR.

sr-0663km-hw24.docx

The Senate Resolution was adopted.

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S. 1204 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 17 BETWEEN MAIN STREET AND STARWATCH DRIVE IN HORRY COUNTY "GEORGE RAYFORD VEREEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0580km-hw24.docx

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

S. 1205 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-52-620, RELATING TO STATE AGENCIES' AND SCHOOL DISTRICTS' ENERGY CONSERVATION PLANS AND REPORTS AND METERING OF STATE BUILDINGS, SO AS TO DELETE THE EXEMPTION OF COMPLIANCE FOR A BUILDING IN COMPLIANCE WITH THE ENERGY INDEPENDENT AND SUSTAINABLE CONSTRUCTION ACT OF 2007; BY ADDING SECTION 48-52-690 SO AS TO REQUIRE ANY NEW STATE-OWNED BUILDING TO COMPLY WITH THE LATEST EDITION OF ASHRAE AND TO REQUIRE ANY NEW STATE-OWNED BUILDING OVER 15,000 SQUARE FEET TO BE COMMISSIONED BY A THIRD-PARTY COMMISSIONING AGENT PRIOR TO FINAL ACCEPTANCE; AND BY REPEALING ARTICLE 8, CHAPTER 52, TITLE 48, RELATING TO THE "ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007".

lc-0305ha24.docx

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

S. 1206 -- Senator K. Johnson: A SENATE RESOLUTION TO CONGRATULATE AMERICAN HONDA MOTOR CO., INC. SOUTH CAROLINA MANUFACTURING FOR BEING A MANUFACTURING COMPANY WHICH BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

lc-0571sa-bl24.docx

The Senate Resolution was adopted.

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S. 1207 -- Senators Rice and Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR RELIABLE AUTOMATIC SPRINKLER CO., INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

sr-0658km-vc24.docx

The Senate Resolution was adopted.

S. 1208 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE MRS. ANNIE CORRINE POWER BENNETT ON THE OCCASION OF HER ONE HUNDRED SECOND BIRTHDAY AND TO WISH HER MUCH HAPPINESS IN THE DAYS AHEAD.

lc-0428hdb-bl24.docx

The Senate Resolution was adopted.

S. 1209 -- Senator Fanning: A SENATE RESOLUTION TO HONOR E. & J. GALLO WINERY FOR EMPLOYING HUNDREDS OF SOUTH CAROLINIANS AND TO CONGRATULATE THEM FOR BRINGING GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

lc-0560cm-bl24.docx

The Senate Resolution was adopted.

S. 1210 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE GREENWOOD HIGH SCHOOL WRESTLERS KENNEDI WASHINGTON AND CASON HOWLE FOR WINNING THE 2024 SOUTH CAROLINA CLASS AAAA INDIVIDUAL STATE CHAMPIONSHIP TITLES.

lc-0438vr-gm24.docx

The Senate Resolution was adopted.

H. 3776 -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J. E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.

lc-0181sa23.docx

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

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H. 3988 -- Reps. Davis, M. M. Smith, B. J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL 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 PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

lc-0231wab23.docx

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

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE

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LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428,

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RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

lc-0238ph23.docx

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

H. 4563 -- Reps. Bernstein, J. L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

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

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL 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

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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 CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE 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 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

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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.

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Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4655 -- Reps. Haddon, Pope, Oremus, Cobb-Hunter, J. L. Johnson, Collins, Henderson-Myers, Hart, King, Williams, Henegan, Ligon, McDaniel and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-10-10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND RECESS IN FOUR-YEAR OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS "PHYSICAL EDUCATION AND ACTIVITY"; TO PROVIDE THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION SHALL TAKE CERTAIN MEASURES TO CONFORM THEIR RESPECTIVE REGULATIONS AND RULES TO THE PROVISIONS OF THIS ACT; AND TO CLARIFY THAT THE PROVISIONS OF THIS ACT PREVAIL TO THE EXTENT THEY CONFLICT WITH ANY SUCH REGULATIONS AND RULES.

lc-0525wab24.docx

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

H. 4813 -- Reps. Wooten, W. Newton and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-23-60, RELATING TO CERTIFICATES OF COMPLIANCE ISSUED BY THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE

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INDIVIDUALS SEEKING CERTIFICATION MUST UNDERGO CRIMINAL RECORDS CHECKS, TO PROVIDE SLED AND THE FBI MAY RETAIN THE INDIVIDUALS' FINGERPRINTS FOR VARIOUS PURPOSES, AND TO PROVIDE THE INDIVIDUALS SHALL BE RESPONSIBLE FOR THE COSTS OF THE RECORDS CHECKS.

lc-0460cm24.docx

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

H. 5042 -- Reps. B. L. Cox, J. L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M. M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G. M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J. E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

lc-0235ahb24.docx

Read the first time and referred to the Committee on Operations and Management.

