~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 46: “God is our refuge and strength, a very present help in trouble. Therefore, we will not fear.”

Let us pray. God of refuge and strength, be with us this year as each of these Representatives and staff, whom You have called to serve, strive to do the work of the people. Inspire them with the desire to work together to accomplish wonderful and insightful results for this State. Give them strength, courage, integrity, and wisdom to work together through the coming days. Bestow Your blessings on our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, Lord. Amen.

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

After corrections to the Journal of the proceedings of Wednesday, October 28, 2009, the SPEAKER ordered it confirmed.

**RESIGNATION**

The following was received:

July 1, 2009

The Honorable Robert W. Harrell, Jr.

Speaker, South Carolina House of Representatives

P.O. Box 11867

Columbia, SC 29211

Dear Mr. Speaker,

 This is to formally notify you of my resignation from the SC House of Representatives. The effective date of the resignation will be September 15, 2009.

 Hopefully, the timing of this letter will enable the election of a successor to be held in November of the same date as numerous other elections within the District.

 If you have any questions, please do not hesitate to contact me.

Sincerely,

Carl L. Gullick

Received as information.

**COMMUNICATION**

The following was received:

STATE OF SOUTH CAROLINA

OFFICE OF THE SECRETARY OF STATE

November 13, 2009

Mr. Charles F. Reid

Clerk of the House

P.O. Box 11867

Columbia, South Carolina 29211

Dear Mr. Reid:

 The State Election Commission has certified to this office that the Honorable Ralph W. Norman received the greatest number of votes cast for the House of Representatives, House District No. 48, in a special election held in York County on November 3, 2009.

 The Honorable Ralph W. Norman is hereby certified as the duly and properly elected Member of the House of Representatives, House District No. 48.

Sincerely,

Mark Hammond

Secretary of State

Received as information.

**MEMBER-ELECT SWORN IN**

 The Honorable Ralph W. Norman, Member-elect from District No. 48, presented his credentials and the oath of office was administered to him by the SPEAKER.

**SILENT PRAYER**

The House stood in silent prayer for the family of Representative Vida Miller in the loss of her husband.

**INVITATIONS**

On motion of Rep. KIRSH, with unanimous consent, the following were taken up for immediate consideration and accepted:

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Bankers Association, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 12, 2010, at 6:00 p.m., at the Marriott Hotel.

Sincerely,

E. Anne Gillespie

Senior Vice President

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Children’s Hospital Collaborative, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, January 13, 2010, at 8:00 a.m., in room 112 of the Blatt Building.

Sincerely,

Maggie Michael

Executive Director

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina REALTORS, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, January 13, 2010, at 12:00 p.m., in room 112 of the Blatt Building.

Sincerely,

Schipp Ames

Government Affairs Coordinator

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Broadcasters Association, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, January 14, 2010, at 8:00 a.m., in room 112 of the Blatt Building.

Sincerely,

Shani White

Executive Director

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Telecommunications Association, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 19, 2010, at 6:00 p.m., at the Columbia Museum of Art.

Sincerely,

Jerry Pate

Executive Director

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the American Council of Engineering Companies of South Carolina, South Carolina Society of Professional Engineers and the American Society of Civil Engineers-SC Section, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 19, 2010, at 7:00 p.m., at the Clarion Townhouse Hotel.

Sincerely,

Ginger Booker

Account Executive

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina High School League, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, January 20, 2010, at 8:00 a.m., in room 112 of the Blatt Building.

Sincerely,

LaVonda H. Toatley

Administrative Assistant

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Consortium for Gifted Education, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, January 20, 2010, at 12:00 p.m., in room 112 of the Blatt Building.

Sincerely,

Linda Shaylor

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the Foundation for the SC Commission for the Blind, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, January 21, 2010, at 8:00 a.m., in room 112 of the Blatt Building.

Sincerely,

John F. Shuler

Chairman

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Economic Developers’ Association, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 26, 2010, at 6:00 p.m., at the Palmetto Club.

Sincerely,

Keely Fagen Yates

Association Executive

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Association of Technical College Commissioners, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 26, 2010, at 7:00 p.m., at the Clarion Townhouse Hotel.

Sincerely,

Jennifer Phelps

Executive Coordinator

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Association of Nurse Anesthetists, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, January 27, 2010, at 8:00 a.m., in room 112 of the Blatt Building.

Sincerely,

Irene Reinecke

Director

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Baptist Convention, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, January 27, 2010, at 12:00 p.m., on the State House Grounds.

Sincerely,

Joseph A. Mack

Director

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the Clarion Hotel Downtown Columbia, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, January 27, 2010, at 6:00 p.m., at the Clarion Townhouse Hotel.

Sincerely,

Bill Ellen

General Manager

January 12, 2009

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

 On behalf of the South Carolina Association of Christian Schools, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, January 28, 2010, at 8:00 a.m., in room 112 of the Blatt Building.

Sincerely,

Edward Earwood

Executive Director

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committees for consideration:

Document No. 4073

Agency: Public Service Commission

Statutory Authority: 1976 Code Section 58-3-140

Definitions for Charter Bus, Equipped to Carry and Passenger

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 12, 2010

Document No. 4085

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

Air Pollution Control Regulations and Standards; Definitions and General Requirements

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4090

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas; Turkey Hunting Rules and Seasons

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4109

Agency: Department of Social Services

Statutory Authority: 1976 Code Sections 43-5-580(b), 63-17-470(d) and 45 CFR 302.56

Child Support Guidelines

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Judiciary Committee

Legislative Review Expiration May 12, 2010

Document No. 4091

Agency: Department of Agriculture

Statutory Authority: 1976 Code Section 46-21-20

Seeds

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4080

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-56-10 et seq.

Hazardous Waste Management

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4081

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-75-10 et seq.

Athletic Trainers

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4069

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Section 50-15-65

Regulations for Species or Subspecies of Non-game Wildlife

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4088

Agency: Department of Insurance

Statutory Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110, 38-9-180,

38-63-510 et seq., and 38-69-330

Annuity and Deposit Fund Disclosure

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 12, 2010

Document No. 4070

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

Air Pollution Control Regulations and Standards

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4063

Agency: Public Service Commission

Statutory Authority: 1976 Code Section 58-3-140

Workers' Compensation Insurance and Use of Leased Vehicles

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 12, 2010

Document No. 4075

Agency: Board of Cosmetology

Statutory Authority: 1976 Code Sections 40-1-70 and 40-13-60

Requirements of Licensure in the Field of Cosmetology

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Medical, Military, Public and Municipal Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4106

Agency: Clemson University - State Crop Pest Commission

Statutory Authority: 1976 Code Section 46-9-40

Phytophthora ramorum Quarantine

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4105

Agency: Clemson University - State Crop Pest Commission

Statutory Authority: 1976 Code Section 46-9-40

Citrus Greening (Candidatus Liberibacter Asisticus) Quarantine

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 12, 2010

Document No. 4083

Agency: Department of Insurance

Statutory Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110 and 38-57-10 et seq.

Use of Senior-Specific Certifications and Professional Designations in the Sale of Life Insurance and Annuities

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 12, 2010

Document No. 4078

Agency: Secretary of State

Statutory Authority: 1976 Code Sections 30-6-10 to 30-6-70

Uniform Real Property Recording Act

Received by Speaker of the House of Representatives

January 12, 2010

Referred to Judiciary Committee

Legislative Review Expiration May 12, 2010

**REGULATION WITHDRAWN**

Document No. 4016

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Section 44-1-180

Environmental Health Inspections and Fees

Received by Speaker of the House of Representatives January 16, 2009

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration: Permanently Withdrawn

**REPORT RECEIVED**

The following was received:

September 30, 2009

The Honorable Charles F. Reid

South Carolina House of Representatives

P.O. Box 11867

Columbia, SC 29211

Dear Mr. Reid:

 As you are aware, Act 81, which became effective July 7, 2009, requires the South Carolina Taxation Realignment Commission (TRAC) to provide the General Assembly with the criteria it will use to assess the effectiveness of the State’s current tax system structure within three months of the act’s effective date. The legislation provides specific guidance regarding the development of such criteria, stating that it (the criteria) “…be designed with an emphasis on the systemic balance of the State’s revenue structure from the standpoint of adequacy, equity, and efficiency, and with the goal of maintaining and enhancing the State as an optimum competitor in efforts to attract business and individuals to locate, live, work, and invest in the State.”

 With the understanding that there is no “one size fits all” formula for evaluating any state’s tax structure, please accept the enclosed information as the timely submission of TRAC’s required criteria it plans to utilize in its assessment of the effectiveness of the State’s current tax system structure.

 If you have any questions, do not hesitate to contact me.

 Sincerely,

 Burnett R. Maybank III, Chairman

 South Carolina Taxation Realignment Commission

**TRACSTATUTORY OBJECTIVE:**

To ensure the State’s tax structure enhances “…***the State as an optimum competitor in efforts to attract business and individuals to locate, live, work, and invest in the State***.” (Section 1(C)1 of Act 81 of 2009).

As such, TRAC, where possible to objectively measure, will consider the following criteria when examining the “adequacy, equity, and efficiency” of the State’s tax structure, and will do so mindful of the statutory objective referenced above:

**ADEQUACY**:

In short, “adequacy” examines concepts of “reliability” and “balance”. Specifically:

1) Does the current tax structure produce revenues that are not highly cyclical relative to the “business cycle”, or does the current mix of revenue sources lead to volatility during up and downturns in the economy?

2) Related to the “mix” of revenues, is the state overly reliant on one source of revenue, or is there an appropriate “balance” of sources?

3) Likewise, is the current mix (or balance) stable (as understood by the concept of “elasticity”)?

4) Regarding “competition” generally, is the state’s tax structure and/or burden (both individual and business) dramatically out of line with other states?

5) Regarding the state’s competitive position as it relates to business taxes specifically, understanding that revenue systems are sometimes used as tools of economic development, does the state impose a tax burden far different from that of other states?

**EQUITY:**

Equity examines the concepts of “fairness” and/or “equal protection” in and/or among various categories or levels of taxpayers. Specifically:

1) How is the tax burden distributed among various categories of taxpayers?

2) Related to individual/household taxpayers specifically, is the current state tax structure “horizontally equitable”? That is, are taxpayers with the same capacity to pay treated equitably? Generally speaking, it is accepted that the “narrower” the tax base, the more inequitable the system. In contrast, the broader the base, the more equitable the system, generally speaking.

3) An additional component to the equity analysis relates to “vertical equity”. Specifically, how do tax burdens compare among taxpayers with different levels of incomes and/or abilities to pay?

4) Specifically, does the current tax structure, when examined system wide, minimize “regressivity” as that concept is typically defined?

5) Related to business taxpayers in particular, does the tax structure provide similar treatment for all industries and all firms within a particular industry?

6) Does the tax structure overly favor new business vs. existing business?

**EFFICIENCY**:

Efficiency examines the tax structure relative to its “neutrality” in impacting or incentivizing taxpayer decision making. Specifically:

1) How efficient is any given state “tax expenditure” (incentive, etc.)? That is, does it accomplish a significant increase in private sector activity with a relatively modest “cost” in terms of lost tax revenue?

2) How does the tax expenditure impact the tax structure relative to the concepts of “adequacy” and “equity”? Does it significantly impact a particular revenue stream that supports a public service(s) and/or does it significantly change the distribution of the tax burden from one class of taxpayer to another?

3) Related, does the tax expenditure incentivize a new or desired activity or does it “reward” existing behavior, or behavior that would have taken place anyway, in the absence of the incentive?

The following sources were used to develop TRAC’s “assessment criteria”: “Principles of a High-Quality State Revenue System” - a report by the National Conference of State Legislatures; “The Way We Tax - A 50 State Report”, Governing Magazine, February 2003; “Selected Issues in South Carolina’s Tax and Education System”, a report by Donald Boyd and William Fox, April 23, 2008; “Ensuring a Competitive Revenue System for South Carolina - Findings and Conclusions from an Evaluation of the South Carolina Revenue System”, Holly Ulbrich, Strom Thurmond Institute of Government and Public Affairs, Clemson University, November 18, 2005.

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 4168 -- Reps. Delleney, M. A. Pitts, Kelly, Simrill and Kirsh: A HOUSE RESOLUTION TO PROVIDE THAT PURSUANT TO ARTICLE XV, SECTION 1, OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, THE GOVERNOR OF SOUTH CAROLINA, THE HONORABLE MARSHALL C. SANFORD, JR., IS IMPEACHED FOR SERIOUS MISCONDUCT IN OFFICE.

The Resolution was ordered referred to the Committee on Judiciary.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 4169 -- Rep. Battle: A BILL TO AMEND ACT 607 OF 1986, AS AMENDED, RELATING TO THE ELECTIONS OF MEMBERS OF THE MARION COUNTY BOARD OF EDUCATION, SO AS TO PROVIDE THAT A PERSON DESIRING TO QUALIFY AS A CANDIDATE SHALL FILE WRITTEN NOTICE OF CANDIDACY AT LEAST SIXTY DAYS BEFORE THE DATE SET FOR THE ELECTION BUT NOT EARLIER THAN NINETY DAYS BEFORE THE ELECTION, TO PROVIDE THAT THE COUNTY COMMISSIONERS OF ELECTION SHALL PUBLISH NOTICES OF THE ELECTION AS PROVIDED IN SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND TO PROVIDE THE NONPARTISAN PLURALITY METHOD AS CODIFIED IN SECTION 5-15-61, CODE OF LAWS OF SOUTH CAROLINA, 1976, BE REQUIRED TO DETERMINE THE OUTCOME OF THE ELECTION INSTEAD OF PURSUANT TO ACT 81 OF 1977.

Referred to Marion Delegation

H. 4170 -- Reps. Clemmons, Viers, Edge, Hardwick and Hearn: A BILL TO AMEND SECTION 4-10-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USES ALLOWED FOR REVENUES OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE, SO AS TO ALLOW AMOUNTS UP TO TWENTY PERCENT OF THE REVENUE TO BE USED FOR PROPERTY TAX RELIEF FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND FOR TOURISM-RELATED CAPITAL PROJECTS BEGINNING IN THE SECOND RATHER THAN THE THIRD YEAR OF IMPOSITION OF THE FEE, TO REQUIRE THE AMOUNTS USED FOR THESE PURPOSES TO BE RETAINED BY THE MUNICIPALITY WITH AT LEAST TWENTY PERCENT OF THE AMOUNT RETURNED USED AS A CREDIT AGAINST THE PROPERTY TAX LIABILITY OF OWNER-OCCUPIED RESIDENTIAL PROPERTY AND PROVIDE FOR THE CALCULATION OF THE CREDIT, AND TO PROVIDE FOR THE USE OF CREDITS IN EXCESS OF THE MUNICIPAL PROPERTY TAX LIABILITY.

