

**HOUSE TO MEET AT 10:00 A. M.**

**NO. 55**

**CALENDAR  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009**

**THURSDAY, MAY 21, 2009**





**WACCAMAW HIGH SCHOOL "WARRIORS"  
VARSITY BOYS GOLF TEAM  
2009 CLASS AA STATE GOLF CHAMPIONS**

Duncan Bryan  
Baker Getz  
Stephen Hepler  
Prescott Hughes  
Mick Lankford  
Lane McLeod  
Bruce Michaels  
Eric Sanders  
Dalton Weston

**HEAD COACH**  
Chuck Kalanick

**PRINCIPAL**  
David Hammel

**SCHOOL COLORS**  
Scarlet/Black/White

**TEAM MASCOT**  
Warrior

**WACCAMAW HIGH SCHOOL "WARRIORS"  
VARSITY BOYS TENNIS TEAM  
2009 CLASS AA STATE TENNIS CHAMPIONS**

Matthew Fisher  
Alex Gaines  
Hudson Jones  
Billy Kenny  
Michael Moran  
Matthew Pipenbring  
Harrison Richmond  
Josh Richmond  
Jack Rogers

**HEAD COACH**  
James Brown

**PRINCIPAL**  
David Hammel

**SCHOOL COLORS**  
Scarlet/Black/White

**TEAM MASCOT**  
Warrior

**GREENWOOD HIGH SCHOOL "EAGLES"  
VARSITY BOYS TENNIS TEAM  
2009 CLASS AAAA STATE TENNIS CHAMPIONS**

Austin Crowe  
Forest Crowe  
Caleb Hopkins  
Brady Holaus  
Vivek Patel  
Tony Patel  
Jordan Poznick  
Thomas Pritchard  
John Psomas  
Louis Sligh  
Edward Snead  
Hiroki Toyama  
Hunt Watkins  
Wataru Yoshimura

**HEAD COACH**

Jim Still

**ATHLETIC DIRECTOR**

Dr. David Henderson

**PRINCIPAL**

Beth Taylor

**SCHOOL COLORS**

Gold and Black

**TEAM MASCOT**

Eagles

## INVITATION

**Thursday, May 21, 2009, 8:00-10:00 a.m.**

Members of the House, breakfast, Room 112, Blatt Bldg., by Alpha Kappa Alpha Sorority. Inc.

(Accepted--April 29, 2009)

## HOUSE ASSEMBLIES

**Thursday, May 21, 2009**

To recognize the Greenwood High School boys tennis team, coaches and other school officials.

(Under H.4095--Adopted--May 20, 2009)

**Thursday, May 21, 2009**

To recognize the Waccamaw High School golf & tennis teams, coaches and other school officials.

(Under H.4090--Adopted--May 20, 2009)

## SECOND READING LOCAL UNCONTESTED BILLS

**S. 537--Senator Setzler: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS RESIDING IN SCHOOL DISTRICTS THAT CLOSED DUE TO SNOW ON MARCH 2, 2009, IS WAIVED FOR STUDENTS IN LEXINGTON SCHOOL DISTRICTS ONE, TWO, THREE, AND FOUR.**

(Without reference--April 21, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20+, 2009)

**H. 4107--Reps. White and Bowen: A JOINT RESOLUTION TO REQUIRE ALL ROAD IMPROVEMENTS NECESSITATED BY SCHOOL CONSTRUCTION PROJECTS IN ANDERSON COUNTY SCHOOL DISTRICT FIVE FUNDED BY THE DISTRICT'S APRIL 2007 ONE HUNDRED FORTY MILLION DOLLAR BOND ISSUE REFERENDUM TO BE PAID FOR SOLELY FROM PROCEEDS OF THAT BOND ISSUE.**

(Without reference--May 20, 2009)

## THIRD READING STATEWIDE UNCONTESTED BILLS

**S. 796--(Debate adjourned until Fri., May 22, 2009--May 19, 2009)**

**H. 3603--Reps. Gullick and M. A. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-1-65 SO AS TO PROVIDE A PERSON WHO POLLUTES THE WATERS OF THIS STATE AS DEFINED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL GIVE PUBLIC-NOTICE OF THE POLLUTION IN A MANNER PRESCRIBED BY THE DEPARTMENT; TO PROVIDE THE BOARD OF THE DEPARTMENT SHALL PRESCRIBE THIS PUBLIC-NOTICE PROCEDURE; TO PROVIDE CERTAIN SPECIFICATIONS THE BOARD MUST INCLUDE IN THIS PUBLIC NOTICE PROCEDURE; AND TO PROVIDE A VIOLATION IS A MISDEMEANOR SUBJECT TO A FINE, IMPRISONMENT, OR BOTH.**

(Agri., Natl. Res. and Environ. Affrs. Com.--February 25, 2009)

(Fav. With Amdt.--May 14, 2009)

(Amended and read second time--May 20, 2009)

