~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Deuteronomy 10:19: “Therefore love the stranger, for you were strangers in the land of Egypt.”

Let us pray. Almighty God, as You ministered to the Israelites and told them to imitate Him by loving and hosting those less fortunate, so guide each of these Representatives. Empower them with Your Spirit to serve Him by serving others in countless ways each day with both words and actions. May these men and women do what is right to serve those in their districts. Invoke Your divine care on our Nation, President, State, Governor, Speaker, staff, and all who serve. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

**MOTION ADOPTED**

Rep. GAGNON moved that when the House adjourns, it adjourn in memory of Charles E. Williams of Abbeville, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family of Celeste Wills, a 6th grader at AMES Academy.

**REPORT RECEIVED**

The following was received:

**Joint Consumer Affairs Commission**

**Screening Committee**

Members:

Senator William O'Dell, Chairman

Senator John Matthews

Senator Tom Davis

Senator Sean Bennett

Representative F. Michael Sottile

Representative Walton J. McLeod

Representative Leon Howard

Representative Liston D. Barfield

The Joint Screening Committee to Review Candidates for the Consumer Affairs Commission met to screen Ms. Eboni S. Nelson, Mr. Carlisle E. Kennedy and Mr. Donald H. Jackson for Seats No. 2, 3, and 4 on the Consumer Affairs Commission. They were found to be qualified. The election will be Wednesday, May 28th at noon.

Consumer Affairs Screening – May 1, 2014

207 Gressette - 9:00 a.m.

Senator O'Dell: We are going to call the meeting to order.

Mr. Jackson and Mr. Kennedy were sworn in.

Senator O'Dell: Thank you, Mr. Kennedy.

Dr. Steven Gilbert: Okay, I'm going to ask you 9 questions, pretty simple yes or no questions. If you have anything to elaborate go ahead and do so.

Dr. Steven Gilbert: Do you or any member of your family own or operate any business that receives state or federal funds?

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: Have you ever been arrested, charged, or held by federal, state or other law enforcement authorities for violation of the law, regulation or ordinance?

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, explain.

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: Has a tax lien or collection procedure ever been instituted against you personally by federal, state or local authorities?

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, agency, association or professional group?

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: Are you now or have you ever been employed as a “lobbyist” or acted in the capacity of a “lobbyist principal”?

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: Do you know of any reason you would have difficulty performing the duties of this position?

Mr. Kennedy: No, sir.

Dr. Steven Gilbert: And the final question. Briefly tell us about yourself and explain why you want to serve in this position.

Mr. Kennedy: My name is Carlisle Kennedy, and I am from Batesburg-Leesville, South Carolina. It's a small town right down the road. I grew up there, and I've always been interested in serving the public. In high school I was involved in different service organizations. At college in Clemson, I was involved in different organizations like Blue Key. My senior year I served as the Student Body President there. After that I went back to Clemson and got my MBA, and through that program I started a small tech company. I really learned a lot doing that. I still own a good percentage of that company, and I think that my age, education, and experiences would give a good and fresh perspective to the Commission. I think that I've experienced a lot and given that I am younger than most people that have applied to be on the Commission, this gives me a unique perspective because I do understand this age group, this demographic that makes up the majority of the consumers in South Carolina.

Senator O'Dell: Thank you so much, Mr. Kennedy. Any questions for Mr. Kennedy? Do we have a nomination? All in favor - aye. We report you out for election. We will have staff notify you when the screening is complete and it is permissible for you to seek commitments from members of the General Assembly. The election is set for Wednesday, May 28th at noon. Thank you, Mr. Kennedy.

Mr. Kennedy: Thank you so much.

Senator O'Dell: Mr. Jackson if you would come forward.

Dr. Steven Gilbert: Okay, I'm going to ask you 9 questions. If you have anything to elaborate go ahead and do so.

Dr. Steven Gilbert: Do you or any member of your family own or operate any business that receives state or federal funds?

Mr. Jackson: Well, yes. I operate a small beef operation supply that applies for USDA or conservation funds. It is not a contract; they contact me.

Senator O'Dell: They want to give you money.

Mr. Jackson: I want to take it.

Senator O'Dell: We understand that.

Dr. Steven Gilbert: Have you ever been arrested, charged, or held by federal, state or other law enforcement authorities for violation of the law, regulation or ordinance?

Mr. Jackson: No, sir.

Dr. Steven Gilbert: Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, explain.

Mr. Jackson: No, sir.

Dr. Steven Gilbert: Has a tax lien or collection procedure ever been instituted against you personally by federal, state or local authorities?

Mr. Jackson: No, sir.

Dr. Steven Gilbert: Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, agency, association or professional group?

Mr. Jackson: No, sir.

Dr. Steven Gilbert: Are you now or have you ever been employed as a “lobbyist” or acted in the capacity of a “lobbyist principal”?

Mr. Jackson: No, sir.

Dr. Steven Gilbert: Do you know of any reason you would have difficulty performing the duties of this position?

Mr. Jackson: No, sir.

Dr. Steven Gilbert: And the final question. Briefly tell us about yourself and explain why you want to serve in this position.

Mr. Jackson: With my age, and like Carlisle said, with his age he's a young person. I'm an old person, kind of experienced. I've spent 30 years in sales, and I dealt with a lot of people in the water utility business for 30 years. I've served on School Board, County Council, on the Election Commission, and I'm serving on the Election Commission right now in Laurens County. These days and times you're seeing a lot of elderly people being taken advantage of and being an advocate for the consumers of South Carolina and more especially the elderly people. Sometimes they don't have a voice, and I think experience is a good teacher and education is great. But you are seeing so much of people being taken advantage of through the internet, telephone marketing. Elderly people are disadvantaged, and I would love to be an advocate for consumers. I think you need to have a mix on the Consumer Affairs Commission, but I would really love to serve. I've served well, and I want to continue to serve South Carolina in some kind of capacity. I have the time. I enjoy it. I am dedicated to what I do. I'll be there, and I'll do the best job I can do within the law structures of the Consumer Affairs Commission. I know there are rules and regulations, and I know there are some statutes. You have to follow statute. It's a learning process, and it will be a learning process for me when I go home, but you can learn from experienced board members and young people too.

Senator O'Dell: Thank you, Mr. Jackson. I want to tell the committee I've known Mr. Jackson for most of his life, and I know of his background and how successful he has been and as an advocate and as an elected member of council, elected member of the school board, he's done a great job. I know he'll make a great member for this Commission.

Rep. McLeod: I'd like to compliment you on your record of public service. It's quite impressive and particularly your service on the Environmental Certification Board. We don't see many graduates from there come before the Legislature, but I am delighted to compliment you on dedicated years of service.

Mr. Jackson: I think I have a pretty broad background, but when you are 65 years old, you'll learn something in 65 years. And if not, you're not too smart. Experience is a great teacher. I have enjoyed my public service to Greenwood County School District and Laurens County, and I'm proud of my county. I enjoy it, and it is fun to get elected and be reelected. After two terms you figure you better back off. You always want to go out on top.