Referred to Committee on Ways and Means

H. 4171 -- Reps. Scott and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-15 SO AS TO PROVIDE THAT IF PROVISIONS OF FEDERAL LAW MANDATE THAT ALL CITIZENS WITH CERTAIN EXCEPTIONS PURCHASE OR SECURE HEALTH INSURANCE COVERAGE THROUGH A RANGE OF OPTIONS ONE OF WHICH IS TO PURCHASE OR SECURE HEALTH INSURANCE COVERAGE THROUGH A PUBLIC PLAN UNDERWRITTEN IN WHOLE OR IN PART BY THE FEDERAL GOVERNMENT, AND THE PUBLIC PLAN PERMITS STATES TO "OPT OUT" OF THIS PUBLIC OPTION, THE STATE OF SOUTH CAROLINA HEREBY "OPTS OUT" AND DECLINES TO HAVE THIS PUBLIC PLAN OPTION APPLY TO OR BE AVAILABLE TO THE CITIZENS OF THIS STATE.

Referred to Committee on Labor, Commerce and Industry

H. 4172 -- Reps. Forrester and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-180 SO AS TO PROVIDE FOR THE MANNER IN WHICH A COUNTY GOVERNING BODY MAY INSTITUTE AN EMPLOYEE FURLOUGH PROGRAM, AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION DO NOT PRECLUDE A COUNTY FROM IMPLEMENTING OTHER FURLOUGH PROGRAMS NOT IN CONFORMITY WITH THE REQUIREMENTS OF THIS SECTION.

Referred to Committee on Ways and Means

H. 4173 -- Rep. Limehouse: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10-1-215 SO AS TO PROVIDE THAT AT THE REQUEST OF THE LEGISLATIVE DELEGATION OF A COUNTY IN WHICH AN HISTORIC OR ARCHITECTURALLY SIGNIFICANT BUILDING OR STRUCTURE IN NEED OF REPAIR IS LOCATED, WHICH IS OWNED BY A STATE AGENCY OR DEPARTMENT OR BY A PROGRAM OR TRUST ADMINISTERED BY THE AGENCY OR DEPARTMENT, THE AGENCY SHALL PRESENT WITHIN NINETY DAYS OF THE REQUEST A PLAN OF RENOVATION TO THE DELEGATION AND TO THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE AND THE SENATE FINANCE COMMITTEE IF ADDITIONAL FUNDING IS NEEDED TO COMPLETE THE RENOVATIONS.

Referred to Committee on Ways and Means

H. 4174 -- Reps. Harvin, Bales, Harrison, G. M. Smith and Wylie: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AS A RESULT OF AN ASSESSABLE TRANSFER OF INTEREST, SO AS TO PROVIDE THAT A CONVEYANCE TO A TRUST DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE SETTLOR OR SETTLOR'S SPOUSE CONVEYS THE PROPERTY TO A TRUST THE BENEFICIARIES OF WHICH ARE A CHILD OR CHILDREN OF THE SETTLOR OR THE SETTLOR'S SPOUSE AND TO PROVIDE THAT A CONVEYANCE BY DISTRIBUTION UNDER A WILL OR BY INTESTATE SUCCESSION DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE DISTRIBUTEE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT'S DATE OF DEATH.

Referred to Committee on Ways and Means

H. 4175 -- Reps. J. R. Smith, T. R. Young and Clyburn: A BILL TO AMEND ACT 476 OF 1969, AS AMENDED, RELATING TO THE VALLEY PUBLIC SERVICE AUTHORITY IN AIKEN COUNTY, SO AS TO ADD TWO MEMBERS TO THE GOVERNING BOARD OF THE AUTHORITY AND TO PROVIDE FOR THEIR TERMS AND MANNER OF APPOINTMENT.

Referred to Aiken Delegation

H. 4176 -- Rep. King: A JOINT RESOLUTION TO IMPOSE A MORATORIUM ON REIMBURSEMENTS PAID IN CONNECTION WITH ALL NONESSENTIAL STATE EMPLOYEE TRAVEL AND ASSOCIATED MEALS AND LODGING THROUGH JUNE 30, 2010, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES OF THE STATE BUDGET AND CONTROL BOARD SHALL PUBLISH GUIDELINES DEFINING ESSENTIAL TRAVEL QUALIFYING FOR REIMBURSEMENT.

Referred to Committee on Ways and Means

H. 4177 -- Reps. Umphlett and Kirsh: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-3175 SO AS TO REQUIRE THE TRANSFEROR OF REAL PROPERTY RECEIVING THE AGRICULTURAL USE CLASSIFICATION TO PROVIDE WRITTEN NOTICE TO THE TRANSFEREE BEFORE CLOSING THAT THE PROPERTY IS RECEIVING THE AGRICULTURAL USE CLASSIFICATION AND THE TRANSFER MAY RESULT IN THE IMPOSITION OF ROLLBACK TAXES IF THE USE OF THE PROPERTY HAS BEEN CHANGED BY THE TRANSFEROR OR WILL BE CHANGED BY THE TRANSFEREE.

Referred to Committee on Ways and Means

H. 4178 -- Rep. M. A. Pitts: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXTEND THE EXEMPTION ALLOWED FARM MACHINERY USED IN PLANTING, CULTIVATING, OR HARVESTING FARM CROPS TO MACHINERY AND CERTAIN VEHICLES USED IN COMMERCIAL ANIMAL HUSBANDRY AND TO GIVE THIS ADDITIONAL EXEMPTION RETROACTIVE APPLICATION.

Referred to Committee on Ways and Means

H. 4179 -- Rep. Clemmons: A JOINT RESOLUTION TO EXEMPT FROM PROPERTY TAX OTHERWISE TAXABLE VALUE OF IMPROVEMENTS TO REAL PROPERTY CONSISTING OF UNSOLD AND UNOCCUPIED COMMERCIAL STRUCTURES, INDIVIDUAL UNITS IN COMMERCIAL STRUCTURES, AND INDIVIDUAL UNITS IN RESIDENTIAL STRUCTURES, TO PROVIDE THAT THE EXEMPTION IS AVAILABLE FOR PROPERTY TAX YEARS BEGINNING AFTER 2009 THROUGH THE EARLIER OF THE PROPERTY TAX YEAR IN WHICH THE PROPERTY IS SOLD OR OTHERWISE OCCUPIED OR THE PROPERTY TAX YEAR ENDING DECEMBER 31, 2015, AND TO PROVIDE FOR THE APPLICATION FOR THE EXEMPTION.

Referred to Committee on Ways and Means

H. 4180 -- Reps. Scott, Bales, Harrison and Wylie: A BILL TO AMEND SECTION 12-37-250, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HOMESTEAD PROPERTY TAX EXEMPTION ALLOWED PERSONS OVER THE AGE OF SIXTY-FIVE YEARS, OR DISABLED, OR LEGALLY BLIND, SO AS TO INCREASE THE EXEMPTION AMOUNT FROM THE FIRST FIFTY THOUSAND DOLLARS TO THE FIRST ONE HUNDRED THOUSAND DOLLARS OF THE FAIR MARKET VALUE OF THE HOMESTEAD; AND TO AMEND JOINT RESOLUTION 406 OF 2000, RELATING TO SUPPLEMENTAL APPROPRIATIONS, SO AS TO DELETE AN OBSOLETE REFERENCE OF THE HOMESTEAD EXEMPTION.

Referred to Committee on Ways and Means

H. 4181 -- Reps. Scott and Long: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS, SO AS TO ADD A NEW SECTION PRESERVING THE FREEDOM OF SOUTH CAROLINIANS WITH RESPECT TO THE PROVIDING OF HEALTH CARE SERVICES, BY PROHIBITING ANY LAW, REGULATION, OR RULE TO COMPEL AN INDIVIDUAL, EMPLOYER, OR HEALTH CARE PROVIDER TO PARTICIPATE IN A HEALTH CARE SYSTEM, BY ALLOWING INDIVIDUALS AND EMPLOYERS TO PAY DIRECTLY FOR LAWFUL HEALTH CARE SERVICES WITHOUT PENALTIES OR FINES FOR THESE DIRECT PAYMENTS, BY PROVIDING THAT THE PURCHASE OR SALE OF HEALTH INSURANCE IN PRIVATE HEALTH CARE SYSTEMS MUST NOT BE PROHIBITED BY LAW, REGULATION, OR RULE, BY PROVIDING THOSE INCENTIVES IN WHICH THE RIGHTS PROVIDED BY THIS SECTION DO NOT APPLY, AND TO PROVIDE APPROPRIATE DEFINITIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4182 -- Reps. Scott, Kirsh and G. M. Smith: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE EXECUTIVE DEPARTMENT OF STATE GOVERNMENT, SO AS TO PROVIDE THAT BEGINNING WITH THE PERSON ELECTED LIEUTENANT GOVERNOR IN THE GENERAL ELECTION OF 2014, NO PERSON MAY BE ELECTED LIEUTENANT GOVERNOR FOR MORE THAN TWO SUCCESSIVE TERMS.

Referred to Committee on Judiciary

H. 4183 -- Reps. Sellers, Brady and Wylie: A BILL TO AMEND SECTION 56-5-6410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSPORTATION OF A CHILD ALONG THE STATE'S HIGHWAYS WHILE RESTRAINED IN A CHILD PASSENGER RESTRAINT SYSTEM, SO AS TO INCREASE THE MAXIMUM AGE OF A CHILD WHO MUST BE RESTRAINED IN A CHILD PASSENGER RESTRAINT SYSTEM.

Referred to Committee on Education and Public Works

H. 4184 -- Rep. Rutherford: A BILL TO AMEND SECTION 56-5-5015, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MOTOR VEHICLE SUNSCREEN DEVICES, SO AS TO REVISE THE PERMITTED LEVEL OF LIGHT TRANSMISSION FOR SUNSCREENING DEVICES INSTALLED ON THE WINDSHIELD, SIDE WINDOWS, AND REAR WINDOW OF A MOTOR VEHICLE.

Referred to Committee on Education and Public Works

H. 4185 -- Rep. Rutherford: A BILL TO AMEND SECTION 56-5-1520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM SPEED LIMITS IMPOSED ALONG THE STATE'S HIGHWAYS, SO AS TO INCREASE THE MAXIMUM SPEED LIMIT THAT MAY BE POSTED ALONG INTERSTATE HIGHWAYS AND FREEWAYS.

Referred to Committee on Education and Public Works

H. 4186 -- Reps. Umphlett and Kirsh: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-222 SO AS TO ALLOW CERTAIN PERSONS WHO WEAR BIOPTIC TELESCOPIC LENSES FOR VISION ASSISTANCE TO OBTAIN A DRIVER'S LICENSE.

Referred to Committee on Education and Public Works

H. 4187 -- Reps. White and Kirsh: A BILL TO AMEND SECTION 55-9-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS THAT AN ENTITY HAS TO ESTABLISH AN AIRPORT OR LANDING FIELD OR ACQUIRE, LEASE, OR SET APART PROPERTY FOR THAT PURPOSE, SO AS TO DELETE A PROVISION THAT LIMITS THE TERM OF A LEASE OF AIRPORTS OR LANDING FIELDS TO PRIVATE PARTIES FOR OPERATION.

Referred to Committee on Education and Public Works

H. 4188 -- Rep. Sellers: A BILL TO AMEND SECTION 56-1-745, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF THE DRIVER'S LICENSE OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION, AND THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSES, SO AS TO PROVIDE THE SUSPENSION OF A DRIVER'S LICENSE BY THE COURT UNDER THIS PROVISION IS OPTIONAL AND NO LONGER MANDATORY.

Referred to Committee on Education and Public Works

H. 4189 -- Reps. Bowen, Bales, Harrison, Wylie and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3890 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO DRIVE A MOTOR VEHICLE WHILE TEXT MESSAGING, TEXTING, RECEIVING, OR READING TEXT MESSAGES OR PRINTED READING MATERIALS, AND TO PROVIDE A PENALTY.

Referred to Committee on Education and Public Works

H. 4190 -- Reps. Sellers, Bales and Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3890 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE A HANDHELD WIRELESS COMMUNICATIONS DEVICE WHILE DRIVING A MOTOR VEHICLE AND TO PROVIDE A PENALTY FOR VIOLATING THIS PROVISION; AND TO AMEND SECTION 56-1-720, RELATING TO THE SCHEDULE OF POINTS ASSIGNED TO VARIOUS TRAFFIC VIOLATIONS, SO AS TO PROVIDE THAT USING A HANDHELD WIRELESS COMMUNICATIONS DEVICE WHILE DRIVING IS A TWO POINT VIOLATION.

Referred to Committee on Education and Public Works

H. 4191 -- Reps. Kirsh, Bales and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-955 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO POSSESS A WIRELESS COMMUNICATIONS DEVICE ON THE PREMISES OF A DEPARTMENT OF CORRECTIONS FACILITY UNDER CERTAIN CIRCUMSTANCES AND TO GIVE OR SELL A WIRELESS COMMUNICATIONS DEVICE OR ITS COMPONENTS TO AN INMATE OR TO A PERSON FOR DELIVERY TO AN INMATE, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Referred to Committee on Judiciary

H. 4192 -- Reps. Harrison, Kirsh and Wylie: A BILL TO AMEND SECTION 56-1-385, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, SO AS TO PROVIDE THAT CERTAIN PERSONS WHO HAVE HAD THEIR DRIVER'S LICENSES PERMANENTLY REVOKED AND WHO HAVE PETITIONED THE CIRCUIT COURT FOR REINSTATEMENT OF THEIR DRIVER'S LICENSES, MUST SERVE COPIES OF THE PETITION ON BOTH THE CIRCUIT SOLICITOR AND THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT THE SOLICITOR AND THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES, OR THEIR DESIGNEES, MAY RESPOND TO THE PETITION AND DEMAND A HEARING ON THE MERITS OF THE PETITION OR HAVE THE COURTS CONSIDER AFFIDAVITS SUBMITTED BY THE PETITIONER AND THE SOLICITOR, OR THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES, OR THEIR DESIGNEES WHEN DETERMINING WHETHER CONDITIONS FOR DRIVING PRIVILEGE REINSTATEMENT HAVE BEEN MET BY THE PETITIONER, AND TO REVISE THE CONDITIONS UPON WHICH A DRIVER'S LICENSE MAY BE REINSTATED.

Referred to Committee on Judiciary

H. 4193 -- Reps. Cooper, Bales, Kirsh, Wylie and Cato: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO PROHIBIT A MUNICIPALITY OR COUNTY, OR A UNIT OR AGENCY OF IT, FROM IMPOSING A FEE OR SEEKING REIMBURSEMENT OF COSTS OR EXPENSES INCURRED AS A RESULT OF RESPONDING TO A MOTOR VEHICLE ACCIDENT, TO PROVIDE EXCEPTIONS, AND TO PERMIT A UNIT OF GOVERNMENT TO SEEK TO COLLECT FROM ANOTHER UNIT OF GOVERNMENT THE REASONABLE COSTS INCURRED FOR RESPONDING TO A MOTOR VEHICLE ACCIDENT OUTSIDE ITS JURISDICTION.