**S. 323--Senator Thomas: A BILL TO AMEND SECTION 38-90-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSING OF A CAPTIVE INSURANCE COMPANY, SO AS TO PROHIBIT A CAPTIVE INSURANCE COMPANY FROM WRITING WORKERS' COMPENSATION INSURANCE ON A DIRECT BASIS, AND TO AUTHORIZE AN ADDITIONAL PROCESSING FEE FOR AN APPLICATION TO BE CHARGED AS DETERMINED APPROPRIATE BY THE DIRECTOR OR HIS DESIGNEE GIVEN THE NATURE OF THE APPLICATION BEING INVESTIGATED; TO AMEND SECTION 38-90-40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO AUTHORIZE A REDUCTION IN REQUIRED TRUST FUNDS FOR A BRANCH CAPTIVE INSURANCE COMPANY THAT POSTS SECURITY FOR LOSS RESERVES ON BRANCH BUSINESS TO A FRONT COMPANY; TO AMEND SECTION 38-90-55, RELATING TO INCORPORATION OF A CAPTIVE REINSURANCE COMPANY, SO AS TO CHANGE MANDATORY TO PRECATORY CONSIDERATION BY THE DIRECTOR OF FACTORS IN ARRIVING AT A FINDING; TO AMEND SECTION 38-90-60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS OF**

**CERTAIN TYPE OF CAPTIVE INSURANCE COMPANIES, SO AS TO CHANGE MANDATORY TO PRECATORY CONSIDERATION BY THE DIRECTOR OF FACTORS IN ARRIVING AT A FINDING; TO AMEND SECTION 38-90-70, AS AMENDED, RELATING TO REPORTS REQUIRED TO BE SUBMITTED BY A CAPTIVE INSURANCE COMPANY TO THE DIRECTOR, SO AS TO AUTHORIZE THE DIRECTOR TO GRANT AN EXTENSION OR WAIVE THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO PROVIDE THE SECTION APPLIES TO A CAPTIVE INSURANCE COMPANY, DELETE THE MANNER IN WHICH THE RESERVES WERE DISCOUNTED, AND PROVIDE THAT THIS PROCESS MAY BE ACCOMPLISHED WITH PRIOR WRITTEN APPROVAL BY THE DIRECTOR; TO AMEND SECTION 38-90-80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF A CAPTIVE INSURANCE COMPANY, SO AS TO INCREASE FROM THREE TO FIVE YEARS THE INTERVAL OF THE INSPECTIONS AND EXAMINATIONS AND AUTHORIZE THE DIRECTOR TO WAIVE THE REQUIREMENT FOR A VISIT TO CERTAIN COMPANIES; TO AMEND SECTION 38-90-90, RELATING TO SUSPENSION OR REVOCATION OF THE LICENSE OF A CAPTIVE INSURANCE COMPANY, SO AS TO AUTHORIZE THE DIRECTOR TO IMPOSE A FINE INSTEAD OF REVOKING OR SUSPENDING A LICENSE; TO AMEND SECTION 38-90-130, RELATING TO THE PROHIBITION OF A CAPTIVE INSURANCE COMPANY FROM PARTICIPATING IN A PLAN, POOL, ASSOCIATION, OR GUARANTY OR INSOLVENCY FUND, SO AS TO AUTHORIZE A COMPANY TO PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-90-180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO MAKE THE PROVISIONS OF CHAPTERS 26 AND 27 APPLICABLE TO CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38-90-440, AS AMENDED, RELATING TO LICENSING OF A SPECIAL PURPOSE FINANCIAL**

**CAPTIVE INSURANCE COMPANY, SO AS TO PROVIDE THE BASIS FOR CALCULATING A PROCESSING FEE, AND CLARIFY THAT SIX THOUSAND DOLLARS BASED ON A MINIMUM FEE OF TWELVE THOUSAND DOLLARS IS PAYABLE UPON FILING OF THE APPLICATION; TO AMEND SECTION 38-90-450, AS AMENDED, RELATING TO THE ORGANIZATION REQUIREMENTS OF A SPECIAL PURPOSE FINANCIAL CAPTIVE, SO AS TO CHANGE FROM MANDATORY TO PRECATORY CONSIDERATION BY THE DIRECTOR WHEN ISSUING A CERTIFICATE; AND TO AMEND SECTION 38-90-560, RELATING TO EXAMINATIONS BY THE DIRECTOR OF A SPECIAL PURPOSE FINANCIAL CAPTIVE INSURANCE COMPANY, SO AS TO INCREASE FROM THREE TO FIVE YEARS THE INTERVAL THAT A COMPANY MUST BE INSPECTED AND DELETE THE AUTHORITY OF THE DIRECTOR TO ENLARGE THE PERIOD OF INSPECTION UNDER CERTAIN CIRCUMSTANCES.**

(Labor, Com. & Ind. Com.--April 21, 2009)

(Favorable--May 14, 2009)

(Read second time--May 20, 2009)

**S. 756--Senator Hayes: A BILL TO AMEND SECTION 7-7-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF YORK COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.**

(York Delegation Com.--May 12, 2009)

(Favorable--May 19, 2009)

(Read second time--May 20, 2009)

**S. 155--Senators Campsen, Rose, Hayes and Lourie: A BILL TO AMEND CHAPTER 7, TITLE 20 OF THE 1976 CODE BY ADDING ARTICLE 33 TO ENACT THE "MILITARY PARENT EQUAL PROTECTION ACT", TO PROVIDE THAT A MILITARY PARENT'S MILITARY SERVICE SHALL NOT BE CONSIDERED A CHANGE IN CIRCUMSTANCE FOR**