H. 5164 -- Reps. Erickson, G. M. Smith, Herbkersman, Hartnett, McGinnis, Pope, Schuessler, Bradley, Hager, Long, Vaughan, Bannister, Elliott, Willis, Yow, Hiott, Gilliam, Mitchell, Hardee, Whitmire, W. Newton, B. Newton, Davis, Gagnon, Hixon, Lowe, Thayer, West, Taylor, Crawford and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS CONCERNING THE EDUCATION SCHOLARSHIP TRUST FUND PROGRAM, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-8-115,

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RELATING TO THE APPLICATION PROCESS FOR SCHOLARSHIPS, SO AS TO PROVIDE ADDITIONAL APPLICATION PROCESSES, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-120, RELATING TO THE ESTABLISHMENT AND ADMINISTRATION OF THE TRUST FUND, SO AS TO PROVIDE CONFIDENTIALITY REQUIREMENTS FOR CERTAIN RELATED INFORMATION, TO REVISE THE FUNDING FORMULA, AND TO REVISE RELATED ADMINISTRATIVE PROCEDURES; BY AMENDING SECTION 59-8-125, RELATING TO FUNDING AND ADMINISTRATION OF THE PROGRAM, SO AS TO REVISE ADMINISTRATIVE FEES, AND TO REMOVE PROVISIONS ALLOWING THE USE OF QUALIFIED THIRD PARTIES TO MANAGE ACCOUNTS AND ADMINISTER RELATED FUNCTIONS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-130, RELATING TO REVERSION OF SCHOLARSHIP FUNDS UPON TERMINATION OF A SCHOLARSHIP, SO AS TO PROVIDE FOR THE RETURN OF REVERTED FUNDS IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO REVISE THE LIMITATIONS, REQUIRE THE STATE DEPARTMENT OF EDUCATION TO SUBMIT AN ANNUAL BUDGET REQUEST BASED ON CERTAIN SCHOLARSHIP DEMAND AND USE INFORMATION, AND TO REMOVE OBSOLETE REVIEW REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-140, RELATING TO THE EDUCATION SERVICE PROVIDER APPLICATION REVIEW AND APPROVAL PROCESSES, SO AS TO REVISE CERTIFICATION RENEWAL REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO THE STUDENT ELIGIBILITY NOTIFICATION PROCESS, SO AS TO PROVIDE THE DEPARTMENT MAY DECLARE A STUDENT INSTEAD OF A PARENT INELIGIBLE, AMONG OTHER THINGS; AND BY AMENDING SECTION 59-8-150, RELATING TO EDUCATION SERVICE PROVIDER REQUIREMENTS, SO AS TO REQUIRE PROVIDERS GIVE PARENTS SPECIFIC DOCUMENTATION FOR QUALIFIED GOODS AND SERVICES ACQUIRED, TO PROVIDE SURETY BOND REQUIREMENTS, AND TO REVISE ACCOUNTABILITY MEASURE REQUIREMENTS.

