**Tuesday, April 9, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

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

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

In I Kings we read:

 “Elijah was afraid and ran for his life... ‘I have had enough, Lord,’ he said.” (I Kings 19:3a, 4b)

 Join me as we pray, please:

 So often, dear God, we all now and then indeed feel overwhelmed, if not unsettled, as did Your servant, Elijah. So we ask, Lord, that no matter how great the pressures and the occasional frustrations might be for these faithful Senators and their staff members, that You will especially grant them comfort and strength for the many tasks that still face them during this legislative term. With thankful hearts for time away, we now seek Your renewed blessings upon these leaders. And we pray this in Your loving name, Lord.

Amen.

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

**Point of Quorum**

 At 12:03 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill O'Dell

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

 A quorum being present, the Senate resumed.

**Motion to Ratify Adopted**

 At 12:10 P.M., Senator LARRY MARTIN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

 There was no objection and a message was sent to the House accordingly.

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointment**

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2013, and to expire June 30, 2019

5th Congressional District:

 Marvin Hyatt, Sr., 1775 Overbrook Dr., Rock Hill, SC 29732 *VICE* Hubert F. Mobley

Referred to the Committee on Medical Affairs.

**Doctor of the Day**

 Senator CAMPSEN introduced Dr. Alex Ramsay of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

 On motion of Senator WILLIAMS, at 12:05 P.M., Senator NICHOLSON was granted a leave of absence for today.

**Leave of Absence**

 On motion of Senator BRIGHT, at 12:05 P.M., Senator VERDIN was granted a leave of absence for today.

**Leave of Absence**

 On motion of Senator MALLOY, at 12:05 P.M., Senator PINCKNEY was granted a leave of absence for today.

**CO-SPONSORS ADDED**

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

S. 274 Sen. Sheheen

S. 296 Sen. Malloy

S. 300 Sen. Bryant

S. 330 Sens. Campsen, Gregory

S. 385 Sen. Nicholson

S. 536 Sen. Sheheen

S. 569 Sen. Campsen

**CO-SPONSOR REMOVED**

 The following co-sponsor was removed as a co-sponsor of the respective Bill:

 S. 521 Sen. Scott

**RECALLED**

 S. 544 -- Senators Hayes, Coleman, Gregory and Peeler: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 72 IN YORK COUNTY FROM ITS INTERSECTION WITH RAWLSVILLE ROAD TO ITS INTERSECTION WITH CRAIG ROAD “EZRA DEWITT MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “EZRA DEWITT MEMORIAL HIGHWAY”.

 Senator HAYES asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

 The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

 S. 218 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 15 IN CLARENDON COUNTY FROM ITS INTERSECTION WITH JIM ROSS ROAD TO THE SUMMERTON TOWN LIMIT “PATROLMAN JOHN RAY RIDDLE MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “PATROLMAN JOHN RAY RIDDLE MEMORIAL HIGHWAY”.

 Senator JOHNSON asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

 The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

 The following were introduced:

 S. 571 -- Senator Shealy: A BILL TO AMEND SECTION 12-37-220 OF THE 1976 CODE, RELATING TO A TAX EXEMPTION FOR A DISABLED VETERAN, TO PROVIDE THAT THE TAX EXEMPTION IS ALLOWED TO THE SURVIVING SPOUSE OF THE PERSON ON ONE PRIVATE PASSENGER VEHICLE OWNED OR LEASED BY THE SPOUSE FOR THEIR LIFETIME OR UNTIL THE REMARRIAGE OF THE SURVIVING SPOUSE.

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

 S. 572 -- Senator Shealy: A BILL TO AMEND SECTION 51-3-60 OF THE 1976 CODE, RELATING TO ADMISSION TO STATE PARKS, TO PROVIDE THAT ANY SOUTH CAROLINA RESIDENT WHO IS A VETERAN AND WHO HAS BEEN CLASSIFIED BY THE DEPARTMENT OF VETERANS AFFAIRS AS DISABLED MAY ENTER ANY STATE PARK WITHOUT CHARGE UPON PRESENTATION TO THE PERSON IN CHARGE OF THE PARK OF A CURRENT LETTER FROM THE COUNTY VETERANS AFFAIRS OFFICER STATING THE VETERAN’S DISABILITY.

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 Read the first time and referred to the Committee on Fish, Game and Forestry.

 S. 573 -- Senator Shealy: A BILL TO AMEND SECTION 50-9-525 OF THE 1976 CODE, RELATING TO LICENSES FOR DISABLED RESIDENTS, TO PROVIDE THAT A VETERAN CLASSIFIED AS AT LEAST FIFTY PERCENT DISABLED OR HIGHER AS DETERMINED BY THE VETERANS ADMINISTRATION MAY OBTAIN A THREE-YEAR DISABILITY COMBINATION LICENSE OR A THREE-YEAR DISABILITY FISHING LICENSE FOR A ONE-TIME FEE OF TEN DOLLARS.

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 Read the first time and referred to the Committee on Fish, Game and Forestry.

 S. 574 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-420 SO AS TO PROVIDE THAT THE BUDGET AND CONTROL BOARD MAY NOT ASSESS AND COLLECT A RENTAL CHARGE FOR THE BUILDING AND GROUNDS THAT SERVE AS THE ADJUTANT GENERAL'S HEADQUARTERS, AND TO PROVIDE THAT THE ADJUTANT GENERAL IS FINANCIALLY AND ADMINISTRATIVELY RESPONSIBLE FOR THE BUILDING AND GROUNDS.

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 Read the first time and referred to the General Committee.

 S. 575 -- Senator Massey: A BILL TO AMEND SECTION 40-6-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ANNUAL LICENSE FEE FOR AUCTIONEERS, SO AS TO MAKE THE FEE BIENNIAL; AND TO AMEND SECTION 40-6-240, RELATING TO THE LICENSING PERIOD FOR AN AUCTIONEER LICENSE AND CONTINUING EDUCATION REQUIRED FOR RENEWAL OF THE LICENSE, SO AS TO EXTEND THE PERIOD TO TWO YEARS AND MAKE CONFORMING CHANGES, AND TO INCREASE THE AMOUNT OF CONTINUING EDUCATION THAT A LICENSEE MUST EARN DURING THE LICENSING PERIOD PRECEDING RENEWAL FROM FOUR HOURS TO EIGHT HOURS.

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 Read the first time and referred to the Committee on Labor, Commerce and Industry.

 S. 576 -- Senator Shealy: A BILL TO AMEND SECTION 56-1-140 OF THE 1976 CODE, RELATING TO VETERAN DESIGNATION ON DRIVERS’ LICENSES, TO REMOVE THE ONE DOLLAR FEE RETAINED BY THE DEPARTMENT OF MOTOR VEHICLES.