Referred to Committee on Ways and Means

H. 4194 -- Reps. G. M. Smith and Wylie: A BILL TO AMEND SECTION 59-5-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS AND RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION, SO AS TO PROVIDE THAT BOARD REGULATIONS CONCERNING HALF-DAY FOUR YEAR OLD EDUCATION PROGRAMS MAY NOT REQUIRE HOME VISITS BY SCHOOL DISTRICT PERSONNEL; AND TO AMEND SECTION 59-139-10, RELATING TO SCHOOL DISTRICT EARLY CHILDHOOD INITIATIVES, SO AS TO PROVIDE THAT DISTRICT PLANS MAY NOT INCLUDE HOME VISITS BY SCHOOL DISTRICT PERSONNEL.

Referred to Committee on Education and Public Works

H. 4195 -- Reps. H. B. Brown and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 111, TITLE 59 TO ENACT THE "SOUTH CAROLINA RURAL PRIMARY CARE PHYSICIAN LOAN REPAYMENT PROGRAM" SO AS TO CREATE A LOAN REPAYMENT PROGRAM FOR LICENSED PRIMARY CARE PHYSICIANS WHO PRACTICE IN RURAL AREAS WITHIN THE STATE, TO PROVIDE FOR A PROGRAM ADVISORY BOARD, TO PROVIDE CRITERIA BY WHICH PHYSICIANS MAY BE SELECTED, TO PROVIDE PENALTIES FOR NONCOMPLIANCE WITH THE PROGRAM, TO PROVIDE FOR THE APPROPRIATION OF FUNDS FOR THE PROGRAM, AND TO DEFINE CERTAIN TERMS.

Referred to Committee on Ways and Means

H. 4196 -- Reps. H. B. Brown and Wylie: A BILL TO AMEND SECTION 59-19-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS AND DUTIES OF SCHOOL TRUSTEES, SO AS TO DELETE THE DUTY OF THE EMPLOYMENT AND DISCHARGE OF TEACHERS; TO AMEND SECTION 59-25-410, RELATING TO NOTIFICATION OF TEACHER EMPLOYMENT FOR THE ENSUING YEAR, SO AS TO PROVIDE THAT THE SUPERINTENDENT OF THE SCHOOL DISTRICT SHALL NOTIFY TEACHERS OF CONTINUED EMPLOYMENT; TO AMEND SECTION 59-25-415, RELATING TO PRIORITY FOR CERTIFIED PERSONNEL IN REHIRING, SO AS TO REVISE NOTICE REQUIREMENTS; TO AMEND SECTION 59-25-420, RELATING TO NOTIFICATION OF ACCEPTANCE OF REEMPLOYMENT, SO AS TO REQUIRE THE TEACHER TO NOTIFY THE SUPERINTENDENT OF ACCEPTANCE; AND TO AMEND SECTION 59-25-460, RELATING TO DISMISSAL OF TEACHERS, SO AS TO PROVIDE THAT NOTICE MUST BE GIVEN BY THE SUPERINTENDENT.

Referred to Committee on Education and Public Works

H. 4197 -- Rep. Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-505 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO RELEASE HIGH SCHOOL GRADUATION RATE DATA BASED ON RACE OR ETHNICITY BY SEPTEMBER FIRST OF EACH YEAR; TO AMEND SECTIONS 59-1-450, 59-1-452, AS AMENDED, 59-1-453, 59-6-10, 59-16-70, 59-18-120, AS AMENDED, 59-18-310, AS AMENDED, 59-18-320, AS AMENDED, 59-18-350, AS AMENDED, 59-18-900, AS AMENDED, 50-18-920, AS AMENDED, 59-18-950, 59-18-1500, AS AMENDED, 59-18-1510, AS AMENDED, 59-18-1530, AS AMENDED, 59-18-1540, AS AMENDED, 59-18-1570, AS AMENDED, 59-18-1590, AS AMENDED, 59-18-1700, AS AMENDED, 59-18-1930, AS AMENDED, 59-21-440, 59-21-600, 59-21-1210, 59-24-65, 59-26-20, AS AMENDED, 59-28-150, 59-28-190, 59-28-200, AS AMENDED, 59-28-210, 59-29-170, 59-29-220, 59-40-70, AS AMENDED, 59-40-230, 59-50-20, AS AMENDED, 59-59-170, 59-63-65, 59-139-10, 59-139-40, 59-139-60, AND 59-150-325, ALL RELATING TO THE EDUCATION OVERSIGHT COMMITTEE, TO CHANGE CERTAIN REFERENCES FROM THE EDUCATION OVERSIGHT COMMITTEE TO THE DEPARTMENT OF EDUCATION, THE STATE BOARD OF EDUCATION, OR THE SUPERINTENDENT OF EDUCATION, AND TO DELETE CERTAIN REFERENCES TO THE EDUCATION OVERSIGHT COMMITTEE; TO REPEAL SECTIONS 59-6-15, 59-6-16, 59-6-17, 59-6-20, 59-6-30, 59-6-100, AND 59-6-110 ALL RELATING TO THE BUSINESS EDUCATION PARTNERSHIP AND EDUCATION IMPROVEMENT PROGRAM MONITORING; TO REPEAL SECTION 59-21-1220 RELATING TO THE CAMPUS INCENTIVE PROGRAM; TO REPEAL SECTIONS 59-24-100 AND 59-24-110 BOTH RELATING TO THE SCHOOL PRINCIPAL INCENTIVE PROGRAM; TO REPEAL SECTION 59-28-220 RELATING TO RECOMMENDATIONS FOR EMPLOYER TAX CREDIT INCENTIVES; TO REPEAL SECTION 59-139-50 RELATING TO A PLAN FOR TECHNICAL ASSISTANCE; AND TO REPEAL SECTION 59-141-10 RELATING TO NATIONAL EDUCATION GOALS.

Referred to Committee on Education and Public Works

H. 4198 -- Reps. Erickson, Brady, Cobb-Hunter, Horne, Allison, Hutto, Herbkersman, G. M. Smith, Bales, Harrison, Gunn and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-57-115 SO AS TO PROVIDE THAT IT IS UNFAIR DISCRIMINATION FOR AN INSURER TO DENY, REFUSE TO ISSUE OR RENEW, CANCEL, RESTRICT OR EXCLUDE COVERAGE, DENY A CLAIM OR LIMIT PAYMENTS, OR ADD A PREMIUM DIFFERENTIAL TO A POLICY OR CERTIFICATE OF COVERAGE ON THE BASIS THAT AN APPLICANT OR INSURED HAS BEEN OR IS PERCEIVED TO HAVE BEEN ABUSED OR MAY BE A SUBJECT OF ABUSE AND TO PROVIDE PENALTIES, INCLUDING FINES UP TO TWO HUNDRED THOUSAND DOLLARS.

Referred to Committee on Labor, Commerce and Industry

H. 4199 -- Reps. Harrison and Kirsh: A BILL TO AMEND SECTION 44-48-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EFFECTIVE DATE OF PAROLE OR CONDITIONAL RELEASE OF SEXUALLY VIOLENT PREDATORS, SO AS TO PROVIDE THAT THE PAROLE OR CONDITIONAL RELEASE ORDER DOES NOT TAKE EFFECT FOR ONE HUNDRED EIGHTY DAYS, RATHER THAN NINETY DAYS, AFTER ISSUANCE OF THE ORDER; TO AMEND SECTION 44-48-80, AS AMENDED, RELATING TO THE FACILITY IN WHICH A PERSON MUST BE HELD AFTER PROBABLE CAUSE IS FOUND TO EXIST THAT THE PERSON IS A SEXUALLY VIOLENT PREDATOR, SO AS TO REQUIRE THAT THE PERSON ONLY BE HELD IN A LOCAL OR REGIONAL DETENTION FACILITY; TO AMEND SECTION 44-48-90, AS AMENDED, RELATING TO THE TIME WITHIN WHICH A JURY TRIAL MUST BE REQUESTED AND HELD TO DETERMINE IF A PERSON IS A SEXUALLY VIOLENT PREDATOR, SO AS TO PROVIDE THAT A JURY TRIAL MUST BE REQUESTED WITHIN THIRTY DAYS AFTER AN EVALUATOR ISSUES AN OPINION AND THE TRIAL MUST BE HELD WITHIN SIXTY DAYS OF ISSUANCE OF THE OPINION AND TO PROVIDE THAT UPON RECEIPT OF THE ISSUANCE OF THE OPINION, EITHER PARTY MAY RETAIN HIS OWN EXPERT TO CONDUCT AN EVALUATION; TO AMEND SECTION 44-48-100, AS AMENDED, RELATING TO THE FACILITY IN WHICH A PERSON MUST BE HELD UPON A MISTRIAL IN DETERMINING IF THE PERSON IS A SEXUALLY VIOLENT PREDATOR, SO AS TO REQUIRE THAT THE PERSON ONLY BE HELD IN A LOCAL OR REGIONAL DETENTION FACILITY; AND TO AMEND SECTION 44-48-120, AS AMENDED, RELATING TO PROCEDURES REQUIRED WHEN THE DIRECTOR OF THE DEPARTMENT OF MENTAL HEALTH DETERMINES A PERSON COMMITTED TO THE DEPARTMENT AS A SEXUALLY VIOLENT PREDATOR IS NO LONGER LIKELY TO COMMIT ACTS OF SEXUAL VIOLENCE, SO AS TO REQUIRE THE DIRECTOR TO CERTIFY THIS DETERMINATION IN WRITING AND TO NOTIFY THE ATTORNEY GENERAL OF THIS CERTIFICATION AND OF THE PATIENT'S AUTHORIZATION TO PETITION THE COURT FOR RELEASE AND TO PROVIDE THAT THE ATTORNEY GENERAL MAY REQUEST AN EXAMINATION BEFORE A HEARING ON THE RELEASE IS HELD AND TO FURTHER PROVIDE THAT EITHER PARTY MAY REQUEST THAT THE HEARING BE HELD BEFORE A JURY.

Referred to Committee on Judiciary

H. 4200 -- Reps. Cato, Cooper and Wylie: A BILL TO AMEND SECTION 12-21-6520, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE TOURISM INFRASTRUCTURE ADMISSIONS TAX ACT, SO AS TO PROVIDE A REVISED DEFINITION FOR AN "EXTRAORDINARY RETAIL ESTABLISHMENT" BY INCLUDING WITHIN THAT DEFINITION "AN EXTRAORDINARY TOURISM ESTABLISHMENT" AND REVISE THE REQUIREMENTS TO QUALIFY AS "AN EXTRAORDINARY RETAIL OR TOURISM ESTABLISHMENT"; AND TO AMEND SECTION 12-21-6590, AS AMENDED, RELATING TO THE DESIGNATION OF AN EXTRAORDINARY RETAIL OR TOURISM ESTABLISHMENT BY THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO DELETE THE LIMIT ON SUCH DESIGNATIONS, TO ADD ADDITIONAL INFRASTRUCTURE IMPROVEMENT COSTS WHICH MAY BE INCLUDED WITH RESPECT TO THE CONSTRUCTION OF SUCH FACILITIES, AND TO REVISE THE REQUIREMENTS RELATING TO THE CONDITIONAL CERTIFICATION OF THE QUALIFICATION ON THESE FACILITIES.

Referred to Committee on Ways and Means

H. 4201 -- Reps. G. A. Brown, Bales and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 20-1-110 SO AS TO PROVIDE THAT COMMON LAW MARRIAGE IN THIS STATE MAY NOT BE RECOGNIZED AFTER DECEMBER 31, 2010, AND TO PROVIDE AN EXCEPTION FOR A COMMON LAW MARRIAGE EXISTING AS OF DECEMBER 31, 2010; AND TO REPEAL SECTION 20-1-

360 RELATING TO THE VALIDITY OF A MARRIAGE CONTRACTED WITHOUT THE ISSUANCE OF A LICENSE.

Referred to Committee on Judiciary

H. 4202 -- Reps. Mitchell and Long: A BILL TO AMEND SECTION 16-3-930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAFFICKING IN PERSONS FOR FORCED LABOR OR SERVICES, SO AS TO PROVIDE A MANDATORY MINIMUM PENALTY OF FIVE YEARS FOR A PERSON WHO COMMITS THE OFFENSE AND INCREASE THE MAXIMUM PENALTY TO THIRTY YEARS.

Referred to Committee on Judiciary

H. 4203 -- Reps. Bingham, Harrell, Cato, Cooper, Duncan, Harrison, Howard, Owens, White, A. D. Young, Ott, Cobb-Hunter, Battle, Gunn, G. M. Smith, Wylie and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT SECURITY FUNDING AND REFORM ACT".

Referred to Committee on Ways and Means

H. 4204 -- Reps. McLeod and Bales: A BILL TO AMEND SECTION 61-4-730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES BY PERMITTED WINERIES, SO AS TO DELETE THE REQUIREMENT THAT THE PERMITTED WINERIES MUST PRODUCE THE WINE IT SELLS AND SHIPS WITH A MAJORITY OF THE JUICE FROM FRUIT AND BERRIES GROWN IN THE STATE AND TO ALLOW THE SHIPMENT OUT OF STATE OF WINE PRODUCED FROM THE WINERY LOCATION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4205 -- Reps. G. R. Smith, G. M. Smith and Wylie: A BILL TO AMEND SECTION 17-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OF CRIMINAL RECORDS WHEN A CHARGE IS DISMISSED OR THE PERSON IS FOUND INNOCENT, SO AS TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO VIOLATIONS OF TITLE 50 OR TITLE 56 IN WHICH A RECORD IS NOT MAINTAINED THAT REQUIRES DESTRUCTION.

Referred to Committee on Judiciary

H. 4206 -- Rep. G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-1-305 SO AS TO ALLOW THE INTRODUCTION OF EVIDENCE IN A CIVIL ACTION OF THE USE OF A CELL PHONE OR OTHER ELECTRONIC HANDHELD COMMUNICATIONS DEVICE AT THE TIME OF A MOTOR VEHICLE ACCIDENT AND TO PROVIDE EXCEPTIONS.

Referred to Committee on Judiciary

H. 4207 -- Reps. Clemmons and Wylie: A BILL TO AMEND SECTION 7-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS FOR REGISTRATION TO VOTE, SO AS TO AUTHORIZE A UNITED STATES CITIZEN OUTSIDE THE UNITED STATES UNDER CERTAIN CONDITIONS TO BE ELIGIBLE TO REGISTER AND VOTE WHERE HIS PARENT IS A QUALIFIED ELECTOR; AND TO AMEND SECTION 7-15-110, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AUTHORIZE A PERSON TO VOTE BY ABSENTEE BALLOT IF HE OR A PARENT LAST RESIDED IN THIS STATE IMMEDIATELY BEFORE HIS OR HIS PARENTS DEPARTURE FROM THE UNITED STATES.