lc-0644wab24.docx

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

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H. 5203 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "BUDGET PROVISO CODIFICATION ACT OF 2024", SO AS TO PROVIDE FOR THE CODIFICATION IN THE S.C. CODE OF CERTAIN PROVISOS CONTAINED IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO CODIFY OTHER RELATED PROVISIONS PERTAINING TO THE ANNUAL GENERAL APPROPRIATIONS ACT, INCLUDING PROVISIONS BY ADDING SECTIONS 59-17-170, 59-1-471, 59-17-180, 59-17-190, 59-67-310, 59-67-800, 59-67-330, 59-67-340, 59-17-200, 59-17-210, 59-1-472, AND 59-1-407 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION; BY ADDING SECTIONS 59-47-150 AND 59-6-130 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION-EIA; BY ADDING SECTIONS 59-51-60, 59-51-70, AND 59-51-80 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE WIL LOU GRAY OPPORTUNITY SCHOOL; BY ADDING SECTIONS 59-47-130, 59-47-140, AND 59-47-150 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE SCHOOL FOR THE DEAF AND BLIND; BY ADDING SECTION 59-49-170 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE; BY ADDING SECTIONS 59-7-70, 59-7-80, 59-7-90, AND 59-101-220 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE EDUCATIONAL TELEVISION COMMISSION; BY ADDING SECTIONS 59-50-80, 59-50-90, AND 59-50-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES; BY ADDING SECTIONS 59-48-80, 59-48-90, 59-48-100, AND 59-1-497 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS; BY ADDING SECTION 59-123-330 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA; BY ADDING SECTIONS 59-53-110 AND 59-53-170 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; BY ADDING SECTION 60-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE LIBRARY; BY ADDING SECTIONS 60-15-100, 60-15-110, AND 60-15-120 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ARTS COMMISSION; BY ADDING SECTIONS 60-13-60, 60-13-70, 60-13-

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80, AND 60-13-90 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE MUSEUM COMMISSION; BY ADDING SECTIONS 43-31-180 AND 43-31-190 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF VOCATIONAL REHABILITATION; BY ADDING SECTIONS 44-6-116, 44-6-117, 44-6-118, 44-6-119, 44-6-120, 44-6-121, 44-6-122, AND 44-6-123 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; BY ADDING SECTIONS 44-1-320, 44-1-330, 44-1-340, 44-1-350, 44-1-360, 44-1-370, 48-6-90, 44-1-380, 48-6-100, 48-6-110, 44-1-400, 44-1-410, AND 44-1-420 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; BY ADDING SECTIONS 44-9-170 AND 44-9-180 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF MENTAL HEALTH; BY ADDING SECTIONS 44-20-40, 44-20-50, 44-20-60, 44-20-70, AND 44-20-80 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; BY ADDING SECTIONS 44-49-90 AND 44-49-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING SECTIONS 43-1-270, 43-1-280, 43-1-290, 43-1-300, 43-1-310, 43-1-320, 43-1-330, 43-1-340, 43-1-350, 43-1-360, AND 43-1-370 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF SOCIAL SERVICES; BY ADDING SECTION 43-21-210 SO AS TO CODIFY A PROVISIO RELATING TO THE DEPARTMENT ON AGING; BY ADDING SECTION 63-11-2300 SO AS TO CODIFY A PROVISIO RELATING TO THE DEPARTMENT ON CHILDREN'S ADVOCACY; BY ADDING SECTION 31-13-100 AND BY AMENDING SECTION 31-13-430, RELATING TO THE ADVISORY COMMITTEE, SO AS TO CODIFY PROVISOS RELATING TO THE HOUSING FINANCE AND DEVELOPMENT AUTHORITY; BY ADDING SECTIONS 48-23-310, 48-23-320, AND 48-23-330 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE FORESTRY COMMISSION; BY ADDING SECTION 46-1-170 SO AS TO CODIFY A PROVISIO RELATING TO CLEMSON UNIVERSITY PSA; BY ADDING SECTIONS 50-3-200, 50-3-210, 50-3-220, 50-3-230, AND 50-3-240 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF NATURAL RESOURCES; BY ADDING SECTION 48-45-90 SO AS TO CODIFY A PROVISIO RELATING TO THE SEA GRANT CONSORTIUM; BY

