**Wednesday, February 23, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

It was written of Daniel—and those three known as Shadrach, Meshach, and Abednego—that : “To these four young men God gave knowledge and understanding of all kinds of literature and learning. And Daniel could understand visions and dreams of all kinds.”

(Daniel 1:17)

Bow in prayer with me, if You will:

Gracious God, we find ourselves thinking: if only we had someone like Daniel, someone with the power to interpret signs of the future, an individual ready to give us a clear sense of what’s off on the horizon for South Carolina. Yet we do have dedicated servants here in this Senate, dear Lord, leaders who themselves are concerned, bright and discerning, determined to guide us through the dizzying days which stretch ahead. Give each Senator the courage, the wisdom, and the fortitude to do what must be done—all for the benefit of the people of this State, and to Your glory, O loving Lord.

Amen.

**RECESS**

At 11:55 A.M., on motion of Senator LARRY MARTIN, the Senate receded from business for the purpose of attending the Joint Assembly.

**JOINT ASSEMBLY**

**Elections**

At Twelve O’clock Noon the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of S. 517, a Concurrent Resolution adopted by both Houses.

**Election of a Successor to the Board of Trustees**

**for The Citadel**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for The Citadel.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Walter H. Cartin and Mr. Tee Hooper, Jr. had been screened and found qualified to serve.

On motion of Senator KNOTTS, with unanimous consent, the name of Mr. Walter H. Cartin was withdrawn from consideration.

Senator KNOTTS placed the name of Mr. Tee Hooper, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Tee Hooper, Jr. was duly elected to the at-large position on the Board of Trustees for The Citadel for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, 1st Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, 1st Congressional District, Seat #1.

Senator KNOTTS, Chairman of the Committee to Screen State Colleges and Universities, indicated that Ms. Natasha M. Hanna had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Natasha M. Hanna was duly elected to the Board of Trustees for Coastal Carolina University, 1st Congressional District, Seat #1 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, 2nd Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, 2nd Congressional District, Seat #3.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Oran P. Smith had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Oran P. Smith was duly elected to the Board of Trustees for Coastal Carolina University, 2nd Congressional District, Seat #3 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, 3rd Congressional District, Seat #5**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, 3rd Congressional District, Seat #5.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. William S. Biggs had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William S. Biggs was duly elected to the Board of Trustees for Coastal Carolina University, 3rd Congressional District, Seat #5 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, 4th Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, 4th Congressional District, Seat #7.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Charles J. Hodge and Mr. Will Turner had been screened and found qualified to serve.

Senator KNOTTS placed the names of Mr. Charles J. Hodge and Mr. Will Turner in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Mr. Hodge:

Anderson Coleman Elliott

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy Matthews McGill

O'Dell Pinckney Rankin

Reese Ryberg Setzler

Sheheen Williams

**Total--20**

The following named Senators voted for Mr. Turner:

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Ford Grooms

Hayes Jackson *Martin, Larry*

*Martin, Shane* McConnell Nicholson

Peeler Rose Scott

Shoopman Thomas Verdin

**Total--24**

On the motion of Senator KNOTTS, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Mr. Hodge:

Alexander Allen Anderson

Anthony Bannister Bowers

Branham Brannon G. A. Brown

Clyburn Cobb-Hunter Cole

Cooper Dillard Forrester

Funderburk Gambrell Govan

Hart Hayes Hearn

Hodges Hosey Jefferson

King Knight Lucas

Mack McLeod Mitchell

D. C. Moss V. S. Moss Munnerlyn

J. H. Neal J. M. Neal Ott

Parker Parks Patrick

Pinson Sabb Sandifer

Stavrinakis Tallon Tribble

Weeks Whipper White

Williams

**Total--49**

The following named Representatives voted for Mr. Turner:

Agnew Bales Ballentine

Barfield Battle Bikas

Bingham Bowen Brady

Brantley H. B. Brown R. L. Brown

Chumley Clemmons Corbin

Crawford Crosby Daning

Delleney Edge Erickson

Frye Gilliard Hamilton

Hardwick Harrell Henderson

Hiott Hixon Howard

Huggins Loftis Lowe

McCoy McEachern Merrill

Murphy Nanney Neilson

Norman Owens Pitts

Pope Quinn Rutherford

Ryan Sellers Simrill

Skelton G. M. Smith G. R. Smith

J. R. Smith Sottile Spires

Stringer Taylor Thayer

Toole Vick Viers

Whitmire Willis Young

**Total--63**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 112

Grand Total 156

Necessary to a choice 79

Of which Mr. Hodge received 69

Of which Mr. Turner received 87

Whereupon, the PRESIDENT announced that the Honorable Will Turner was duly elected to the Board of Trustees for Coastal Carolina University, 4th Congressional District, Seat #7 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, 5th Congressional District, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, 5th Congressional District, Seat #9.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Samuel J. Swad had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Samuel J. Swad was duly elected to the Board of Trustees for Coastal Carolina University, 5th Congressional District, Seat #9 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, 6th Congressional District, Seat #11**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, 6th Congressional District, Seat #11.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Gary W. Brown had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Gary W. Brown was duly elected to the Board of Trustees for Coastal Carolina University, 6th Congressional District, Seat #11 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, At-Large Position, Seat #13**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, at-large position, Seat #13.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Eugene C. Spivey had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene C. Spivey was duly elected to the Board of Trustees for Coastal Carolina University, at-large position, Seat #13 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**Coastal Carolina University, At-Large Position, Seat #15**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for Coastal Carolina University, At-large position, Seat #15.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Daniel W. R. Moore, Sr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Daniel W. R. Moore, Sr. was duly elected to the Board of Trustees for Coastal Carolina University, at-large position, Seat #15 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**South Carolina State University, 1st Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for South Carolina State University, 1st Congressional District, Seat #1.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. E. Gail Joyner‑Fleming had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable E. Gail Joyner-Fleming was duly elected to the Board of Trustees for South Carolina State University, 1st Congressional District, Seat #1 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**South Carolina State University**

**2nd Congressional District, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for South Carolina State University, 2nd Congressional District, Seat #2.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Anthony Grant, Dr. Dennis Nielsen and Dr. Marlon Thomas had been screened and found qualified to serve.

Senator KNOTTS placed the names of Mr. Anthony Grant, Dr. Dennis Nielsen and Dr. Marlon Thomas in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Mr. Grant:

Alexander Anderson Bright

Coleman Elliott Hutto

Jackson Land Leventis

Lourie Malloy Matthews

McGill Nicholson O'Dell

Pinckney Rankin Reese

Scott Setzler Sheheen

Williams

**Total--22**

The following named Senators voted for Dr. Nielsen:

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Fair Ford

Grooms Hayes Leatherman

*Martin, Larry Martin, Shane* McConnell

Peeler Rose Ryberg

Shoopman Thomas Verdin

**Total--21**

The following named Senators voted for Dr. Thomas:

**Total--0**

The following named Representatives voted for Mr. Grant:

Agnew Alexander Allen

Anderson Anthony Bales

Ballentine Bannister Battle

Bowers Branham Brannon

Brantley G. A. Brown H. B. Brown

R. L. Brown Butler Garrick Clemmons

Clyburn Cobb-Hunter Cooper

Dillard Edge Frye

Funderburk Gambrell Gilliard

Govan Hardwick Hart

Hayes Hearn Hixon

Hodges Hosey Howard

Huggins Jefferson King

Knight Mack McEachern

McLeod Mitchell D. C. Moss

V. S. Moss Munnerlyn J. H. Neal

J. M. Neal Neilson Norman

Ott Parks Pinson

Pope Quinn Rutherford

Sabb Sellers J. R. Smith

Spires Stavrinakis Taylor

Vick Viers Weeks

Whipper White Williams

Willis Young

**Total--71**

The following named Representatives voted for Dr. Nielsen:

Allison Barfield Bikas

Bingham Bowen Chumley

Cole Corbin Crawford

Crosby Daning Delleney

Erickson Forrester Hamilton

Harrell Harrison Henderson

Herbkersman Hiott Limehouse

Loftis Lowe Lucas

McCoy Merrill Murphy

Nanney Owens Parker

Patrick Pitts Ryan

Sandifer Simrill Skelton

G. M. Smith G. R. Smith Sottile

Tallon Thayer Toole

Tribble Whitmire

**Total--44**

The following named Representatives voted for Dr. Thomas:

**Total--0**

**RECAPITULATION**

Total number of Senators voting 43

Total number of Representatives voting 115

Grand Total 158

Necessary to a choice 80

Of which Mr. Grant received 93

Of which Dr. Nielsen received 65

Of which Dr. Thomas received 0

Whereupon, the PRESIDENT announced that the Honorable Anthony Grant was duly elected to the Board of Trustees for South Carolina State University, 2nd Congressional District, Seat #2 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**South Carolina State University, 4th Congressional District**

**Seat #4**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for South Carolina State University, 4th Congressional District, Seat #4.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Kathy E. Bell and Dr. John H. Corbitt had been screened and found qualified to serve.