Referred to Committee on Judiciary

H. 4208 -- Rep. Clemmons: A BILL TO AMEND SECTION 7-13-35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICES OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE FROM 2:00 P.M. TO 9:00 A.M. THE TIME THAT THE PROCESS FOR EXAMINING THE RETURN-ADDRESSED ENVELOPES CONTAINING ABSENTEE BALLOTS MAY BEGIN ON ELECTION DAY.

Referred to Committee on Judiciary

H. 4209 -- Reps. J. R. Smith, Kirsh and Wylie: A BILL TO AMEND SECTION 58-3-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF A FORMER PUBLIC SERVICE COMMISSIONER FROM BEING EMPLOYED OR RETAINED FOR A PERIOD OF ONE YEAR FOLLOWING HIS

SERVICE AS A COMMISSIONER, SO AS TO EXTEND THAT PROHIBITION TO A FIVE YEAR PERIOD.

Referred to Committee on Labor, Commerce and Industry

H. 4210 -- Reps. Stavrinakis and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-3-102 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MUST BE ELECTED TO OFFICE BY THE QUALIFIED ELECTORS OF THE STATE IN THE GENERAL ELECTION AND PROVIDE FOR THE DIRECTOR'S TERM OF OFFICE, QUALIFICATIONS, VACANCIES, AND RELATED MATTERS; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF INSURANCE IS THE DIRECTOR OF THE DEPARTMENT OF INSURANCE ELECTED TO OFFICE UNDER THE LAWS OF THIS STATE; TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS UNDER THE INSURANCE LAWS OF THIS STATE, SO AS TO MAKE CERTAIN CHANGES TO THE DEFINITION OF "DIRECTOR" OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-3-10, RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO DELETE CERTAIN PROVISIONS RELATING TO THE DEPARTMENT'S DIRECTOR, PROVIDE THAT THE DIRECTOR IS ELECTED RATHER THAN APPOINTED, AND MAKE CHANGES IN THE PROVISIONS CONCERNING THE REMOVAL OF THE DIRECTOR; TO AMEND SECTION 38-3-100, RELATING TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO, AMONG OTHER CHANGES, DELETE THE REQUIREMENT THAT, IF THE DIRECTOR BECOMES A CANDIDATE FOR PUBLIC OFFICE OR BECOMES A MEMBER OF A POLITICAL COMMITTEE DURING TENURE, HIS OFFICE MUST BE IMMEDIATELY VACATED; AND TO PROVIDE THAT THE ELECTION OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE BEGINS WITH THE 2010 STATEWIDE ELECTION PROCESS AND THAT THE DIRECTOR SERVING ON THE EFFECTIVE DATE OF THIS ACT SHALL CONTINUE TO SERVE UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIES FOR OFFICE.

Referred to Committee on Judiciary

H. 4211 -- Rep. Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-270 SO AS TO PROVIDE A LOCAL GOVERNING BODY THE AUTHORITY TO LIMIT OR REGULATE THE HOURS OF OPERATION ON A REASONABLE BASIS OF CERTAIN ESTABLISHMENTS LICENSED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION AND TO DEFINE THE TERM "LOCAL GOVERNING BODY".

Referred to Committee on Judiciary

H. 4212 -- Reps. Jennings, Clemmons, Harrison, Kirsh, G. M. Smith and Wylie: A BILL TO AMEND SECTION 16-17-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF DISTURBING SCHOOLS, SO AS TO PROVIDE THAT VIOLATIONS OF THE STATUTE MUST BE TRIED IN SUMMARY COURT.

Referred to Committee on Judiciary

H. 4213 -- Reps. G. M. Smith, Harrison, Kirsh, Wylie and Long: A BILL TO AMEND SECTION 16-27-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF ANIMAL FIGHTING AND BAITING AND ITS PENALTIES, SO AS TO ADD THAT IT IS UNLAWFUL TO POSSESS, TRAIN, TRANSPORT, OR SELL AN ANIMAL WITH THE INTENT THAT THE ANIMAL BE ENGAGED IN ANIMAL FIGHTING AND BAITING.

Referred to Committee on Judiciary

H. 4214 -- Reps. G. M. Smith and Kirsh: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-1030 SO AS TO CREATE THE OFFENSE OF THREATENING OR INTIMIDATING A PROCESS SERVER OR LICENSED PRIVATE INVESTIGATOR, PROVIDE A PENALTY, AND DEFINE THE TERM "IMMEDIATE FAMILY".

Referred to Committee on Judiciary

H. 4215 -- Rep. Harrison: A BILL TO AMEND SECTION 18-3-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPEAL OF A DECISION OF A MAGISTRATE, SO AS TO PROVIDE THAT AN APPELLANT MUST SERVE A NOTICE OF APPEAL OF A DECISION OF A MAGISTRATE UPON THE OFFICER OR ATTORNEY WHO PROSECUTED THE CASE IN ADDITION TO THE MAGISTRATE WHO TRIED THE CASE.

Referred to Committee on Judiciary

H. 4216 -- Reps. Huggins and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-355 SO AS TO PROVIDE THAT A PROPERLY TRAINED COMMUNITY RESIDENTIAL CARE FACILITY STAFF MEMBER MAY ADMINISTER INJECTIONS OF MEDICATIONS FOR DIABETES, OSTEOPOROSIS, AND CONDITIONS ASSOCIATED WITH ANAPHYLACTIC REACTIONS.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 4217 -- Reps. G. M. Smith, Kirsh and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-77-60 SO AS TO RESTRICT AN ATTORNEY, HIS LAW FIRM, AND ANY OF THE LAW FIRM'S ENTITIES OR SUBSIDIARIES FROM REPRESENTING THE STATE FOR THREE YEARS AFTER THE FILING OF A LAWSUIT AGAINST THE STATE IN WHICH THE ATTORNEY OR THE FIRM IS ENGAGED.

Referred to Committee on Judiciary

H. 4218 -- Reps. Kirsh, Bales and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 17 TO TITLE 50 SO AS TO PROVIDE FOR THE REGULATION OF VENOMOUS REPTILES, CONSTRICTING SNAKES, AND CROCODILIANS, INCLUDING SPECIFICATIONS FOR HOUSING AND TRANSPORTATION ENCLOSURES, WRITTEN BITE, SAFETY, AND ESCAPE PROTOCOLS; LAW ENFORCEMENT PROCEDURES; REQUIREMENTS TO DETERMINE IF A REPTILE IS REGULATED UNDER THIS CHAPTER AND FOR MAKING FINAL DISPOSITIONS OF THESE REPTILES; ACTIVITIES NOT SUBJECT TO REGULATION UNDER THIS CHAPTER; CRIMINAL PENALTIES FOR VIOLATIONS; AND TO PROVIDE THAT CERTAIN CONDUCT CONSTITUTES RECKLESS DISREGARD FOR THE SAFETY OF

OTHERS AND SUBJECTS VIOLATORS TO PUNITIVE DAMAGES IN CIVIL ACTIONS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4220 -- Reps. M. A. Pitts, White, Duncan and Lowe: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO REENACT THE "SECOND AMENDMENT RECOGNITION ACT" EXEMPTING FIREARMS SOLD ON THE FRIDAY AND SATURDAY AFTER THANKSGIVING OF EVERY YEAR.

Referred to Committee on Ways and Means

H. 4221 -- Rep. Miller: A BILL TO AMEND SECTION 6-4-25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, MEMBERSHIP, DUTIES, AND FUNCTIONS OF COUNTY AND MUNICIPAL ADVISORY COMMITTEES MAKING RECOMMENDATIONS ON THE EXPENDITURE OF REVENUES OF THE STATE ACCOMMODATIONS TAX, SO AS TO DELETE THE REQUIREMENT THAT THE MEMBERS APPOINTED TO DONOR COUNTY ADVISORY COMMITTEES REPRESENT THE GEOGRAPHIC AREA WHERE THE MAJORITY OF THE REVENUE IS DERIVED.

Referred to Committee on Ways and Means

H. 4222 -- Reps. M. A. Pitts, Daning and Wylie: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, BY ADDING A NEW PARAGRAPH SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL ENACT A GENERAL LAW AUTHORIZING A CHARITABLE ORGANIZATION TO CONDUCT A RAFFLE, AND WHICH DEFINES THE TYPE OF ORGANIZATION ALLOWED TO CONDUCT A RAFFLE, PROVIDES THE STANDARDS FOR THE CONDUCT AND MANAGEMENT OF THE RAFFLE, PROVIDES PENALTIES FOR VIOLATIONS, AND ENSURES THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLE IS CONDUCTED, AND TO PROVIDE THAT A RAFFLE CONDUCTED IN CONFORMITY WITH LAWS ENACTED PURSUANT TO THIS PARAGRAPH IS NOT CONSIDERED A LOTTERY PROHIBITED BY THE CONSTITUTION.

Referred to Committee on Ways and Means

H. 4223 -- Rep. Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 16-17-710 AND 39-5-36 BOTH RELATING TO THE PROHIBITION AND PRICE RESTRICTIONS ON THE RESALE OF TICKETS TO EVENTS.

Referred to Committee on Judiciary

H. 4224 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE ENHANCED PENALTIES FOR A PERSON CONVICTED OF A CRIME CONTAINED IN THIS CHAPTER WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN A PERSON BECAUSE OF HIS RACE, RELIGION, OR SEXUAL ORIENTATION.

Referred to Committee on Judiciary

H. 4225 -- Reps. Rutherford and McLeod: A BILL TO AMEND SECTION 16-3-1400, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON THE VICTIM ASSISTANCE PROGRAM, SO AS TO PROVIDE THAT THE TERM "VICTIM SERVICE PROVIDER" DOES NOT INCLUDE MAGISTRATE OR MUNICIPAL JUDGES AND THEIR STAFF.

Referred to Committee on Judiciary

H. 4226 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-29 SO AS TO CREATE THE OFFENSE OF ATTEMPTED MURDER; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO VIOLENT OFFENSES, SO AS TO INCLUDE ATTEMPTED MURDER AND ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE OFFENSES; BY ADDING SECTION 16-3-621 SO AS TO DEFINE NECESSARY TERMS AND CREATE GRADUATED ASSAULT AND BATTERY OFFENSES; TO AMEND SECTION 17-25-45, AS AMENDED, RELATING TO LIFE SENTENCES FOR CERTAIN REPEAT OFFENSES, SO AS TO ADD ATTEMPTED MURDER AND ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE TO THE OFFENSES CONSIDERED "MOST SERIOUS"; AND TO REPEAL COMMON LAW ASSAULT AND BATTERY OFFENSES.

Referred to Committee on Judiciary

H. 4227 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-104-63 SO AS TO ABOLISH THE STATE COMMISSION ON HIGHER EDUCATION AND TO DEVOLVE ITS POWERS AND DUTIES TO THE INDIVIDUAL COLLEGE BOARDS OF TRUSTEES OF THIS STATE, EXCEPT FOR ITS POWERS AND DUTIES CONCERNING SCHOLARSHIPS AND GRANTS, WHICH MUST BE DEVOLVED TO THE OFFICE OF THE STATE TREASURER.

Referred to Committee on Education and Public Works

H. 4228 -- Reps. Cobb-Hunter and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 37 SO AS TO ENACT THE "DEBT COLLECTION AGENCY LICENSING ACT" WHICH ESTABLISHES THE LICENSURE AND REGULATION OF DEBT COLLECTION AGENCIES BY THE DEPARTMENT OF CONSUMER AFFAIRS BY, AMONG OTHER THINGS, PROVIDING LICENSURE REQUIREMENTS, INCLUDING FEES, SURETY BONDS, AND RECORD KEEPING REQUIREMENTS, GROUNDS FOR DENIAL, REVOCATION, OR SUSPENSION OF A LICENSE, LICENSE RENEWAL PROCEDURES AND REQUIREMENTS, INCLUDING CONTINUING EDUCATION, DEBT COLLECTION PROCEDURES, AND CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4229 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4 ENACTING THE "ALTERNATE LOCAL OPTION TOURISM DEVELOPMENT FEE ACT" SO AS TO ALLOW A MUNICIPALITY LOCATED WITHIN A COUNTY IN WHICH AT LEAST FIVE MILLION DOLLARS OF STATE ACCOMMODATIONS TAX REVENUES HAVE BEEN COLLECTED IN A FISCAL YEAR AND COUNTY ANNUAL PER CAPITA PERSONAL INCOME IS AT LEAST FORTY THOUSAND DOLLARS TO IMPOSE A FEE NOT TO EXCEED ONE PERCENT OF AMOUNTS SUBJECT TO TAX PURSUANT TO CHAPTER 36, TITLE 12, THE SOUTH CAROLINA SALES AND USE TAX ACT, FOR NOT MORE THAN TEN YEARS, TO PROVIDE THAT A MUNICIPALITY MAY IMPOSE THE FEE BY ORDINANCE, TO PROVIDE FOR THE ADMINISTRATION OF THE FEE, AND TO PROVIDE USES FOR WHICH THE FEE REVENUE MUST BE APPLIED, INCLUDING TOURISM PROMOTION, PROPERTY TAX CREDITS, AND CAPITAL PROJECTS PROMOTING TOURISM CAUSES.

Referred to Committee on Ways and Means

H. 4230 -- Reps. Scott and Gunn: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES AND TO PHASE IN THIS DEDUCTION OVER FOUR YEARS; AND TO AMEND SECTION 12-6-1170, AS AMENDED, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO CONFORM THIS DEDUCTION TO THE MILITARY RETIREMENT DEDUCTION ALLOWED BY THIS ACT.

Referred to Committee on Ways and Means

H. 4231 -- Reps. J. E. Smith and Hutto: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS FILED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, EXEMPTIONS FROM THE LIEN, TAX LIEN PRIORITY, NOTICE REQUIREMENTS, AND SUBROGATION OF RIGHTS, SO AS TO PROHIBIT THE DEPARTMENT OF REVENUE FROM FILING A TAX LIEN TO ENFORCE ANY TAX LIABILITY THE PAYMENT OF WHICH IS THE SUBJECT OF AN INSTALLMENT PAYMENT AGREEMENT BETWEEN THE TAXPAYER AND THE DEPARTMENT OF

REVENUE AND WITH WHICH THE TAXPAYER HAS FULLY COMPLIED.

Referred to Committee on Ways and Means

H. 4232 -- Rep. Haley: A BILL TO ENACT THE "SOUTH CAROLINA TAXPAYER PROTECTION ACT" BY AMENDING THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY FIFTEENTH FOR FISCAL YEAR 2010-2011, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A DECLARATION OF FINANCIAL EMERGENCY BY THE GOVERNOR AND UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED AND TO PROVIDE THAT ALL REVENUES IN THE FUND MUST BE REFUNDED TO TAXPAYERS BY MEANS OF TEMPORARY TAX CUTS; BY ADDING SECTION 11-11-75 SO AS TO REQUIRE THE ANNUAL STATE BUDGET TO EMPLOY A ZERO-BASED BUDGET PROCESS IN BOTH THE PREPARATION OF THE GOVERNOR'S PROPOSED STATE BUDGET AND IN THE GENERAL ASSEMBLY'S CONSIDERATION OF THE STATE BUDGET; AND BY ADDING SECTION 2-7-125 SO AS TO REQUIRE THE MOST RECENT ITERATION OF THE ANNUAL GENERAL APPROPRIATIONS BILL TO BE AVAILABLE FOR VIEWING ON THE GENERAL ASSEMBLY'S WEBSITE AT LEAST THREE STATEWIDE LEGISLATIVE DAYS BEFORE THE LEGISLATIVE DAY THE FINAL VOTE IS TAKEN ON THE BILL.