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ADDING SECTIONS 51-1-100, 51-1-110, AND 51-1-120 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM; BY ADDING SECTIONS 13-1-70, 13-1-80, 13-1-90, 13-1-100, 13-1-110, 13-1-120, 13-1-130, AND 13-1-140 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF COMMERCE; BY ADDING SECTIONS 11-50-190 AND 11-40-280 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE RURAL INFRASTRUCTURE AUTHORITY; BY ADDING SECTIONS 14-9-270, 14-1-250, 14-3-460, 14-1-260, 14-1-270, 14-1-280, 14-1-290, AND 14-1-300 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE JUDICIAL DEPARTMENT; BY ADDING SECTIONS 1-23-690 AND 14-1-290 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ADMINISTRATIVE LAW COURT; BY ADDING SECTION 8-1-200 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE PROSECUTION COORDINATION COMMISSION; BY ADDING SECTIONS 23-3-87, 23-3-90, 23-3-92, 23-3-95, 23-3-97, AND 23-3-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE LAW ENFORCEMENT DIVISION; BY ADDING SECTION 23-6-197 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PUBLIC SAFETY; BY ADDING SECTIONS 23-23-170 AND 23-23-180 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL; BY ADDING SECTIONS 24-1-330, 24-1-340, 24-1-350, 24-1-360, 24-1-370, 24-1-380, 24-1-390, 24-1-400, 24-1-410, 24-1-420, 24-1-430, 24-1-440, 24-1-450, AND 24-1-460 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF CORRECTIONS; BY ADDING SECTION 24-21-120 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON; BY ADDING SECTIONS 63-19-500, 63-19-510, 63-19-520, 63-19-530, 63-19-540, 63-19-550, 63-19-560, AND 63-19-570 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE; BY ADDING SECTIONS 1-13-120, 1-13-130, AND 1-13-140 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE HUMAN AFFAIRS COMMISSION; BY ADDING SECTION 1-31-70, 1-31-80, 1-31-90, 1-31-100, AND 1-31-110 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE COMMISSION FOR MINORITY AFFAIRS; BY ADDING SECTIONS 58-4-140, 58-4-150, AND 58-4-160 SO AS TO CODIFY CERTAIN PROVISIONS RELATING TO THE OFFICE OF

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REGULATORY STAFF; BY ADDING SECTION 48-3-260 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE WORKERS' COMPENSATION COMMISSION; BY ADDING SECTION 42-7-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE ACCIDENT FUND; BY ADDING SECTION 38-3-250 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF INSURANCE; BY ADDING SECTION 34-1-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE BOARD OF FINANCIAL INSTITUTIONS; BY ADDING SECTION 37-1-304 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF CONSUMER AFFAIRS; BY ADDING SECTIONS 41-3-150, 41-3-160, 23-9-199, AND 41-3-170 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION; BY ADDING SECTION 56-1-560 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF MOTOR VEHICLES; BY ADDING SECTIONS 57-3-240, 57-3-250, AND 57-3-260 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF TRANSPORTATION; BY ADDING SECTIONS 55-1-110, 55-1-120 AND 55-1-130 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DIVISION OF AERONAUTICS; BY ADDING SECTION 10-3-70 SO AS TO CODIFY A PROVISO RELATED TO THE OFFICE OF GOVERNOR; BY ADDING SECTION 1-11-498 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 11-5-300 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF STATE TREASURER; BY ADDING SECTION 25-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF THE ADJUTANT GENERAL; BY ADDING SECTIONS 7-3-80, 7-3-90, AND 7-3-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ELECTION COMMISSION; BY ADDING SECTION 12-2-150 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF REVENUE; BY ADDING SECTIONS 1-1-1720, 59-101-440, 59-53-110, 59-101-450, 1-11-492, 1-1-1730, 11-11-85, 1-1-1740, 11-49-180, BY AMENDING SECTION 12-36-1310, RELATING TO THE USE TAX, BY ADDING SECTIONS 4-10-610, 11-55-60, 59-1-498, 1-1-1750, 1-11-499, 1-1-1760; BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS; BY ADDING SECTIONS 1-1-1770 AND 1-3-70 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO GENERAL

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PROVISIONS; AND BY AMENDING SECTION 11-11-220 SO AS TO CODIFY A CERTAIN PROVISIO RELATING TO STATEWIDE REVENUE.

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

H. 5267 -- Rep. Forrest: A BILL 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 DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, April 9, 2024 - 5:00 p.m. - 6:30 p.m.

Members, Reception, Columbia Marriott, 1200 Hampton Street, hosted by the **PUBLIC CHARTER SCHOOL ALLIANCE OF SOUTH CAROLINA**

Tuesday, April 9, 2024 - 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by **CAMP HALL COMMERCE PARK (SANTEE COOPER, BERKELEY ELECTRIC COOPERATIVE, EDISTO ELECTRIC COOPERATIVE)**

Tuesday, April 9, 2024 - 5:00 p.m. - 7:30 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by **HISTORIC MITCHELVILLE FREEDOM PARK**

Tuesday, April 9, 2024 - 5:30 p.m. - 6:30 p.m.