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

 S. 577 -- Senators Hayes, Gregory and Peeler: A CONCURRENT RESOLUTION TO HONOR BETTY JEAN WALKER FEINDEL OF YORK COUNTY FOR HER MANY YEARS OF DEDICATED SERVICE TO THE YORK COUNTY REPUBLICAN PARTY, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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

 S. 578 -- Senators Leatherman, Ford, Setzler, Thurmond, Peeler, Hembree, L. Martin, McElveen, Sheheen, Campbell, Young, Alexander, Cleary, Courson, Johnson, Grooms, Williams, O'Dell, Massey, Bennett, Cromer, Shealy, Turner and Matthews: A BILL TO AMEND VARIOUS PROVISIONS OF CHAPTER 41, TITLE 11 OF THE 1976 CODE, THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION DEBT TO SUPPORT AN ENHANCED ECONOMIC DEVELOPMENT PROJECT, TO MAKE FINDINGS THAT THE ISSUANCE OF THE BONDED INDEBTEDNESS SUPPORTS A PUBLIC PURPOSE AND IS IN THE BEST INTERESTS OF THE STATE, TO PROVIDE QUALIFYING INVESTMENT AND JOB CREATION CRITERIA, AND TO PROVIDE FOR THE TERMS, CONDITIONS, AND REQUIREMENTS FOR THE ISSUANCE OF THE BONDED INDEBTEDNESS.

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 Senator LEATHERMAN spoke on the Bill.

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

 S. 579 -- Senator Bryant: A SENATE RESOLUTION TO CONGRATULATE ANDERSON CHRISTIAN SCHOOL UPON WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 1A VARSITY GIRLS BASKETBALL STATE CHAMPIONSHIP.

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 The Senate Resolution was adopted.

 S. 580 -- Senator Hayes: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THE PALMETTO STATE AND TO DECLARE APRIL 10, 2013, “YORK COUNTY DAY” IN SOUTH CAROLINA.

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 On motion of Senator HAYES, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

 S. 581 -- Senator Young: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2013 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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

 S. 582 -- Senators Peeler, McGill, Alexander and Hayes: A CONCURRENT RESOLUTION TO FIX TUESDAY, MAY 7, 2013, AT 12:30 P.M., AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, COASTAL CAROLINA UNIVERSITY, COLLEGE OF CHARLESTON, FRANCIS MARION UNIVERSITY, LANDER UNIVERSITY, MEDICAL UNIVERSITY OF SOUTH CAROLINA, SOUTH CAROLINA STATE UNIVERSITY, WINTHROP UNIVERSITY, AND WIL LOU GRAY OPPORTUNITY SCHOOL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE ON JUNE 30, 2013, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

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

 S. 583 -- Senators Alexander, Peeler and Campbell: A SENATE RESOLUTION TO DECLARE WEDNESDAY, APRIL 10, 2013, AS “CLEMSON DAY” IN SOUTH CAROLINA.

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 The Senate Resolution was adopted.

 S. 584 -- Senator Campsen: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, BY ADDING SECTION 50-9-15, TO DEFINE “LICENSE SALES VENDOR” AND “LICENSE YEAR”; TO AMEND SECTION 50-9-20, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, TO PROVIDE FOR THE DURATION OF LICENSES FOR RECREATIONAL AND COMMERCIAL USE, AND PERMITS THE DEPARTMENT TO ISSUE A LICENSE THAT EXPIRES ON THE DAY BEFORE THE ANNIVERSARY OF ITS ISSUANCE; TO AMEND SECTION 50-9-30, RELATING TO RESIDENCY REQUIREMENTS FOR LICENSES, TO REVISE THE REQUIREMENTS; TO AMEND SECTION 50-9-350, RELATING TO APPRENTICE HUNTING LICENSES, TO PROVIDE THAT THE HOLDER OF AN APPRENTICE HUNTING LICENSE WHO OBTAINS A CERTIFICATE OF COMPLETION PRIOR TO THE EXPIRATION DATE OF HIS APPRENTICE HUNTING LICENSE WILL USE HIS APPRENTICE HUNTING LICENSE AS HIS STATEWIDE HUNTING LICENSE, PROVIDED THE LICENSEE MUST HAVE THE CERTIFICATE OF COMPLETION IN HIS POSSESSION WHILE HUNTING; TO AMEND SECTION 50-9-510, RELATING TO LICENSES FOR PURCHASE FOR THE PRIVILEGE OF HUNTING, TO REMOVE THE HUNTING LICENSE VALID ONLY IN A SINGLE COUNTY, TO REMOVE RESTRICTIONS ON THE THREE YEAR LICENSE PURCHASE, TO CLARIFY REQUIREMENTS FOR MIGRATORY WATERFOWL PERMITS, AND TO PROVIDE FOR THE RETAINED VENDOR FEE; TO AMEND SECTION 50-9-530, RELATING TO CATAWBA LICENSES, TO PROVIDE THERE IS NO COST TO A CATAWBA HUNTING AND FISHING LICENSEE FOR ANY OTHER TAGS REQUIRED BY LAW FOR RECREATIONAL HUNTING AND FISHING EXCEPT FOR THOSE DEPARTMENT HUNTING AND FISHING ACTIVITIES CONTROLLED BY LOTTERY; TO AMEND SECTION 50-9-540, RELATING TO RECREATIONAL LICENSES, TO PROVIDE THAT RESIDENTS AND NONRESIDENTS MUST PURCHASE ANY OTHER LICENSE THAT GRANTS FISHING PRIVILEGE, TO DELETE THE LAKES AND RESERVOIRS PERMIT, AND TO CHANGE THE TEMPORARY NONRESIDENT FISHING LICENSE FROM SEVEN TO FOURTEEN DAYS; TO AMEND SECTION 50-9-610, RELATING TO ADDITIONAL REQUIREMENTS FOR TAKING NONGAME FRESHWATER FISH, TO PROVIDE THAT TAGS MUST BE ATTACHED AS PRESCRIBED; TO AMEND SECTION 50-9-665, RELATING TO BEAR TAGS, TO PROVIDE FOR THE REQUIREMENT FOR BEAR TAGS; TO AMEND SECTION 50-9-920, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO MAKE CONFORMING CHANGES AND TO PROVIDE FOR LICENSE REVENUE DISTRIBUTION; TO AMEND SECTION 50-9-950, RELATING TO THE FISH AND WILDLIFE PROTECTION FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-955, RELATING TO THE FISH AND WILDLIFE DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; TO AMEND SECTION 50-9-960, RELATING TO THE MARINE RESOURCES FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-965, RELATING TO THE MARINE RESOURCES DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; AND TO REPEAL SECTION 50-15-65(E).

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 Read the first time and referred to the Committee on Fish, Game and Forestry.

 S. 585 -- Senator Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF “BEAUTY SALON”, SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY; AND TO REPEAL SECTION 40-7-260 RELATING TO THE PROVISION THAT ONLY LICENSED MASTER HAIR CARE SPECIALISTS MAY USE CHEMICALS TO WAVE, RELAX, STRAIGHTEN, OR BLEACH HAIR IN A BARBER SHOP.

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 Read the first time and referred to the Committee on Labor, Commerce and Industry.

 S. 586 -- Senator Lourie: A SENATE RESOLUTION TO CELEBRATE APRIL 23, 2013, THE 105TH BIRTHDAY OF THE UNITED STATES ARMY RESERVE, TO HONOR THE COMMITMENT, DEDICATION, AND SERVICE TO AMERICA OF UNITED STATES ARMY RESERVISTS, AND TO OFFER CONTINUING SUPPORT TO OUR SOLDIERS.