**PURPOSES OF CHILD CUSTODY AND VISITATION, TO PROVIDE THAT THE CUSTODIAL NON-MILITARY PARENT MUST REASONABLY ACCOMMODATE THE MILITARY PARENT'S LEAVE SCHEDULE, TO PROVIDE THAT THE FAMILY COURT MAY HOLD AN EXPEDITED TEMPORARY HEARING TO ENSURE THAT THE MILITARY PARENT HAS ACCESS TO A MINOR CHILD, AND TO PROVIDE THAT ANY INCREASE OR DECREASE IN EARNING CAPACITY DUE TO MILITARY SERVICE IS NOT CONSIDERED A PERMANENT CHANGE; AND TO AMEND CHAPTER 1, TITLE 15, BY ADDING SECTION 15-1-340, TO PROVIDE THAT A SERVICE MEMBER ENTITLED TO A STAY PURSUANT TO THE SERVICE MEMBERS CIVIL RELIEF ACT MAY SEEK RELIEF AND PROVIDE TESTIMONY BY ELECTRONIC MEANS UNDER CERTAIN CONDITIONS.**

(Judiciary Com.--February 12, 2009)

(Recalled--May 19, 2009)

(Read second time--May 20, 2009)

**H. 4022--Reps. E. H. Pitts, G. M. Smith, G. R. Smith, Millwood, Hamilton, Nanney, Bedingfield, Duncan, M. A. Pitts, Simrill, V. S. Moss, Gambrell, Rice, Owens, Vick and Viers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO ENACT THE "SOUTH CAROLINA FIREARMS FREEDOM ACT", TO PROVIDE THAT A FIREARM, FIREARM ACCESSORY, OR AMMUNITION MANUFACTURED AND RETAINED IN SOUTH CAROLINA IS EXEMPT FROM FEDERAL REGULATION UNDER THE COMMERCE CLAUSE OF THE CONSTITUTION OF THE UNITED STATES.**

(Judiciary Com.--May 12, 2009)

(Recalled--May 19, 2009)

(Read second time--May 20, 2009)

**H. 4005--Reps. Sellers, Bingham, Ott, A. D. Young and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1335 SO AS TO MAKE IT UNLAWFUL FOR AN INDIVIDUAL SEEKING ELECTION TO MEMBERSHIP ON THE GOVERNING BOARD OF A PUBLIC INSTITUTION OF HIGHER**

**LEARNING FILLED BY A VOTE OF THE GENERAL ASSEMBLY TO MAKE OR OFFER TO MAKE A CONTRIBUTION TO A CANDIDATE FOR THE GENERAL ASSEMBLY OR HOST OR SPONSOR ANY FUNDRAISING EVENT FOR SUCH A CANDIDATE FROM THE TIME THE INDIVIDUAL FILES THE NOTICE OF INTENTION TO SEEK MEMBERSHIP ON THE BOARD THROUGH THE DATE THE OFFICE IS FILLED.**

(Judiciary Com.--April 30, 2009)

(Recalled--May 19, 2009)

(Read second time--May 20, 2009)

**S. 793--Senators Pinckney and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 37 TO TITLE 6, SO AS TO PROVIDE FOR THE BEAUFORT JASPER WATER AND SEWER AUTHORITY TO REMOVE CERTAIN RESTRICTIONS ON THE AREAS IN WHICH THE AUTHORITY PROVIDES SERVICES, TO FURTHER PRESCRIBE THE AUTHORITY'S FUNCTIONS AND POWERS REGARDING WATER AND WASTE WATER SERVICES, TO PRESCRIBE THE CONDITIONS AND TERMS UPON WHICH MUNICIPAL CORPORATIONS AND OTHER PUBLIC BODIES OR AGENCIES OPERATING WATER DISTRIBUTION AND WASTE WATER SYSTEMS IN BEAUFORT, JASPER, HAMPTON, AND COLLETON COUNTIES MAY ACQUIRE SERVICES FROM THE AUTHORITY, AND TO CHANGE THE NAME OF THE AUTHORITY TO THE BEAUFORT JASPER WATER AND SEWER AUTHORITY.**

(Med., Mil., Pub. & Mun. Affrs. Com.--May 19, 2009)

(Recalled--May 19, 2009)

(Read second time--May 20, 2009)

#### **SECOND READING STATEWIDE UNCONTESTED BILLS**

**H. 3561--Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE REVENUES FOR THE OPERATIONS OF STATE GOVERNMENT FOR FISCAL YEAR 2009-2010 TO SUPPLEMENT APPROPRIATIONS MADE FOR THOSE**

**PURPOSES BY THE GENERAL APPROPRIATIONS ACT  
FOR FISCAL YEAR 2009-2010.**

(Without Reference--March 03, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**H. 3854--Rep. Cooper: A BILL TO AMEND TITLE 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAXATION, SO AS TO REVISE CERTAIN CHAPTERS AND SECTIONS PERTAINING TO VARIOUS TAX MATTERS.**

(Without reference--April 01, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**H. 3941--(Debate adjourned until Sat., June 20, 2009--May 14, 2009)**

**H. 3798--Reps. Bannister, Harrison and King: A BILL TO AMEND SECTION 17-15-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF A CASH PERCENTAGE INSTEAD OF A BOND, ASSIGNMENT OF THE DEPOSIT, AND RESTITUTION TO THE VICTIM, SO AS TO PROVIDE FOR THE DEPOSIT OF A CASH AMOUNT BY THE DEFENDANT THROUGH AN ACCOMMODATION BONDSMAN, TO INCREASE THE CASH AMOUNT PERCENTAGE TO NOT LESS THAN TWENTY-FIVE PERCENT, AND TO REQUIRE THE ACCOMMODATION BONDSMAN TO PAY A HANDLING FEE TO THE CLERK OF COURT EQUAL TO FOUR PERCENT OF THE AMOUNT OF THE BOND SET.**