Senator KNOTTS placed the names of Ms. Kathy E. Bell and Dr. John H. Corbitt in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Ms. Bell:

Bright Bryant Campbell

Campsen Cleary Cromer

Ford Grooms Leventis

Malloy *Martin, Shane* McConnell

Peeler Reese Ryberg

**Total--15**

The following named Senators voted for Dr. Corbitt:

Alexander Anderson Coleman

Courson Elliott Fair

Hayes Hutto Jackson

Knotts Land Leatherman

Lourie *Martin, Larry* Matthews

McGill Nicholson O'Dell

Pinckney Rankin Rose

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--28**

The following named Representatives voted for Ms. Bell:

Allison Anthony Bowers

Brannon Chumley Cobb-Hunter

Cole Cooper Crosby

Daning Forrester Frye

Gilliard Harrell Herbkersman

Howard King Knight

Limehouse Mitchell Murphy

Parker Patrick Quinn

Spires Tallon

**Total--26**

The following named Representatives voted for Dr. Corbitt:

Agnew Alexander Allen

Anderson Bales Ballentine

Bannister Barfield Battle

Bikas Bingham Bowen

Brady Branham Brantley

G. A. Brown H. B. Brown R. L. Brown

Butler Garrick Clemmons Clyburn

Corbin Crawford Delleney

Dillard Edge Erickson

Funderburk Gambrell Govan

Hamilton Hardwick Harrison

Hayes Hiott Hixon

Hodges Hosey Huggins

Jefferson Loftis Long

Lowe Lucas Mack

McCoy McEachern McLeod

Merrill D. C. Moss V. S. Moss

Munnerlyn Nanney J. H. Neal

J. M. Neal Neilson Norman

Ott Owens Pinson

Pitts Pope Rutherford

Ryan Sabb Sandifer

Sellers Simrill Skelton

G. M. Smith G. R. Smith J. R. Smith

Sottile Stavrinakis Stringer

Taylor Thayer Toole

Tribble Vick Weeks

Whipper White Whitmire

Williams Willis Young

**Total--87**

**RECAPITULATION**

Total number of Senators voting 43

Total number of Representatives voting 113

Grand Total 156

Necessary to a choice 79

Of which Ms. Bell received 41

Of which Dr. Corbitt received 115

Whereupon, the PRESIDENT announced that the Honorable John H. Corbitt was duly elected to the Board of Trustees for South Carolina State University, 4th Congressional District, Seat #4 for the term prescribed by law.

**Election of a Successor to the Board of Trustees for**

**the Wil Lou Gray Opportunity School**

The PRESIDENT announced that nominations were in order to elect a successor to three at-large positions on the Board of Trustees for Wil Lou Gray Opportunity School.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Earle Bennett, Ms. Sandra Dooley Parker and Ms. Inease P. Williamson had been screened and found qualified to serve and placed their names in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Earle Bennett, the Honorable Sandra Dooley Parker and the Honorable Inease P. Williamson were duly elected to the three at-large positions on the Board of Trustees for the Wil Lou Gray Opportunity School for the term prescribed by law.

**Election of a Successor to the Board of Trustees**

**for Winthrop University**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Winthrop University.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Sue Smith-Rex had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Sue Smith-Rex was duly elected to the at-large position on the Board of Trustees for Winthrop University for the term prescribed by law.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

**RECESS**

At 12:44 P.M., on motion of Senator LARRY MARTIN, the Senate receded from business until 2:00 P.M.

At 2:08 P.M., the Senate resumed.

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

**Call of the Senate**

At 2:11 P.M., Senator GROOMS moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

A quorum being present, the Senate resumed.

**Recorded Presence**

Senator FORD recorded his presence subsequent to the Call of the Senate.

**REGULATIONS RECEIVED**

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

Document No. 4157

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60 and 59-25-110

SUBJECT: Requirements for Additional Areas of Certification

Received by Lieutenant Governor February 23, 2011

Referred to Education Committee

Legislative Review Expiration January 30, 2012

Document No. 4161

Agency: Department of Health and Environmental Control

Chapter: 61

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

SUBJECT: Water Classifications and Standards

Received by Lieutenant Governor February 17, 2011

Referred to Agriculture and Natural Resources Committee

Legislative Review Expiration January 24, 2012

**Doctor of the Day**

Senator GROOMS introduced Dr. Marc New of North Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator SHANE MARTIN, at 2:00 P.M., Senator MASSEY was granted a leave of absence for the week.

**Leave of Absence**

On motion of Senator CROMER, at 8:00 P.M., Senator COURSON was granted a leave of absence until 11:00 A.M. tomorrow morning.

**CO-SPONSORS ADDED**

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

S. 274 Sen. Thomas

S. 404 Sens. Bright, Shane Martin

S. 431 Sens. Lourie, Cleary, Verdin

S. 444 Sen. Thomas

S. 447 Sen. Setzler

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 599 -- Senator S. Martin: A SENATE RESOLUTION TO CONGRATULATE THE PAUL M. DORMAN HIGH SCHOOL GIRLS SWIM TEAM ON ITS SUCCESSFUL PERFORMANCES IN THE CLASS AAAA DIVISION OF THE 2010 HIGH SCHOOL STATE SWIMMING CHAMPIONSHIPS, AND TO RECOGNIZE THE SWIMMERS AND THEIR COACHES ON A SENSATIONAL SEASON.

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The Senate Resolution was adopted.

S. 600 -- Senator S. Martin: A SENATE RESOLUTION TO CONGRATULATE THE PAUL M. DORMAN HIGH SCHOOL BOYS SWIM TEAM ON ITS SUCCESSFUL PERFORMANCES IN THE CLASS AAAA DIVISION OF THE 2010 HIGH SCHOOL STATE SWIMMING CHAMPIONSHIPS, AND TO RECOGNIZE THE SWIMMERS AND THEIR COACHES ON A SENSATIONAL SEASON.

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The Senate Resolution was adopted.

S. 601 -- Senator Cleary: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ASSISTANT FIRE CHIEF DANIEL J. CIMINI, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-NINE YEARS AS A FIREFIGHTER, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 602 -- Senators Matthews, Pinckney and Grooms: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND COLLETON COUNTY COUNCILMAN FLOYD BUCKNER FOR HIS MANY YEARS OF OUTSTANDING PUBLIC SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 603 -- Senators Leventis and Land: A CONCURRENT RESOLUTION TO RECOGNIZE SUMTER COUNTY AS A VITAL PART OF THE GREAT STATE OF SOUTH CAROLINA, AND TO DECLARE WEDNESDAY, FEBRUARY 23, 2011, “SUMTER COUNTY DAY” IN SOUTH CAROLINA.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 604 -- Senator Fair: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING EDUCATION, BY ADDING SECTION 59-1-490 TO PROVIDE THAT THE COMMON CORE STANDARDS MAY NOT BE IMPOSED ON SOUTH CAROLINA.

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

S. 605 -- Senator Lourie: A BILL TO AMEND SECTION 12-6-5060, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION ON A STATE INDIVIDUAL INCOME TAX RETURN OF A VOLUNTARY CONTRIBUTION BY THE TAXPAYER TO CERTAIN FUNDS, SO AS TO PROVIDE THAT A TAXPAYER MAY CONTRIBUTE TO THE NATIONAL FEDERATION OF THE BLIND OF SOUTH CAROLINA.

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

S. 606 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF AGRICULTURE, RELATING TO FOOD AND COSMETICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4154, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 607 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO AIR POLLUTION CONTROL REGULATIONS AND STANDARDS; AND STANDARDS FOR PERFORMANCE FOR ASBESTOS PROJECTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4130, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 608 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND CATHY B. NOVINGER OF RICHLAND COUNTY FOR HER MANY YEARS OF OUTSTANDING COMMUNITY SERVICE, AND TO CONGRATULATE HER ON RECEIVING THE 2010 UNITED WAY OF THE MIDLANDS HUMANITARIAN OF THE YEAR AWARD.

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The Senate Resolution was adopted.

S. 609 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE REVEREND DR. CHARLES B. JACKSON, SR. OF LEXINGTON COUNTY FOR FORTY YEARS OF DEDICATED MINISTRY TO BROOKLAND BAPTIST CHURCH, TO HIS COMMUNITY, AND TO HIS CALLING AS A MINISTER OF THE GOSPEL.

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The Senate Resolution was adopted.

S. 610 -- Senator Knotts: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT BOTH THE EASTERN AND WESTERN APPROACHES TO WHITE KNOLLS HIGH SCHOOL ON PLATT SPRINGS ROAD IN LEXINGTON COUNTY THAT CONTAIN THE WORDS “WHITE KNOLL HIGH SCHOOL TIMBERWOLVES AAAA BASEBALL STATE CHAMPIONS” AND “WHITE KNOLL HIGH SCHOOL TIMBERWOLVES AAAA STATE MARCHING BAND CHAMPIONS.”

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

S. 611 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND DONELLA BROWN WILSON OF RICHLAND COUNTY FOR HER OUTSTANDING PUBLIC AND COMMUNITY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 612 -- Senator Lourie: A SENATE RESOLUTION TO RECOGNIZE THE IMPORTANCE OF WORLD TUBERCULOSIS DAY AS FOCUSING ATTENTION ON ONE OF THE WORLD'S DEADLIEST KILLERS AND TO DECLARE THURSDAY, MARCH 24, 2011, AS “SOUTH CAROLINA TUBERCULOSIS DAY”.