Senator O'Dell: Thank you so much, Mr. Jackson. Any questions for Mr. Jackson? Do we have a nomination? All in favor - aye. We report you out for election. We will have staff notify you when the screening is complete and it is permissible for you to seek commitments from members of the General Assembly. The election is set for Wednesday, May 28th at noon.

Ms. Nelson is sworn in.

Dr. Steven Gilbert: Okay, I'm going to ask you 9 questions. If you have anything to elaborate go ahead and do so.

Dr. Steven Gilbert: Do you or any member of your family own or operate any business that receives state or federal funds?

Ms. Nelson: No, sir.

Dr. Steven Gilbert: Have you ever been arrested, charged, or held by federal, state or other law enforcement authorities for violation of the law, regulation or ordinance?

Ms. Nelson: No, sir.

Dr. Steven Gilbert: Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, explain.

Ms. Nelson: No, sir.

Dr. Steven Gilbert: Has a tax lien or collection procedure ever been instituted against you personally by federal, state or local authorities?

Ms. Nelson: No, sir.

Dr. Steven Gilbert: Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, agency, association or professional group?

Ms. Nelson: No, sir.

Dr. Steven Gilbert: Are you now or have you ever been employed as a “lobbyist” or acted in the capacity of a “lobbyist principal”?

Ms. Nelson: No, sir.

Dr. Steven Gilbert: Do you know of any reason you would have difficulty performing the duties of this position?

Ms. Nelson: No, sir.

Dr. Steven Gilbert: And the final question. Briefly tell us about yourself and explain why you want to serve in this position.

Ms. Nelson: Good morning, my name is Eboni Nelson. I am currently a Professor of Law at the USC School of Law. I'm originally from Greenville, South Carolina. However after going to Wake Forest University for undergraduate and then on to Harvard Law School for law school, I then moved to Houston, Texas where I began the practice of law in the employee benefits arena. I also began my teaching career there at Thurgood Marshall School of Law at Texas Southern University where I taught Texas consumer law and commercial law courses. Seven years ago I had the honor and privilege of moving back home to South Carolina and joining the faculty at USC. There I teach contracts, consumer law as well as commercial law. So throughout my educational career and professional career, service has been very important to me. I was very involved with student affairs both in the elementary, middle school, and high school arena as well as in college. I served as president of my sorority. I served on the judicial board in which we heard honor code and judicial hearings. In law school, I continued service. I served as co-director of a peer counseling group. I also served as a tutor for students who were struggling with course material and had the honor and privilege of serving as a teaching assistant for now senator, then professor Elizabeth Warren. So here in my seven years of being in South Carolina, I have also continued that history of service. I have served as the chairperson and now vice chairperson of the SC Advisory Committee to the US Commission on Civil Rights. I'm also very active in my professional organization, the American Association of Law Schools, where I currently serve as chair of our section on commercial and related consumer law. So I feel that my background, experience, interest and knowledge with regards to consumer affairs issues and also my dedication to the protection of consumers, while also keeping in mind business interests well equip me very well to serve on the committee. I think this affords me a wonderful opportunity to become even more involved in my home state here and to give back for all that South Carolina has done for me.

Senator O'Dell: Thank you, Ms. Nelson. You are very qualified, and it is a pleasure to have you before us.

Ms. Nelson: Thank you, Senator.

Senator O'Dell: Any questions? Do we have a nomination? All in favor - aye. We report you out for election. We will have staff notify you when the screening is complete and it is permissible for you to seek commitments from members of the General Assembly. The election is set for Wednesday, May 28th at noon.

Adjourned.

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5188 -- Reps. Harrell, Lucas, Delleney, White, Sandifer, Hardwick, Owens, Howard, Clemmons, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR MRS. SHIRLEY GARRICK OF LEXINGTON COUNTY FOR HER MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT AS CALENDAR CLERK FOR THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

Whereas, the South Carolina House of Representatives has learned that in June 2014, Mrs. Shirley Garrick will retire from this Institution where she has served as Staff Assistant as well as House Calendar Clerk with grace, charm, and efficiency since January 1988; and

Whereas, prior to joining the House Staff, Shirley worked for many years at Gibbes Middle School and at her husband’s company, Tate‑Garrick Insurance Agency; and

Whereas, Shirley was married to the love of her life, the late Bill Garrick, and is the devoted mother of their children Skot, Sam, and Judie and the delighted grandmother of Logan, Tate, and Amber; and

Whereas, a woman of faith, Shirley has been an active member of Centennial Associate Reformed Presbyterian Church for fifty years where she has enjoyed trips with the church ladies to Bonclarken, singing alto with the church choir, volunteering with the church’s soup kitchen team, and being a member of her church circle; and

Whereas, Shirley maintains the family vacation home at Holden Beach, North Carolina, and spends long weekends there every chance she gets, enjoying fun-filled evenings going from porch to dock visiting with family, friends, and neighbors; and

Whereas, in her spare time, she enjoys doing crossword puzzles, reading, working in the yard, playing bridge, shopping, and spending time with family, good friends, and her dogs; and

Whereas, during her tenure as a member of the House Desk Staff, Shirley’s colleagues have admired her strong work ethic and will deeply miss her delightful sense of humor and warm, loving spirit; and

Whereas, grateful for the legacy of consistent commitment and excellence Shirley Garrick has bestowed on this great State, the House of Representatives takes much pleasure in wishing her well in her retirement and trusts she will find much enjoyment in the more leisurely pace of the days ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, honor Mrs. Shirley Garrick of Lexington County for her many years of dedicated service to the State of South Carolina, congratulate her on the occasion of her retirement as Calendar Clerk for the South Carolina House of Representatives, and wish her much success and fulfillment in all her future endeavors.

Be it further resolved that a copy of this resolution be provided to Mrs. Shirley Garrick.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5189 -- Reps. Harrell, Lucas, Delleney, White, Sandifer, Hardwick, Owens, Howard, Clemmons, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR MS. CAROLYN DUNCAN BRASWELL OF RICHLAND COUNTY FOR HER MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT AS ASSISTANT JOURNAL CLERK FOR THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

Whereas, the House of Representatives is pleased to recognize Ms. Carolyn Duncan Braswell who retired from her position as South Carolina House of Representatives Assistant Journal Clerk in 2014, a post she had graced since December 1996; and

Whereas, prior to joining the House Clerk’s Office, Carolyn served with the South Carolina Department of Commerce, where she always went the extra mile to ensure that prospects received abundant Southern hospitality and went away impressed with our State; and

Whereas, in preparation for her career, Carolyn, who grew up in Concord, North Carolina, attended the University of North Carolina at Greensboro, known then as the Women’s College of North Carolina; and

Whereas, within her home circle, she relishes the company of her daughters, Beth and Lisa, and her granddaughter, Alexis, whose operatic performances are on the list of Carolyn’s greatest joys; and

Whereas, as an active member at Shandon Baptist Church, Carolyn is a dynamic group leader for Shandon’s FAO Seniors; and

Whereas, Carolyn is active in her community and for twelve years she ran the Walter Hagen Golf Tournament, a fund-raising event for the American Cancer Society. A golf aficionado, she loves going to the Heritage at Hilton Head and the Masters and has attended two Ryder Cups; and