Members and Staff, Reception, Bourbon, 1214 Main Street, hosted by **HCA HEALTHCARE**

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Wednesday, April 10, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by **SOUTH CAROLINA'S COALITION FOR MATHEMATICS & SCIENCE**

Wednesday, April 10, 2024 - 11:30 a.m. - 2:00 p.m.

Members, Luncheon, 112 Blatt Building, hosted by the **SOUTH CAROLINA ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT**

Wednesday, April 10, 2024 - 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, 1208 Washington Place, hosted by the **SOUTH CAROLINA ASSOCIATION FOR JUSTICE**

Wednesday, April 10, 2024 - 6:00 p.m. - 8:00 p.m.

Members, Staff and Families, Reception, South Carolina State Museum, hosted by the **SOUTH CAROLINA STATE MUSEUM FOUNDATION**

Thursday, April 11, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN, STATE TREASURER'S OFFICE**

Tuesday, April 16, 2024 - 6:00 p.m. - 8:30 p.m.

Members, Staff and Families, Reception and Legislative Softball Game, Founders Park, 431 Williams Street, hosted by **BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA**

Wednesday, April 17, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by **LEADERSHIP SOUTH CAROLINA**

Wednesday, April 17, 2024 - 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION**

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Wednesday, April 17, 2024 - 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, South Carolina National Guard Armory, 1225 Bluff Road, hosted by the **SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES**

Thursday, April 18, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA RECYCLERS ASSOCIATION**

Thursday, April 18, 2024 - 11:30 a.m. - 2:00 p.m.

Members, Luncheon, 112 Blatt Building, hosted by **AMIKIDS**

Tuesday, April 23, 2024 - 6:30 p.m. - 10:00 p.m.

Members, Reception and Dinner (Citadel Barbeque), Goodman Building, South Carolina State Fairgrounds, hosted by **THE CITADEL ALUMNI ASSOCIATION**

Wednesday, April 24, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by **DONATE LIFE SOUTH CAROLINA**

Wednesday, April 24, 2024 - 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION (HOSPITALITY DAY)**

Wednesday, April 24, 2024 - 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, South Carolina Beer Wholesalers Association, 1114 College Street, hosted by the **SOUTH CAROLINA BEER WHOLESALERS ASSOCIATION**

Wednesday, April 24, 2024 - 5:30 p.m. - 7:30 p.m.

Members, Reception, Savage Craft Ale Works, 430 Center Street, West Columbia, hosted by the **SOUTH CAROLINA BOATING AND FISHING ALLIANCE**

Wednesday, April 24, 2024 - 5:30 p.m. - 7:30 p.m.

Members, Reception, Bourbon, 1214 Main Street, hosted by **TOGETHER SC**

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Wednesday, April 24, 2024 - 6:30 p.m. - 8:00 p.m.

Members, Reception, Parker Poe Law Firm, 1221 Main Street, hosted by the **CITY OF CHARLESTON**

Thursday, April 25, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **COALITION FOR ACCESS TO HEALTHCARE**

Tuesday, April 30, 2024 - 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, Columbia Convention Center, hosted by the **SOUTH CAROLINA ASSOCIATION OF COUNCIL ON AGING DISORDERS**

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis, Garrett and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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

Senator CAMPSEN explained the Joint Resolution.

Amendment No. 1

Senator CAMPSEN proposed the following amendment (SJ-95.PB0013S), which was adopted:

Amend the joint resolution, as and if amended, SECTION 1.A., by striking the added second undesignated paragraph in Section 7, Article VI and inserting:

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Beginning sixty days after the ratification of the provisions of this paragraph, the state constitutional office of the Comptroller General is abolished. The General Assembly shall provide by law for the duties and responsibilities held by the Comptroller General.