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The Senate Resolution was adopted.

H. 3178 -- Reps. Pitts, Limehouse, Hixon and Long: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS.

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

H. 3349 -- Reps. Clemmons, Sellers, Allen, G. M. Smith and Weeks: 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 PARENT'S DEPARTURE FROM THE UNITED STATES.

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

H. 3392 -- Reps. Clemmons, Sellers, Allen, G. M. Smith and Weeks: A BILL TO AMEND SECTION 7-13-35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE FOR GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE POSTED TIME AT WHICH ABSENTEE BALLOTS MAY BEGIN TO BE EXAMINED FROM 2:00 P.M. TO 9:00 A.M. AND TO REQUIRE NOTIFICATION OF THE DATE THE MAKE-UP ELECTION WILL BE HELD IN THE EVENT OF INCLEMENT WEATHER OR OTHER EMERGENCY; TO AMEND SECTION 7-13-40, AS AMENDED, RELATING TO THE DATE BY WHICH THE PARTY CHAIRMAN, VICE CHAIRMAN, OR SECRETARY MUST PROVIDE WRITTEN CERTIFICATION OF THE CANDIDATES' NAMES TO THE STATE ELECTION COMMISSION, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, AS AMENDED, RELATING TO SPECIAL ELECTIONS, SO AS TO PROVIDE THAT IF THE GOVERNOR DECLARES A STATE OF EMERGENCY COVERING AN ENTIRE JURISDICTION HOLDING AN ELECTION, THE ELECTION MUST BE POSTPONED AND HELD ON THE NEXT TUESDAY; AND TO AMEND SECTION 7-13-350, AS AMENDED, RELATING TO THE CERTIFICATION OF CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED TO THE STATE ELECTION COMMISSION FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN SEPTEMBER.

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

H. 3413 -- Reps. Sandifer and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 140 TO TITLE 44 SO AS TO ESTABLISH THE SOUTH CAROLINA HEALTH INFORMATION EXCHANGE (SCHIEX), TO ESTABLISH THE SOUTH CAROLINA HEALTH INFORMATION EXCHANGE COUNCIL AS THE GOVERNING BODY OF SCHIEX TO OVERSEE AND GOVERN THE EXCHANGE OF HEALTH-RELATED INFORMATION THROUGH SCHIEX, TO PROVIDE FOR THE COUNCIL'S POWERS AND DUTIES, AND TO FURTHER PROVIDE FOR THE ELECTRONIC MOVEMENT OF HEALTH-RELATED INFORMATION THROUGH SCHIEX; AND TO AMEND SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURES, SO AS TO INCLUDE THE EXECUTIVE DIRECTOR OF SCHIEX IN THESE EXEMPTIONS.

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

H. 3417 -- Rep. Funderburk: A BILL TO AMEND SECTION 6-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY TO ESTABLISH SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO INCLUDE THE PROVISION OF EMERGENCY MEDICAL AND RESCUE RESPONSE SERVICES AS AN AUTHORIZED PURPOSE FOR WHICH A SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT MAY BE ESTABLISHED.

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

H. 3584 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 58-37-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FINANCING AGREEMENTS FOR THE INSTALLATION OF CERTAIN ENERGY-EFFICIENCY AND CONSERVATION IMPROVEMENTS, SO AS TO CORRECT AN ERRONEOUS CROSS-REFERENCE, AND TO PROVIDE WHERE AN ELECTRICITY OR NATURAL GAS PROVIDER CONTRACTS WITH A THIRD PARTY TO PERFORM CERTAIN FUNCTIONS, THE LIABILITY OF THE THIRD PARTY IS LIMITED IN A SPECIFIC MANNER.

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

H. 3704 -- Rep. Hosey: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF BARNWELL COUNTY SCHOOL DISTRICT FORTY-FIVE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3705 -- Rep. Hosey: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF BARNWELL COUNTY SCHOOL DISTRICT TWENTY-NINE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3706 -- Rep. Hosey: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF BARNWELL COUNTY SCHOOL DISTRICT NINETEEN WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3715 -- Reps. Crawford, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 17, 2011, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

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

**REPORTS OF STANDING COMMITTEES**

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 27 -- Senators Leatherman, McGill, Rose and Leventis: A BILL TO AMEND SECTION 12-37-220 OF THE 1976 CODE, RELATING TO PROPERTY TAX EXEMPTIONS INCLUDING AN EXEMPTION OF TWO PRIVATE PASSENGER VEHICLES OWNED OR LEASED BY A TOTALLY AND PERMANENTLY DISABLED VETERAN, TO PROVIDE THAT A TOTALLY AND PERMANENTLY DISABLED FIREFIGHTER ALSO QUALIFIES FOR THIS EXEMPTION.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 92 -- Senators Ryberg, Rose, Campsen, Verdin, Leventis and Massey: A CONCURRENT RESOLUTION TO URGE THE CONGRESS OF THE UNITED STATES TO ENDORSE YUCCA MOUNTAIN’S SUITABILITY AS A PERMANENT FEDERAL REPOSITORY FOR HIGH‑LEVEL RADIOACTIVE MATERIALS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a majority favorable with amendment and Senator LEVENTIS a minority unfavorable report on:

S. 96 -- Senators Grooms, Verdin, Rose and Fair: A CONCURRENT RESOLUTION TO REQUEST THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO OPPOSE CAP AND TRADE LEGISLATION AND SUPPORT LEGISLATION THAT ENCOURAGES STATES TO ESTABLISH AND DEVELOP THEIR OWN RENEWABLE ENERGY PORTFOLIO STANDARDS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 418 -- Senator Leatherman: A BILL TO ENACT THE PROVISO CODIFICATION ACT OF 2011, TO PROVIDE FOR THE CODIFICATION IN THE SOUTH CAROLINA CODE OF LAWS OF CERTAIN PROVISOS CONTAINED IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO PROVIDE FOR OTHER PROVISIONS RELATED TO THE ANNUAL GENERAL APPROPRIATIONS ACT EFFECTIVE FOR FISCAL YEAR 2011-2012 ONLY.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a majority favorable and Senator RYBERG a minority unfavorable report on:

S. 419 -- Senators Setzler, Thomas, Fair, Bryant and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑11‑240 SO AS TO CREATE THE OTHER FUNDS OVERSIGHT COMMITTEE TO REVIEW AND EXAMINE THE SOURCE OF OTHER FUNDS IN THIS STATE AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, TO PROVIDE FOR ITS MEMBERSHIP, TO PROVIDE THAT ALL AGENCIES MUST COOPERATE WITH THE COMMITTEE, AND TO REQUIRE THE STATE BUDGET OFFICE TO NOTIFY THE COMMITTEE OF ANY REQUEST FOR AN INCREASE IN INTERIM BUDGET AUTHORIZATION.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 427 -- Senators Hayes, Hutto, Grooms, Land and O’Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑45‑17 SO AS TO PROVIDE MINIMUM CONTINUING EDUCATION COURSE REQUIREMENTS FOR COUNTY TAX COLLECTORS AND PROVIDE EXCEPTIONS; BY ADDING SECTION 12‑59‑85 SO AS TO ALLOW A COUNTY FORFEITED LAND COMMISSION TO REFUSE TO ACCEPT TITLE TO PROPERTY WHEN REFUSAL IS IN THE PUBLIC INTEREST; AND TO AMEND SECTIONS 12‑51‑50, AS AMENDED, AND 12‑51‑70, RELATING TO DELINQUENT TAX SALES, SO AS TO PROVIDE FOR THE SALES DATE AND TO INCREASE FROM THREE HUNDRED TO ONE THOUSAND DOLLARS THE DAMAGES FOR WHICH A DEFAULTING BIDDER IS LIABLE.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 428 -- Senators Hayes, Hutto, Grooms, Land and O’Dell: A BILL TO AMEND SECTION 12‑37‑251, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CALCULATION OF ROLLBACK MILLAGE USED IN THE YEAR OF IMPLEMENTATION OF A COUNTYWIDE REASSESSMENT PROGRAM, SO AS TO REVISE THE METHOD OF CALCULATING ROLLBACK MILLAGE AND TO PROVIDE FOR THE IMPOSITION OF AN “EQUIVALENT MILLAGE” FOR MUNICIPAL PROPERTY TAX WHEN MUNICIPAL BOUNDARIES EXTEND INTO MULTIPLE COUNTIES ON DIFFERENT REASSESSMENT SCHEDULES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 447 -- Senators O’Dell, Peeler, Leatherman, Bryant, Nicholson, Cleary, Alexander, Cromer, Elliott and Setzler: A BILL TO AMEND SECTION 12‑43‑224, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSESSMENT OF UNDEVELOPED ACREAGE SUBDIVIDED INTO LOTS, SO AS TO PROVIDE THAT THE ASSESSOR MAY DETERMINE THAT A REASONABLE TIME TO SELL THE PLATTED LOTS IS NINE YEARS, AND TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATE COMES AFTER MAY FIRST BUT BEFORE JUNE FIRST, THE OWNER SHALL RECEIVE THE DISCOUNTED RATE BUT THE DISCOUNT SHALL BE REDUCED; AND TO AMEND SECTION 12‑43‑225, AS AMENDED, RELATING TO MULTIPLE LOT DISCOUNTS, SO AS TO EXTEND THE DISCOUNT FROM FIVE TO SEVEN YEARS, TO PROVIDE THAT THE DISCOUNT RUNS WITH THE PROPERTY UNTIL THE DISCOUNT IS TERMINATED, TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATES COMES AFTER MAY FIRST BUT BEFORE JUNE FIRST THE OWNERS SHALL RECEIVE THE DISCOUNTED RATE BUT THE DISCOUNT SHALL BE REDUCED, AND TO PROVIDE THAT APPLICATION FOR THE DISCOUNTED RATE ONLY MUST BE MADE IN THE FIRST YEAR.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 522 -- Senators Leatherman, O’Dell and Setzler: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 533 -- Senators Coleman and Reese: A BILL TO AMEND SECTION 12‑36‑2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR A SALES TAX EXEMPTION OF CERTAIN ITEMS FOR CERTAIN FACILITIES RESEARCHING AND TESTING THE IMPACT OF NATURAL DISASTERS, SO AS TO PROVIDE THAT THE QUALIFYING INVESTMENT OF AT LEAST TWENTY MILLION DOLLARS MAY BEGIN AT ANY TIME PERIOD AFTER JANUARY 1, 2009, AND ALL OR A PORTION MAY OCCUR BEFORE THE TAXPAYER NOTIFIES THE DEPARTMENT OF REVENUE OF ITS INTENTION.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