Whereas, away from the office, she is addicted to USC Gamecock sports. One of her favorite memories is climbing over the wall and running onto Death Valley field at Clemson in 2006 to hug her sweaty Gamecock boys after they beat Clemson in a 31‑28 thriller; and

Whereas, as a member of the Pickle Making Society for fifteen years, she makes bread‑and‑butter pickles, green‑tomato pickles, hot‑pepper jelly, and pickled okra. Other culinary highlights she brings to the table are her sweet tea, Thanksgiving dressing, white chocolate covered pretzels, and her famous strawberry and blueberry trifle; and

Whereas, in her spare time, Carolyn plays bridge with the Monday Night Bridge club, an activity she has enjoyed for more than twenty‑five years. And every morning like clockwork, she gets up before 6:00 a.m. to do her crossword puzzle, which she burns through like lightning; and

Whereas, Carolyn’s former colleagues delighted in, and now deeply miss, her humor, warm spirit, and strong work ethic; and

Whereas, grateful for the legacy of consistent commitment and excellence Carolyn Braswell has bestowed on this great State, the House of Representatives takes much pleasure in wishing her well in her retirement and trusts she will find much enjoyment in the more leisurely pace of the days ahead. Carry on, Carolyn! Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, honor Ms. Carolyn Duncan Braswell of Richland County for her many years of dedicated service to the State of South Carolina, congratulate her on the occasion of her retirement as Assistant Journal Clerk for the South Carolina House of Representatives, and wish her much success and fulfillment in all her future endeavors.

Be it further resolved that a copy of this resolution be provided to Ms. Carolyn Duncan Braswell.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5190 -- Reps. Harrell, Lucas, White, Delleney, Howard, Sandifer, Owens, Hardwick, Clemmons, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LEGISLATIVE SERVICES AGENCY FOR THE PERFORMANCE OF OUTSTANDING SERVICES IN COMPUTER, TELEPHONE, AND INFORMATION-TECHNOLOGY SUPPORT SERVICES AND TO CONGRATULATE THE LEGISLATIVE SERVICES AGENCY FOR RECEIVING THE 2013 NOTABLE STATE DOCUMENTS AWARD FROM THE SOUTH CAROLINA STATE LIBRARY.

Whereas, the members of the House of Representatives of the State of South Carolina were pleased to learn that the Legislative Services Agency (LSA) was honored by the South Carolina State Library with the 2013 Notable State Documents Award; and

Whereas, LSA is the agency that provides all computer, telephone, and information‑technology support services for the South Carolina House of Representatives, Senate, and Legislative Council; and

Whereas, the Notable State Documents Award recognizes those state agencies that produce public information in a transparent and user‑friendly format; and

Whereas, nationally recognized as one of the premier legislative websites in the nation, the *South Carolina Legislature Online* website earned the award for LSA; and

Whereas, Gigi Brickle, Director of LSA, received the well‑deserved recognition at the State Library in April on behalf of her staff of hard‑working, proactive, available, and friendly professionals; and

Whereas, the members of the South Carolina House of Representatives concur heartily with this well‑earned award for the LSA and its dedicated staff and celebrate with them such a meaningful recognition. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the House of Representatives of the State of South Carolina, by this resolution, recognize and honor the Legislative Services Agency for the performance of outstanding services in computer, telephone, and information‑technology support services and congratulate the Legislative Services Agency for receiving the 2013 Notable State Documents Award from the South Carolina State Library.

Be it further resolved that a copy of this resolution be presented to Gigi Brickle.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5191 -- Reps. Douglas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR MATTIE MARTIN, DONNAVIA ETHEL THOMAS, ETTA MAE WASHINGTON WILLIAMS, JESSIE MAE KENNEDY FREEMAN ADKINS, LOIS BOYD, STERLITA CALDWELL, HADIYAH MUWWAKKIL (FORMERLY ELLA LOU WATTS), ORA LEE MCGRAW, AND ESSIE L.H. THOMPSON ON THE OCCASION OF WOMEN CELEBRATING LIFE'S PRE-MOTHER'S DAY/SISTAS EXTRAVAGANZA IN WINNSBORO AND TO WISH THEM A JOYOUS MOTHER'S DAY CELEBRATION AND MUCH HEALTH AND HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5193 -- Reps. Henderson, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE J. L. MANN HIGH SCHOOL GIRLS VARSITY LACROSSE TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5194 -- Rep. Henderson: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE J. L. MANN HIGH SCHOOL GIRLS VARSITY LACROSSE TEAM OF GREENVILLE COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2014 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the J. L. Mann High School girls varsity lacrosse team of Greenville County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2014 South Carolina Class AAAA State Championship title.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5187 -- Reps. H. A. Crawford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO COMMEND MRS. JENNIFER AINSWORTH, SPECIAL EDUCATION TEACHER AT SOCASTEE HIGH SCHOOL IN HORRY COUNTY, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA AND TO CONGRATULATE HER UPON BEING NAMED THE 2014-2015 SOUTH CAROLINA TEACHER OF THE YEAR.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5192 -- Rep. J. R. Smith: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SPECIALIST EMBER M. ALT OF THE UNITED STATES ARMY WHILE SHE WAS SERVING A TOUR OF MILITARY DUTY AT BAGRAM AIR BASE, AFGHANISTAN, AND TO EXPRESS TO HER FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HER LIFE, SACRIFICE, AND SERVICE.

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

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Bowers | Branham | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Crosby | Daning | Delleney |
| Douglas | Finlay | Forrester |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | McCoy | McEachern |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, May 1.

|  |  |
| --- | --- |
| Beth Bernstein | Grady Brown |
| Heather Crawford | Chandra Dillard |
| Tracy Edge | Shannon Erickson |
| Raye Felder | Laurie Funderburk |
| William G. Herbkersman | Phillip Lowe |
| David Mack | Mia S. McLeod |
| Chris Murphy | Ted Vick |
| Chris Hart | Richard "Rick" Quinn |
| Joseph Neal | James E. Smith |

**Total Present--115**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GAMBRELL a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. R. SMITH a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BRANNON a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. K. R. CRAWFORD a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BEDINGFIELD a leave of absence for the day due to family reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ATWATER a leave of absence for the day due to business reasons.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Marc D. New of Charleston, was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. BALLENTINE and HUGGINS presented to the House the Dutch Fork High School Girls Varsity Basketball Team, the 2014 South Carolina Class AAAA State Champions, their coaches, and other school officials.

**SPECIAL PRESENTATION**

Rep. FINLAY presented to the House the Heathwood Hall Girls Varsity Basketball Team, the 2014 South Carolina Independent School Association Class AAA State Champions, their coaches, and other school officials.

**CO-SPONSOR REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 5072 |
| Date: | REMOVE: |
| 05/01/14 | M. S. MCLEOD |

**SENT TO THE SENATE**

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 5134 -- Rep. W. J. McLeod: A BILL TO AMEND ACT 485 OF 1998, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, SO AS TO AMEND THE FILING PERIOD DATES AND THE DATES THAT THE COUNTY ELECTION COMMISSION SHALL EXAMINE PETITIONS AND VERIFY SIGNATURES.