(Judiciary Com.--March 26, 2009)

(Recalled--May 14, 2009)

(Debate adjourned until Thu., May 21, 2009—May 20, 2009)

**H. 4087--Rep. Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 53, TITLE 59 SO AS TO CREATE THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION AND TO PROVIDE FOR ITS MEMBERSHIP.**

(Without reference--May 20, 2009)

**S. 186--Senators McConnell and Campsen: A BILL TO AMEND SECTION 15-77-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOWANCE OF ATTORNEY'S FEES IN STATE-INITIATED ACTIONS, SO**

**AS TO LIMIT THE FEE TO A REASONABLE TIME  
EXPENDED AT A REASONABLE RATE.**

(Judiciary Com.--March 24, 2009)

(Recalled--May 20, 2009)

**WITHDRAWAL OF OBJECTIONS/REQUEST FOR DEBATE**

**UNANIMOUS CONSENT REQUESTS**

**SENATE AMENDMENTS ON**

**H. 3651--Reps. Duncan, Umphlett, Anthony, Knight, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-23-205 SO AS TO LIMIT THE AUTHORITY OF COUNTIES AND MUNICIPALITIES TO RESTRICT OR REGULATE CERTAIN FORESTRY ACTIVITIES, AND TO PROVIDE THE TERMS AND CONDITIONS OF CERTAIN PERMITTED REGULATIONS.**

(Pending Question: Shall the House concur in the Senate Amendments--May 20, 2009)

**S. 351--Senators Grooms, McConnell and Ford: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 54 OF THE 1976 CODE, RELATING TO THE CREATION AND ORGANIZATION OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO CLARIFY THAT THE POWERS AND DUTIES OF THE AUTHORITY ARE EXERCISED BY A BOARD OF DIRECTORS, TO PROVIDE THAT CANDIDATES FOR APPOINTMENT MUST POSSESS CERTAIN QUALIFICATIONS, TO PROVIDE THAT CANDIDATES MUST BE SCREENED TO DETERMINE WHETHER THEY POSSESS THE REQUIRED QUALIFICATIONS BEFORE THEY MAY SERVE ON THE BOARD, TO PROVIDE THAT MEMBERS OF THE BOARD MAY BE REMOVED FROM OFFICE ONLY FOR CAUSE, TO PROVIDE THAT THE BOARD MUST PERFORM AN ANNUAL PERFORMANCE REVIEW OF THE EXECUTIVE DIRECTOR, TO ESTABLISH THAT DIRECTORS HAVE A DUTY OF GOOD FAITH AND ORDINARY CARE WHEN DISCHARGING THEIR DUTIES AS A DIRECTOR, TO PROHIBIT CONFLICT OF INTEREST TRANSACTIONS, TO**

**ESTABLISH A SOUTH CAROLINA STATE PORTS ADVISORY BOARD, AND SET THE MEMBERSHIP, DUTIES, AND RESPONSIBILITIES OF THE ADVISORY BOARD; TO AMEND CHAPTER 3, TITLE 54, BY ADDING ARTICLE 2, RELATING TO PORTS AUTHORITY MANAGEMENT, TO PROVIDE THAT THE BOARD OF DIRECTORS MUST HIRE AN EXECUTIVE DIRECTOR OF PORT OPERATIONS AND TO ESTABLISH THE DIRECTOR'S DUTY TO OPERATE THE PORTS IN A MANNER CONSISTENT WITH THE MISSION, POLICIES, AND DIRECTION OF THE BOARD; TO AMEND SECTION 54-3-140(5), TO PROVIDE THAT THE BOARD OF DIRECTORS MUST ADOPT AN ORGANIZATIONAL STRUCTURE FOR AUTHORITY OPERATIONS; TO AMEND SECTION 54-3-140, RELATING TO THE POWERS OF THE PORTS AUTHORITY, BY ADDING TWO NEW ITEMS THAT REQUIRE A LONG-RANGE PORT DEVELOPMENT AND CAPITAL FINANCING PLAN AND TO PROVIDE THAT THE AUTHORITY MUST CONSIDER PUBLIC-PRIVATE PARTNERSHIPS FOR CURRENT AND FUTURE OPERATIONS; TO AMEND SECTION 54-3-1040, RELATING TO THE ANNUAL FINANCIAL STATEMENT, AND TO PROVIDE THAT COPIES OF THE STATEMENT MUST BE FORWARDED TO THE ADVISORY COMMITTEE AND THE GENERAL ASSEMBLY; TO AMEND ARTICLE 11, CHAPTER 3, TITLE 54, RELATING TO FINANCIAL MATTERS, BY ADDING SECTION 54-3-1060, TO PROVIDE THAT THE AUTHORITY MUST MAINTAIN A TRANSACTION REGISTER OF ALL FUNDS EXPENDED OVER ONE HUNDRED DOLLARS AND MUST MAINTAIN ON ITS INTERNET WEBSITE A COPY OF EACH MONTHLY CREDIT CARD STATEMENT FOR ALL CREDIT CARDS MAINTAINED BY THE AUTHORITY; AND TO AMEND CHAPTER 3, TITLE 54, BY ADDING ARTICLE 13, RELATING TO LEGISLATIVE OVERSIGHT, TO REQUIRE REGULAR OVERSIGHT REVIEW OF THE AUTHORITY AND THE EXECUTIVE DIRECTOR.**