H. 3332 -- Reps. Sandifer, McLeod, Bowers, Bales, Anderson, Pinson and Clemmons: A BILL TO AMEND SECTION 38‑73‑736, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN REDUCTIONS IN PREMIUM CHARGES, SO AS TO PROVIDE CERTAIN DEFINITIONS, SUBJECT PREMIUM RATES CHARGED FOR LIABILITY AND COLLISION COVERAGE TO CERTAIN DRIVER TRAINING COURSE CREDITS FOR A DRIVER WHO IS NOT A YOUTHFUL OPERATOR, AND PROVIDE OTHER CONDITIONS CONCERNING THE CREDITS; TO AMEND SECTION 38‑73‑737, RELATING TO DRIVER TRAINING COURSE CREDIT TOWARD LIABILITY AND COLLISION INSURANCE COVERAGE, SO AS TO PROVIDE CERTAIN DEFINITIONS, SUBJECT PREMIUM RATES CHARGED FOR LIABILITY AND COLLISION COVERAGE TO CERTAIN DRIVER TRAINING COURSE CREDITS FOR A DRIVER WHO IS A YOUTHFUL OPERATOR, AND PROVIDE OTHER CONDITIONS CONCERNING THE CREDITS.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

H. 3344 -- Reps. Brady, Erickson, Sandifer, Allison, Dillard, Butler Garrick, Munnerlyn, Funderburk, Horne, Long, Nanney, Bowers, Bales, Anderson, Pinson, Weeks and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE IN INSURANCE ACT” 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.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

H. 3373 -- Reps. Sandifer, Bowers, Bales, Anderson and Pinson: A BILL TO AMEND SECTION 38‑77‑112, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF AN AUTOMOBILE INSURER FROM THE REQUIREMENT TO WRITE AUTOMOBILE INSURANCE COVERAGE FOR AN APPLICANT OR EXISTING POLICYHOLDER, SO AS TO REMOVE CERTAIN EXEMPTIONS FROM THE APPLICABILITY OF THIS SECTION.

Ordered for consideration tomorrow.

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3375 -- Reps. Harrell, Lucas, Cooper, Hardwick, Harrison, Owens, Sandifer, White, Bingham, Atwater, Parker, Crawford, Loftis, Bowen, G.R. Smith, Bedingfield, Toole, Sottile, V.S. Moss, Forrester, Bikas, Huggins, Brady, Allison, Pinson, Frye, Whitmire, Skelton, Nanney, Henderson, Limehouse, Corbin, Barfield, Battle, Clemmons, Cole, Crosby, Daning, Gambrell, Hamilton, Hiott, Hixon, Horne, Lowe, D.C. Moss, Murphy, Norman, Patrick, Simrill, G.M. Smith, J.R. Smith, Spires, Taylor, Willis, Young, Herbkersman, Ballentine, Thayer, Bannister, McCoy, Tallon, Stringer, Long, Hayes, Ott, J.M. Neal, Vick, G.A. Brown, Branham, Anthony, Bowers, Sellers, Quinn, Hearn, Edge, Anderson, Erickson, Knight, Chumley, Butler Garrick and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT OF 2011” BY AMENDING ARTICLE 5, CHAPTER 32, TITLE 15, RELATING TO PUNITIVE DAMAGES, SO AS TO PROVIDE LIMITS ON THE AWARD OF PUNITIVE DAMAGES AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; BY ADDING SECTIONS 1‑7‑750 AND 1-7-760 SO AS TO ENACT THE “PRIVATE ATTORNEY RETENTION SUNSHINE ACT” TO GOVERN THE RETENTION OF PRIVATE ATTORNEYS BY THE ATTORNEY GENERAL OR A SOLICITOR AND TO PROVIDE TERMS AND CONDITIONS GOVERNING THE RETAINER AGREEMENT INCLUDING LIMITS ON THE COMPENSATION OF OUTSIDE COUNSEL IN CONTINGENCY FEE CASES, AND TO PROVIDE FOR THE SUSPENSION OF THE LIMITATIONS UNDER CERTAIN EXCEPTIONAL CIRCUMSTANCES; TO AMEND SECTION 15‑3‑670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, SO AS TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS BUT MAY BE ADMISSIBLE AS EVIDENCE; TO AMEND SECTION 18‑9‑130, AS AMENDED, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, SO AS TO PROVIDE LIMITS FOR APPEAL BONDS; AND TO AMEND SECTION 56‑5‑6540, AS AMENDED, RELATING TO THE PENALTIES FOR THE MANDATORY USE OF SEATBELTS, SO AS TO DELETE THE PROVISION THAT PROVIDED THAT A VIOLATION FOR FAILURE TO WEAR A SEATBELT IS NOT NEGLIGENCE PER SE OR COMPARATIVE NEGLIGENCE AND IS NOT ADMISSIBLE IN A CIVIL ACTION.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3583 -- Rep. Cooper: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

S. 558 -- Senator Cleary: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2011 AS NATIONAL CHILDREN’S DENTAL HEALTH MONTH, AND TO THANK SOUTH CAROLINA DENTAL‑HEALTH‑CARE PROVIDERS FOR MAKING FEBRUARY 4, 2011, “GIVE KIDS A SMILE DAY” THAT PROMOTED ORAL HEALTH AND JOINED IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

Returned with concurrence.

Received as information.

S. 589 -- Senators Lourie, Jackson and Courson: A CONCURRENT RESOLUTION TO CONGRATULATE DESA, INC., IN RICHLAND COUNTY ON THE OCCASION OF ITS TWENTY‑FIFTH ANNIVERSARY, AND TO COMMEND ITS FOUNDER, PRESIDENT, AND CEO, DIANE E. SUMPTER, FOR HER MANY YEARS OF DEDICATED ADVOCACY ON BEHALF OF SMALL, MINORITY‑OWNED, AND WOMEN‑OWNED BUSINESSES AND FOR HER EXTENSIVE COMMUNITY SERVICE.

Returned with concurrence.

Received as information.

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

**READ THE SECOND TIME**

S. 231 -- Senators Campsen, Davis and Rose: A BILL TO AMEND SECTION 61‑4‑550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS.