Referred to Committee on Ways and Means

H. 4233 -- Rep. Harrison: A BILL TO AMEND SECTION 12-21-1010, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE BEER AND WINE LICENSE TAX, SO AS TO CONFORM THE DEFINITION OF "BEER" FOR PURPOSES OF THIS LICENSE TAX TO THE REVISED DEFINITION FOR "BEER" PROVIDED BY LAW FOR THE REGULATION OF BEER AND WINE SALES AND CONSUMPTION.

Referred to Committee on Ways and Means

H. 4234 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-6-447 SO AS TO PROVIDE THAT THE DIVISION OF TRAINING AND CONTINUING EDUCATION SHALL OFFER A MANDATORY TRAINING COURSE ON RESPONDING TO AND TREATING INDIVIDUALS WHO ARE EPILEPTIC; AND BY ADDING SECTION 16-3-1070 SO AS TO PROVIDE THAT LAW ENFORCEMENT OFFICERS, EMERGENCY MEDICAL SERVICES WORKERS, AND FIRST RESPONDERS MUST PROVIDE A CERTAIN LEVEL OF RESPECT FOR A PERSON AND HIS PROPERTY WHEN THEY COME INTO CONTACT WITH A PERSON, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS SECTION.

Referred to Committee on Judiciary

H. 4235 -- Reps. J. E. Smith and Gunn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REGULATE TALENT AGENCIES AND TALENT AGENTS IN THIS STATE; TO CREATE A SOUTH CAROLINA BOARD OF TALENT AGENCIES AND TALENT AGENTS AND TO PROVIDE FOR THE BOARD MEMBERS' APPOINTMENT, TERMS OF OFFICE, AND APPOINTMENT OF SUCCESSORS, AMONG OTHER THINGS; TO PROVIDE CERTAIN DEFINITIONS; TO PROHIBIT A PERSON FROM ENGAGING IN THE WORK OF A TALENT AGENCY OR TALENT AGENT WITHOUT OBTAINING A LICENSE FROM THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE A PROCEDURE FOR LICENSURE OF A TALENT AGENCY OR TALENT AGENT; TO SPECIFY CERTAIN OBLIGATIONS OF A TALENT AGENCY OR TALENT AGENT AND CONDUCT PROHIBITED OF A TALENT AGENCY OR TALENT AGENT, AMONG OTHER THINGS; AND TO AMEND SECTION 40-1-40, RELATING TO THE DOMAIN OF THE DEPARTMENT, SO AS TO ADD THE BOARD OF TALENT

AGENCIES AND TALENT AGENTS TO THE LIST OF BOARDS UNDER THE DOMAIN OF THE DEPARTMENT.

Referred to Committee on Labor, Commerce and Industry

H. 4236 -- Reps. J. E. Smith, Gunn, Harrison and Hutto: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE VALUATION ASSESSMENT RATIOS FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT A SINGLE-MEMBER LIMITED LIABILITY COMPANY (LLC) OWNING RESIDENTIAL REAL PROPERTY WHERE THE SINGLE MEMBER IS AN INDIVIDUAL AND THE LLC IS NOT TAXED AS A CORPORATION QUALIFIES FOR THE SPECIAL ASSESSMENT RATIO ALLOWED OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE LLC MEETS ALL REQUIREMENTS FOR THAT SPECIAL ASSESSMENT RATIO.

Referred to Committee on Ways and Means

H. 4237 -- Reps. Clemmons and Wylie: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO COUNTIES AND COUNTY GOVERNMENT, BY ADDING A NEW SECTION SO AS TO PROVIDE THAT THERE MUST BE ELECTED IN EACH COUNTY A PROPERTY TAX ASSESSOR WHO SHALL SERVE FOR A TERM OF FOUR YEARS AND UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIES AND TO PROVIDE THAT THE GENERAL ASSEMBLY BY GENERAL LAW SHALL PROVIDE FOR THE DUTIES, QUALIFICATIONS, AND COMPENSATION OF COUNTY PROPERTY TAX ASSESSORS.

Referred to Committee on Ways and Means

H. 4238 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-95 SO AS TO PROVIDE THAT COUNTY PROPERTY TAX ASSESSORS MUST BE ELECTED FOR A TERM OF FOUR YEARS, TO PROVIDE THAT THE FIRST ELECTION MUST BE HELD AT THE TIME OF THE 2012 GENERAL ELECTION, TO PROVIDE QUALIFICATIONS AND SALARY REQUIREMENTS, AND TO PROVIDE TRANSITION PROVISIONS; AND TO AMEND SECTION 12-37-90, RELATING TO THE DUTIES OF THE COUNTY PROPERTY TAX ASSESSOR, SO AS TO MAKE A CONFORMING AMENDMENT.

Referred to Committee on Ways and Means

H. 4239 -- Reps. Miller and Wylie: A BILL TO AMEND SECTION 8-21-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SCHEDULE OF FEES AND COSTS COLLECTED BY COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS, SO AS TO WAIVE THE RECORDING FEE OTHERWISE REQUIRED FOR A POWER OF ATTORNEY FILED BY A MEMBER OF ARMED FORCES OF THE UNITED STATES PREPARATORY TO DEPLOYMENT TO A COMBAT ZONE UPON PRESENTATION OF COPIES OF THE DEPLOYMENT ORDER, AND TO DEFINE "COMBAT ZONE".

Referred to Committee on Judiciary

H. 4240 -- Reps. Duncan, Long and Wylie: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE "DECLARATION OF RIGHTS", SO AS TO ADD A NEW SECTION PROHIBITING THE ENACTMENT OF ANY LAW THAT RESTRICTS AN INDIVIDUAL'S FREEDOM OF CHOICE OF PRIVATE HEALTH CARE SYSTEMS OR PRIVATE HEALTH INSURANCE PLANS OR THAT INTERFERES WITH AN INDIVIDUAL'S OR ENTITY'S ABILITY TO PAY DIRECTLY FOR LAWFUL MEDICAL SERVICES OR THAT IMPOSES A FINE OR PENALTY OF ANY TYPE FOR CHOOSING TO OBTAIN OR DECLINE HEALTH CARE COVERAGE OR FOR PARTICIPATING IN ANY PARTICULAR HEALTH CARE SYSTEM OR PLAN.

Referred to Committee on Judiciary

H. 4241 -- Reps. G. M. Smith, Brady and Gunn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 52, TITLE 48 SO AS TO CREATE THE "SOUTH CAROLINA RENEWABLE ENERGY PLAN", TO AUTHORIZE THE PUBLIC SERVICE COMMISSION TO APPROVE RENEWABLE ENERGY PROJECTS TO DEMONSTRATE THE FEASIBILITY AND VIABILITY OF CLEAN ENERGY SYSTEMS; TO PROVIDE FULL COST RECOVERY FOR CERTAIN COSTS INCURRED BY A PROVIDER FOR A RENEWABLE ENERGY PROJECT; TO REQUIRE EACH MUNICIPAL ELECTRIC UTILITY, EACH RURAL ELECTRIC COOPERATIVE, AND THE PUBLIC SERVICE AUTHORITY TO DEVELOP STANDARDS FOR PROMOTION, ENCOURAGEMENT, AND EXPANSION OF RENEWABLE ENERGY RESOURCES AND TO REQUIRE REPORTING REQUIREMENTS FOR THIS INFORMATION; TO ESTABLISH THE SOUTH CAROLINA RENEWABLE ENERGY INFRASTRUCTURE DEVELOPMENT FUND IN THE STATE TREASURY; TO CREATE THE SOUTH CAROLINA RENEWABLE ENERGY REVOLVING LOAN PROGRAM TO PROVIDE A LOW INTEREST LOAN TO AN INDIVIDUAL OR ORGANIZATION TO BUILD A QUALIFIED RENEWABLE ENERGY PRODUCTION FACILITY; TO CREATE THE SOUTH CAROLINA RENEWABLE ENERGY GRANT PROGRAM TO PROVIDE A GRANT TO A PRIVATE OR PUBLIC ENTITY IN THIS STATE TO HELP THE ENTITY BECOME MORE COMPETITIVE IN OBTAINING GRANTS TO GENERATE RENEWABLE ENERGY-RELATED RESEARCH AND PROJECTS TO DIRECTLY BENEFIT THIS STATE; TO PROVIDE AN OVERSIGHT COMMITTEE TO APPROVE A DISBURSEMENT FROM THE FUND; TO PROVIDE THE COMPOSITION OF THE COMMITTEE; AND TO DEFINE CERTAIN TERMS, AMONG OTHER THINGS; TO AMEND SECTION 12-6-3631, AS AMENDED, RELATING TO THE BIODIESEL EXPENDITURES INCOME TAX CREDIT, SO AS TO REVISE THE DEFINITION OF "QUALIFIED EXPENDITURES FOR RESEARCH AND DEVELOPMENT"; TO AMEND SECTION 12-63-20, AS AMENDED, RELATING TO THE TAX CREDITS FOR ALTERNATIVE FUELS AND OTHER ENERGY SOURCES, SO AS TO REVISE THE DEFINITION OF "BIOMASS RESOURCE"; AND TO AMEND SECTION 46-3-250, AS AMENDED, RELATING TO THE SOUTH CAROLINA RENEWABLE ENERGY INFRASTRUCTURE DEVELOPMENT TRUST FUND, SO AS TO DEFINE "BIOMASS" AND ADD ADDITIONAL CATEGORIES FOR MATCHING GRANTS.

Referred to Committee on Labor, Commerce and Industry

H. 4243 -- Reps. Owens, Harrell, Cato, Duncan, Harrison, Sandifer, Whitmire, Allison, Skelton, E. H. Pitts, Bowen, Wylie, Rice, G. R. Smith, Limehouse, Daning, Long, Littlejohn and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-40-55 SO AS TO PROVIDE CHARTER SCHOOL POWERS AND DUTIES AND TO ALLOW A SPONSOR TO RETAIN CERTAIN FUNDS FOR OVERSEEING THE CHARTER SCHOOL; BY ADDING SECTION 59-40-175 SO AS TO CREATE THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM; TO AMEND SECTION 59-40-20, AS AMENDED, RELATING TO THE PURPOSE OF THE CHARTER SCHOOL ACT, SO AS TO INCLUDE AN ADDITIONAL PURPOSE; TO AMEND SECTION 59-40-40, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO AMEND EXISTING DEFINITIONS AND ADD NEW DEFINITIONS; TO AMEND SECTION 59-40-50, AS AMENDED, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO PROVIDE FOR THE ELECTION OF A CHARTER SCHOOL BOARD OF DIRECTORS, ALLOW A CHARTER SCHOOL TO CONTRACT WITH PROVIDERS FOR STUDENT TRANSPORTATION, AND ALLOW CHARTER SCHOOL STUDENTS TO PARTICIPATE IN CERTAIN EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO APPLICATION TO CREATE A CHARTER SCHOOL, SO AS TO CLARIFY WHAT MUST BE INCLUDED IN THE CONTRACT, TO REQUIRE THE DEPARTMENT OF EDUCATION TO CREATE A CONTRACT TEMPLATE; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, SO AS TO REVISE ITS MEMBERSHIP AND TO EXTEND THE TIME PERIOD IN WHICH THE COMMITTEE MUST DETERMINE APPLICATION COMPLIANCE; TO AMEND SECTION 59-40-100, AS AMENDED, RELATING TO CHARTER SCHOOL CONVERSION, SO AS TO ALLOW A CONVERTED CHARTER SCHOOL TO RETAIN FACILITIES AND EQUIPMENT AVAILABLE BEFORE CONVERSION; TO AMEND SECTION 59-40-110, RELATING TO THE DURATION OF A CHARTER, SO AS TO ALLOW A SPONSOR TO IMMEDIATELY REVOKE A CHARTER AND CLOSE THE SCHOOL UPON CERTAIN CONDITIONS; TO AMEND SECTION 59-40-140, AS AMENDED, RELATING TO DISTRIBUTION OF RESOURCES, SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO CHARTER SCHOOLS, TO REVISE WHAT THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT SHALL RECEIVE, TO ALLOW THE DEPARTMENT OF EDUCATION TO FINE SPONSORS THAT FAIL TO DISTRIBUTE CERTAIN FUNDS TO CHARTER SCHOOLS, AND TO REVISE REPORTING REQUIREMENTS; TO AMEND SECTION 59-40-210, AS AMENDED, RELATING TO CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL, SO AS TO ALLOW A PRIVATE SCHOOL TO DISSOLVE AND IMMEDIATELY SEEK TO FORM A CHARTER SCHOOL; AND TO AMEND SECTION 59-40-230, RELATING TO THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL, SO AS TO REVISE ITS MEMBERSHIP.

Referred to Committee on Education and Public Works

H. 4244 -- Rep. Limehouse: A BILL TO AMEND SECTION 59-130-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLEGE OF CHARLESTON BOARD OF TRUSTEES, SO AS TO ADD AN ADDITIONAL TRUSTEE TO BE APPOINTED BY THE COLLEGE OF CHARLESTON ALUMNI ASSOCIATION BOARD OF DIRECTORS, TO SET HIS TERM, AND TO PROVIDE CRITERIA FOR HIS SELECTION.

Referred to Committee on Education and Public Works

H. 4245 -- Reps. Merrill, Daning, Long, Wylie and Hutto: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY ALLOW RAFFLES TO BE CONDUCTED BY CHARITABLE OR NONPROFIT ORGANIZATIONS AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION ALLOWED TO CONDUCT RAFFLES, PROVIDE THE STANDARDS FOR THE CONDUCT AND MANAGEMENT OF THE RAFFLES, PROVIDE PENALTIES FOR VIOLATIONS, AND PROVIDE FOR ANY OTHER LAW NECESSARY TO ASSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

Referred to Committee on Ways and Means

H. 4246 -- Reps. Bowen, Long and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-503 SO AS TO PROVIDE THAT A SALARIED EMPLOYEE OF A SCHOOL DISTRICT MAY NOT, DURING NORMAL WORK HOURS FOR WHICH HE IS PAID, DEVELOP EDUCATIONAL MATERIALS DESIGNED FOR USE OUTSIDE OF THE DISTRICT THAT FALL OUTSIDE THE SCOPE OF HIS EMPLOYMENT, AND THAT HE MAY NOT USE EQUIPMENT THAT BELONGS TO THE SCHOOL OR DISTRICT IN THE CREATION OF ANY SUCH EDUCATIONAL MATERIALS.