**H. 5108--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5108 -- Reps. White and Gambrell: A BILL TO THE ENACT "ANDERSON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT" SO AS TO AUTHORIZE THE IMPOSITION, FOLLOWING REFERENDUM APPROVAL, OF A SALES AND USE TAX OF ONE PERCENT IN ANDERSON COUNTY FOR NOT MORE THAN FIFTEEN YEARS WITH AT LEAST TWENTY PERCENT OF THE REVENUES USED TO PAY DEBT SERVICE ON EXISTING GENERAL OBLIGATION BONDS ISSUED FOR SCHOOL CONSTRUCTION AND RENOVATION AND THE REMAINDER USED TO PAY DEBT SERVICE ON SCHOOL DISTRICT GENERAL OBLIGATION BONDS OR FOR DIRECT PAYMENT, OR BOTH SUCH FINANCING METHODS, FOR SCHOOL CONSTRUCTION AND RENOVATION, TO INSTALL, MAINTAIN, AND IMPROVE SECURITY AND PUBLIC SAFETY MEASURES, TO PROVIDE TECHNOLOGY HARDWARE AND SOFTWARE IN THE ANDERSON COUNTY SCHOOL DISTRICTS, TO PROVIDE A CAREER AND TECHNICAL EDUCATION FACILITY FOR ANDERSON COUNTY SCHOOL DISTRICTS THREE, FOUR, AND FIVE, TO PROVIDE CAPITAL IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, ROOFS, STADIUMS, AND FIELDS IN ANDERSON COUNTY SCHOOL DISTRICTS, AND TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE TAX.

The yeas and nays were taken resulting as follows:

Yeas 81; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Bannister | Barfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Forrester |
| Funderburk | Gagnon | George |
| Goldfinch | Govan | Hamilton |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Jefferson | Kennedy | Limehouse |
| Loftis | Lucas | McCoy |
| McEachern | W. J. McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Newton | Norman | Norrell |
| Owens | Parks | Pitts |
| Pope | Putnam | Ridgeway |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| G. M. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Wells | White |
| Whitmire | Willis | Wood |

**Total--81**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 5108--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BOWEN, with unanimous consent, it was ordered that H. 5108 be read the third time tomorrow.

**H. 4775--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4775 -- Reps. Gambrell, Bowen, Gagnon, Putnam, Thayer and White: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE BOARDS OF TRUSTEES OF THE SCHOOL DISTRICTS OF ANDERSON COUNTY BY DELETING PROVISIONS ALTERING THE MEMBERSHIP OF DISTRICT BOARDS BASED ON DISTRICT ENROLLMENT AND TO DELETE PROVISIONS RELATING TO THE ROLE OF THE ANDERSON COUNTY BOARD OF EDUCATION IN REDISTRICTING SINGLE MEMBER DISTRICTS AND TO PROVIDE THE NUMBER OF THE OFFICIAL MAP DEFINING THE ELECTION DISTRICTS OF ANDERSON COUNTY SCHOOL DISTRICT 5 AS MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

Reps. WHITE, GAMBRELL, BOWEN, GAGNON, PUTNAM, and THAYER proposed the following Amendment No. 1 to H. 4775 (COUNCIL\BBM\4775C002.BBM.HTC14), which was adopted:

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

/ SECTION 2. Section 13A.(E)(1)(a) of Act 590 of 1982, as added by an act of 2014 bearing ratification number 164, is amended to read:

“(a) one member elected from each of the seven single‑member districts defined on Anderson County School District 5 map S‑07‑05‑14 as maintained in the Office of Research and Statistics of the State Budget and Control Board; and”

SECTION 3. This act takes effect upon approval by the Governor and first applies for trustees of the Anderson County school districts elected in the 2014 election. /

Amend title to read:

/ TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE BOARDS OF TRUSTEES OF THE SCHOOL DISTRICTS OF ANDERSON COUNTY BY DELETING PROVISIONS ALTERING THE MEMBERSHIP OF DISTRICT BOARDS BASED ON DISTRICT ENROLLMENT AND TO DELETE PROVISIONS RELATING TO THE ROLE OF THE ANDERSON COUNTY BOARD OF EDUCATION IN REDISTRICTING SINGLE‑MEMBER DISTRICTS AND TO PROVIDE THE NUMBER OF THE OFFICIAL MAP DEFINING THE ELECTION DISTRICTS OF ANDERSON COUNTY SCHOOL DISTRICT 5 AS MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD. /

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 76; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Bannister | Barfield | Bernstein |
| Bingham | Bowen | Bowers |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Cole |
| Crosby | Delleney | Dillard |
| Douglas | Erickson | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Huggins | Jefferson | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lucas | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Norman |
| Norrell | Parks | Pitts |
| Pope | Putnam | Riley |
| Ryhal | Simrill | Skelton |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--76**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4775--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. WHITE, with unanimous consent, it was ordered that H. 4775 be read the third time tomorrow.

**LEAVE OF ABSENCE**

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

**SENT TO THE SENATE**

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

H. 4840 -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson-Simpson, R. L. Brown and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT" BY ADDING SECTION 59-43-25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE AS AN ALTERNATIVE TO THE GENERAL EDUCATION DEVELOPMENT TEST BATTERY TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, THAT AN ESSENTIAL TRAIT OF THIS TEST OR TEST BATTERY MUST BE THAT IT ONLY MAY BE OFFERED IN A HANDWRITTEN, PAPER AND PEN OR PENCIL FORMAT AND MAY NOT BE DEPENDENT ON COMPUTER TECHNOLOGY FOR ITS ADMINISTRATION, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO COMPLETE SUCCESSFULLY THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59-43-20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES.

H. 3532 -- Reps. White and Huggins: A BILL TO AMEND SECTION 63-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE REGULATION OF CHILDCARE FACILITIES, INCLUDING THE DEFINITION OF CHILDCARE FACILITIES, SO AS TO REVISE THE DAYTIME PROGRAMS AND DAY CAMPS TO WHICH THE DEFINITION DOES NOT APPLY; BY ADDING SECTION 63-13-220 SO AS TO PROHIBIT USE OF ABC VOUCHERS BY CERTAIN CHILDCARE PROVIDERS; AND TO MAKE TECHNICAL CORRECTIONS.

H. 4392 -- Reps. Huggins, Ballentine and Owens: A BILL TO AMEND SECTION 56-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL RESTRICTED DRIVERS' LICENSES TO CERTAIN MINORS, SO AS TO PROVIDE THAT THE RESTRICTIONS PLACED ON A HOLDER OF THIS LICENSE MAY BE WAIVED OR MODIFIED TO ALLOW THE LICENSE HOLDER TO TRAVEL BETWEEN HIS HOME AND A CHURCH-RELATED OR SPONSORED ACTIVITY.

H. 4914 -- Reps. Henderson, K. R. Crawford, Atwater, Spires, Gagnon, Lowe, Ridgeway and Thayer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-97 SO AS TO AUTHORIZE CERTAIN SCHOOL PERSONNEL TO ADMINISTER MIDAZOLAM INTRANASALLY TO STUDENTS WITH A SEIZURE CONDITION; AND TO PROVIDE FOR IMMUNITY FROM LIABILITY WITH REGARD TO ADMINISTRATION OF MIDAZOLAM.