Amend the joint resolution further, by striking the undesignated paragraph containing the question to be submitted to the voters and inserting:

“Must Section 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Comptroller General from the list of state officers that the Constitution requires to be elected, provide that sixty days after the ratification of this provision the office is abolished, and authorize the General Assembly to provide by law for the duties and responsibilities held by the Comptroller General; and must Section 12, Article IV be amended so as to delete the Comptroller General’s name from the list of elected state constitutional officers a majority of which may submit a written declaration that the Governor is unable to discharge his duties; and must Section 13, Article X be amended so as to provide if the principal of or interest on any general obligation debt is not paid when due, that instead of the Comptroller General, the Governor shall levy an ad valorem tax to meet the payment?

Re-number sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question then was second reading of the Joint Resolution.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climmer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

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

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

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod, Rankin, Garrett, Alexander and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND

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DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-995.MB0008S), which was adopted:

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

SECTION X. Section 23-3-430(C)(2) of the S.C. Code is amended to read:

(C) (2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any

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court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); ~~or~~

(h) violations of Article 3, Chapter 15, Title 16 involving a minor;

(i) sexual exploitation of a minor, first degree (Section 16-15-395), except as otherwise provided in this article;

(j) sexual exploitation of a minor, second degree (Section 16-15-405), except as otherwise provided in this article; or

(k) sexual exploitation of a minor, third degree (Section 16-15-410), except as otherwise provided in this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpoottian	Hembree

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Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

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

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

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

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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.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

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Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

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.

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

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

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC

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CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

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

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 1132 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES

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BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-1132.WAB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 40-7-390(6) and inserting:

(6) unless otherwise prescribed by law, persons authorized by state law to practice cosmetology only when they are practicing in salons or schools of cosmetology and persons providing blow-dry styling but no other services requiring a license under this chapter; and

Amend the bill further, SECTION 3, by striking Section 40-13-20(3)(a) and (b) and inserting:

(a) arranging, styling, thermal curling, chemical waving, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work, upon the hair, wig, or hairpiece of any person, by any means, with hands or mechanical or electrical apparatus or appliances;

(b) using cosmetic preparations, makeup, antiseptics, lotions, creams, chemical preparations on, or otherwise, or waxing, tweezing, cleansing, stimulating, manipulating, beautifying, or similar work on the scalp, legs, feet, face, neck, arms or hands; or

Amend the bill further, SECTION 3, by striking Section 40-13-20(6) and inserting:

~~(5)~~(6) “Esthetician” means a person including, but not limited to, an independent contractor, who is licensed to practice skin care, makeup, or similar work. Skin care is for the sole purpose of beautifying the skin.

~~Amend~~ the bill further, SECTION 3, Section 40-13-20, by adding a subsection to read:

(9) “Makeup artistry” means the application of a cosmetic to enhance the appearance of the face or skin, including powder.

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foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. It includes the application of makeup applied using an airbrush. It excludes the application of permanent makeup or tattooing. It is distinct from the practice of cosmetology.

Renumber sections to conform.
Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

READ THE SECOND TIME

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL 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 WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young
Total--42		

NAYS

Total--0

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

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

CARRIED OVER

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 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,

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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.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-955.BC0008S):

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

SECTION 1. Article 3, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-400. (A) For the privilege of taking blue crabs by trap for a commercial purpose in the waters of this State, an individual must obtain a limited commercial blue crab license, a commercial saltwater fishing license, and a commercial equipment license for traps.

(B) The cost of a limited commercial blue crab license is one hundred dollars for residents and five hundred dollars for nonresidents.

(C) The following individuals are eligible to obtain a limited commercial blue crab license:

(1) an individual who possessed a valid commercial equipment license for traps during the 2023-2024 license year and who has verifiable documentation of at least four thousand pounds of commercial blue crab landings during the first six months of the 2023-2024 license year, the entirety of the 2022-2023 license year, or the entirety of the 2021-2022 license year;

(2) an individual who is selected via an applicant lottery pursuant to subsection (D); or

(3) an individual who receives a valid limited commercial blue crab license via transfer pursuant to subsection (E).

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(D) If the total number of limited commercial blue crab licenses issued by the department in a license year is below one hundred, then the department may award additional licenses, not to exceed one hundred total limited commercial blue crab licenses, via an applicant lottery.

(E) A limited commercial blue crab license may be transferred by the licensee to another individual after providing information relating to the transfer as required by the department.