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

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

**Ayes 40; Nays 2**

**AYES**

Alexander Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Verdin

Williams

**Total--40**

**NAYS**

Bright Thomas

**Total--2**

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

**READ THE** **SECOND TIME**

S. 404 -- Senators Campsen, McConnell, Land, Peeler, Alexander, Bryant, Campbell, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Grooms, Hayes, Hutto, Jackson, Knotts, Leventis, Matthews, L. Martin, Massey, McGill, O’Dell, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Thomas, Verdin, Williams, Lourie, Scott, Leatherman, Shoopman, Malloy, Bright and S. Martin: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE “SOUTH CAROLINA UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT”; TO AMEND SECTION 7‑15‑400, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS AND ISSUANCE OF WRITE‑IN ABSENTEE BALLOTS, SO AS TO ALLOW A VOTER TO MAKE A STATEMENT ON A FEDERAL WRITE‑IN ABSENTEE BALLOT THAT HE IS UNABLE TO VOTE BY REGULAR ABSENTEE BALLOT OR IN PERSON DUE TO THE REQUIREMENTS OF MILITARY SERVICE, LIVING IN AN ISOLATED AREA, OR AN EXTREMELY REMOTE AREA OF THE WORLD, AND TO ADD THAT A QUALIFIED ABSENTEE ELECTOR MAY ALTERNATIVELY SUBMIT A FEDERAL WRITE‑IN ABSENTEE BALLOT FOR ANY FEDERAL, STATE, OR LOCAL OFFICE OR BALLOT INITIATIVE; TO ADD SECTION 7‑15‑406 TO ARTICLE 5, CHAPTER 13, TITLE 7, SO AS TO REQUIRE ALL ABSENTEE BALLOTS MUST BE MAILED TO THE ELECTOR AT LEAST FORTY‑FIVE DAYS PRIOR TO ANY ELECTION; TO AMEND SECTION 7‑15‑460, RELATING TO ABSENTEE BALLOTS AS PROVIDED BY THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT, SO AS TO MAKE THE PROVISIONS APPLICABLE TO FEDERAL, STATE, AND LOCAL OFFICES, AND TO REQUIRE THAT AN ELECTRONIC FREE ACCESS BALLOT TRACKING SYSTEM IS AVAILABLE TO ELECTORS; AND TO AMEND SECTION 7‑15‑220, RELATING TO THE SIGNING AND WITNESSING OF THE OATH BY THE ABSENTEE BALLOT APPLICANT, SO AS TO PROVIDE AN EXCEPTION FOR WITNESS REQUIREMENTS FOR VOTERS QUALIFIED UNDER THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT.

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

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

**Ayes 42; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* McConnell McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--42**

**NAYS**

**Total--0**

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

**MINORITY REPORT REMOVED**

**OBJECTION**

H. 3004 -- Reps. Ballentine, Norman, Viers, Lucas, Simrill, Huggins, G.M. Smith, G.R. Smith, Loftis, Bedingfield, Hamilton, Stringer, Nanney, Lowe, Young, Willis, Bowen, D.C. Moss, Agnew, Pope, Daning, Thayer, Harrison, Allison, Taylor, Ryan, McCoy, Hixon, Bingham, Long, Whipper, R.L. Brown, Atwater, Henderson, Horne and Harrell: A BILL TO ENACT THE “SPENDING ACCOUNTABILITY ACT OF 2011”; AND TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑7‑125 SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

Senator HUTTO asked unanimous consent to remove his name from the minority report on the Bill.

There was no objection and the minority report was removed.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

Senator HUTTO argued contra to the adoption of the committee amendment.

Senator McCONNELL objected to the Bill.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**COMMITTEE AMENDMENTAMENDED AND ADOPTED**

**READ THE SECOND TIME**

**RETURNED TO THE STATUS OF SPECIAL ORDER**

H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V.S. Moss, Norman, Parker, G.M. Smith, G.R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J.R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑3‑70 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS WHO ARE QUALIFIED TO VOTE, BUT DO NOT HAVE A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AS OF JANUARY 1, 2013, AND TO REQUIRE THE DEPARTMENT TO FURNISH A LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT AT NO CHARGE TO THE COMMISSION; BY ADDING SECTION 7‑5‑675 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO IMPLEMENT A SYSTEM IN ORDER TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR; TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT; TO AMEND SECTION 7‑1‑25, RELATING TO THE DEFINITION OF “DOMICILE”, SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON’S INTENTION REGARDING HIS DOMICILE; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO MAINTAIN IN A MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTING IN A GENERAL ELECTION; TO AMEND SECTION 7‑5‑125, RELATING TO THE ISSUANCE OF A WRITTEN NOTIFICATION OF REGISTRATION TO VOTE, SO AS TO PROVIDE FOR THE ISSUANCE OF A DUPLICATE NOTIFICATION IF THE ELECTOR TO WHOM IT WAS ORIGINALLY ISSUED LOSES OR DEFACES IT; TO AMEND SECTION 7‑5‑230, AS AMENDED, RELATING TO THE BOARDS OF REGISTRATION BEING THE JUDGES OF THE LEGAL QUALIFICATIONS OF ALL APPLICANTS FOR REGISTRATION, SO AS TO ADD A REFERENCE TO SECTION 7‑1‑25 AND DELETE CERTAIN CRITERIA USED WHEN CONSIDERING A CHALLENGE REGARDING THE RESIDENCE OF AN ELECTOR; TO AMEND SECTION 7‑13‑710, AS AMENDED, RELATING TO THE PRESENTATION OF A PERSON’S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PROVIDING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE FOR CERTAIN EXCEPTIONS, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE; TO AMEND SECTION 7‑15‑330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE REFERENCES TO AN AUTHORIZED REPRESENTATIVE REQUESTING AN APPLICATION FOR A QUALIFIED ELECTOR; TO AMEND SECTION 7‑15‑385, AS AMENDED, RELATING TO THE MARKING AND RETURNING OF THE ABSENTEE BALLOT, SO AS TO REQUIRE THE BOARD OF REGISTRATION TO RECORD, INSTEAD OF NOTE, CERTAIN PROCEDURES REGARDING THE RETURN OF THE ABSENTEE BALLOT; TO AMEND SECTION 56‑1‑3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTION 7‑15‑470 RELATING TO THE PROHIBITION OF VOTING ON A VOTING MACHINE FOR IN‑PERSON ABSENTEE VOTING.

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

**Amendment No. P3**

Senator HUTTO proposed the following amendment (DKA\  
3332SD11), which was tabled:

Amend the report of the Committee on Judiciary, as and if amended, Section 7-15-320(B)(12), SECTION 6, page [3003-9], by striking item (12) in its entirety and inserting:

/ (12) persons admitted to hospitals as emergency patients on the day of an election or within a ~~four~~ six day period before the election; /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator LEVENTIS argued contra to the adoption of the amendment.

Senator CAMPSEN moved to lay the amendment on the table.

A roll call vote was ordered.

**Parliamentary Inquiry**

Senator FORD made a Parliamentary Inquiry as to the number of minutes remaining for discussion on this amendment.

The PRESIDENT stated that four minutes remained for the proponents.

Senator FORD asked unanimous consent to make a motion to be granted leave to speak in favor of the adoption of the amendment for the remaining four minutes.

There was no objection.

Senator FORD argued in favor of the adoption of the amendment.

Senator CAMPSEN renewed the motion to lay the amendment on the table.

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

**Ayes 27; Nays 13**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Elliott Fair Grooms

Hayes Knotts Leatherman

Leventis Lourie *Martin, Larry*

*Martin, Shane* McConnell O’Dell

Peeler Rankin Rose

Ryberg Shoopman Verdin

**Total--27**

**NAYS**

Anderson Ford Hutto

Land Malloy Matthews

McGill Nicholson Reese

Scott Setzler Sheheen

Williams

**Total--13**

The amendment was laid on the table.

**Motion to Reconsider Withdrawn**

Having voted on the prevailing side, Senator LOURIE moved to reconsider the vote whereby the amendment was laid on the table.

**Point of Order**

Senator LEATHERMAN raised a Point of Order that the motion to reconsider the vote whereby the amendment was laid on the table was out of order.

Senator McCONNELL spoke on the Point of Order.

Senator SETZLER spoke on the Point of Order.

Senator ROSE spoke on the Point of Order.

Senator SHEHEEN spoke on the Point of Order.

Senator GROOMS spoke on the Point of Order.

Senator LOURIE spoke on the Point of Order.

**RECESS**

At 3:30 P.M., on motion of Senator SETZLER, the Senate receded from business not to exceed five minutes.

At 3:37 P.M., the Senate resumed.

**RECESS**

At 3:37 P.M., on motion of Senator McCONNELL, the Senate receded from business subject to the Call of the Chair.

At 4:57 P.M., the Senate resumed.

On motion of Senator LOURIE, with unanimous consent, the motion to reconsider the vote whereby Amendment No. P3 was tabled, was withdrawn.

**Amendment No. P4**

Senator SCOTT proposed the following amendment (3003MW8), which was not adopted:

Amend the committee report, as and if amended, SECTION 1, Section 7-13-710, page [3003-4] by inserting a new subsection on line 12 to read:

/ ( ) The provisions of this Section relating to showing proof of identification as a requirement to vote shall not apply to citizens sixty-two years of age or older. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

**Parliamentary Inquiry**

Senator SETZLER made a Parliamentary Inquiry as to whether or not a proponent could utilize the remaining ten minutes of the twenty minute total absent any opponents speaking on an amendment under the provisions of Rule 15A.

Senator LEVENTIS argued contra to the adoption of the amendment.

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

**Ayes 17; Nays 25**

**AYES**

Coleman Ford Hutto

Jackson Land Leventis

Lourie Malloy Matthews

McGill Nicholson Pinckney

Reese Scott Setzler

Sheheen Williams

**Total--17**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman *Martin, Larry*

*Martin, Shane* McConnell O’Dell

Peeler Rankin Rose

Ryberg Shoopman Thomas

Verdin

**Total--25**

The adoption of Amendment No. P4 failed.