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 The Senate Resolution was adopted.

 S. 587 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. BENJAMIN SOLOMON CARSON, SR., RENOWNED DIRECTOR OF PEDIATRIC NEUROSURGERY AT JOHNS HOPKINS HOSPITAL, AND TO WELCOME HIM TO SOUTH CAROLINA AS KEYNOTE SPEAKER AT THE SEVENTH ANNUAL GREENVILLE HOSPITAL SYSTEM’S MINORITY HEALTH SUMMIT.

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

 S. 588 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE W. ANTHONY “TONY” MCDONALD OF COLUMBIA ON BEING NAMED RICHLAND COUNTY ADMINISTRATOR AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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 The Senate Resolution was adopted.

 S. 589 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE CHRISTIE SAVAGE FOR HER OUTSTANDING COMMUNITY LEADERSHIP AND TO THANK HER FOR HER SIX YEARS OF SERVICE AS PRESIDENT OF THE NORTHWOOD HILLS NEIGHBORHOOD ASSOCIATION IN THE CITY OF COLUMBIA.

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 The Senate Resolution was adopted.

 S. 590 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN ONE TARPON IN ANY ONE DAY OR A TARPON OF LESS THAN SEVENTY-SEVEN INCHES IN FORK LENGTH.

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 Read the first time and referred to the Committee on Fish, Game and Forestry.

 S. 591 -- Senators Young, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin and Williams: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE, UPON THE PASSING OF TANNER NOLAN LEWIS OF AIKEN COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

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 The Senate Resolution was adopted.

 H. 3491 -- Reps. Sandifer, Clemmons, Atwater, Ott, D. C. Moss, Erickson, Herbkersman, Ballentine, Forrester, Sottile, Lowe, Toole, Bales, Weeks, Edge and Loftis: A BILL TO AMEND SECTION 27-32-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING VACATION TIME SHARING PLANS, SO AS TO DEFINE AND REDEFINE CERTAIN TERMS; TO AMEND SECTION 27-32-55, RELATING TO FEES FOR THE RESALE OF AN INTEREST IN A VACATION TIMESHARE, SO AS TO PROVIDE REQUIREMENTS OF A RESALE VACATION TIMESHARE SERVICE PROVIDER; TO AMEND SECTION 27-32-80, RELATING TO THE TRANSFER OF AN INTEREST IN A VACATION TIME SHARING PLAN FROM A SELLER TO A THIRD PARTY, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A RESALE OF THE INTEREST; AND TO AMEND SECTION 27-32-130, RELATING TO ENFORCEMENT AND IMPLEMENTATION PROVISIONS, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A VACATION TIME SHARING ASSOCIATION.

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

 H. 3512 -- Reps. Quinn and J. E. Smith: A BILL TO AMEND SECTION 61-6-1560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISCOUNTS ON ALCOHOLIC LIQUORS OR NONALCOHOLIC ITEMS, SO AS TO ALLOW A RETAIL DEALER TO OFFER DISCOUNTS AT THE REGISTER THROUGH THE USE OF PREMIUMS, COUPONS, OR STAMPS, SO LONG AS THE COST RELATED TO THE DISCOUNT IS PROVIDED ONLY BY THE RETAIL DEALER AND IS NOT PROHIBITED BY FEDERAL LAW; AND TO AMEND SECTION 61-6-1500, RELATING TO RESTRICTIONS ON RETAIL DEALERS OF CERTAIN ALCOHOLIC PRODUCTS, SO AS TO PROHIBIT CERTAIN TRANSACTIONS TO ANOTHER RETAIL DEALER IN CERTAIN SITUATIONS, TO PROHIBIT CERTAIN TRANSACTIONS BETWEEN LOCATIONS OWNED BY THE SAME RETAIL DEALER, AND TO PROVIDE ADDITIONAL PENALTIES.

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

**RATIFICATION OF ACTS**

 Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 9, 2013, at 1:07 P.M. and the following Acts were ratified:

 (R13, S. 230) -- Senator Johnson: AN ACT TO AMEND SECTION 7‑27‑275, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLARENDON COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION, SO AS TO ADJUST THE MEMBERSHIP AND COMPOSITION OF THE BOARD.

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 (R14, S. 261) -- Senators Leatherman, Setzler, Ford and Campsen: AN ACT 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 JANUARY 2, 2013, AND TO DELETE AN INAPPLICABLE SUBITEM; AND TO AMEND SECTION 12‑6‑50, AS AMENDED, RELATING TO PROVISIONS OF THE INTERNAL REVENUE CODE NOT ADOPTED BY THIS STATE, SO AS TO NOT ADOPT CERTAIN PROVISIONS RELATING TO THE REDUCTION ON ITEMIZED DEDUCTIONS AND THE REDUCTION ON THE PERSONAL EXEMPTION.

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 (R15, S. 517) -- Senators Massey and Nicholson: AN ACT TO AMEND ACT 185 OF 1997, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 4 OF MCCORMICK COUNTY, TO PROVIDE THAT IN THE EVENT OF A VACANCY ON THE BOARD OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM, THE BOARD SHALL CALL A SPECIAL ELECTION TO FILL THE UNEXPIRED TERM, AND TO MAKE TECHNICAL CHANGES.

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

**Motion Adopted**

 On motion of Senator PEELER, with unanimous consent, Senators McGILL, ALEXANDER, HAYES and PEELER were granted leave to attend a meeting of a screening committee and were granted leave to vote from the balcony.

**THIRD READING BILLS**

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

 S. 539 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OCCUPATIONAL THERAPY BOARD, RELATING TO REQUIREMENTS OF LICENSURE FOR OCCUPATIONAL THERAPISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4328, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

 S. 541 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO CODE OF ETHICS, INTERPRETATION OF STANDARDS, AND REPORTING OF DISCIPLINARY ACTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4327, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

 S. 176 -- Senator Young: A BILL TO AMEND SECTION 22‑3‑1000 OF THE 1976 CODE, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

 S. 284 -- Senators Hutto and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE THE LANGUAGE FOR THE POSTING, AND PROVIDE A PENALTY FOR FAILURE TO POST.

 S. 296 -- Senators Jackson, McElveen, Coleman, Ford, Campbell, Young, Allen, Pinckney, Cleary, Williams, Cromer, Nicholson, Johnson, Fair, McGill, Bright, Verdin, Gregory, Setzler, Shealy, Matthews, Turner, Thurmond, Peeler, Lourie, Leatherman, Scott, Alexander and Malloy: A BILL TO AMEND SECTION 16-11-535 OF THE 1976 CODE, RELATING TO MALICIOUS INJURY TO A PLACE OF WORSHIP, TO PROVIDE THAT WHOEVER WILFULLY, UNLAWFULLY, AND MALICIOUSLY VANDALIZES, DEFACES, DAMAGES, OR DESTROYS OR ATTEMPTS TO VANDALIZE, DEFACE, DAMAGE, OR DESTROY ANY FIXTURES OR IMPROVEMENTS OF A PLACE OF WORSHIP, OR AIDS, AGREES WITH, EMPLOYS, OR CONSPIRES WITH ANY PERSON TO DO OR CAUSE TO BE DONE ANY OF THESE ACTS IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE IMPRISONED NOT LESS THAN SIX MONTHS NOR MORE THAN TEN YEARS OR FINED NOT MORE THAN TEN THOUSAND DOLLARS, OR BOTH.