(Pending Question: Shall the House concur in the Senate Amendments--May 20, 2009)

**THIRD READING STATEWIDE CONTESTED BILLS**

**H. 3543--Reps. Brady, Mitchell and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS IN DEVELOPING THEIR OWN POLICIES FOR REPORTING AND RESPONDING TO DATING VIOLENCE, TO PROVIDE WHAT MUST BE INCLUDED IN THE POLICIES, TO PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST.**

(Educ. & Pub. Wks. Com.--February 17, 2009)

(Fav. With Amdt.--April 28, 2009)

(Requests for debate by Reps. Bedingfield, Brantley, Kennedy, King, Rutherford and Whipper--May 13, 2009)

(Amended and read second time--May 14, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**S. 673--Senators Thomas and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA MORTGAGE LENDING ACT", BY ADDING CHAPTER 22 TO TITLE 37 SO AS TO REQUIRE THE LICENSING OF A MORTGAGE LENDER, LOAN ORIGINATOR, OR SOMEONE ACTING AS A MORTGAGE LENDER; PROVIDE DEFINITIONS; ESTABLISH QUALIFICATIONS FOR LICENSURE AND GROUNDS FOR REVOCATION, SUSPENSION, RENEWAL, AND TERMINATION; DESCRIBE PROHIBITED ACTIVITIES; PROVIDE FOR RECORD-KEEPING, TRUST AND ESCROW ACCOUNTS, AND ANNUAL REPORTS; PROVIDE FOR ENFORCEMENT THROUGH ADMINISTRATIVE ACTION BY THE COMMISSIONER OF THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS AND THROUGH CRIMINAL PENALTIES, AND TO PROVIDE FOR PARTICIPATION IN A NATIONAL MORTGAGE REGISTRY; TO AMEND SECTION 34-1-20, AS AMENDED, RELATING TO APPOINTMENT OF MEMBERS OF THE STATE BOARD OF**

FINANCIAL INSTITUTIONS, SO AS TO PROVIDE FOR A REPRESENTATIVE OF THE MORTGAGE BANKERS ASSOCIATION; TO AMEND SECTION 34-1-110, AS AMENDED, RELATING TO AUTHORITY OF CERTAIN FINANCIAL INSTITUTIONS TO ENGAGE IN BUSINESS, SO AS TO PROVIDE FOR MORTGAGE LENDERS AND LOAN ORIGINATORS; TO AMEND SECTIONS 37-1-301, 37-3-105, 37-3-501, AND 37-23-20, ALL RELATING TO DEFINITIONS IN CONNECTION WITH MORTGAGE LENDING AND BROKERING AND HIGH-COST AND CONSUMER HOME LOANS, SO AS TO CONFORM DEFINITIONS, AND TO ADD A DEFINITION FOR "ADJUSTABLE RATE MORTGAGE"; TO AMEND SECTIONS 37-23-40, 37-23-45, AND 37-23-75, ALL RELATING TO PROTECTIONS FOR THE BORROWER IN A HIGH-COST OR CONSUMER HOME LOAN TRANSACTION, SO AS TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH AN ADJUSTABLE RATE MORTGAGE; TO AMEND SECTION 29-4-20, RELATING TO THE DEFINITION OF "REVERSE MORTGAGE", SO AS TO CONFORM THE DEFINITION; AND TO AMEND CHAPTER 58, TITLE 40, RELATING TO THE REGISTRATION OF MORTGAGE LOAN BROKERS, SO AS TO CHANGE THE REGISTRATION REQUIREMENTS TO LICENSING REQUIREMENTS, TO CONFORM DEFINITIONS TO THOSE SET FORTH IN THE SOUTH CAROLINA MORTGAGE LENDING ACT, REQUIRE CERTAIN PROFESSIONAL COURSES, AN ADDITIONAL YEAR OF EXPERIENCE, AND A FINGERPRINT CHECK FOR MORTGAGE BROKERS AND LOAN ORIGINATORS, REQUIRE CERTAIN RECORDS BE KEPT AND MADE ACCESSIBLE, ADD CERTAIN PROHIBITIONS IN CONNECTION WITH A REAL ESTATE APPRAISAL, REQUIRE AND PRESCRIBE MORTGAGE BROKER AGREEMENTS, AUTHORIZE ENFORCEMENT BY THE DEPARTMENT OF CONSUMER AFFAIRS AND PRESCRIBE ADMINISTRATIVE PENALTIES INCLUDING FINES AND INJUNCTIONS AND A CRIMINAL PENALTY, REQUIRE CERTAIN REPORTS AND FILINGS, AND

**PROVIDE FOR PARTICIPATION IN A NATIONWIDE MORTGAGE REGISTRY.**

(Labor, Com. & Ind. Com.--April 30, 2009)

(Fav. With Amdt.--May 14, 2009)

(Requests for debate by Reps. Bannister, Bedingfield, Brantley, Erickson, Gilliard, Govan, Hart, Hosey, Jefferson, Kennedy, King, Mack, J.H. Neal, Rutherford, Sandifer and J.R. Smith--May 19, 2009)

(Amended and read second time--May 20, 2009)