**Amendment No. P5**

Senator MALLOY proposed the following amendment (3003MW9), which was withdrawn:

Amend the committee report, as and if amended, Section 7-13-25, page [3003-7], by striking lines8-11 and inserting the following:

/ (D) Each county board of registration and election must establish an early voting center. The early voting center must be supervised by election commission employees. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

Senator SCOTT argued contra to the adoption of the amendment.

On motion of Senator MALLOY, Amendment No. P5 was withdrawn.

**Amendment No. P6**

Senator FORD proposed the following amendment (DKA\  
3381SD11), which was withdrawn:

Amend the report of the Committee on Judiciary, as and if amended, Section 7‑5‑230(A), SECTION 10, page [3003‑12], by striking the second paragraph of subsection (A) in its entirety and inserting:

/ Once a person is registered, challenges of the qualifications of any elector, except for challenges issued at the polls pursuant to Sections 7‑13‑810, 7‑13‑820, and 7‑15‑420 must be made in writing to the board of registration in the county of registration. The board must, within ~~ten~~ four days following the challenge and after first giving notice to the elector and the challenger, hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications set forth in Section 7‑5‑120. /

Renumber sections to conform.

Amend title to conform.

Senator FORD explained the amendment.

On motion of Senator FORD, Amendment No. P6 was withdrawn.

**Amendment No. P7**

Senator MATTHEWS proposed the following amendment (DKA\  
3432AC11), which was not adopted:

Amend the report of the Committee on Judiciary, as and if amended, Section 56-1-3350(B)(1), SECTION 3, page [3003‑5], by striking item (1) in its entirety and inserting:

/ (1) The fee for the issuance and renewal of the special identification card is ~~five dollars~~ fifteen dollars and fifty cents for a person between the ages of ten and sixteen years. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator SCOTT argued contra to the adoption of the amendment.

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

**Ayes 3; Nays 38**

**AYES**

Ford Land Matthews

**Total--3**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Grooms

Hayes Hutto Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* McConnell McGill

Nicholson O’Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--38**

The adoption of Amendment No. P7 failed.

Senator McCONNELL asked unanimous consent to make a motion to take up Amendment No. P482 for immediate consideration.

There was no objection.

**Amendment No. P482**

Senators CAMPSEN and McCONNELL proposed the following amendment (JUD3003.025), which was adopted:

Amend the Judiciary Committee amendment further, as and if amended, by adding an appropriately numbered SECTION to read:

// SECTION \_\_\_. Chapter 13 of Title 7 of the 1976 Code of Laws is amended by adding:

“Section 7-13-715. After January 2, 2012, an elector who is sixty-five years of age or older who is domiciled at a hospital, nursing home or care facility in this State is exempt from the identification requirements in Section 7-13-710(A). These individuals must show either a valid South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180, if the notification has been signed by the elector.” // /

To further amend the Judiciary Committee Report, as and if amended, by striking subsection 7-13-25(D), beginning on lines 8-11 on page [3003-7] and inserting:

// “ (D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The county board of registration and elections will determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.” //

To further amend the Judiciary Committee Report, as and if amended, by striking SECTION 7 beginning on line 1 on page [3003-10] and inserting:

SECTION 7. Section 7‑15‑330 of the 1976 Code of Laws is amended to read:

“Section 7-15-330. (A) To vote by absentee ballot, a qualified elector or a member of his immediate family as defined by Section 7‑15‑310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county registration board, or at an extension office of the board of registration as established by the county governing body, for the county of the voter’s residence. A person who is an authorized representative of a qualified elector, as defined by Section 7‑15‑310(7), may request~~ing~~ an application for a qualified elector ~~as the qualified elector’s authorized representative must request~~ ~~an application~~ to vote by absentee ballot in person or by mail only ~~and must himself be a registered voter~~ and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of registration until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later.

(B) A candidate or a member of a candidate’s paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.

(C) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held. However, completed applications must be returned to the county registration board in person or by mail before ~~five P.M.~~ 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of registration until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7‑15‑320. A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four day period before the election may obtain an application from the registration board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of registration.

(D) The board of registration shall serially number each absentee ballot application form and keep a record ~~book~~ ~~in which must be recorded~~ of the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; and the date upon which the form is issued. This information becomes ~~a~~ public record at ~~nine A.M.~~ 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(E) A person who violates the provisions of this section is subject to the penalties provided in Section 7‑25‑170.

(F) In addition to the early voting centers established pursuant to Section 7-13-25, a county board of registration and elections may authorize up to two additional early voting centers if the county board of registration and elections finds there is a need for additional early voting centers after holding a public hearing on the matter. The county board of registration and elections will determine the location of the early voting center or centers.” /

To further amend the Judiciary Committee Report, as and if amended, by striking SECTION 15, beginning on line 1 on page [3003-15] and inserting:

SECTION 15. Except for SECTION \_\_\_, which adds Section 7-13-715, the provisions of this act are not severable. If any other section, subsection, item, subitem, paragraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, it is to be conclusively presumed that the General Assembly would not have enacted any section, subsection, item, subitem, paragraph, sentence, clause, phrase or word of this act without the other provisions in this act and therefore this act in its entirety will be deemed invalid.

To further amend the Judiciary Committee Report, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION \_\_\_. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of SECTION \_\_\_, which establishes Section 7-13-715, is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act. The General Assembly hereby declares that it would have passed this act irrespective of the fact that SECTION \_\_\_ or any of its sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid or otherwise ineffective. / / /

Renumber sections to conform.

Amend title to conform.

Senator McCONNELL explained the amendment.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Matthews McConnell

McGill Nicholson O’Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin

**Total--41**

**NAYS**

**Total--0**

The amendment was adopted.

**RECESS**

At 6:25 P.M., on motion of Senator McCONNELL, the Senate receded from business subject to the Call of the Chair.

At 7:08 P.M., the Senate resumed.

**Amendment No. P8**

Senator FORD proposed the following amendment (SWB\  
6083CM11), which was not adopted:

Amend the report of the Committee on Judiciary, as and if amended, Section 7‑13‑25(F), as contained in SECTION 4, page 3003‑7 by deleting Section 7‑13‑25(F) and inserting:

/ (F) Early voting centers must be open from 8:00 a.m until 9:00 p.m., Monday through Friday. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

Senator McCONNELL argued contra to the adoption of the amendment.

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

**Ayes 5; Nays 34**

**AYES**

Land Leventis Lourie

Matthews Reese

**Total--5**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Hutto

Knotts Leatherman Malloy

*Martin, Larry Martin, Shane* McConnell

McGill Nicholson Peeler

Pinckney Rankin Rose

Ryberg Scott Setzler

Sheheen Shoopman Verdin

Williams

**Total--34**

The adoption of Amendment No. P8 failed.

**Amendment No. P9**

Senator FORD proposed the following amendment (SWB\  
6068CM11), which was not adopted:

Amend the report of the Committee on Judiciary, as and if amended, Section 7‑15‑330(C), as contained in SECTION 7, by inserting / The signature of an applicant that appears on an absentee ballot application must be in red or blue ink. / after the period on line 30, page 3003‑10.

Renumber sections to conform.

Amend title to conform.

Senator LEVENTIS argued in favor of the adoption of the amendment and Senator McCONNELL argued contra.

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

**Ayes 2; Nays 40**

**AYES**

Ford Reese

**Total--2**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Cromer Davis

Elliott Fair Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Matthews

McConnell McGill Nicholson

O’Dell Peeler Pinckney

Rankin Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

The adoption of Amendment No. P9 failed.

**Amendment No. P11**

Senator COLEMAN proposed the following amendment (DKA\  
3428AC11), which was not adopted:

Amend the report of the Committee on Judiciary, as and if amended, Section 56-1-3350(B)(1), SECTION 3, page [3003‑5], by striking item (1) in its entirety and inserting:

/ (1) The fee for the issuance and renewal of the special identification card is ~~five dollars~~ eleven dollars and fifty cents for a person between the ages of ten and sixteen years. /

Renumber sections to conform.

Amend title to conform.

Senator COLEMAN argued in favor of the adoption of the amendment and Senator LEVENTIS argued contra.

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

**Ayes 3; Nays 38**

**AYES**

Ford Matthews Reese

**Total--3**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Cromer Davis

Elliott Fair Grooms

Hayes Hutto Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* McConnell McGill

Nicholson O’Dell Peeler

Pinckney Rankin Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

The adoption of Amendment No. P11 failed.

**Amendment No. P14A**

Senators SHEHEEN, LOURIE, NICHOLSON, ELLIOTT, SCOTT and MALLOY proposed the following amendment (3003R002.VAS), which was carried over:

Amend the committee amendment, as and if amended, page [3003‑2], by striking line 39 and inserting:

/ “Section 7‑13‑710. (A)(1) ~~When any~~ Except for a person that is sixty‑five years of age or older on the date of the election, when a person presents himself /

Amend the committee amendment further, as and if amended, page [3003‑3], by striking line 17 and inserting:

/ issued by the appropriate entity.

(2) When a person that is sixty‑five years of age or older on the date of the election presents himself to vote, he shall produce a valid written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector. A person presenting himself to vote pursuant to this item shall not be required to present any other form of identification. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

Senator McCONNELL argued contra to the adoption of the amendment.