H. 4061 -- Reps. Norrell, King, Cobb-Hunter, Douglas, Bowen, M. S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G. A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59-32-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR-YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

H. 3904 -- Reps. Daning, Crosby, Merrill, Simrill and Lucas: A BILL TO AMEND SECTION 56-3-2340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ALLOWING LICENSED MOTOR VEHICLE DEALERS TO ISSUE FIRST TIME MOTOR VEHICLE REGISTRATION AND LICENSE TAGS DIRECTLY FROM THEIR DEALERSHIPS, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT THE DEPARTMENT MAY CERTIFY THIRD-PARTY PROVIDERS TO PROCESS TITLE, LICENSE PLATES, TEMPORARY LICENSE PLATES, AND VEHICLE REGISTRATION TRANSACTIONS ON BEHALF OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT AND THIRD-PARTY PROVIDERS MAY COLLECT TRANSACTION FEES FROM ENTITIES WHO TRANSMIT OR RETRIEVE CERTAIN DATA FROM THE DEPARTMENT; AND TO AMEND SECTION 56-19-265, AS AMENDED, RELATING TO LIENS RECORDED AGAINST MOTOR VEHICLES AND MOBILE HOMES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT LIEN RECORDINGS MAYBE ELECTRONICALLY TRANSMITTED TO THE DEPARTMENT, TO PROVIDE THAT THE OWNERS OF MOTOR VEHICLES OR MOBILE HOMES MAY RETAIN THE ELECTRONIC COPY OF THE VEHICLE'S TITLE WITH THE DEPARTMENT ONCE ALL LIENS ARE SATISFIED, AND TO PROVIDE THAT THE DEPARTMENT MAY CONVENE A WORKING GROUP TO DEVELOP PROGRAM SPECIFICATIONS RELATING TO GOVERNING THE TRANSMISSION OF ELECTRONIC LIEN INFORMATION.

H. 4742 -- Reps. G. M. Smith, Weeks, Bannister, Delleney, Lucas and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-1-60 SO AS TO PROHIBIT FILING A FALSE LIEN OR ENCUMBRANCE IN CERTAIN PUBLIC RECORDS AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER, A PUBLIC EMPLOYEE, OR AN IMMEDIATE FAMILY MEMBER OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE FOR THE PERFORMANCE OF THE OFFICIAL DUTIES OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE WHEN THE PARTY FILING THE LIEN KNOWS OR HAS REASON TO KNOW THAT THE LIEN OR ENCUMBRANCE IS FALSE OR CONTAINS A MATERIALLY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; TO PROVIDE A VIOLATION CONSTITUTES A FELONY AND TO PROVIDE RELATED PENALTIES; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE A REGISTER OF DEEDS OR CLERK OF COURT MAY REFUSE TO FILE A LIEN OR ENCUMBRANCE WHEN HE HAS A REASONABLE SUSPICION THAT THE LIEN OR ENCUMBRANCE IS FALSE, TO LIMIT HIS LIABILITY FOR THIS REFUSAL, TO PROVIDE CIRCUMSTANCES WHEN A COURT MAY ORDER THE FILING, AND TO PROVIDE EXCEPTIONS FROM THE PROVISIONS OF THIS SECTION, AMONG OTHER THINGS.

H. 4399 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 61-6-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ALCOHOL PERMITS IN THE PROXIMITY OF SCHOOLS, PLAYGROUNDS, AND CHURCHES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IF ALL PLAYGROUNDS AND CHURCHES IN THE PROXIMITY AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE.

H. 5031 -- Reps. Dillard, Robinson-Simpson, G. R. Smith, Burns, Bannister, Bedingfield, Hamilton, Loftis, Nanney and Stringer: A BILL TO AMEND SECTION 5-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT BEFORE A MUNICIPALITY MAY ADOPT AN ORDINANCE CHANGING THE METHOD OF NOMINATING CANDIDATES, THE MUNICIPALITY MUST ADOPT AN ORDINANCE REQUIRING AN ADVISORY REFERENDUM ON THE PROPOSED CHANGE, AND A MAJORITY OF THE QUALIFIED ELECTORS VOTING IN THE ADVISORY REFERENDUM MUST APPROVE THE PROPOSED CHANGE.

H. 4346 -- Reps. Forrester and Allison: A BILL TO AMEND SECTION 63-7-1230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMMEDIATE ENTRY OF, AMONG OTHERS, FOSTER PARENTS IN THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, SO AS TO REQUIRE THE DEPARTMENT TO FILE A PETITION WITH THE COURT BEFORE DOING SO; TO ESTABLISH REQUIREMENTS FOR FILING A PETITION WITH THE COURT PURSUANT TO SECTION 63-7-1230 AND FOR PROVIDING NOTICE OF, SCHEDULING, AND HOLDING A HEARING; TO EXEMPT PETITIONS FILED PURSUANT TO SECTION 63-7-1230 FROM THE REQUIREMENTS OF SECTION 63-7-1620 AND TO CHANGE REQUIREMENTS REGARDING PARTY STATUS OF THE CHILD AND PARENTS OF THE CHILD IN CERTAIN CIRCUMSTANCES; TO ESTABLISH REQUIREMENTS BEFORE A COURT MAY ORDER A PERSON TO BE ENTERED IN THE CENTRAL REGISTRY PURSUANT TO SECTION 63-7-1230, TO PROHIBIT PARTIES FOR WAIVING PLACEMENT IN THE REGISTRY AND TO ALLOW THE DEPARTMENT TO PETITION THE COURT FOR IMMEDIATE RELIEF IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63-7-1410, RELATING TO THE ADMINISTRATIVE APPEAL OF INDICATED CASES OF CHILD ABUSE OR NEGLECT IN CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE AN APPEAL PROCESS FOR, AMONG OTHERS, FOSTER PARENTS FOR CASES INDICATED PURSUANT TO SECTION 63-7-1230; AND TO AMEND SECTION 63-7-1430, RELATING TO NOTICE AND OPPORTUNITY TO BE HEARD IN AN ADMINISTRATIVE APPEAL OF AN INDICATED FINDING OF ABUSE OR NEGLECT, SO AS TO ELIMINATE REFERENCE TO ADMINISTRATIVE APPEALS OF CASES IN WHICH THERE HAS BEEN IMMEDIATE ENTRY OF, AMONG OTHERS, A FOSTER PARENT INTO THE CENTRAL REGISTRY.

H. 5159 -- Rep. Delleney: A BILL TO AMEND SECTION 7-7-170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN CHESTER COUNTY, SO AS TO CONSOLIDATE CERTAIN PRECINCTS, AND TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 1194 -- Senator Hayes: A JOINT RESOLUTION TO ALLOW CERTAIN SCHOOL DISTRICTS TO USE SUMMER READING PROGRAM FUNDS TO PARTNER WITH THE STATE DEPARTMENT OF EDUCATION'S SUMMER READING LOSS PREVENTION PROJECT TO PROVIDE BOOKS TO CERTAIN STUDENTS OVER THE SUMMER, AND TO ALLOW PARTNERING SCHOOL DISTRICTS TO CARRY FORWARD UNEXPENDED FUNDS FOR SUMMER READING CAMP PROGRAMS.