**CONCURRENT RESOLUTIONS**

**H. 4053--Reps. Edge, Hardwick, Hearn and Barfield: A CONCURRENT RESOLUTION TO DESIGNATE AND PROVIDE THAT COASTAL CAROLINA UNIVERSITY SHALL BE THE HOME OF THE BEACH MUSIC HALL OF FAME.**

(Invitations and Memorial Resolutions--May 14, 2009)

(Favorable--May 20, 2009)

**H. 4054--Rep. Edge: A CONCURRENT RESOLUTION TO URGE THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EDUCATE PARENTS ON THE IMPORTANCE OF ADOLESCENT WELL PHYSICALS TO PREVENT CHRONIC DISEASES, APPROPRIATELY INTERVENE TO BETTER TREAT CHRONIC DISEASE, AND UPDATE IMMUNIZATIONS FOR ADOLESCENTS OF THIS STATE AND NATION.**

(Invitations and Memorial Resolutions--May 14, 2009)

(Favorable--May 20, 2009)

**H. 4078--Reps. Clyburn, T. R. Young and J. R. Smith: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 19 THAT RUNS THROUGH THE CITY OF AIKEN "DR. MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS**

**"DR. MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY".**

(Invitations and Memorial Resolutions--May 19, 2009)  
(Favorable--May 20, 2009)

**S. 815--Senator Bryant: A CONCURRENT RESOLUTION TO JOIN THE SOUTH CAROLINA FRATERNAL ORDER OF POLICE IN RECOGNIZING THE WEEK OF MAY 11-15, 2009, AS "NATIONAL LAW ENFORCEMENT WEEK".**

(Invitations and Memorial Resolutions--May 14, 2009)  
(Favorable--May 20, 2009)

**H. 4082--Reps. Bales, J. H. Neal, Ballentine, Brady, Gunn, Harrison, Hart, Howard, McEachern, Rutherford and J. E. Smith: A CONCURRENT RESOLUTION TO ENCOURAGE THE RICHLAND COUNTY COUNCIL BY ORDINANCE TO POSTPONE FOR ONE ADDITIONAL YEAR A COUNTYWIDE PROPERTY TAX EQUALIZATION AND REASSESSMENT PROGRAM OTHERWISE SCHEDULED FOR IMPLEMENTATION BEGINNING FOR PROPERTY TAX YEAR 2009.**

(Invitations and Memorial Resolutions--May 19, 2009)  
(Favorable--May 20, 2009)

**MOTION PERIOD**

**SECOND READING STATEWIDE CONTESTED BILLS**

**H. 3279--Reps. T. R. Young, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Daning, Horne, Funderburk, Wylie, Bedingfield, Hart, Harrell, A. D. Young and Viers: 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 SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY**

**OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SECRETARY OF STATE MAY BE REMOVED FROM OFFICE.**

(Judiciary Com.--January 14, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Brantley, R.L. Brown, Cato, Cobb-Hunter, Crawford, Erickson, Govan, Harvin, Hodges, Hosey, Hutto, Jefferson, Jennings, Kennedy, King, Long, Lowe, Mack, McEachern, J.H. Neal, Ott, Parks, Pinson, Sellers, J.E. Smith, Umphlett, Vick and White--April 29, 2009)

(Amended--May 19, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**H. 3280--Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Horne, Funderburk, Wylie, Bedingfield, Hart, Harrell, A. D. Young and Viers: 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 SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION 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 SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE**

**PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.**

(Judiciary Com.--January 14, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Brantley, R.L. Brown, Clemmons, Cobb-Hunter, Harrison, Hart, Harvin, Hosey, Jefferson, McEachern, J.H. Neal, Ott, J.E. Smith and Williams--April 29, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**H. 3746--Reps. Clemmons and Viers: A BILL TO AMEND SECTION 7-11-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOMINATION OF CANDIDATES BY A PETITION, SO AS TO PROVIDE THAT NO QUALIFIED ELECTOR WHO VOTED IN A PRIMARY ELECTION IS ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO RUN FOR AN OFFICE TO BE FILLED AT THE GENERAL ELECTION FOLLOWING THAT PRIMARY AND TO PROVIDE THAT A QUALIFIED ELECTOR OTHERWISE ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT MAY NOT SIGN MORE THAN ONE PETITION PER GENERAL ELECTION PER OFFICE; BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST HAVE FIRST NOTIFIED THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY THE BEGINNING DATE OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, AND TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION; TO AMEND SECTION 7-11-80, AS AMENDED, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO REQUIRE ALL THE SIGNATURES TO BE LEGIBLE SO THAT THE NAME OF THE VOTER CAN BE IDENTIFIED BEYOND A REASONABLE DOUBT; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A**

**CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO REQUIRE THE REGISTRATION BOARD TO VERIFY THE VOTER IS A QUALIFIED ELECTOR IN THAT JURISDICTION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION IF, AFTER A HEARING, THE ENTITY FINDS THAT BY A PREPONDERANCE OF THE EVIDENCE FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION, AND TO PROVIDE THAT THE VALIDATION OF THE SIGNATURES ON A PETITION AND THE DETERMINATION OF WHETHER OR NOT FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION MUST BE CONDUCTED IN PUBLIC AFTER NOTICE; AND BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY TO WHICH A PETITION MUST BE FILED MAY BE APPEALED TO THE STATE ELECTION COMMISSION AND THEREAFTER TO A COURT OF COMPETENT JURISDICTION IN THE MANNER IN WHICH APPEALS FROM THE STATE ELECTION COMMISSION MAY BE TAKEN.**