Senator SETZLER asked unanimous consent to make a motion to amend the amendment by adding a severability clause.

There was no objection.

Senator McCONNELL resumed arguing contra to the adoption of the amendment.

Senator SCOTT asked unanimous consent to make a motion to amend the amendment further by adding language to exempt from requiring a photo identification those persons who were born prior to January 1, 1947.

There was no objection.

On motion of Senator LARRY MARTIN, with unanimous consent, Amendment No. P14A was carried over.

**Amendment No. P15**

Senator WILLIAMS proposed the following amendment (DKA\3451AHB11), which was not adopted:

Amend the report of the Committee on Judiciary, as and if amended, by deleting Section 7-13-25(D), as contained in SECTION 4, page [3003-7], lines 8 through 11, and inserting:

/ (D) Each county board of registration and elections must establish at least three early voting centers but not more than eight early voting centers. The early voting centers must be supervised by election commission employees. /

Renumber sections to conform.

Amend title to conform.

Senator FORD argued in favor of the adoption of the amendment and Senator SHEHEEN argued contra.

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

**Ayes 9; Nays 31**

**AYES**

Ford Hutto Land

Leventis Malloy Matthews

Reese Scott Williams

**Total--9**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Davis Elliott

Fair Grooms Hayes

Knotts Leatherman Lourie

*Martin, Larry Martin, Shane* McConnell

McGill Nicholson O’Dell

Peeler Pinckney Rankin

Rose Ryberg Setzler

Sheheen Shoopman Thomas

Verdin

**Total--31**

The adoption of Amendment No. P15 failed.

Senator McCONNELL asked unanimous consent to take up Amendment No. P483 for immediate consideration.

There was no objection.

**Amendment No. P483**

Senators McCONNELL, CAMPSEN and SCOTT proposed the following amendment (JUD3003.026), which was adopted:

Amend the Judiciary Committee Report, as and if amended, by striking subsections 7-13-25(E) and (F), lines 12-18 on page [3003-7] and inserting:

// (E) The early voting period begins eleven days before an election and ends three days prior to the election.

(F) The county board of registration and elections must determine the hours of operation and location for an early voting center. However, the early voting center must be open for two Saturdays within the early voting period for statewide primaries and general elections. // /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

On motion of Senator SHEHEEN, Amendment No. 14A was taken up for immediate consideration and substituted with Amendment No. 14B.

**Amendment No. 14B**

Senators SHEHEEN, SETZLER, LOURIE, NICHOLSON, ELLIOTT, SCOTT and MALLOY proposed the following amendment (JUD3003.027), which was adopted:

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

// SECTION \_\_\_. Chapter 13 of Title 7 of the 1976 Code of Laws is amended by adding:

“Section 7-13-715. After January 2, 2012, an elector who was born on or before January 1, 1947 is exempt from the identification requirements in Section 7-13-710(A). These individuals must show either a valid South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180, if the notification has been signed by the elector.” // /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

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

**Ayes 39; Nays 3**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Matthews McConnell McGill

Nicholson O’Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Amendment No. 14B was adopted.

The question then was the adoption of the committee amendment, as perfected.

The Judiciary Committee proposed the following amendment (JUD3003.022), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE “SOUTH CAROLINA ELECTION REFORM ACT”; TO AMEND SECTION 7‑13‑710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 7‑5‑125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 56‑1‑3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO AMEND SECTION 7‑13‑25, SO AS TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING FIFTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7‑3‑20, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7‑15‑320, SO AS TO REFERENCE THE EARLY VOTING PERIOD PURSUANT TO SECTION 7‑13‑25 AND TO PROVIDE FOR CASTING OF AN ABSENTEE BALLOT BY PAPER OR BY A VOTING MACHINE AND ABSENTEE BALLOT CENTERS; TO AMEND SECTION 7‑1‑25, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO ADD SECTION 7‑5‑675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO AMEND SECTIONS 7‑15‑330, 7‑15‑385, AND 7‑5‑230, ALL RELATING TO ELECTION LAWS, AS SO TO MAKE TECHNICAL CHANGES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7‑13‑710. (A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid and unaltered:

(1) South Carolina driver’s license; ~~or~~

(2) other form of identification containing a photograph issued by the Department of Motor Vehicles; ~~,if he is not licensed to drive, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector~~

(3) passport;

(4) military identification containing a photograph issued by the federal government;

(5) employee identification card containing a photograph of the voter, which is issued by the federal government, this State or a county or municipality of this State; or

(6) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-675.

~~If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.~~

For purposes of this section, the forms of identification listed in this subsection are deemed valid if the identification was properly issued by the appropriate entity.

(B) After presentation of the required identification described in subsection (A), ~~his~~ the elector’s name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(C)(1) If the elector cannot produce the identification as required in subsection (A), he may cast a provisional ballot that is counted only if the elector brings a valid and unaltered photo identification to the county board of registration and elections prior to certification of the election by the county board of canvassers.

(2) If the manager disputes that the photograph contained on the required identification is the person presenting himself to vote, the elector may cast a provisional ballot. A determination of that provisional ballot must be made in accordance with Section 7‑13‑830.

(D)(1)(a) If an elector does not produce a valid and unaltered photograph identification due to a religious objection to being photographed, he may complete an affidavit under penalty of perjury at the polling place and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections prior to certification of the election by the county board of canvassers.

(b) If an elector does not produce a valid and unaltered photograph identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photograph identification, he may complete an affidavit under the penalty of perjury at the pollingplace and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photograph identification. The elector must also list the impediment, unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections prior to certification of the election by the county board of canvassers.

(2) If the county board of registration and elections determines that the voter was challenged solely for the inability to provide proof of identification and the required affidavit is submitted, the county board of registration and elections shall find that the provisional ballot is valid, unless the board has grounds to believe the affidavit is false.

(3) If the county board of registration and elections determines that the voter has been challenged for a cause other than the inability to provide proof of identification as required by subsection (A), the county board of registration and elections shall:

(a) note on the envelope containing the provisional ballot that the voter complied with the proof of identification requirement; and

(b) proceed to determine the validity of the remaining challenges before ruling on the validity of the provisional ballot.

(E) The purpose of the identification required pursuant to subsection (A) is to confirm the person presenting himself to vote is the elector on the poll list. Any address listed on the identification is not determinative of an elector’s domicile for the purpose of voting. An elector’s domicile for the purpose of voting is determined pursuant to the provisions of Section 7-1-25.

SECTION 2. Section 7‑5‑125 of the 1976 Code is amended to read:

“Section 7-5-125. (A) Any person who applies for registration to vote and is found to be qualified by the county board of registration to whom application is made must be issued a written notification of registration. This notification must be on a form prescribed and provided by the State Election Commission.

(B) If an elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.”

SECTION 3. Section 56‑1‑3350 of the 1976 Code, as last amended by Act 277 of 2010, is further amended to read:

“Section 56‑1‑3350. (A) Upon application by any person ten years of age or older who is a resident of South Carolina, the Department of Motor Vehicles shall issue a special identification card, as long as:

(1) the application is made on a form approved and furnished by the department; and

(2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth.

(B)(1) The fee for the issuance and renewal of the special identification card is five dollars for a person between the ages of ten and sixteen years.

(2) An identification card must be free to a person aged seventeen years or older.

(C)  ~~and the~~ The identification card expires five years from the date of issuance.  ~~The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section “indigent” means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

~~(a)~~ ~~a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

~~(b)~~ ~~an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c)~~ ~~a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

(D) Special identification cards issued to persons under the age of twenty‑one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty‑one.

(E) The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund ~~as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:~~

~~Fees and Penalties~~ ~~General Fund~~ ~~Department of~~

~~Collected After~~ ~~of the State~~ ~~Transportation~~

~~State Non‑Federal Aid~~

~~Highway Fund~~

~~June 30, 2005~~ ~~60 percent~~ ~~40 percent~~

~~June 30, 2006~~ ~~20 percent~~ ~~80 percent~~

~~June 30, 2007~~ ~~0 percent~~ ~~100 percent~~.”

SECTION 4. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provision of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The early voting center must be supervised by election commission employees.

(E) The early voting period begins fifteen days before an election and ends three days prior to the election.

(F) The county board of registration and elections must determine the hours of operation and location for an early voting center. However, the early voting center must be open at least one Saturday within the early voting period for statewide primaries and general elections.

(G) A sign must be posted prominently in an early voting center and must have printed on it, ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.”

SECTION 5. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 253 of 2006, is further amended to read:

“(C) The executive director shall:

(1) maintain a complete master file of all qualified electors by county and by precincts;

(2) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

(3) enter names on the master file as they are reported by the county registration boards;

(4) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

(5) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

(6) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

(7) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

(8) obtain information from any other source which may assist him in carrying out the purposes of this section;

(9) perform such other duties relating to elections as may be assigned him by the State Election Commission;

(10) furnish at reasonable price any precinct lists to a qualified elector requesting them;

(11) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993; ~~and~~

(12) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the United States Code, Title 42, Section 1973ff, et seq; and

(13) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 6. Section 7‑15‑320 of the 1976 Code is amended to read:

“Section 7-15-32 .(A) Any qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.