**S. 908--DEBATE ADJOURNED**

The following Bill was taken up:

S. 908 -- Senator Hayes: A BILL TO AMEND SECTION 38-9-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING RISK-BASED CAPITAL, SO AS TO REVISE EXISTING DEFINITIONS AND DEFINE ADDITIONAL TERMS; TO AMEND SECTION 38-9-320, RELATING TO PREPARING AND SUBMITTING A RISK-BASED CAPITAL REPORT, SO AS TO PROVIDE FOR DETERMINING A HEALTH ORGANIZATION'S RISK-BASED CAPITAL REPORT AND TO PROVIDE THAT EACH RISK FOR A LIFE AND HEALTH INSURER, PROPERTY AND CASUALTY INSURER, AND A HEALTH ORGANIZATION MUST BE DETERMINED IN A CERTAIN MANNER; TO AMEND SECTION 38-9-330, AS AMENDED, RELATING TO COMPANY ACTION LEVEL EVENTS, SO AS TO ADD AN ADDITIONAL EVENT CONCERNING A HEALTH ORGANIZATION, AMONG OTHER THINGS; TO AMEND SECTION 38-9-360, RELATING TO THE ROLE OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE WHEN A MANDATORY CONTROL LEVEL EVENT OCCURS, SO AS TO ADD PROVISIONS CONCERNING HEALTH ORGANIZATIONS; TO AMEND SECTION 38-9-370, RELATING TO HEARINGS AVAILABLE TO A LICENSEE TO CHALLENGE A DETERMINATION OR ACTION BY THE DIRECTOR IN RESPONSE TO A MANDATORY CONTROL LEVEL EVENT, SO AS TO PROVIDE A LICENSEE MAY HAVE THE HEARING CONFIDENTIALLY, ON THE RECORD, AND BEFORE THE DIRECTOR UPON PROVISION OF CERTAIN NOTICE, AND TO PROVIDE THE DIRECTOR SHALL SET A DATE FOR THE HEARING IN A CERTAIN MANNER; TO AMEND SECTION 38-9-380, RELATING TO THE CONFIDENTIALITY OF RISK-BASED CAPITAL REPORTS AND ADJUSTED RISK-BASED CAPITAL REPORTS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH THE DIRECTOR MAY SHARE, RECEIVE, AND USE CERTAIN RELATED INFORMATION THAT IS CONFIDENTIAL AND PRIVILEGED; TO AMEND SECTION 38-9-430, RELATING TO EXEMPTIONS FROM REPORTING REQUIREMENTS, SO AS TO ADD PROVISIONS CONCERNING DOMESTIC HEALTH ORGANIZATIONS; AND TO AMEND SECTION 38-9-340, SECTION 38-9-350, SECTION 38-9-365, SECTION 38-9-390, SECTION 38-9-400, SECTION 38-9-440, AND SECTION 38-9-460, ALL RELATING TO CAPITAL, SURPLUS, RESERVES, AND OTHER FINANCIAL MATTERS, SO AS TO MAKE CONFORMING CHANGES.

Rep. HODGES moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**H. 4579--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4579 -- Rep. Loftis: A BILL TO AMEND SECTION 27-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

Rep. LOFTIS moved to adjourn debate on the Bill until Thursday, May 8, which was agreed to.

**H. 4612--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4612 -- Reps. Bales and Whipper: A BILL TO AMEND SECTION 56-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF THE STATE'S UNIFORM TRAFFIC LAWS UPON THE STATE'S POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION OF THE STATE THAT ENACTS AN ORDINANCE, RULE, OR REGULATION THAT IMPOSES A FINE FOR AN OFFENSE THAT EXCEEDS THE FINE IMPOSED BY A SIMILAR OFFENSE CONTAINED IN THIS CHAPTER MAY NOT COLLECT AN AMOUNT THAT EXCEEDS THE MAXIMUM FINE CONTAINED IN THE SIMILAR OFFENSE CONTAINED IN THIS CHAPTER.

Rep. BALES proposed the following Amendment No. 3 to H. 4612 (COUNCIL\MS\4612C001.MS.AHB14), which was adopted:

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

/ SECTION 1. Chapter 7, Title 56 of the 1976 Code is amended by adding:

“Section 56‑7‑11. A state statute pursuant to the provisions of this title preempts any local ordinance, rule, or regulation which alters, amends, or otherwise conflicts with a state statute; and a political subdivision, county, or municipality may not enact or enforce any such local ordinance, rule, or regulation.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BALES explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bernstein | Bingham | Bowen |
| Bowers | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--100**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4612--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BALES, with unanimous consent, it was ordered that H. 4612 be read the third time tomorrow.

**H. 4265--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4265 -- Reps. McCoy, Harrell and Merrill: A BILL TO AMEND SECTION 5-3-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR AN ADDITIONAL METHOD OF ANNEXATION BY RESOLUTION OF A SPECIAL PURPOSE DISTRICT WHEN A PREEXISTING MUNICIPALITY ANNEXES A MAJORITY OF THE POPULATION OF THE DISTRICT OR WHEN A MUNICIPALITY INCORPORATES A MAJORITY OF THE POPULATION OF A DISTRICT.

Rep. G. M. SMITH moved to adjourn debate on the Bill until Wednesday, May 14, which was agreed to.

**H. 4644--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4644 -- Rep. Sandifer: A BILL TO AMEND SECTION 40-60-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTIONS 40-60-31, 40-60-33, 40-60-34, 40-60-35, AS AMENDED, 40-60-36, 40-60-37, 40-60-38, 40-60-80, AND 40-60-220, ALL RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS LICENSE AND CERTIFICATION ACT, SO AS TO CONFORM THE PROVISIONS TO CERTAIN REVISED NATIONAL UNIFORM STANDARDS FOR LICENSING, CERTIFYING, AND RECERTIFYING REAL ESTATE APPRAISERS.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Erickson | Forrester | Funderburk |
| Gagnon | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| King | Knight | Limehouse |
| Loftis | Long | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Wood |

**Total--93**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on adopting the Senate’s amendments to H. 4644. If I had been present, I would have voted to concur.