(Judiciary Com.--March 24, 2009)

(Favorable--April 22, 2009)

(Requests for debate by Reps. Allen, Bedingfield, R.L. Brown, Clemmons, Cobb-Hunter, Crawford, Dillard, Erickson, Funderburk, Govan, Hart, Harvin, Hodges, Hosey, Hutto, Jefferson, Kennedy, King, Littlejohn, Long, Lowe, Mack, McEachern, McLeod, J.H. Neal, Ott, Sellers, Umphlett, Weeks and Wylie--April 29, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**H. 3608--Reps. Mack, Alexander, Allen, R. L. Brown, Williams and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE AUTHORITY CHARGED BY LAW CONDUCTING AN ELECTION SHALL ESTABLISH EARLY VOTING CENTERS, TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY**

**RESIDENT TO VOTE OUTSIDE THEIR PRECINCT, TO PROVIDE A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY REGISTER TO VOTE AND CAST A BALLOT DURING THE EARLY VOTING PERIOD, TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS, AND TO REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS OF SECTION 30-4-80.**

(Judiciary Com.--February 25, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Allison, Clemmons, Cole, Crawford, Duncan, Govan, Kennedy, King, Lowe, Ott, Parker and Sandifer--May 13, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**H. 4033--Reps. Clemmons, Harrell, Gunn, Anderson, Gullick, Limehouse, Hardwick, Merrill, Ott, Rutherford, Bales, V. S. Moss, Duncan, Owens, Bowen, Stavrinakis, Hutto, Allison, Barfield, Battle, Bingham, Branham, H. B. Brown, Cato, Cole, Cooper, Crawford, Dellaney, Dillard, Gambrell, Harrison, Harvin, Hayes, Hearn, Herbkersman, Horne, Hosey, Howard, Jefferson, Jennings, Kennedy, King, Kirsh, Lowe, Lucas, Mack, McLeod, Miller, D. C. Moss, J. M. Neal, Neilson, M. A. Pitts, Rice, Sandifer, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Thompson, Weeks, White, Williams, Willis, A. D. Young, Sellers and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TRANSPORTATION INFRASTRUCTURE FUNDING FLEXIBILITY ACT" BY ADDING ARTICLE 3 TO CHAPTER 3, TITLE 57 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY SOLICIT AND ENTER INTO CERTAIN PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES AND TO PROVIDE THE PROCEDURE WHEREBY PUBLIC-PRIVATE INITIATIVES ARE SOLICITED, APPROVED, AND IMPLEMENTED; BY ADDING ARTICLE 9 TO CHAPTER 3, TITLE 57 SO AS TO PROVIDE THE CIRCUMSTANCES WHEREBY TOLLS MAY BE IMPOSED AND COLLECTED ALONG THE STATE'S HIGHWAYS, TO PROVIDE FOR THE PROJECTS THAT MAY BE FINANCED BY TOLL REVENUES, TO PROVIDE PENALTIES FOR A PERSON WHO FAILS TO PAY A TOLL, AND TO PROVIDE**

THAT THE DEPARTMENT MAY IMPLEMENT AN ELECTRONIC TOLL SYSTEM; BY ADDING SECTION 11-35-3075 SO AS TO PROVIDE THAT THE PROVISIONS THAT ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES ARE SUBJECT TO CERTAIN PORTIONS OF THE CONSOLIDATED PROCUREMENT CODE AND TO CERTAIN EXPANDED DISCUSSIONS AND PROPOSAL REVISIONS; TO AMEND SECTION 11-35-710, AS AMENDED, RELATING TO THE PURCHASE OF CERTAIN ITEMS THAT ARE EXEMPT FROM THE PROVISIONS CONTAINED IN THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE PURCHASE OF ITEMS ASSOCIATED WITH DEPARTMENT OF TRANSPORTATION PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES ARE NOT EXEMPT FROM THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 11-35-40, AS AMENDED, RELATING TO THE APPLICATION OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE AN ENTITY THAT UTILIZES A FEDERAL GRANT TO PROCURE AN ITEM MUST COMPLY WITH ALL APPLICABLE LAWS THAT ARE NOT CONTAINED IN THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 57-5-1625, AS AMENDED, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AWARDED OF CONTRACTS THAT USE THE DESIGN-BUILD PROCEDURE, SO AS TO REVISE THE DEFINITION OF THE TERM "DESIGN-BUILD CONTRACT"; TO AMEND SECTION 57-5-1310, RELATING TO THE GENERAL ASSEMBLY'S INTENT WHEN IT PROVIDED THE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO CONSTRUCT TURNPIKE PROJECTS, SO AS TO PROVIDE THAT THE DEPARTMENT ALSO HAS THE AUTHORITY TO IMPROVE THESE FACILITIES PURSUANT TO THIS PROVISION; TO AMEND SECTION 57-5-1320, RELATING TO THE DEFINITION OF TERMS REGARDING TURNPIKE PROJECTS, SO AS TO REVISE THE DEFINITION OF THE TERM "TURNPIKE FACILITY"; TO AMEND SECTION 57-5-1330, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S