(B) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person except that physically disabled persons, certified poll watchers, poll managers, county voter registration board members and staff, and county election commission members and staff working on election day, a person admitted to a hospital as an emergency patient on the day of an election or within a four day period before an election, and persons whose employment obligations ~~required~~ require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board, and persons confined to a jail or pre‑trial facility pending disposition of arrest or trial may vote by absentee ballot whether or not absent from their county of residence:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(4) persons in employment;

(5) physically disabled persons;

(6) governmental employees, their spouses, and dependents residing with them;

(7) electors with a death or funeral in the family within a three day period before the election;

(8) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day);

(9) certified poll watchers, poll managers, county voter registration board members and staff, countyand state election commission members and staff working on election day;

(10) overseas citizens;

(11) persons attending sick or physically disabled persons;

(12) persons admitted to hospitals as emergency patients on the day of an election or within a four day period before the election;

(13) persons who will be serving as jurors in a state or federal court on election day;

(14) persons sixty‑five years of age or older;

(15) persons confined to a jail or pre‑trial facility pending disposition of arrest or trial~~.~~;

(C) A person may vote by a paper absentee ballot at any time during the absentee ballot period. Alternatively, a person may cast an absentee ballot by a voting machine in the county in which he resides from thirty days before an election through the day immediately preceding an election. Each county board of registration must establish the location of only one absentee ballot center. Absentee ballot centers must be maintained to ensure that voters may cast only one ballot. The absentee ballot center must be supervised by employees of the election commission or voter registration board.”

SECTION 7. Section 7‑15‑330 of the 1976 Code of Laws is amended to read:

“Section 7-15-330. (A) To vote by absentee ballot, a qualified elector or a member of his immediate family as defined by Section 7‑15‑310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county registration board, or at an extension office of the board of registration as established by the county governing body, for the county of the voter’s residence. A person who is an authorized representative of a qualified elector, as defined by Section 7‑15‑310(7), may request~~ing~~ an application for a qualified elector ~~as the qualified elector’s authorized representative must request~~ ~~an application~~ to vote by absentee ballot in person or by mail only ~~and must himself be a registered voter~~ and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of registration until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later.

(B) A candidate or a member of a candidate’s paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.

(C) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held. However, completed applications must be returned to the county registration board in person or by mail before ~~five P.M.~~ 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of registration until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7‑15‑320. A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four day period before the election may obtain an application from the registration board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of registration.

(D) The board of registration shall serially number each absentee ballot application form and keep a record ~~book~~ ~~in which must be recorded~~ of the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; and the date upon which the form is issued. This information becomes ~~a~~ public record at ~~nine A.M.~~ 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(E) A person who violates the provisions of this section is subject to the penalties provided in Section 7‑25‑170.”

SECTION 8. Section 7‑15‑385 of the 1976 Code is amended to read:

“Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’, which in turn must be placed in the return‑addressed envelope. The applicant must then return the return‑addressed envelope to the board of registration by mail, by personal delivery, or by authorizing another person to return the envelope for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of registration at the time the envelope is returned. The voter must sign the form, or in the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The authorization must be preserved as part of the record of the election, and the board of registration must ~~note~~ record the authorization and the name of the authorized returnee ~~in the record book~~ as required by Section 7‑15‑330.

(B) A candidate or a member of a candidate’s paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter’s immediate family as defined in Section 7‑15‑310.

(C) The oath set forth in Section 7‑15‑380 must be signed and witnessed on each returned envelope. The board of registration must record, ~~in the record book~~ as required by Section 7‑15‑330, the date the return‑addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board.

(D) The board must securely store the envelopes in a locked box within the office of the registration board.”

SECTION 9. Section 7‑1‑25 of the 1976 Code is amended to read:

“Section 7-1-25. (A) A person’s residence is his domicile. ‘Domicile’ means a person’s fixed home where he has an intention of returning when he is absent. A person has only one domicile.

(B) For voting purposes, a person has changed his domicile if he (1) has abandoned his prior home and (2) has established a new home, has a present intention to make that place his home, and has no present intention to leave that place.

(C) For voting purposes, a spouse may establish a separate domicile.

(D) For voting purposes*,* factors to consider in determining a person’s intention regarding his domicile include, but are not limited to:

(1) a voter’s address reported on income tax returns;

(2) a voter’s real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12‑43‑220(C);

(3) a voter’s physical mailing address;

(4) a voter’s address on driver’s license or other identification issued by the Department of Motor Vehicles;

(5) a voter’s address on legal and financial documents;

(6) a voter’s address utilized for educational purposes, such as public school assignment and determination of tuition at institutions of higher education;

(7) a voter’s address on an automobile registration;

(8) a voter’s address utilized for membership in clubs and organizations;

(9) the location of a voter’s personal property;

(10) residence of a voter’s parents, spouse, and children; and

(11) whether a voter temporarily relocated due to medical care for the voter or for a member of the voter’s immediate family.

SECTION 10. Section 7‑5‑230 of the 1976 Code is amended to read:

“Section 7-5-230. (A) The boards of registration to be appointed under Section 7‑5‑10 shall be the judges of the legal qualifications of all applicants for registration. The board is empowered to require proof of these qualifications as it considers necessary.

Once a person is registered, challenges of the qualifications of any elector, except for challenges issued at the polls pursuant to Sections 7‑13‑810, 7‑13‑820, and 7‑15‑420 must be made in writing to the board of registration in the county of registration. The board must, within ten days following the challenge and after first giving notice to the elector and the challenger, hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications set forth in Section 7‑5‑120.

(B) When a challenge is made regarding the residence or domicile of an elector, the board ~~may~~ must consider the provisions of Section 7‑1‑25(D) ~~following proof to establish residence including, but not limited to, income tax returns; real estate interests; mailing address; address on driver’s license; official papers and documents requiring the statement of residence address; automobile registration; checking and savings accounts; past voting record; membership in clubs and organizations; location of personal property; and the elector’s statements as to his intent~~.

(C) Any person denied registration or restoration of his name on the registration books shall have the right of appeal from the decision of the board of registration denying him registration or such restoration to the court of common pleas of the county or any judge thereof and subsequently to the Supreme Court.”

SECTION 11. Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-675. The State Elections Commission will implement a system in order to issue voter registration cards with a photograph of the elector.”

SECTION 12. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held following preclearance by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first.

(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to December 15, 2011.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than December 15, 2011.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

(8) Notify each registered elector who does not have a South Carolina issued driver’s license or identification card a notice of the provisions of this act by no later than December 1, 2011. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It must also state the availability of a free South Carolina identification card pursuant to Section 56-1-3350.

In addition to the items above, the State Elections Commission may implement additional educational programs in its discretion.

SECTION 13. The State Election Commission is directed to create a list containing all registered voters of South Carolina who are otherwise qualified to vote but do not have a South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles as of December 1, 2011. The list must be made available to any registered voter upon request. The Department of Motor Vehicles must provide the list of persons with a South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles at no cost to the commission. The commission may charge a reasonable fee for the provision of the list in order to recover associated costs of producing the list.

SECTION 14. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Article III, Section 17 of the South Carolina Constitution in that each provision relates directly to or in conjunction with other sections to the subject of election reform as stated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 15. The provisions of this act are not severable. If any section, subsection, item, subitem, paragraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, it is to be conclusively presumed that the General Assembly would not have enacted any section, subsection, item, subitem, paragraph, sentence, clause, phrase or word of this act without the other provisions in this act and therefore this act in its entirety will be deemed invalid.

SECTION 16. SECTIONS 14 and 15 are effective upon approval by the Governor.

SECTION 17. SECTIONS 2, 9, 10, 12, and 13 are effective upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first.

SECTION 18. SECTION 3 is effective on July 1, 2011.

SECTION 19. SECTIONS 1, 4, 5, 6, 7, and 8 are effective on January 2, 2012.

SECTION 20. SECTION 11 takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. However, the implementation of the procedures provided for in this SECTION is contingent upon the State Election Commission’s receipt of funds necessary to implement these provisions. Until the provisions of this SECTION are fully funded and executed, implementation of the provisions of this SECTION shall not prohibit the State Election Commission from issuing voter registration cards by the methods allowed prior to the implementation of this SECTION. /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted, as perfected.

The question then was the second reading of the Bill.

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

**Ayes 26; Nays 15**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Davis Fair

Grooms Hayes Knotts

Leatherman *Martin, Larry Martin, Shane*

McConnell McGill O’Dell

Peeler Rankin Rose

Ryberg Setzler Shoopman

Thomas Verdin

**Total--26**

**NAYS**

Coleman Elliott Ford

Hutto Jackson Land

Leventis Lourie Malloy

Nicholson Pinckney Reese

Scott Sheheen Williams

**Total--15**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

The Bill was returned to the status of Special Order.

On motion of Senator McCONNELL, the Senate agreed to adjourn.

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert L. Thomas of Greeleyville, S.C., who passed away on February 18, 2011.

and

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Donna Leopard Darby of West Columbia, S.C.

**ADJOURNMENT**

At 9:37 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*