Rep. Kirkman Finlay

**H. 3124--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Rep. MCCOY proposed the following Amendment No. 1 to H. 3124 (COUNCIL\NBD\3124C001.NBD.VR14), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and SECTION 3 in their entirety and inserting:

/SECTION 2. Section 63‑7‑940(A) of the 1976 Code is amended to read:

“(A) Information concerning reports classified as unfounded contained in the statewide data system and records must be maintained for not less than five years after the finding. Information contained in unfounded cases is not subject to disclosure under the Freedom of Information Act as provided for in Chapter 4, Title 30. Access to and use of information contained in unfounded cases must be strictly limited to the following purposes and entities:

(1) a prosecutor or law enforcement officer or agency, for purposes of investigation of a suspected false report pursuant to Section 63‑7‑440;

(2) the department or a law enforcement officer or agency, for the purpose investigating allegations of abuse or neglect;

(3) the department or a law enforcement officer or agency, when information is received that allows the reopening of a Category III unfounded report pursuant to Section 63‑7‑920(A);

(4) as evidence in a court proceeding, if admissible under the rules of evidence as determined by a judge of competent jurisdiction;

(5) a person who is the subject of a report in an action brought by a prosecutor or by the department, if otherwise subject to discovery under the applicable rules of procedure;

(6) the department, for program improvement, auditing, and statistical purposes;

(7) as authorized in Section 63‑7‑2000; ~~and~~

(8) the Department of Child Fatalities pursuant to Section 63‑11‑1960; and

(9) (a) the director or his designee who may disclose information for the following purposes:

(i) to confirm, clarify, or correct information concerning a case that has been made public by the party in interest to the case; or

(ii) to respond to an inquiry from a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this subitem may be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.

(b) The department must state that the case was unfounded when disclosing information pursuant to this item.” /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Patrick | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

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

**H. 4802--SENATE AMENDMENTS CONCURRED IN**

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

H. 4802 -- Reps. Burns, Loftis, G. R. Smith and Willis: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT INDIVIDUAL SIGNS AT TWO MILE INTERVALS ALONG INTERSTATE HIGHWAY 385 FROM MILE MARKER 22 TO MILE MARKER 34 THAT CONTAIN THE WORDS "WORLD WAR I 1917-1918", "WORLD WAR II 1941-1945", "THE KOREAN WAR 1950-1953", "THE VIETNAM WAR 1956-1975", "SECOND PERSIAN GULF WAR 'OPERATION DESERT STORM' 1991", "AFGHANISTAN WAR OCTOBER 7, 2001 TO PRESENT", AND "THIRD PERSIAN GULF WAR MARCH 19, 2003 TO PRESENT".

Rep. BURNS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| H. A. Crawford | Crosby | Delleney |
| Dillard | Douglas | Erickson |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**H. 3125--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3125 -- Reps. Hodges, M. S. McLeod, Mitchell, Whipper, R. L. Brown, Hiott, Toole, Hardee, Cobb-Hunter, Dillard and Robinson-Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MICROENTERPRISE DEVELOPMENT ACT" BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO PROVIDE THAT THE DEPARTMENT OF COMMERCE SHALL ESTABLISH THE MICROENTERPRISE PARTNERSHIP PROGRAM TO PROMOTE AND FACILITATE THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE AND TO DEFINE "MICROENTERPRISE" AS A BUSINESS, WHETHER NEW OR EXISTING, INCLUDING STARTUP, HOME-BASED, AND SELF EMPLOYMENT, WITH FIVE OR FEWER EMPLOYEES; TO PROVIDE THAT THE DEPARTMENT SHALL AWARD GRANTS TO COMMUNITY ORGANIZATIONS TO MAKE LOANS AND DEVELOP LOAN SOURCES; TO ESTABLISH CRITERIA TO BE CONSIDERED IN AWARDING GRANTS; TO PROVIDE THAT APPROPRIATED FUNDS MAY BE AWARDED AS A GRANT TO MICROLOAN DELIVERY ORGANIZATIONS AND THAT SUCH GRANTS MUST BE MATCHED BY NONSTATE FUNDS; TO PROVIDE THE PURPOSE FOR WHICH GRANT FUNDS MAY BE EXPENDED; TO PROVIDE CERTAIN PROVISIONS THAT MUST BE IN A CONTRACT BETWEEN THE DEPARTMENT AND A STATEWIDE MICROLENDING SUPPORT ORGANIZATION; AND TO REQUIRE THE STATE TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY.

Rep. HARDWICK explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bowen |
| Bowers | G. A. Brown | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| R. L. Ott | Owens | Parks |
| Pitts | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--96**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 4561--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4561 -- Reps. Hixon, King, Hodges, Simrill, Huggins, Ballentine, Brannon, Hiott, Hardwick, Bales, Knight, Clyburn, Southard, Tallon, Skelton, Erickson, Sottile, Limehouse, Stavrinakis, McCoy, Parks, Crosby, Anthony, Mitchell, Bowen, H. A. Crawford, Robinson-Simpson, Toole, Kennedy, Patrick, Bowers, Atwater, Bedingfield, Williams, M. S. McLeod, G. R. Smith, George, Putnam, Allison, Burns, Chumley, Clemmons, Cobb-Hunter, Daning, Delleney, Dillard, Edge, Felder, Forrester, Funderburk, Gagnon, Hamilton, Hardee, Hart, Hayes, Henderson, Horne, Hosey, Jefferson, Loftis, Long, Lowe, Lucas, W. J. McLeod, V. S. Moss, Murphy, Newton, Norman, Owens, Pitts, Pope, Ridgeway, Riley, Rutherford, Sabb, Sandifer, J. R. Smith, Taylor, Thayer, Wells, White, Whitmire, Willis, Wood and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 20 TO TITLE 50 SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO ENTER INTO THE INTERSTATE BOATING VIOLATOR COMPACT.

Rep. HIXON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Finlay |
| Forrester | Gagnon | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | J. R. Smith | Sottile |
| Southard | Spires | Tallon |
| Taylor | Thayer | Vick |
| Weeks | Wells | White |
| Whitmire | Willis | Wood |

**Total--90**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 4643--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 4643 -- Rep. Sandifer: A BILL TO REPEAL SECTION 40-11-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTION 40-67-50 BOTH RELATING TO CERTAIN PROFESSIONAL LICENSING FEES.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 92

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Finlay |
| Forrester | Gagnon | George |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | Owens |
| Parks | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Skelton |
| G. M. Smith | J. R. Smith | Sottile |
| Southard | Spires | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--92**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 4646--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4646 -- Reps. Bingham, Allison, Anthony and Hayes: A BILL TO AMEND SECTION 59-48-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EX OFFICIO MEMBERS OF THE BOARD OF TRUSTEES OF THE GOVERNORS SCHOOL FOR SCIENCE AND MATHEMATICS, SO AS TO PROVIDE A PROVOST OR VICE PRESIDENT OF ACADEMIC AFFAIRS WHO MUST SERVE AS AN EX OFFICIO MEMBER MAY DESIGNATE A PERSON TO SERVE IN HIS PLACE.

Rep. OWENS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| Owens | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**SENT TO THE SENATE**

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

H. 4791 -- Reps. G. R. Smith, Rutherford, Bedingfield, Atwater, Putnam, Southard, Knight, Jefferson, Bowers, J. R. Smith, Hamilton, Bingham, McCoy, Willis, Quinn, Newton, Norrell, Bannister, Burns, Chumley, Delleney, Forrester, Harrell, Henderson, Hixon, Kennedy, Loftis, Lowe, Lucas, V. S. Moss, Owens, Pitts, Sandifer, Simrill, G. M. Smith, Stringer, White, Whitmire, Williams and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC DATA PRIVACY PROTECTION ACT" BY ADDING CHAPTER 53 TO TITLE 23, SO AS TO PROVIDE THAT AN ENTITY MAY NOT SEARCH AN ELECTRONIC DEVICE WITHOUT A SEARCH WARRANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS.