 S. 405 -- Senator L. Martin: A BILL TO AMEND SECTION 1‑23‑560, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE CODE OF JUDICIAL CONDUCT TO ADMINISTRATIVE LAW JUDGES AND THE ENFORCEMENT AND ADMINISTRATION OF THESE RULES BY THE STATE ETHICS COMMISSION, SO AS TO PROVIDE INSTEAD THAT THE JUDICIAL DEPARTMENT SHALL HANDLE COMPLAINTS AGAINST ADMINISTRATIVE LAW JUDGES FOR POSSIBLE VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT IN THE SAME MANNER AS COMPLAINTS AGAINST OTHER JUDGES.

 S. 460 -- Senator Hayes: A BILL TO AMEND SECTION 38‑45‑90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTY OF DUE CARE THAT A SURPLUS LINES INSURANCE BROKER MUST EXERCISE WHEN PLACING BUSINESS WITH NONADMITTED INSURERS, SO AS TO EXEMPT THOSE BROKERS FROM THIS REQUIREMENT WHEN SEEKING TO PROCURE OR PLACE NONADMITTED INSURANCE FOR AN EXEMPT COMMERCIAL PURCHASER IN CERTAIN CIRCUMSTANCES.

**READ THE SECOND TIME**

 H. 3620 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38‑90‑160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF CAPTIVE INSURANCE COMPANIES FROM CERTAIN PROVISIONS OF TITLE 38, SO AS TO PROVIDE AN INDUSTRIAL INSURED CAPTIVE INSURANCE COMPANY IS SUBJECT TO CERTAIN REQUIREMENTS CONCERNING REPORTS FOR RISK‑BASED CAPITAL, ACQUISITIONS DISCLOSURE, AND ASSET DISPOSITION, AND CEDED REINSURANCE AGREEMENTS, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY ELECT NOT TO TAKE REGULATORY ACTION CONCERNING RISK‑BASED CAPITAL IN SPECIFIC CIRCUMSTANCES.

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

 Senator CROMER explained the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill O’Dell

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--41**

**NAYS**

**Total--0**

 The Bill was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 H. 3621 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38‑5‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OR SUSPENSION OF A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE BY AN INSURER, SO AS TO REVISE PROVISIONS CONCERNING A REVOCATION OF THE LICENSEE OF A HAZARDOUS INSURER.

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

 The Committee on Banking and Insurance proposed the following amendment (AGM\3621C002.AGM.AB13), which was adopted:

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

 SECTION 1. Section 38‑5‑120 of the 1976 Code, as last amended by Act 27 of 2009, is further amended to read:

 / “Section 38‑5‑120. (A) The director or his designee shall revoke or suspend certificates of authority granted to an insurer and its officers and agents if he is of the opinion upon examination or other evidence that one or more of the following exist:

 (1) The insurer is in an unsound condition.

 (2) The insurer has not complied with the law or with the provisions of its charter.

 (3) ~~The insurer’s condition renders its proceedings hazardous to the public or its policyholders. For the purpose of the application of this item, one or more of the following standards may be considered by the director or his designee in determining whether the continued operation of an insurer transacting insurance business in this State is hazardous to the public or its policyholders:~~

 ~~(a) adverse findings reported in financial condition and market conduct examination reports;~~

 ~~(b) the National Association of Insurance Commissioners Insurance Regulatory Information System and its related reports;~~

 ~~(c) the ratios of commission expense, general insurance expense, policy benefits, and reserve increases as to annual premium and net investment income which could lead to an impairment of capital and surplus;~~

 ~~(d) whether the insurer’s asset portfolio when viewed in light of current economic conditions is not of sufficient value, liquidity, or diversity to assure the company’s ability to meet its outstanding obligations as they mature;~~

 ~~(e) whether the ability of an assuming reinsurer to perform and the insurer’s reinsurance program provides sufficient protection for the company’s remaining surplus after taking into account the insurer’s cash flow and the classes of business written as well as the financial condition of the assuming reinsurer;~~

 ~~(f) whether the insurer’s operating loss in the last twelve months or a shorter time including, but not limited to, net capital gain or loss, change in nonadmitted assets, and cash dividends paid to shareholders, is greater than fifty percent of the insurer’s remaining surplus as regards policyholders in excess of the minimum required;~~

 ~~(g) whether an affiliate, a subsidiary, or a reinsurer is insolvent, threatened with insolvency, or delinquent in payment of its monetary or other obligations;~~

 ~~(h) contingent liabilities, pledges, or guaranties which individually or collectively involve a total amount which in the opinion of the director or his designee may affect the solvency of the insurer;~~

 ~~(i) whether a ‘controlling person’ of an insurer is delinquent in the transmitting to or payment of net premiums to the insurer;~~

 ~~(j) the age and collectibility of receivables;~~

 ~~(k) whether the management of an insurer, including officers, directors, or other persons who directly or indirectly control the operation of the insurer, fails to possess and demonstrate the competence, fitness, and reputation necessary to serve the insurer in that position;~~

 ~~(l) whether management of an insurer has failed to respond to inquiries relative to the condition of the insurer or has furnished false and misleading information concerning an inquiry;~~

 ~~(m) whether management of an insurer has filed a false or misleading sworn financial statement, released a false or misleading financial statement to lending institutions or to the general public, made a false or misleading entry, or omitted an entry of a material amount in the books of the insurer;~~

 ~~(n) whether the insurer has grown so rapidly and to an extent that it lacks adequate financial and administrative capacity to meet its obligations in a timely manner;~~

 ~~(o) whether the company has experienced or will experience in the foreseeable future cash flow or liquidity problems~~ The officers or agents of an insurer refuse to submit to examination or to perform a legal obligation relative to an examination.

 (4) The ~~true value of the insurer’s assets, if it is a life insurer, is less than its liabilities, exclusive of its capital~~ insurer has not complied with a lawful order of the director or his designee.