Referred to Committee on Education and Public Works

H. 4247 -- Reps. Merrill and Wylie: A BILL TO AMEND CHAPTER 20, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION FINANCE ACT OF 1977, SO AS TO REVISE THE MANNER IN WHICH WEIGHTINGS USED TO PROVIDE FOR RELATIVE COST DIFFERENCES BETWEEN STUDENTS ARE DETERMINED, REVISE THE MANNER IN WHICH SCHOOL DISTRICT FUNDING UNDER THIS ACT IS DISTRIBUTED, INCLUDING ELIMINATING THE INDEX OF TAXPAYING ABILITY, RENAMING "BASE STUDENT COST" AS "WEIGHTED STUDENT COST", AND MODIFYING THE FORMULA FOR COMPUTING WEIGHTED STUDENT COST, AND TO REQUIRE THE GENERAL ASSEMBLY BEGINNING WITH FISCAL YEAR 2010-2011 TO PROVIDE ALLOCATIONS TO SCHOOLS BASED ON THE FULL AMOUNT OF WEIGHTED STUDENT COST DETERMINED UNDER THIS CHAPTER; BY ADDING ARTICLE 7 TO CHAPTER 69, TITLE 59 SO AS TO PROVIDE THAT ALLOCATIONS MADE TO SCHOOLS UNDER THE EDUCATION IMPROVEMENT ACT MUST BE DISBURSED DIRECTLY TO INDIVIDUAL SCHOOLS WITHOUT REGARD TO A DESIGNATED PURPOSE IN THE SAME MANNER AND FORMULA AS CONTAINED IN THE EDUCATION FINANCE ACT; AND TO REPEAL SECTIONS 4-10-810 AND 59-21-1030 RELATING TO THE LEVEL OF FINANCIAL EFFORT PER PUPIL REQUIRED OF SCHOOL DISTRICTS.

Referred to Committee on Ways and Means

H. 4248 -- Reps. Horne, Allison, Daning, Long, Littlejohn, Wylie and Gunn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-115 SO AS TO REQUIRE A SUBSTITUTE TEACHER HIRED BY A LOCAL SCHOOL DISTRICT TO UNDERGO A CRIMINAL RECORD SEARCH, TO REQUIRE EACH SCHOOL DISTRICT TO DEVELOP A WRITTEN POLICY ON THE CRIMINAL RECORD SEARCH, TO PROVIDE WHAT THE POLICY MUST INCLUDE, AND TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO PROVIDE TRAINING TO APPROPRIATE SCHOOL DISTRICT PERSONNEL; AND TO AMEND SECTION 23-3-115, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO FIX THE FEE AT EIGHT DOLLARS FOR CERTAIN SCHOOL DISTRICT EMPLOYEES.

Referred to Committee on Education and Public Works

H. 4249 -- Rep. Gunn: A BILL TO AMEND SECTION 12-6-3385, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REFUNDABLE STATE INDIVIDUAL INCOME TAX CREDITS FOR TUITION PAYMENTS, SO AS TO INCREASE THE AMOUNT OF CREDIT FOR TUITION TO FOUR-YEAR INSTITUTIONS TO ONE THOUSAND SIX HUNDRED FIFTY DOLLARS AND TO INCREASE THE AMOUNT OF CREDIT FOR TUITION TO TWO-YEAR INSTITUTIONS TO SIX HUNDRED FIFTY DOLLARS.

Referred to Committee on Ways and Means

H. 4250 -- Reps. Erickson, Hodges and Littlejohn: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TECHNICAL COLLEGE OF THE LOWCOUNTRY ENTERPRISE CAMPUS AUTHORITY.

Referred to Committee on Education and Public Works

H. 4252 -- Reps. Horne, Long and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-77-146 SO AS TO PROVIDE THAT A VOLUNTEER LICENSED DRIVER OF A MOTOR VEHICLE TRANSPORTING A PHYSICALLY OR MENTALLY DISABLED PERSON IS NOT LIABLE FOR MONETARY DAMAGES OVER THE POLICY

LIMITS COVERING THE DRIVER, EXCEPT IN THE CASE OF GROSS NEGLIGENCE.

Referred to Committee on Labor, Commerce and Industry

H. 4254 -- Reps. Dillard, Hutto and Gunn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-1780 SO AS TO DEFINE A MICROBUSINESS OR MICROENTERPRISE AS A SOLE PROPRIETORSHIP, PARTNERSHIP, OR CORPORATION THAT HAS FEWER THAN FIVE EMPLOYEES AND GENERALLY LACKS ACCESS TO CONVENTIONAL LOANS, EQUITY, OR OTHER BANKING SERVICES.

Referred to Committee on Labor, Commerce and Industry

H. 4255 -- Rep. Harrison: A BILL TO AMEND SECTIONS 44-53-190, AS AMENDED, 44-53-210, 44-53-230, 44-53-250, AND 44-53-270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, RESPECTIVELY, TO SCHEDULES I THROUGH V CONTROLLED SUBSTANCES AND THE DESIGNATED DRUGS IN EACH SCHEDULE, SO AS TO PROVIDE THAT ANY SUBSTANCE DECLARED A CONTROLLED SUBSTANCE IN THE RESPECTIVE SCHEDULES BY THE UNITED STATES DEPARTMENT OF JUSTICE IS CONSIDERED A CONTROLLED SUBSTANCE UPON THE EFFECTIVE DATE SPECIFIED IN THE FEDERAL REGISTER ANNOUNCING THE DESIGNATION; AND TO AMEND SECTION 44-53-370, AS AMENDED, RELATING TO CRIMINAL PENALTIES FOR CONTROLLED SUBSTANCE VIOLATIONS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS ONE GRAM, RATHER THAN 10 GRAINS, OF COCAINE.

Referred to Committee on Judiciary

H. 4256 -- Rep. Harrison: A BILL TO AMEND SECTION 17-30-125, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCIDENCES WHEN THE SUPERVISING AGENT OF A LAW ENFORCEMENT AGENCY MAY ORDER CERTAIN PERSONS TO CUT, REROUTE, OR DIVERT TELEPHONE LINES FOR CERTAIN PURPOSES, SO AS TO PROVIDE THAT THE SUPERVISING AGENT OF A LAW ENFORCEMENT AGENCY MAY ISSUE ADMINISTRATIVE SUBPOENA TO A TELEPHONE COMPANY, INTERNET SERVICE PROVIDER, OR ANOTHER COMMUNICATIONS ENTITY WHEN IT RECEIVES INFORMATION THAT INDICATES THAT A PERSON'S LIFE IS THREATENED, A PRISONER MAY ESCAPE, A PERSON IS BEING HELD AS A HOSTAGE, A PERSON MAY RESIST ARREST WHILE USING A WEAPON, OR AN ARMED PERSON MAY COMMIT SUICIDE, AND TO PROVIDE THAT THE GOOD FAITH RELIANCE BY A TELEPHONE COMPANY, INTERNET SERVICE PROVIDER, OR ANOTHER COMMUNICATIONS ENTITY TO PROVIDE INFORMATION SPECIFIED IN AN ADMINISTRATIVE SUBPOENA IS A COMPLETE DEFENSE TO A CIVIL, CRIMINAL, OR ADMINISTRATIVE ACTION ARISING OUT OF THE ORDER OR ADMINISTRATIVE SUBPOENA.

Referred to Committee on Judiciary

H. 4257 -- Reps. Stavrinakis and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-73-1091 SO AS TO CREATE AN AFFIRMATIVE DUTY OF THE DIRECTOR, AN INDIVIDUAL, BUREAU, OR INSURER TO RELEASE ALL DATA ON WHICH IS BASED AN INSURANCE RATE INCREASE.

Referred to Committee on Labor, Commerce and Industry

H. 4258 -- Reps. Stavrinakis, Kirsh and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-244 SO AS TO PROHIBIT A COMPANY ISSUING AN ACCIDENT AND HEALTH INSURANCE POLICY FROM DENYING OR LIMITING COVERAGE TO AN INSURED BECAUSE OF A PREEXISTING CONDITION WHICH RESULTS FROM AN INJURY OR CONDITION SUSTAINED BY A VICTIM AS A RESULT OF A CRIMINAL ACT.

Referred to Committee on Labor, Commerce and Industry

H. 4259 -- Reps. J. E. Smith, Littlejohn and Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3890 SO AS TO PROVIDE THAT A PERSON MAY NOT OPERATE A MOTOR VEHICLE IN MOTION WHILE TEXT MESSAGING OR RECEIVING TEXT MESSAGES, OR USING ANY FORM OF ELECTRONIC READING DEVICE, AND TO PROVIDE FOR PENALTIES; AND TO AMEND SECTION 56-1-720, RELATING TO THE SCHEDULE OF POINTS ASSIGNED TO VARIOUS TRAFFIC VIOLATIONS, SO AS TO PROVIDE THAT TEXT MESSAGING WHILE DRIVING, SECOND OFFENSE, IS A TWO POINT VIOLATION AND TEXT MESSAGING WHILE DRIVING, THIRD OR SUBSEQUENT OFFENSE, IS A FOUR POINT VIOLATION.

Referred to Committee on Education and Public Works

H. 4260 -- Rep. R. L. Brown: A BILL TO AMEND SECTION 57-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONING A COURT TO ABANDON OR CLOSE A STREET, ROAD, OR HIGHWAY, SO AS TO PROVIDE THAT NOTICE OF INTENTION TO FILE A PETITION MUST BE POSTED ALONG THE STREET, ROAD, OR HIGHWAY.

Referred to Committee on Education and Public Works

H. 4261 -- Rep. Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-75 SO AS TO PROVIDE THAT THE DIRECTOR OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, OR HIS DESIGNEE, MAY ISSUE AN ADMINISTRATIVE SUBPOENA FOR THE PRODUCTION OF RECORDS DURING THE INVESTIGATION OF CERTAIN CRIMINAL CASES THAT INVOLVE FINANCIAL CRIMES.

Referred to Committee on Judiciary

H. 4262 -- Reps. Dillard and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-180 SO AS TO PROVIDE THAT CERTAIN PERSONS WHO ARE CONFINED IN A LOCAL OR STATE CORRECTIONAL FACILITY SHALL SUBMIT TO AN HIV TEST BEFORE THEIR EXPECTED DATE OF DISCHARGE FROM THE FACILITY, AND TO PROVIDE THAT A PERSON WHO TESTS POSITIVE FOR HIV MUST BE PROVIDED COUNSELING RELATING TO LIVING WITH THIS CONDITION AFTER HIS RELEASE FROM CUSTODY.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 4263 -- Reps. Chalk and Wylie: A BILL TO AMEND SECTION 57-5-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S SALE OR DISPOSAL OF REAL PROPERTY, SO AS TO PROVIDE THAT FUNDS DERIVED FROM THE SALE OF RIGHTS OF WAY IN EXCESS OF THE DEPARTMENT'S COST SHALL FIRST PAY ANY OUTSTANDING DEBT ON THE HIGHWAY PROJECT WITH ANY REMAINING BALANCES DISTRIBUTED AMONG THE COUNTIES AS "C" FUNDS.

Referred to Committee on Education and Public Works

H. 4264 -- Rep. Kirsh: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO REVIEW, STUDY, AND MAKE RECOMMENDATIONS CONCERNING THE LICENSURE AND REGULATION OF DEBT COLLECTION AND RECOVERY AGENCIES, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, AND TO REQUIRE THE STUDY COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY NO LATER THAN FEBRUARY 1, 2011, AT WHICH TIME THE STUDY COMMITTEE IS ABOLISHED.

Referred to Committee on Labor, Commerce and Industry

H. 4265 -- Reps. J. E. Smith and Hutto: A BILL TO AMEND SECTION 63-13-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF SOCIAL SERVICES PROMULGATING REGULATIONS CONCERNING THE LICENSURE AND REGULATION OF CHILDCARE FACILITIES, SO AS TO CLARIFY THAT A PROCEDURE THAT MUST BE FOLLOWED BY REPRESENTATIVES OF THE DEPARTMENT OF SOCIAL SERVICES IN RECEIVING AND RECORDING COMPLAINTS MUST BE PROMULGATED IN REGULATION; AND TO REQUIRE THE DEPARTMENT TO PROMULGATE REGULATIONS ESTABLISHING A VOLUNTARY RATING SYSTEM FOR CHILDCARE FACILITIES LICENSED OR REGISTERED BY THE DEPARTMENT AND TO PROHIBIT THE DEPARTMENT FROM REQUIRING SUCH FACILITIES TO PARTICIPATE IN SUCH A RATING SYSTEM.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 4266 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-87 SO AS TO REQUIRE THE GOVERNOR'S ANNUAL STATE BUDGET RECOMMENDATION AND THE REPORTS OF THE HOUSE WAYS AND MEANS COMMITTEE AND THE SENATE FINANCE COMMITTEE ON THE ANNUAL GENERAL APPROPRIATIONS ACT TO BE IN A PROGRAMMATIC FORMAT BY PROVIDING A NARRATIVE DESCRIPTION OF EACH SEPARATE PROGRAM ADMINISTERED BY A STATE AGENCY AND TO PROVIDE THE ELEMENTS THAT MUST BE INCLUDED IN THE NARRATIVE; TO REQUIRE THE BUDGET RECOMMENDATION FOR AN AGENCY TO INCLUDE AN OVERALL BUDGET RECOMMENDATION BY BUDGET CATEGORY AND A SIMILAR RECOMMENDATION FOR EACH SEPARATE PROGRAM ADMINISTERED BY THE AGENCY AND THE SPECIFIC SOURCE OF FUNDS APPROPRIATED FOR THE AGENCY.

Referred to Committee on Ways and Means

H. 4267 -- Reps. Merrill, Daning, Long, Wylie, Kirsh and Hutto: A BILL TO AMEND CHAPTER 19, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GAMBLING AND LOTTERIES, SO AS TO AMEND EXISTING LAWS ON UNLAWFUL LOTTERIES AND GAMBLING BY ORGANIZING EXISTING LAWS INTO ARTICLE 1, AND TO ADD DEFINITIONS; TO INCREASE AND MAKE UNIFORM PENALTIES FOR UNLAWFUL LOTTERIES AND GAMBLING; TO PROVIDE THAT SOCIAL GAMBLING IS NOT UNLAWFUL, AND TO CLARIFY THAT GAMES OF SKILL OR CHANCE IN WHICH NO BETTING OCCURS ARE NOT UNLAWFUL; BY ADDING ARTICLE 3, SO AS TO ALLOW CHARITABLE ORGANIZATIONS TO CONDUCT RAFFLES AND SPECIAL LIMITED CHARITY FUNDRAISING EVENTS; TO DEFINE THESE EVENTS; TO DEFINE THE TYPE OF ORGANIZATION ALLOWED TO CONDUCT THESE EVENTS; TO PROVIDE STANDARDS FOR THE MANAGEMENT AND CONDUCT OF THESE EVENTS; TO PROVIDE PENALTIES FOR VIOLATIONS; AND TO PROVIDE FOR THE MANNER IN WHICH THESE PROVISIONS SHALL TAKE EFFECT.