(F) The maximum number of traps used for taking blue crab, inclusive of peeler traps, that may be licensed to:

(1) an individual who obtains a limited commercial blue crab license under subsection (C)(1) is the greater of two hundred traps and the highest number of traps licensed by the individual in the three previous license years;

(2) an individual who receives a limited commercial blue crab license via transfer is the greater of two hundred traps and the average number of traps licensed by a holder of the transferred limited commercial blue crab license in the three previous license years; or

(3) an individual who is selected via lottery is two hundred traps.

(G) If the 2023-2024 license year is used to determine the highest number of traps that may be licensed under subsection (F), then only the first six months of the license year must be used in the determination.

(H) A limited commercial blue crab license must be renewed annually. Prior to every fourth license year, a licensee must have verifiable documentation of at least four thousand pounds of commercial blue crab landings in at least one of the three previous license years. If a licensee does not meet the documented landings threshold, then the licensee's limited commercial blue crab license must not be renewed by the department.

SECTION 2. Section 50-5-350(B) of the S.C. Code is amended to read:

(B) Licenses and permits, other than a limited commercial blue crab license, are not transferable; however, any licensed commercial saltwater fisherman may operate any licensed commercial equipment with written permission of the owner except:

(1) channel nets; and

(2) any commercial equipment licensed at the resident fee when the nonresident fee is greater if the operator is a nonresident.

SECTION 3. Section 50-5-325(A) of the S.C. Code is amended to read:

(A) Commercial equipment, excluding vessels, used in the salt waters of this State and in fisheries for anadromous and catadromous species in

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any waters of this State must be licensed by the department. The owner and operator are responsible for obtaining a license:

(1) to use a trawl or trawls, and the cost is one hundred twenty-five dollars for residents and three hundred dollars for nonresidents;

(2) to use traps, ~~other than traps for taking blue crab~~, and the cost is twenty-five dollars ~~per~~ for fifty traps and one dollar for each trap thereafter for residents, and one hundred twenty-five dollars ~~per~~ for fifty traps and five dollars for each trap thereafter for nonresidents;

(3) to use traps for taking blue crab, and the cost is two dollars for each trap for residents and ten dollars for each trap for nonresidents;

~~(3)~~(4) to use a channel net for taking shrimp, and the cost is two hundred fifty dollars for each net;

~~(4)~~(5) to use a gill net for taking shad, herring, or sturgeon, and the cost is ten dollars per one hundred net yards or a fraction thereof for residents and fifty dollars per one hundred net yards or a fraction thereof for nonresidents, and to use any other gill net or haul seine the cost is ten dollars per one hundred net feet or a fraction thereof for residents and fifty dollars per one hundred net feet or a fraction thereof for nonresidents;

~~(5)~~(6) to use hand-held equipment to take shellfish, including tongs, rakes, and forks, at no cost;

~~(6)~~(7) to use a drag dredge, and the cost is seventy-five dollars for residents and three hundred seventy-five dollars for nonresidents;

~~(7)~~(8) to use other mechanically operated or boat assisted equipment, other than equipment used to set or retrieve licensed equipment, and the cost is one hundred twenty-five dollars for residents and six hundred twenty-five dollars for nonresidents;

~~(8)~~(9) to use trotlines with baits or hooks, and the cost is ten dollars for residents and fifty dollars for nonresidents for each line having not more than fifty baits or hooks per line;

~~(9)~~(10) to use any other commercial equipment, and the cost is ten dollars for each type for residents and fifty dollars per type for nonresidents.

SECTION 4. Section 50-5-360(B) of the S.C. Code is amended to read:

(B) In order to engage in shedding peeler crabs, a person or entity must first be a licensed wholesale seafood dealer, ~~and must~~ be licensed for peeler crabs, and the person's or entity's business premises must be capable of peeler shedding operations. The fee for a resident peeler crab license is an additional seventy-five dollars, and the fee for a nonresident license is an additional three hundred seventy-five dollars. Persons

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holding this license and engaged in shedding peeler crabs are authorized to receive, possess, and sell peeler crabs regardless of size. The department may inspect the business premises of a person or entity applying for a peeler crab license and of a peeler crab licensee to ensure the applicant's or licensee's business premises are capable of peeler shedding operations.