 (5) The ~~officers or agents of an insurer refuse to submit to examination or to perform a legal obligation relative to an examination~~ condition of the insurer renders the continuance of its business hazardous to the general public, its creditors, or its policyholders. The director or his designee may consider one or more of the following standards to determine whether the continued operation of an insurer transacting insurance business in this State is hazardous to the general public, its creditors, or its policyholders:

 (a) adverse findings reported in financial condition and market conduct examination reports, audit reports, and actuarial opinions, reports, or summaries;

 (b) the National Association of Insurance Commissioners Insurance Regulatory Information System and its other financial analysis solvency tools and reports;

 (c) whether the insurer has made adequate provision, according to presently accepted actuarial standards of practice, for the anticipated cash flows required by the contractual obligations and related expenses of the insurer, when considered in light of the assets held by the insurer with respect to such reserves and related actuarial items including, but not limited to, the investment earnings on such assets, and the considerations anticipated to be received and retained under such policies and contracts;

 (d) whether the ability of an assuming reinsurer to perform and the reinsurance program of the insurer provides sufficient protection for the remaining surplus of the insurer after taking into account the cash flow of the insurer, the classes of business written, and the financial condition of the assuming reinsurer;

 (e) whether the operating loss of the insurer in the immediately preceding twelve month period or less is greater than fifty percent of the remaining surplus of the insurer regarding policyholders in excess of the minimum required, provided that for the purposes of this section, the operating loss of an insurer includes, but is not limited to, net capital gain or loss, change in nonadmitted assets, and cash dividends paid to shareholders;

 (f) whether the operating loss, excluding net capital gains, of the insurer in the immediately preceding twelve month period or less is greater than twenty percent of the remaining surplus of the insurer regarding policyholders in excess of the minimum required;

 (g) whether a reinsurer, obligor, or any entity within the insurance holding company system of the insurer is insolvent, threatened with insolvency, or delinquent in payment of its monetary or other obligations, and which in the opinion of the director or his designee may affect the solvency of the insurer;

 (h) contingent liabilities, pledges, or guaranties which individually or collectively involve a total amount which in the opinion of the director or his designee may affect the solvency of the insurer;

 (i) whether a controlling person of an insurer is delinquent in the transmitting to or payment of net premiums to the insurer;

 (j) the age and collectability of receivables;

 (k) whether the management of an insurer, including officers, directors, or other people who directly or indirectly control the operation of the insurer, fails to possess and demonstrate the competence, fitness, and reputation necessary to serve the insurer in that position;

 (l) whether management of an insurer has failed to respond to inquiries relative to the condition of the insurer or has furnished false and misleading information concerning an inquiry;

 (m) whether management of an insurer has filed a false or misleading sworn financial statement, released a false or misleading financial statement to lending institutions or to the general public, made a false or misleading entry, or omitted an entry of a material amount in the books of the insurer;

 (n) whether the insurer has failed to meet financial and holding company filing requirements in the absence of a reason satisfactory to the director or his designee;

 (o) whether the insurer has grown so rapidly and to an extent that it lacks adequate financial and administrative capacity to meet its obligations in a timely manner;

 (p) whether the insurer has experienced or will experience in the foreseeable future cash flow or liquidity problems.

 (q) whether management has established reserves that do not comply with minimum standards established by state insurance laws, regulations, statutory accounting standards, sound actuarial principles, and standards of practice;

 (r) whether management persistently engages in material under reserving that results in adverse development;

 (s) whether transactions among affiliates, subsidiaries, or controlling persons for which the insurer receives assets or capital gains, or both, do not provide sufficient value, liquidity, or diversity to assure the ability of the insurer to meet its outstanding obligations as they mature; and

 (t) any other finding determined by the director or his designee to be hazardous to the insurer’s policyholders, creditors, or general public.

 ~~(6) The insurer has not complied with a lawful order of the director or his designee.~~

 (B) ~~Notice of revocation and suspension must be published in a newspaper of general circulation in this State. No new business may be done by the insurer or its agents in this State while the default or disability continues nor until its authority to transact business is restored by the director or his designee~~ For the purposes of making a determination of the financial condition of an insurer under this section, the director or his designee may:

 (1) disregard any credit or amount receivable resulting from transactions with a reinsurer that is insolvent, impaired, or otherwise subject to a delinquency proceeding;

 (2) make appropriate adjustments including disallowance to asset values attributable to investments in or transactions with parents, subsidiaries, or affiliates consistent with the NAIC Accounting Policies and Procedures Manual, state laws, and state regulations;

 (3) refuse to recognize the stated value of accounts receivable if the ability to collect receivables is highly speculative in view of the age of the account or the financial condition of the debtor; or

 (4) increase the liability of the insurer in an amount equal to any contingent liability, pledge, or guarantee not otherwise included if there is a substantial risk that the insurer will be called upon to meet the obligation undertaken within the next twelve month period.

 (C) ~~Notwithstanding the provisions of subsection (A), if the director or his designee determines that an insurer is in an unsound condition or in a hazardous condition provided in subsection (A)(1) and (3), he may issue an order requiring the insurer to:~~

 ~~(1) reduce the total amount of present and potential liability for policy benefits by reinsurance;~~

 ~~(2) reduce, suspend, or limit the volume of business being accepted or renewed;~~

 ~~(3) reduce general insurance and commission expenses by specified methods;~~

 ~~(4) increase the insurer’s capital and surplus;~~

 ~~(5) suspend or limit the declaration and payment of dividends by an insurer to its stockholders or to its policyholders;~~

 ~~(6) file reports in a form acceptable to the director or his designee concerning the market value of an insurer’s assets;~~

 ~~(7) limit or withdraw from certain investments or discontinue certain investment practices to the extent the director or his designee considers necessary;~~

 ~~(8) document the adequacy of premium rates in relation to the risks insured;~~

 ~~(9) file, in addition to regular annual statements, interim financial reports on the form adopted by the National Association of Insurance Commissioners or on a format approved by the director or his designee;~~

 ~~(10) disregard credit or an amount receivable resulting from transactions with a reinsurer which is insolvent, impaired, or otherwise subject to a delinquency proceeding;~~

 ~~(11) make appropriate adjustments to asset values attributable to investments in or transactions with parents, subsidiaries, or affiliates;~~

 ~~(12) refuse to recognize the stated value of accounts receivable if the ability to collect receivables is highly speculative in view of the age of the account or the financial condition of the debtor;~~

 ~~(13) increase the insurer’s liability in an amount equal to a contingent liability, pledge, or guarantee not otherwise included if there is a substantial risk that the insurer will be called upon to meet the obligation undertaken within the next twelve months; or~~

 ~~(14) take other action he considers appropriate~~ The department must publish notice of revocation and suspension in a newspaper of general circulation in this State. The insurer and its agents may not conduct any new business in this State while the default or disability continues and until the director or his designee restore the authority of the insurer to transact business in this State.

 (D)(1) The insurer may request a hearing on an order or a decision made by the director or his designee pursuant to the provisions of this title. The insurer or other parties must be served with notice of the hearing stating the time and place of the hearing and the grounds upon which the director based the order; the hearing must occur not less than ten days nor more than thirty days following the notice and must be conducted at the offices of the South Carolina Department of Insurance unless otherwise designated by the director. The director or his designee shall hold all hearings in private unless the insurer requests a public hearing. After a hearing by the director or his designee, an order or a decision made, issued, or executed by the director or his designee is subject to review in accordance with Section 38‑3‑210 under the appellate procedures of the South Carolina Administrative Law Court, as provided by law.