Referred to Committee on Ways and Means

H. 4268 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-3135 SO AS TO EXEMPT AN AMOUNT OF FAIR MARKET VALUE OF A PARCEL OF REAL PROPERTY AND IMPROVEMENTS THEREON AS DETERMINED BY THE APPRAISAL RESULTING FROM AN ASSESSABLE TRANSFER OF INTEREST SUFFICIENT TO LIMIT THE INCREASE IN THE FAIR MARKET VALUE OF THE PARCEL TO FIFTEEN PERCENT OF ITS VALUE ON THE ASSESSOR'S BOOKS, TO PROVIDE THAT FAIR MARKET VALUE AS REDUCED BY THIS EXEMPTION IS THE VALUE TO WHICH THE CONSTITUTIONAL CAP ON INCREASES TO FIFTEEN PERCENT OVER FIVE YEARS APPLIES, TO PROVIDE THAT THIS EXEMPTION CONTINUES UNTIL THE PROPERTY UNDERGOES A SUBSEQUENT ASSESSABLE TRANSFER OF INTEREST AND PROVIDE THAT THIS EXEMPTION DOES NOT APPLY TO PREVIOUSLY UNTAXED ADDITIONS OR IMPROVEMENTS; TO AMEND SECTION 12-37-3140, AS AMENDED, RELATING TO VALUATION OF REAL PROPERTY FOR PURPOSES OF THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, SO AS TO MAKE A CONFORMING AMENDMENT, TO REQUIRE THE PROPERTY TAX ASSESSOR TO APPLY THE EXEMPTION ALLOWED BY THIS EXEMPTION TO FAIR MARKET VALUE DETERMINED AT THE TIME OF ASSESSABLE TRANSFERS OF INTEREST OCCURRING IN 2007, 2008, AND IN 2009 BEFORE THE EFFECTIVE DATE OF THIS ACT, AND TO PROVIDE THAT NO REFUND IS ALLOWED BASED ON THOSE ADJUSTED VALUES.

Referred to Committee on Ways and Means

H. 4269 -- Reps. Herbkersman and Wylie: A BILL TO AMEND ACT 200 OF 2002, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK ACT, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT NO FURTHER DEED RECORDING FEES OR OTHER FUNDS MAY BE CREDITED TO THE CONSERVATION BANK TRUST FUND IN ANY YEAR WHEN A MAJORITY OF STATE AGENCY APPROPRIATIONS ARE REDUCED IN THE ANNUAL GENERAL APPROPRIATIONS ACT OR WHEN THE STATE BUDGET AND CONTROL BOARD IMPOSES ACROSS THE BOARD CUTS AND INSTEAD PROVIDE FOR A REDUCTION ON A PERCENTAGE BASIS IN THE AMOUNT OF DEED RECORDING FEES WHICH MAY BE TRANSFERRED TO THE TRUST FUND, AND TO EXTEND THE EXPIRATION DATE OF THE PROVISIONS OF LAW RELATING TO THE CONSERVATION BANK ACT AND OTHER RELATED DATES PERTAINING TO THE CLOSURE OF THE CONSERVATION BANK ACT AND CONSERVATION BANK FUND.

Referred to Committee on Ways and Means

H. 4270 -- Reps. Merrill, Daning, Wylie and Kirsh: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, BY ADDING A NEW PARAGRAPH SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL ENACT A GENERAL LAW AUTHORIZING A CHARITABLE ORGANIZATION TO CONDUCT A RAFFLE, AND WHICH DEFINES THE TYPE OF ORGANIZATION ALLOWED TO CONDUCT A RAFFLE, PROVIDES THE STANDARDS FOR THE CONDUCT AND MANAGEMENT OF THE RAFFLE, PROVIDES PENALTIES FOR VIOLATIONS, AND ENSURES THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLE IS CONDUCTED, AND TO PROVIDE THAT A RAFFLE CONDUCTED IN CONFORMITY WITH LAWS ENACTED PURSUANT TO THIS PARAGRAPH IS NOT CONSIDERED A LOTTERY PROHIBITED BY THE CONSTITUTION.

Referred to Committee on Ways and Means

H. 4271 -- Reps. Haley and Gunn: A BILL TO ENACT "THE SOUTH CAROLINA ACCOUNTABILITY IN GOVERNMENT ACT OF 2010" BY ADDING SECTION 8-13-776, CODE OF LAWS OF SOUTH CAROLINA, 1976 SO AS TO PROVIDE THAT NO STATE OR LOCAL PUBLIC OFFICIAL, OR HIS SPOUSE, CHILDREN, MEMBERS OF HIS IMMEDIATE FAMILY, OR ANY BUSINESS OR ENTITY WITH WHICH THEY ARE ASSOCIATED, MAY ENTER INTO A CONTRACT TO PROVIDE GOODS OR SERVICES TO THE STATE OR LOCAL JURISDICTION OF WHICH HE IS A PUBLIC OFFICIAL, WHETHER OR NOT HE AS A PUBLIC OFFICIAL HAS A DIRECT ROLE IN PREPARING THE CONTRACT; AND BY ADDING SECTION 8-13-1121 SO AS TO PROVIDE THAT BEGINNING WITH THE 2010 STATEMENTS OF ECONOMIC INTEREST FILED BY MEMBERS OF THE GENERAL ASSEMBLY, THE DUE DATE FOR FILING IS THE TENTH DAY OF JANUARY, AND MUST REFLECT ALL TRANSACTIONS REQUIRED TO BE REPORTED WHICH OCCURRED IN THIS PREVIOUS CALENDAR YEAR, AND TO PROVIDE BEGINNING WITH THE 2010 STATEMENTS OF ECONOMIC INTEREST FILED BY MEMBERS OF THE GENERAL ASSEMBLY, ALL SOURCES OF EARNED INCOME ALSO MUST BE REPORTED WHETHER OR NOT DERIVED FROM PUBLIC OR PRIVATE SOURCES, AND IF THE MEMBER RECEIVES FEE OR RETAINER INCOME FOR PROFESSIONAL SERVICES RENDERED, THIS FEE OR RETAINER INCOME MUST BE SEPARATELY ITEMIZED BY CLIENT NAME AND AMOUNT.

Referred to Committee on Judiciary

H. 4272 -- Reps. Merrill and Hutto: A BILL TO AMEND SECTION 12-6-3376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR PLUG-IN HYBRID VEHICLES, SO AS TO REVISE THE DEFINITION OF "PLUG-IN HYBRID VEHICLE", TO RAISE THE AGGREGATE AMOUNT OF THE CREDIT AVAILABLE EACH FISCAL YEAR AND DELETE ITS EXPIRATION DATE, AND TO PROVIDE THAT THE CREDIT SHALL BE ALLOCATED TO ELIGIBLE CLAIMANTS DURING A FISCAL YEAR ON A FIRST-COME, FIRST-SERVE BASIS.

Referred to Committee on Ways and Means

H. 4273 -- Reps. Gilliard, Long, Wylie and Kirsh: A BILL THE CODE OF LAWS OF SOUTH CAROLINA, 1976, IS AMENDED BY ADDING SECTION 45-1-85 SO AS TO PROVIDE ANY RESTAURANT TO ENTER INTO AN AGREEMENT WITH A CHURCH OR CHARITABLE ORGANIZATION THAT FEEDS NEEDY INDIVIDUALS TO DONATE SURPLUS PREPARED OR UNPREPARED FOOD ITEMS TO THE CHURCH OR CHARITABLE ORGANIZATION FOR THIS PURPOSE WITHOUT INCURRING LEGAL LIABILITY OR HEALTH CODE VIOLATIONS UNDER CERTAIN CONDITIONS.

Referred to Committee on Judiciary

H. 4274 -- Reps. White and Wylie: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 58-27-245 SO AS TO PROVIDE THAT ANY ELECTRICAL UTILITY OPERATING IN THIS STATE IN INSTALLING POWER LINES THROUGH ITS RIGHTS-OF-WAY MUST COMPLY WITH ALL RESTRICTIVE COVENANTS APPLICABLE TO REAL PROPERTY ON OR ABUTTING THE RIGHTS-OF-WAY DETERMINED BY THE PUBLIC SERVICE COMMISSION TO BE REASONABLE FOR THE PROTECTION OR ENJOYMENT OF THE PROPERTY BY THE RESIDENTS THEREOF.

Referred to Committee on Labor, Commerce and Industry

H. 4275 -- Reps. Haley and Wylie: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO QUALIFICATIONS OF MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THAT BEGINNING WITH THE GENERAL ELECTION OF 2012, ANY PERSON WHO HAS SERVED AT LEAST FOUR FULL TERMS IN THE HOUSE OF REPRESENTATIVES OR WHO HAS SERVED AT LEAST TWELVE YEARS IN THE GENERAL ASSEMBLY IN EITHER THE HOUSE OF REPRESENTATIVES OR THE SENATE, IS NOT ELIGIBLE TO SERVE AS A MEMBER OF THE HOUSE OF REPRESENTATIVES, AND TO PHASE THIS PROVISION IN ON A STAGGERED BASIS BASED ON HOUSE SENIORITY; AND TO PROVIDE THAT BEGINNING WITH THE GENERAL ELECTION OF 2012, ANY PERSON WHO HAS SERVED AT LEAST TWO FULL TERMS IN THE SENATE OR WHO HAS SERVED AT LEAST TWELVE YEARS IN THE GENERAL ASSEMBLY IN EITHER THE HOUSE OR THE SENATE, IS NOT ELIGIBLE TO SERVE AS A MEMBER OF THE SENATE, AND TO PHASE THIS PROVISION IN ON A STAGGERED BASIS BASED ON SENATE SENIORITY.

Referred to Committee on Judiciary

H. 4276 -- Reps. Horne, Daning, Long, Wylie and Harrison: A BILL TO AMEND SECTION 27-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT OF A HOMEOWNER OR A TENANT TO DISPLAY THE UNITED STATES FLAG ON REAL PROPERTY HE OWNS OR IS ENTITLED TO USE, SO AS TO AUTHORIZE THE DISPLAY OF ONE PORTABLE, REMOVABLE UNITED STATES FLAG IN A RESPECTFUL MANNER, CONSISTENT WITH 4 U.S.C. SECTIONS 4-10 AND TO APPLY THE PROVISION RETROACTIVELY; AND BY ADDING SECTION 27-1-70 SO AS TO PROVIDE REASONABLE STANDARDS FOR A STRUCTURE OR POLE ON WHICH THE UNITED STATES FLAG MAY BE DISPLAYED.

Referred to Committee on Judiciary

H. 4277 -- Reps. Gilliard and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "DRIVE-BY SHOOTINGS ACCOUNTABILITY AND PROTECTION ACT" BY ADDING SECTION 16-3-624 SO AS TO CREATE THE OFFENSE OF COMMITTING A DRIVE-BY SHOOTING, AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-3-20, AS AMENDED, RELATING TO THE PUNISHMENT FOR MURDER, SO AS TO INCLUDE AS A SEPARATE STATUTORY AGGRAVATING CIRCUMSTANCE WHICH MAY BE CONSIDERED IN THE DETERMINATION OF WHETHER THE DEATH PENALTY MAY BE IMPOSED, A MURDER COMMITTED DURING THE COMMISSION OF A DRIVE-BY SHOOTING.

Referred to Committee on Judiciary

H. 4278 -- Reps. Mitchell and Littlejohn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 22-1-12 SO AS TO PROVIDE FOR THE SCREENING OF MAGISTRATE CANDIDATES BY COUNTY LEGISLATIVE DELEGATIONS PRIOR TO THE GOVERNOR APPOINTING A MAGISTRATE WITH THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 22-1-10, RELATING TO THE APPOINTMENT, CERTIFICATION, AND TRAINING REQUIREMENTS OF MAGISTRATES, SO AS TO REFERENCE THE SCREENING OF MAGISTRATE CANDIDATES BY THE LEGISLATIVE DELEGATIONS.

Referred to Committee on Judiciary

H. 4279 -- Rep. Hosey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 2, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THAT BEGINNING IN 2014, MEMBERS OF THE HOUSE OF REPRESENTATIVES MUST BE CHOSEN EVERY FOURTH INSTEAD OF EVERY SECOND YEAR; AND TO AMEND SECTION 8, ARTICLE III, RELATING TO ELECTION OF THE HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THAT MEMBERS OF THE HOUSE BE ELECTED EVERY FOURTH INSTEAD OF EVERY SECOND YEAR.

Referred to Committee on Education and Public Works

H. 4280 -- Reps. M. A. Pitts and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SOUTH CAROLINA HIGHWAY PATROL-RETIRED LICENSE PLATES.

Referred to Committee on Education and Public Works

H. 4281 -- Rep. J. M. Neal: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF CERTAIN TERMS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO PROVIDE A DEFINITION FOR THE TERM "MOPED"; TO AMEND SECTION 56-3-20, RELATING TO THE DEFINITION OF CERTAIN TERMS CONTAINED IN THE "SOUTH CAROLINA MOTOR VEHICLE REGISTRATION AND LICENSING ACT", SO AS TO DELETE THE DEFINITION FOR THE TERM "MOPED"; AND TO REPEAL SECTIONS 56-1-1710 AND 56-5-165, BOTH RELATING TO DEFINITIONS FOR THE TERM "MOPED".

Referred to Committee on Education and Public Works

H. 4282 -- Reps. D. C. Smith, Owens, Littlejohn and Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3890 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR CERTAIN PERSONS WHO ARE OPERATING A MOTOR VEHICLE TO USE A TEXT MESSAGING DEVICE OR A HAND-HELD MOBILE TELEPHONE, AND TO PROVIDE PENALTIES FOR VIOLATING THIS PROVISION.

Referred to Committee on Education and Public Works

H. 4283 -- Reps. Gunn and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 14 TO CHAPTER 52, TITLE 48 SO AS TO ESTABLISH IN THE STATE ENERGY OFFICE THE SOUTH CAROLINA SMALL BUSINESS AND GREEN JOBS MICRO LOAN AND MICRO GRANT PROGRAM, TO ESTABLISH A FUND TO PROVIDE CERTAIN LOANS AND GRANTS, TO PROVIDE THE PROGRAM, LOANS, AND GRANTS BE ADMINISTERED BY THE UNIVERSITY OF SOUTH CAROLINA SMALL BUSINESS DEVELOPMENT CENTER, TO PROVIDE CERTAIN DEFINITIONS, TO CREATE AN ADVISORY COMMITTEE TO THE PROGRAM AND TO DEFINE THE COMMITTEE'S MEMBERSHIP, TO DEFINE THE PURPOSES FOR WHICH A GRANT OR LOAN MAY BE MADE BY THE PROGRAM, AND TO PROVIDE SPECIFIC DUTIES OF THE CENTER CONCERNING THE PROGRAM.