SECTION 5. Section 50-5-545 of the S.C. Code is amended to read:

Section 50-5-545. (A) Except as provided in this section, ~~from June 1 through March 14,~~ a trap used for taking blue crab ~~used~~ for commercial purposes from June 1 through March 14, or for recreational purposes year round, must have at least two unobstructed, circular escape vents (rings) which must be two and three-eighths inches or greater in inside diameter and located on vertical surfaces. At least one vent (ring) must be in the upper chamber. All vents (rings) must be within two inches of the horizontal partition or the base of the trap.

(B) A trap used for taking blue crab constructed of a single chamber must have at least one two and three-eighths inch or larger inside diameter escape vent (ring) located on a vertical surface within two inches of the base of the trap. Peeler traps are exempt year round.

(C) A trap used for taking blue crab, other than peeler traps, must be constructed of wire with a minimum mesh size of one and one-half inches, have throats or entrances located only on a vertical surface, and have a maximum dimension of twenty-four inches by twenty-four inches by twenty-four inches or a volume of eight cubic feet.

SECTION 6. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1345. (A) The department must promulgate regulations establishing criteria for the designation of closed seasons and closed or partially closed areas for the taking of blue crabs by trap. In accordance with the established criteria, the department may designate closed seasons and closed or partially closed areas for the taking of blue crabs by trap upon at least forty-five days' public notice.

(B) A trap that is in the waters of this State during a closed season or in a closed or partially closed area may be confiscated by the department or by an agent of the department.

(C) It is unlawful to take or attempt to take blue crabs by trap during a closed season or in a closed or partially closed area. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars.

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(D) Nothing in this section limits the authority of the department under Section 50-5-32.

SECTION 7. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1302. (A) For the purposes of this section, “day” means sunrise on one day to sunrise on the following day.

(B) It is unlawful for a person to take or possess for recreational purposes more than one bushel of blue crabs in any one day, not to exceed two bushels in any one day on any boat.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than five hundred dollars.

SECTION 8. Section 50-5-330(A) of the S.C. Code is amended to read:

(A) A person may fish or use the following in the salt waters of this State solely for recreational purposes without being commercially licensed:

(1) shrimp seines;

(2) hand-operated tongs, rakes except bull rakes, and forks except seed forks, used to harvest shellfish;

(3) hook and line or rod and reel;

(4) minnow traps, drop nets, and dip nets;

(5) cast nets; however, the use must comply with all other provisions of law;

(6) no more than two crab traps without a recreational crab trap endorsement;

(7) no more than five crab traps with a recreational crab trap endorsement;

~~(7)~~(8) no more than two trotlines with a cumulative total of not more than fifty hooks or baits;

~~(8)~~(9) no more than ten bush or pole lines with single hooks or baits.

SECTION 9. Section 50-9-540 of the S.C. Code is amended by adding:

(E) For the privilege of fishing more than two and up to five crab traps recreationally, a recreational saltwater license holder must purchase an annual enhanced recreational crab trap endorsement at a cost of five dollars.

SECTION 10. Section 5 of this act takes effect on January 1, 2025. All other sections take effect on July 1, 2024.

Re-number sections to conform.

Amend title to conform.

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Senator CAMPSSEN explained the amendment.

The question being the adoption of the amendment.

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

READ THE SECOND TIME

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 Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

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Total--0

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

POINT OF ORDER

S. 1095 -- Senators M. Johnson and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

AMENDED, READ THE SECOND TIME

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.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN proposed the following amendment (SJ-1099.PB0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect January 1, 2025.

Re-number sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

ADOPTED

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY "SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned Wednesday, March 27, 2024, that it will adjourn to meet Thursday, March 28, 2024, under the provisions of Rule 1B.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator GOLDFINCH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Carol Santiago of Lancaster, S.C. Carol was a human resources specialist assigned to the 228th Theater Tactical Signal Brigade in the South Carolina Army National Guard. Carol served our State with great honor and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Lt. Col. William Lloyd Glasgow of Columbia, S.C. Lt. Col. Glasgow played football at Mississippi State where he was a member of Kappa Sigma fraternity, Student Council and the Army ROTC program to mention a few. He served numerous deployments in Vietnam that earned him a Bronze Star and many accolades and commendations before his retirement in 1977. Lt. Col. Glasgow was a loving husband, devoted father and doting grandfather who will be dearly missed.

TUESDAY, MARCH 26, 2024

ADJOURNMENT

At 1:41 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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