 (2) Notwithstanding the provisions of subsection (A), if the director or his designee determines that an insurer is in an unsound condition or in a hazardous condition as provided in subsections (A)(1) or (A)(5), he may issue an order requiring the insurer to:

 (a) reduce the total amount of present and potential liability for policy benefits by reinsurance;

 (b) reduce, suspend, or limit the volume of business being accepted or renewed;

 (c) reduce general insurance and commission expenses by specified methods;

 (d) increase the insurer’s capital and surplus;

 (e) suspend or limit the declaration and payment of dividends by an insurer to its stockholders or to its policyholders;

 (f) file reports in a form acceptable to the director or his designee concerning the market value of an insurer’s assets;

 (g) limit or withdraw from certain investments or discontinue certain investment practices to the extent the director or his designee considers necessary;

 (h) document the adequacy of premium rates in relation to the risks insured;

 (i) file, in addition to regular annual statements, interim financial reports on the form adopted by the National Association of Insurance Commissioners or in a format approved by the director or his designee;

 (j) correct corporate governance practice deficiencies, and adopt and utilize governance practices acceptable to the director or his designee;

 (k) provide a business plan to the director or his designee in order to continue to transact business in the State; or

 (l) adjust rates for any nonlife insurance product written by the insurer that the director or his designee considers necessary to improve the financial condition of the insurer, notwithstanding any other provision of law limiting the frequency or amount of premium rate adjustments.

 (3) The order of the director or his designee may be limited to the extent provided by law if the insurer is a foreign insurer.”

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

 Renumber sections to conform.

 Amend title to conform.

 Senator CROMER explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill O’Dell Peeler

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 S. 464 -- Senator Hayes: A BILL TO AMEND SECTION 38‑77‑150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY UNINSURED MOTORIST PROVISION FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO INCREASE THE MINIMUM COVERAGE TO TWENTY‑FIVE THOUSAND DOLLARS.

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

 The Committee on Banking and Insurance proposed the following amendment (AGM\464C001.AGM.AB13), which was adopted:

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

 / SECTION 1. Section 38‑7‑150(A) of the 1976 Code is amended to read:

 “(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38‑77‑140. The uninsured motorist provision must also provide for no less than ~~ten~~ twenty‑five thousand dollars’ coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.”

 SECTION 2. Section 56‑9‑20(11) of the 1976 Code, as last amended by Act 73 of 2003, is further amended to read:

 “(11) ‘Proof of financial responsibility’: Proof of ability to respond to damages for liability, as provided in Section 38‑77‑150, or, on account of accidents occurring after the effective date of this proof, arising out of the ownership, maintenance, or use of a motor vehicle in the amount of ~~fifteen~~ twenty‑five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to this limit for one person, in the amount of ~~thirty~~ fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident and in the amount of ~~ten~~ twenty‑five thousand dollars because of injury to or destruction of property of others in any one accident;”

 SECTION 3. Section 56‑9‑353 of the 1976 Code is amended to read:

 “Section 56‑9‑353. No policy or bond shall be effective under Sections 56‑9‑351 and 56‑9‑352 unless issued by an insurance company or surety company licensed and authorized by the South Carolina Department of Insurance to do business in this State, except that if the motor vehicle was not registered in this State or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond or the most recent renewal thereof, the policy or bond shall not be effective under Sections 56‑9‑351 and 56‑9‑352 unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the Department of Motor Vehicles to accept service on its behalf of notice of process in any action upon the policy or bond arising out of the accident. Every policy or bond must be subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than ~~fifteen~~ twenty‑five thousand dollars because of bodily injury to or death of one person in any one accident, and subject to this limit for one person, to a limit of not less than ~~thirty~~ fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than ~~five~~ twenty‑five thousand dollars because of injury to or destruction of property of others in any one accident.”

 SECTION 4. Section 56‑9‑480 of the 1976 Code is amended to read:

 “Section 56‑9‑480. Judgments referred to in this article must, for the purpose of this article only, be considered satisfied:

 (1) When ~~fifteen~~ twenty‑five thousand dollars has been credited upon any judgment rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

 (2) When, subject to the limit of ~~fifteen~~ twenty‑five thousand dollars because of bodily injury to or death of one person, the sum of ~~thirty~~ fifty thousand dollars has been credited upon any judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

 (3) When ~~five~~ twenty‑five thousand dollars has been credited upon any judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.

 Payments made in settlement of any claims because of bodily injury, death, or property damage arising from a motor vehicle accident must be credited in reduction of the amounts provided for in this section.”

 SECTION 5. An automobile liability insurer is not required to make a new offer of coverage or obtain a new prescribed form on any automobile insurance policy, within the contemplation of Section 38‑77‑350, to comply with statutory changes to the minimum required limits set forth in Section 38‑77‑140 and Section 38‑77‑150.

 SECTION 6. This act takes effect January 1, 2014, and applies to all policies of automobile insurance issued or renewed on or after the effective date of this act. /

 Renumber sections to conform.

 Amend title to conform.

 Senator CROMER explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 38; Nays 1**

**AYES**

Alexander Bennett Bryant

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Ford Gregory Grooms

Hayes Hembree Jackson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

O’Dell Peeler Rankin

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--38**

**NAYS**

Bright

**Total--1**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 H. 3248 -- Reps. Rutherford, King, Loftis, Gilliard, Jefferson and Williams: A BILL TO AMEND SECTION 16-13-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL IDENTITY FRAUD, SO AS TO ADD CONFORMING LANGUAGE CONTAINED IN FINANCIAL TRANSACTION CARD CRIME TO PROVIDE THAT IT IS NOT A DEFENSE WHEN SOME OF THE ACTS OF THE CRIME DID NOT OCCUR IN THIS STATE OR WITHIN A CITY, COUNTY, OR LOCAL JURISDICTION; AND TO AMEND SECTION 37-20-130, RELATING TO THE INITIATION OF A LAW ENFORCEMENT INVESTIGATION OF IDENTITY THEFT, SO AS TO DELETE THE LANGUAGE ALLOWING REFERRAL OF THE MATTER TO THE LAW ENFORCEMENT AGENCY WHERE THE CRIME WAS COMMITTED FOR INVESTIGATION.

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

 The Committee on Judiciary proposed the following amendment (JUD3248.001), which was adopted:

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

 / SECTION 1. Section 16‑13‑510 of the 1976 Code is amended to read:

 “Section 16‑13‑510. (A) It is unlawful for a person to commit the offense of financial identity fraud or identity fraud.

 (B) A person is guilty of financial identity fraud when ~~he~~ the person, without the authorization or permission of another ~~person~~ individual, and with the intent of unlawfully:

 (1) appropriating the financial resources of ~~that person~~ the other individual to ~~his~~ the person’s own use or the use of a third party ~~knowingly and wilfully:~~;

 (2) devising a scheme or artifice to defraud; or

 (3) obtaining money, property, or services by means of false or fraudulent pretenses, representations, or promises

 ~~(1)~~ obtains or records identifying information which would assist in accessing the financial records of the other ~~person;~~ individual or

 ~~(2)~~ accesses or attempts to access the financial resources of the other ~~person~~ individual through the use of identifying information as defined in subsection (D).