Referred to Committee on Ways and Means

H. 4284 -- Rep. Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 14 TO TITLE 37 SO AS TO ENACT THE "PERSONAL PROPERTY RECOVERY ACT" WHICH ESTABLISHES THE LICENSURE AND REGULATION OF RECOVERY AGENCIES AND RECOVERY AGENTS BY THE DEPARTMENT OF CONSUMER AFFAIRS BY, AMONG OTHER THINGS, PROVIDING LICENSURE REQUIREMENTS, INCLUDING FEES, SURETY BONDS, AND RECORD KEEPING REQUIREMENTS, GROUNDS FOR DENIAL, REVOCATION, OR SUSPENSION OF A LICENSE, LICENSE RENEWAL PROCEDURES AND REQUIREMENTS, INCLUDING CONTINUING EDUCATION, PERSONAL PROPERTY RECOVERY PROCEDURES, AND CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4285 -- Rep. Bowen: A BILL TO AMEND CHAPTER 4, TITLE 49, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA SURFACE WATER WITHDRAWAL AND REPORTING ACT, SO AS TO PROVIDE THAT SUBJECT TO CERTAIN EXCEPTIONS, SURFACE WATER WITHDRAWALS MUST BE MADE PURSUANT TO A PERMIT, TO PROVIDE FOR COMPLETE EXEMPTIONS FROM THE PERMITTING REQUIREMENT, TO PROVIDE THAT REGISTERED SURFACE WATER WITHDRAWERS MAY WITHDRAW SURFACE WATER WITHOUT A PERMIT BUT SUBJECT TO CERTAIN RESTRICTIONS, TO PROVIDE FOR NONCONSUMPTIVE SURFACE WATER WITHDRAWAL PERMITS, TO PROVIDE FOR AN APPLICATION PROCEDURE FOR SURFACE WATER WITHDRAWERS THAT OWN AND OPERATE A LICENSED IMPOUNDMENT OR NEW SURFACE WATER WITHDRAWERS THAT WITHDRAW WATER FROM A LICENSED IMPOUNDMENT, TO PROVIDE FOR REPORTS TO THE DEPARTMENT OF NATURAL RESOURCES FROM PERMITTED AND REGISTERED WATER WITHDRAWERS AND THE CONTENTS OF THOSE REPORTS, TO PROVIDE THAT REGISTERED AND EXEMPT SURFACE WATER WITHDRAWERS MAY APPLY FOR A SURFACE WATER WITHDRAWAL PERMIT, TO AUTHORIZE NONRIPARIAN USE OF SURFACE WATER, TO PROVIDE FOR A PERMITTING PROCESS FOR NEW SURFACE WATER WITHDRAWERS, TO PROVIDE FOR THE CONTENTS OF THE APPLICATION, TO PROVIDE FOR THE DEPARTMENT'S DETERMINATION CONCERNING THE PERMIT, TO PROVIDE FOR PUBLIC HEARINGS CONCERNING NEW PERMIT APPLICATIONS FOR INTERBASIN TRANSFERS, TO PROVIDE FOR THE CONTENTS OF ISSUED PERMITS AND THE RIGHTS CONFERRED BY A PERMIT, TO PROVIDE FOR CIRCUMSTANCES UNDER WHICH A PERMIT MAY BE MODIFIED, SUSPENDED, OR REVOKED, TO PROVIDE FOR NOTICE TO THE DEPARTMENT CONCERNING CERTAIN NEW WATER INTAKES, TO PROVIDE FOR TEMPORARY PERMITS, TO PROVIDE AUTHORIZED WITHDRAWAL AMOUNTS, TO PROVIDE FOR OPERATIONAL AND CONTINGENCY PLANS, TO PROVIDE FOR POWERS AND DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES CONCERNING IMPLEMENTATION OF THE CHAPTER, TO PROVIDE APPROPRIATE PENALTIES FOR VIOLATIONS, TO PROVIDE FOR PERMIT APPLICATION FEES; AND TO REPEAL CHAPTER 21, TITLE 49, RELATING TO THE INTERBASIN TRANSFER OF WATER, TO PROVIDE THAT CHAPTER 1, TITLE 49, RELATING TO GENERAL PROVISIONS CONCERNING WATER, WATER RESOURCES, AND DRAINAGE IS NOT AFFECTED BY AND SUPERSEDED BY CHAPTER 4, TITLE 49.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4286 -- Reps. J. E. Smith, Kirsh and Hutto: A BILL TO AMEND SECTION 7-15-220 AND SECTIONS 7-15-380, 7-15-385, AND 7-15-420, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CASTING A BALLOT BY MEANS OF AN ABSENTEE BALLOT, SO AS TO DELETE THE REQUIREMENT THAT THE SIGNATURE OR MARK OF AN ABSENTEE APPLICANT OR VOTER BE WITNESSED.

Referred to Committee on Judiciary

H. 4287 -- Rep. Harrison: A BILL TO AMEND SECTION 30-4-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN THE "FREEDOM OF INFORMATION ACT", SO AS TO AMEND THE DEFINITION OF "PUBLIC RECORD" TO EXEMPT INFORMATION DESIGNATED AS "LAW ENFORCEMENT SENSITIVE FOR HOMELAND SECURITY PURPOSES" BY THE DIRECTOR OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE BY A PUBLIC BODY, SO AS TO EXEMPT CERTAIN HOMELAND SECURITY RELATED INFORMATION; AND TO AMEND SECTION 30-4-110, RELATING TO PENALTIES FOR A WILFUL VIOLATION OF THE FREEDOM OF INFORMATION ACT, SO AS TO INCREASE THE PENALTY FOR A WILFUL VIOLATION REGARDING HOMELAND SECURITY RELATED INFORMATION.

Referred to Committee on Judiciary

H. 4288 -- Rep. Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-13-120 SO AS TO AUTHORIZE THE STATE HUMAN AFFAIRS COMMISSION TO ASSESS A CIVIL PENALTY FOR VIOLATIONS OF CHAPTER 13, TITLE 1, AND TO PROVIDE THAT THE REVENUE FROM THIS PENALTY BE DEPOSITED IN THE GENERAL FUND OF THE STATE AND APPROPRIATED BY THE GENERAL ASSEMBLY AS IT CONSIDERS NECESSARY.

Referred to Committee on Judiciary

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4219 -- Reps. Harrison, R. L. Brown and Cato: A CONCURRENT RESOLUTION TO CENSURE MARSHALL C. SANFORD, JR., GOVERNOR OF SOUTH CAROLINA, FOR DERELICTION IN HIS DUTIES OF OFFICE AS GOVERNOR AND FOR OFFICIAL MISCONDUCT THAT HAS BROUGHT DISHONOR TO HIMSELF, THE STATE OF SOUTH CAROLINA, AND TO ITS CITIZENS.

The Concurrent Resolution was ordered referred to the Committee on Judiciary.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4242 -- Reps. Limehouse, Brady, Long and Wylie: A CONCURRENT RESOLUTION DECLARING WEDNESDAY, JANUARY 20, 2010, "SOUTH CAROLINA MEDAL OF HONOR DAY" AND CALLING UPON SOUTH CAROLINIANS TO ATTEND EVENTS SCHEDULED IN COLUMBIA THAT DAY AT WHICH THE WOMEN OF SOUTH CAROLINA WILL SIGN A DECLARATION OF GRATITUDE FOR THE SERVICE AND SACRIFICES OF THE HOLDERS OF THE MEDAL OF HONOR AND AT WHICH WILL BE HONORED AND RECOGNIZED LIVING SOUTH CAROLINA HOLDERS OF THE MEDAL OF HONOR.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**HOUSE RESOLUTION**

The following was introduced:

H. 4251 -- Reps. Wylie and Gunn: A HOUSE RESOLUTION TO AMEND RULE 4.4 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, RELATING TO COMMITTEES, SO AS TO REQUIRE A BILL HAVING SIXTY-FIVE OR MORE SPONSORS BE CONSIDERED WITHIN THIRTY DAYS BY THE COMMITTEE TO WHICH IT IS REFERRED AND PROVIDE FOR NOTIFICATION OF THE PRIMARY SPONSOR IF THE BILL IS TABLED OR NOT REPORTED OUT OF COMMITTEE.

The Resolution was ordered referred to the Committee on Rules.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4253 -- Reps. Scott, Long and Wylie: A CONCURRENT RESOLUTION TO URGE THE DEPARTMENT OF COMMERCE TO DEVELOP AND IMPLEMENT AN INDUSTRIAL AND MANUFACTURER SUPPLIER RECRUITMENT INITIATIVE THAT EMPHASIZES SOUTH CAROLINA'S RIGHT TO WORK STATUS TO ATTRACT BUSINESSES THAT SUPPLY MANUFACTURING OPERATIONS THAT MOVE TO SOUTH CAROLINA.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4289 -- Rep. Harrell: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, MARSHALL CLEMENT (MARK) SANFORD, JR., GOVERNOR OF THIS STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 20, 2010, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives, the Senate concurring:

That His Excellency, Marshall Clement (Mark) Sanford, Jr., Governor of this State of South Carolina, to address the General Assembly in joint session at 7:00 p.m. on Wednesday, January 20, 2010, in the chamber of the South Carolina House of Representatives.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4290 -- Rep. Kirsh: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE CLARENCE HILL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 23, 2010.

Whereas, the Honorable Clarence Hill is a distinguished veteran of the United States Navy and a resident of the State of Ohio; and

Whereas, having held numerous offices in the American Legion at various levels, the Honorable Clarence Hill was elected as the national commander on August 27, 2009, in Louisville, Kentucky during the ninety‑first national convention of the American Legion; and

Whereas, with a membership approaching three million, the American Legion has thirty‑two thousand members in South Carolina and is one of the most influential and prestigious organizations in the United States and is the largest veterans organization in this country; and

Whereas, speaking before a joint session of the South Carolina General Assembly is an honor reserved for leaders of national prominence. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the National Commander of the American Legion, the Honorable Clarence Hill, be invited to address the General Assembly in joint session in the Chamber of the South Carolina House of Representatives at 12:30 p.m. on Tuesday, February 23, 2010.

Be it further resolved that a copy of this resolution be forwarded to the Honorable Clarence Hill.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**HOUSE RESOLUTION**

The following was introduced:

H. 4292 -- Reps. Govan, Harrell, Ott, Weeks, Bingham, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH CAROLINA UPON THE DEATH OF CATHERINE EUGENIA "JEAN" FINNEGAN BIDEN OF WILMINGTON, DELAWARE, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER SON, VICE PRESIDENT JOSEPH BIDEN, AND TO THE REST OF HER FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, January 12.

|  |  |
| --- | --- |
| Mark Willis | Ted Vick |
| David Mack |  |

**Total Present--123**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. E. H. PITTS a leave of absence for the remainder of the year due to military deployment.

STATEMENT FOR THE JOURNAL

 Today, on the first day of the 2010 legislative year, it disappoints me that I cannot be there at the opening of what will be my last year as a member of the South Carolina House of Representatives. If plans do not change, the next time I step on the floor of the House, it will be as a former member. Serving the County and State I love so much in the S.C. House has been one of the greatest honors of my life and the memories and friendships will be cherished. The House truly is a great institution, bigger than any one person and an embodiment of what our Founding Fathers intended, with South Carolinians deciding collectively through a representative democracy, what is best for South Carolina.

 During 2010, I have been called to serve our State and Country in a different place and on a different front. Like many after the attacks of 9/11, I found myself wanting to do my part to protect and defend the greatness of this Country. It is now my turn to go do my part in the ‘War on Terror’ as a Captain in the South Carolina National Guard, like Luke 12:48 says "To those much is given, much is expected."

 Rep. Ted Pitts

**DOCTOR OF THE DAY**

Announcement was made that Dr. John G. Black of Lexington was the Doctor of the Day for the General Assembly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPECIAL PRESENTATION**

Rep. HARRELL and the Charleston Delegation presented to the House former Representative Wallace B. Scarborough thanking him for his service to the House of Representatives and to the State of South Carolina.

**SPEAKER IN CHAIR**

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co‑sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co‑sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member’s or co‑sponsor’s written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4033 |
| Date: | ADD: |
| 01/12/10 | KNIGHT |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4149 |
| Date: | REMOVE: |
| 01/12/10 | SOTTILE |

**H. 4122--TABLED**

The following Bill was taken up:

H. 4122 -- Rep. Jennings: A BILL TO REQUIRE A TWO-THIRDS VOTE OF THE MARLBORO COUNTY BOARD OF EDUCATION TO HIRE OR FIRE THE MARLBORO COUNTY SUPERINTENDENT OF EDUCATION.

Rep. JENNINGS spoke against the Bill.

Rep. JENNINGS moved to table the Bill, which was agreed to.

STATEMENT FOR THE JOURNAL

 When I filed H. 4122, a local Bill requiring the Marlboro County Board of Education to have a two-thirds vote in order to hire a County Superintendent of Education, my home county was going through a tumultuous time with a local Board that was divided and finding it difficult to build consensus. However, I am delighted to report that the Board has come together and almost unanimously hired an outstanding leader as our new Superintendent, Dr. Frank Roberson. Therefore, this Bill is no longer necessary. I hereby move to permanently table H. 4122.

 Rep. Douglas Jennings, Jr.

**RECURRENCE TO THE MORNING HOUR**

Rep. ALLISON moved that the House recur to the Morning Hour, which was agreed to.

**REPORT OF STANDING COMMITTEE**

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4219 -- Reps. Harrison, R. L. Brown and Cato: A CONCURRENT RESOLUTION TO CENSURE MARSHALL C. SANFORD, JR., GOVERNOR OF SOUTH CAROLINA, FOR DERELICTION IN HIS DUTIES OF OFFICE AS GOVERNOR AND FOR OFFICIAL MISCONDUCT THAT HAS BROUGHT DISHONOR TO HIMSELF, THE STATE OF SOUTH CAROLINA, AND TO ITS CITIZENS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4291 -- Rules Committee: A HOUSE RESOLUTION TO SET BY SPECIAL ORDER H. 4219, RELATING TO THE CENSURE OF GOVERNOR MARSHALL C. SANFORD, JR., FOR DERELICTION IN HIS DUTIES OF OFFICE AS GOVERNOR, ON WEDNESDAY, JANUARY 13, 2010, IMMEDIATELY FOLLOWING THE ROLL CALL OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND TO PROVIDE FOR THE CONTINUING SPECIAL ORDER CONSIDERATION OF H. 4219 EACH LEGISLATIVE DAY UNTIL ADOPTION OR OTHER DISPOSITION.

The Resolution was adopted.

**ADJOURNMENT**

At 1:15 p.m. the House in accordance with the motion of Rep. ALLISON adjourned to meet at 10:00 a.m. tomorrow.

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