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

H. 4805 -- Reps. Clemmons and J. E. Smith: A BILL TO AMEND SECTION 7-27-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

**H. 5150--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5150 -- Rep. Branham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON EADDY FORD ROAD IN THE VOX COMMUNITY IN FLORENCE COUNTY "MARVIN D. STONE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "MARVIN D. STONE BRIDGE".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 4607--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4607 -- Reps. Hiott, Bedingfield, Vick, Long, D. C. Moss, Crosby, Norman, Wells, Willis, Pitts, George, Bales, Allison, Forrester, Wood, Hixon, Erickson, Ballentine and Skelton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS.

Rep. HIOTT proposed the following Amendment No. 2 to H. 4607 (COUNCIL\NBD\4607C001.NBD.AC14), which was tabled:

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

/ SECTION 1. Chapter 75, Title 15 of the 1976 Code is amended by adding:

“Section 15-75-80. (A) A possessor of real property, including an owner, lessee, or other lawful occupant, owes no duty of care to a trespasser except in those circumstances where a common law right of action, statutory right of action, or judicial exception existed as of July 1, 2014.

(B) This section does not affect any immunities from or defenses to liability established by another provision of law or available at common law to which a possessor of real property may be entitled.”

SECTION 2. This act takes effect July 1, 2014. /

Renumber sections to conform.

Amend title to conform.

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

Reps. HIOTT and LUCAS proposed the following Amendment No. 3 to H. 4607 (COUNCIL\BH\4607C001.BH.DG14), which was adopted:

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

/ SECTION 1. Title 15 of the 1976 Code is amended by adding:

“CHAPTER 82

Limitation on Liability of Land Possessors to Trespassers

Trespasser Responsibility Act

Section 15‑82‑10. (A) As used in this section, the terms:

(1) ‘Possessor of land’ means the possessor of any fee, reversionary, or easement interest in real property, including an owner, lessee, or other lawful occupant;

(2) ‘Trespasser’ means a person who enters or remains on the land of another without permission or without legal privilege.

(B) A possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury.

(C) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to children trespassing thereon caused by an artificial condition upon the land if:

(1) the place where the condition exists is one upon which the possessor knows or has reason to know that children are likely to trespass;

(2) the condition is one of which the possessor knows or has reason to know and which he realizes or should realize will involve an unreasonable risk of death or serious bodily harm to such children;

(3) the children because of their youth do not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it;

(4) the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared with the risk to children involved; and

(5) the possessor fails to exercise reasonable care to eliminate the danger or otherwise to protect the children.

(D) This chapter does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

Rep. LUCAS spoke in favor of the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bannister | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Vick | Weeks | Wells |
| Whipper | White | Williams |
| Willis | Wood |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4607--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LUCAS, with unanimous consent, it was ordered that H. 4607 be read the third time tomorrow.

**RECURRENCE TO THE MORNING HOUR**

Rep. H. A. CRAWFORD moved that the House recur to the morning hour, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 5197 -- Reps. Mitchell, King, Dillard, Cobb-Hunter, Gilliard, Sabb, Whipper, Anderson, Clyburn, Jefferson, M. S. McLeod, Alexander, R. L. Brown, Govan, Hart, Hodges, Hosey, Howard, Mack, McEachern, Neal, Parks, Robinson-Simpson, Rutherford, Sellers, Weeks and Williams: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE DECISIVE AND RESOLUTE ACTION OF NBA COMMISSIONER ADAM SILVER IN RESPONSE TO THE INHERENT CANCER OF OBVIOUS AND DESTRUCTIVE RACISM.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5198 -- Rep. Williams: A HOUSE RESOLUTION TO CONGRATULATE KENNETH MCFADDEN ON HIS EXTRAORDINARY CAREER IN POWERLIFTING AND TO WISH HIM CONTINUED SUCCESS AS HE COMPETES IN THE 2014 NATIONALS OF USA POWERLIFTING.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5199 -- Rep. Barfield: A CONCURRENT RESOLUTION TO CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF HORRY COUNTY'S MIDLAND ELEMENTARY SCHOOL ON RECEIVING A COVETED 2014 CAROLINA FIRST PALMETTO'S FINEST AWARD.

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

**INTRODUCTION OF BILLS**

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

H. 5195 -- Reps. Williams and Lucas: A BILL TO REVISE THE MEMBERSHIP OF THE GOVERNING BOARD OF THE PALMETTO RURAL FIRE DISTRICT, SO AS TO PROVIDE THAT BOARD MEMBERS MUST BE APPOINTED BY THE DARLINGTON COUNTY LEGISLATIVE DELEGATION, TO DEFINE THE BOARD'S TERMS, POWERS, DUTIES AND

RESPONSIBILITIES, AND TO PROVIDE A METHOD FOR FILLING VACANCIES.

On motion of Rep. WILLIAMS, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 5196 -- Rep. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CHOICE SCHOLARSHIP ACT"; BY ADDING CHAPTER 12 TO TITLE 59 SO AS TO ENABLE NONPROFIT ORGANIZATIONS TO PROVIDE SCHOLARSHIPS TO PAY THE EDUCATION COSTS OF THE STUDENT TO ATTEND PUBLIC SCHOOLS OR NONPUBLIC SCHOOLS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE PROVISIONS OF THIS CHAPTER AND IMPOSE RELATED REQUIREMENTS OF THE DEPARTMENT, TO PROVIDE THESE SCHOLARSHIPS MAY NOT BE TREATED AS INCOME OR A RESOURCE FOR THE PURPOSES OF QUALIFYING FOR ANY OTHER FEDERAL OR STATE GRANT OR PROGRAM ADMINISTERED BY THE STATE OR A POLITICAL SUBDIVISION, AND TO PROVIDE RELATED DEFINITIONS, CRITERIA, AND PROCEDURES.

Referred to Committee on Education and Public Works

Rep. RIDGEWAY moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5186 -- Rep. Howard: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE AND TO RECOGNIZE THE EIGHT YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2014 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS.

H. 5187 -- Reps. H. A. Crawford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO COMMEND MRS. JENNIFER AINSWORTH, SPECIAL EDUCATION TEACHER AT SOCASTEE HIGH SCHOOL IN HORRY COUNTY, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA AND TO CONGRATULATE HER UPON BEING NAMED THE 2014-2015 SOUTH CAROLINA TEACHER OF THE YEAR.

H. 5192 -- Rep. J. R. Smith: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SPECIALIST EMBER M. ALT OF THE UNITED STATES ARMY WHILE SHE WAS SERVING A TOUR OF MILITARY DUTY AT BAGRAM AIR BASE, AFGHANISTAN, AND TO EXPRESS TO HER FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HER LIFE, SACRIFICE, AND SERVICE.

**ADJOURNMENT**

At 12:04 p.m. the House, in accordance with the motion of Rep. GAGNON, adjourned in memory of Charles E. Williams of Abbeville, to meet at 10:00 a.m. tomorrow.

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