 (C) A person is guilty of identity fraud when ~~he~~ the person uses identifying information, as defined in subsection (D), of another ~~person~~ individual for the purpose of obtaining employment or avoiding identification by a law enforcement officer, criminal justice agency, or another governmental agency, including, but not limited to, law enforcement, detention, and correctional agencies or facilities.

 (D) ‘Personal identifying information’ ~~means the first name or first initial and last name in combination with and linked to any one or more of the following data elements that relate to a resident of this State, when the data elements are neither encrypted nor redacted~~ includes, but is not limited to:

 (1) social security ~~number~~ numbers;

 (2) driver’s license ~~number~~ numbers or state identification card ~~number~~ numbers issued instead of a driver’s license;

 (3) ~~financial account number, or credit card or debit card number in combination with any required security code, access code, or password that would permit access to a resident’s financial account~~ checking account numbers; ~~or~~

 (4) savings account numbers;

 (5) credit card numbers;

 (6) debit card numbers;

 (7) personal identification (PIN) numbers;

 (8) electronic identification numbers;

 (9) digital signatures;

 (10) dates of birth;

 (11) current or former names, including first and last names, middle and last names, or first, middle, and last names, but only when the names are used in combination with, and linked to, other identifying information provided in this section;

 (12) current or former addresses, but only when the addresses are used in combination with, and linked to, other identifying information provided in this section; or

 (13) other numbers, passwords, or information which may be used to access a person’s financial ~~accounts or~~ resources, numbers, or information issued by a governmental or regulatory entity that uniquely will identify an individual or an individual’s financial resources.

 ~~The term does not include information that is lawfully obtained from publicly available information, or from federal, state, or local government records lawfully made available to the general public.~~

 (E) ‘Financial resources’ includes:

 (1) existing money and financial wealth contained in a checking account, savings account, line of credit, or otherwise;

 (2) a pension plan, retirement fund, annuity, or other fund which makes payments monthly or periodically to the recipient; and

 (3) the establishment of a line of credit or an amount of debt whether by loan, credit card, or otherwise for the purpose of obtaining goods, services, or money.

 (F) A person who violates ~~the provisions of~~ this section is guilty of a felony, and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both. The court may order restitution to the victim pursuant to the provisions of Section 17‑25‑322.

 (G) Venue for the prosecution of offenses pursuant to this section is in the county in which:

 (1) the victim resided at the time the information was obtained or used; or

 (2) the information is obtained or used.

 (H) In a prosecution for a violation of this section, the State is not required to establish and it is not a defense that some of the acts constituting the crime did not occur in this State or within one city, county, or local jurisdiction.”

 SECTION 2. Section 37-20-130 of the 1976 Code is amended to read:

 “Section 37-20-130. A person who learns or reasonably suspects that ~~he~~ the person is the victim of identity theft may initiate a law enforcement investigation by reporting to a local law enforcement agency that has jurisdiction over ~~his~~ the person’s actual legal residence. The law enforcement agency shall take the report, provide the complainant with a copy of the report, and begin an investigation ~~or refer the matter to the law enforcement agency where the crime was committed for an investigation~~.”

 SECTION 3. Section 39-1-90(D) of the 1976 Code is amended to read:

 “(D) For purposes of this section:

 (1) ‘Breach of the security of the system’ means unauthorized access to and acquisition of computerized data that was not rendered unusable through encryption, redaction, or other methods that compromises the security, confidentiality, or integrity of personal identifying information maintained by the person, when illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to a resident. Good faith acquisition of personal identifying information by an employee or agent of the person for the purposes of its business is not a breach of the security of the system if the personal identifying information is not used or subject to further unauthorized disclosure.

 (2) ‘Person’ has the same meaning as in Section 37‑20‑110(10).

 (3) ‘Personal identifying information’ ~~has the same meaning as "personal identifying information" in Section 16‑13‑510(D)~~ means the first name or first initial and last name in combination with and linked to any one or more of the following data elements that relate to a resident of this State, when the data elements are neither encrypted nor redacted:

 (1) social security number;

 (2) driver's license number or state identification card number issued instead of a driver's license;

 (3) financial account number, or credit card or debit card number in combination with any required security code, access code, or password that would permit access to a resident's financial account; or

 (4) other numbers or information which may be used to access a person's financial accounts or numbers or information issued by a governmental or regulatory entity that uniquely will identify an individual.

 The term does not include information that is lawfully obtained from publicly available information, or from federal, state, or local government records lawfully made available to the general public.”

 SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

 SECTION 5. This act takes effect upon approval by the Governor./

 Renumber sections to conform.

 Amend title to conform.

 Senator MASSEY explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill O'Dell Peeler

Rankin Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

 S. 341 -- Senators Alexander, Reese, Fair, Lourie, Cromer, L. Martin, Campbell, Shealy and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “EMERSON ROSE ACT” BY ADDING SECTION 44‑37‑70 SO AS TO REQUIRE EACH BIRTHING FACILITY LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM A PULSE OXIMETRY SCREENING ON EVERY NEWBORN IN ITS CARE, WHEN THE BABY IS TWENTY‑FOUR TO FORTY‑EIGHT HOURS OF AGE, OR AS LATE AS POSSIBLE IF THE BABY IS DISCHARGED FROM THE HOSPITAL BEFORE REACHING TWENTY‑FOUR HOURS OF AGE.

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

 Senators ALEXANDER and CLEARY proposed the following amendment (341R002.TCA), which was adopted:

 Amend the committee amendment, as and if amended, page [341-1], by striking line 41 and inserting:

 / provide reimbursement for services provided in this section. /

 Renumber sections to conform.

 Amend title to conform.

 Senator CLEARY explained the perfecting amendment.

 The amendment was adopted.

 The Committee on Medical Affairs proposed the following amendment (NBD\341C001.NBD.AC13), which was adopted:

 Amend the bill, as and if amended, by inserting at the end of SECTION 2 of the bill on page 2, after line 24:

 / (7) The South Carolina Birth Outcomes Initiative, established by the Department of Health and Human Services to improve care and outcomes for mothers and newborns, has acknowledged the value of pulse oximetry screening of newborns and under this initiative all South Carolina birthing hospitals have committed to implementing this screening for newborns.” /

 Amend the bill, further, by deleting Section 44-37-70 in its entirety and inserting:

 / “Section 44‑37‑70. (A) The Department of Health and Environmental Control shall require each birthing facility licensed by the department to perform a pulse oximetry screening on every newborn in its care, when the baby is twenty‑four to forty‑eight hours of age, or as late as possible if the baby is discharged from the hospital before reaching twenty‑four hours of age.

 (B) The Department of Health and Human Services shall work with birthing facilities through their partnership with the Birth Outcomes Initiative to recommend policies for pulse oximetry screening. The Department of Health and Human Services must establish reimbursement for services provided un this section.

 (C) For purposes of this section, ‘birthing facility’ means an inpatient or ambulatory health care facility licensed by the Department of Health and Environmental Control that provides birthing and newborn care services.

 (D) The department with advice from the Birth Outcome Initiative Leadership Team under the Department of Health and Human Services shall promulgate regulations necessary to implement the provisions of this section.” /

 Renumber sections to conform.