**AUTHORITY TO DESIGNATE, ESTABLISH, PLAN, IMPROVE, CONSTRUCT, OPERATE, AND REGULATE TURNPIKE FACILITIES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY DESIGNATE AS A TURNPIKE FACILITY ANY TRANSPORTATION FACILITY THAT IS FUNDED IN PART BY A LOCAL OPTION SALES AND USE TAX; TO AMEND SECTION 40-11-360, RELATING TO THE ENTITIES THAT ARE EXEMPT FROM THE PROVISIONS THAT REGULATE LICENSED CONTRACTORS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 57-5-1660, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S REQUIREMENT THAT CERTAIN CONTRACTORS MUST FURNISH A BOND FOR CERTAIN CONSTRUCTION CONTRACTS, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES AND PROVIDE THAT WHEN THE DEPARTMENT UTILIZES THE DESIGN-BUILD DELIVERY METHOD FOR A HIGHWAY CONSTRUCTION PROJECT, THE AMOUNT OF THE PERFORMANCE AND INDEMNITY BOND AND PAYMENT BONDS REQUIRED BY THIS PROVISION RELATE ONLY TO THE PORTION OF THE CONTRACT CONCERNING CONSTRUCTION; AND TO REPEAL SECTIONS 12-28-2920, 57-3-200, 57-3-615, 57-3-618, 57-5-1490, AND 57-5-1495 RELATING TO THE CONSTRUCTION OF TOLL ROADS BY THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT'S AUTHORITY TO ENTER INTO AGREEMENTS WITH VARIOUS ENTITIES TO CONSTRUCT, OPERATE, AND MAINTAIN HIGHWAY FACILITIES, THE PROJECTS THAT MAY BE CONSTRUCTED WITH TOLL REVENUES, THE IMPOSITION AND COLLECTION OF A TOLL ALONG**

**INTERSTATE 73, THE PENALTY FOR FAILURE TO PAY A TOLL, AND THE COLLECTION OF TOLLS.**

(Without reference--May 12, 2009)

(Requests for debate by Reps. Alexander, Anderson, Barfield, Brantley, G.A. Brown, R.L. Brown, Clemmons, Clyburn, Cobb-Hunter, Daning, Erickson, Gilliard, Gunn, Hardwick, Hearn, Hiott, Hosey, King, Littlejohn, Loftis, Long, Millwood, Nanney, J.H. Neal, Parker, Scott, Skelton, Stringer, Viers, Whipper and Willis--May 14, 2009)

(Debate adjourned until Thu., May 21, 2009--May 20, 2009)

**S. 636--Senators Thomas and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 64 TO TITLE 38 SO AS TO ENACT THE "LIFE SETTLEMENTS ACT"; TO PROVIDE FOR THE REGULATION OF A LIFE SETTLEMENT CONTRACT; TO PROVIDE FOR THE PROTECTION OF PERSONS ENTERING INTO THESE AGREEMENTS REGARDING CONTRACTUAL AND PROPERTY RIGHTS OF A LIFE INSURANCE POLICY OWNER AND AUTHORIZE THE DIRECTOR OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR THE LICENSING OF A BROKER OR PRODUCER TO ENTER INTO LIFE SETTLEMENT CONTRACTS; TO PROVIDE FOR THE SUSPENSION, REVOCATION, OR REFUSAL TO RENEW THESE LICENSES; TO PROVIDE FOR CONTRACT REQUIREMENTS, REPORTING AND PRIVACY REQUIREMENTS; TO AUTHORIZE THE DIRECTOR TO EXAMINE THE BUSINESS AND AFFAIRS OF A LICENSEE OR APPLICANT, PROVIDE FOR EXAMINATION REPORTS AND CONFIDENTIALITY OF EXAMINATION INFORMATION, PROHIBIT CONFLICT OF INTEREST BY AN EXAMINER, AND PROVIDE FOR IMMUNITY FROM LIABILITY; TO PROVIDE FOR ADVERTISING REQUIREMENTS OF A BROKER OR LICENSED PROVIDER; TO PROVIDE FOR CERTAIN DISCLOSURES TO AN OWNER; TO PROVIDE DISCLOSURE BY A PROPOSED OWNER OF A LIFE INSURANCE POLICY IF THE OWNER INTENDS TO PAY PREMIUMS WITH THE ASSISTANCE OF FINANCING FROM A LENDER THAT WILL USE THE POLICY AS COLLATERAL TO SUPPORT THE FINANCING; TO**

**REQUIRE A PROVIDER ENTERING INTO A LIFE SETTLEMENT CONTRACT WITH AN OWNER OF THE POLICY WHERE THE INSURED IS TERMINALLY OR CHRONICALLY ILL TO OBTAIN CERTAIN INFORMATION; TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS TO IMPLEMENT AND EFFECTUATE THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR PROHIBITIVE PRACTICES, FRAUD PREVENTION, AND CONTROL; AND TO PROVIDE PENALTIES FOR VIOLATIONS.**

(Labor, Com. & Ind. Com.--April 29, 2009)

(Fav. With Amdt.--May 14, 2009)

(Requests for debate by Reps. Bannister, Bedingfield, Brady, Branham, Cato, Cobb-Hunter, Crawford, Daning, Harrison, Hosey, Hutto, Kennedy, Limehouse, Long, Lowe, Merrill, Ott, Sandifer, Scott, G.R. Smith, J.R. Smith and Weeks--May 20, 2009)

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