 Amend title to conform.

 Senator CLEARY explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill, as amended.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Jackson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill O'Dell

Peeler Rankin Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 S. 406 -- Senators Peeler and Ford: A BILL TO AMEND SECTION 44‑53‑190, AS AMENDED, SECTIONS 44‑53‑210, 44‑53‑230, 44‑53‑250, AND 44‑53‑270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, RESPECTIVELY, TO DRUGS DESIGNATED AS SCHEDULE I, II, III, IV, AND V CONTROLLED SUBSTANCES AND SECTION 44‑53‑1510, RELATING TO DRUGS DESIGNATED AS ANABOLIC STEROIDS, ALL SO AS TO ALPHABETIZE THESE LISTINGS AND TO ADD DRUGS TO THESE DESIGNATIONS TO CONFORM TO FEDERAL DRUG DESIGNATIONS AND DESIGNATIONS OF ADJACENT STATES IN ORDER TO ENHANCE AND IMPROVE ILLICIT DRUG ENFORCEMENT.

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

 The Committee on Medical Affairs proposed the following amendment (NBD\406C001.NBD.AC13), which was adopted:

 Amend the bill, as and if amended, Section 44-53-190(B) by deleting item 35. on page 3, line 37 and inserting:

 / 35. 3-Methylfentanyl /

 Amend the bill, further, Section 44-53-190(F)(26)(c) on page 15, line 4 before the semicolon, by inserting /, or alkanoyl groups/

 Amend the bill, further, Section 44-53-230(c) on page 19, line 36 by deleting /16./ and inserting /15./

 Amend the bill further, Section 44-53-250(a) on page 23 by deleting lines 10-16 and inserting:

 / 49. Quazepam

 50. Temazepam

 51. Tetrazepam

 52. Triazolam

 53. Zaleplon

 54. Zolpidem

 55. Zopiclone /

 Renumber sections to conform.

 Amend title to conform.

 Senator CLEARY explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Gregory

Grooms Hayes Hembree

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill O'Dell

Peeler Rankin Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

 S. 438 -- Senators L. Martin, Campbell and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑15‑70 SO AS TO PROVIDE FOR THE FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONTRACTS BY STIPULATING THAT STATE OR LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES, IN REGARD TO A PUBLIC BUILDING, MAY NOT REQUIRE OR PROHIBIT A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FROM ENTERING INTO OR ADHERING TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT AND MAY NOT OTHERWISE DISCRIMINATE AGAINST A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FOR BECOMING OR REFUSING TO BECOME A SIGNATORY TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT, TO PROVIDE THAT STATE AND LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES SHALL NOT AWARD A GRANT, TAX ABATEMENT, OR TAX CREDIT CONDITIONED UPON THE INCLUSION OF SUCH AGREEMENTS IN THE AWARD, AND TO PROVIDE EXCEPTIONS TO AND EXEMPTIONS FROM THESE PROVISIONS.

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

 Senator O’DELL explained the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Ford Gregory Grooms

Hayes Hembree Jackson

Johnson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill O'Dell Peeler

Rankin Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

 The Bill was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 H. 3047 -- Reps. Hardwick and Sottile: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑5‑581 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO GIG FOR FLOUNDER IN SALT WATERS DURING DAYLIGHT HOURS, TO DEFINE THE TERM “DAYLIGHT HOURS”, AND TO PROVIDE A PENALTY.

 The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Fish, Game and Forestry.

 The Committee on Fish, Game and Forestry proposed the following amendment (3047R001.GEC), which was adopted:

 Amend the bill, as and if amended, page 1, by striking line 32 and inserting:

 / include underwater spear fishing.”

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

 Renumber sections to conform.

 Amend title to conform.

 Senator CAMPSEN explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 39; Nays 2**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Ford Gregory Grooms

Hayes Hembree Jackson

Johnson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill O'Dell Peeler

Rankin Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--39**

**NAYS**

Bright Fair

**Total--2**

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

**READ THE SECOND TIME**

 H. 3426 -- Reps. Thayer, Bowen and Putnam: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE WILLIAMSTON NATIONAL GUARD ARMORY TO THE TOWN OF WILLIAMSTON.

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

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Jackson Johnson

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill O'Dell Peeler

Rankin Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--38**

**NAYS**

**Total--0**

 The Resolution was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 H. 3571 -- Reps. Barfield and Hardee: A BILL TO AMEND SECTION 50‑13‑665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

 The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Fish, Game and Forestry.

 The Committee on Fish, Game and Forestry proposed the following amendment (3571R002.GEC), which was adopted:

 Amend the bill, as and if amended, pages 2-3, by striking SECTION 2 in its entirety.

 Renumber sections to conform.

 Amend title to conform.

 Senator CAMPSEN explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill O'Dell

Peeler Rankin Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

 H. 3579 -- Rep. Barfield: A BILL TO AMEND SECTION 50‑13‑325, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAKING OF NONGAME FISH IN GILL NETS, SO AS TO REDUCE THE MINIMUM DISTANCE REQUIRED BETWEEN NETS PLACED ON THE LITTLE PEE DEE RIVER UPSTREAM OF PUNCH BOWL LANDING.

 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 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill O'Dell

Peeler Rankin Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--40**

**NAYS**

**Total--0**

 The Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

 H. 3586 -- Rep. George: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE MULLINS NATIONAL GUARD ARMORY TO THE CITY OF MULLINS.

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

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

O'Dell Peeler Rankin

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--38**

**NAYS**

**Total--0**

 The Resolution was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER AS AMENDED**

 S. 117 -- Senators Hayes, Courson, O’Dell, Verdin and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑66‑75 SO AS TO REQUIRE A HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO AUTHORIZE DISCLOSURE OF CERTAIN INFORMATION TO DESIGNATED FAMILY MEMBERS AND OTHER INDIVIDUALS AND TO AUTHORIZE THE INVOLVEMENT OF THESE FAMILY MEMBERS AND OTHER INDIVIDUALS IN THE TREATMENT OF THE PATIENT; TO SPECIFY WHEN THE OPPORTUNITY TO SIGN AN AUTHORIZATION MUST BE PROVIDED TO A PATIENT AND TO SPECIFY THE CONTENTS OF THE AUTHORIZATION; AND TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR GOOD FAITH DISCLOSURE OF INFORMATION; AND TO AMEND SECTION 44‑66‑20, AS AMENDED, RELATING TO DEFINITIONS IN THE ADULT HEALTH CARE CONSENT ACT, SO AS TO DEFINE “PATIENT” AND “TREATMENT” AND TO AMEND OTHER DEFINITIONS.

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

 The Committee on Medical Affairs proposed the following amendment (S-117 AMENDMENT), which was adopted:

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

 / A BILL

 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑66‑75 SO AS TO REQUIRE A HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO ALLOW DISCLOSURE OF CERTAIN INFORMATION TO DESIGNATED FAMILY MEMBERS AND OTHER INDIVIDUALS AND TO AUTHORIZE THE INVOLVEMENT OF THESE FAMILY MEMBERS AND OTHER INDIVIDUALS IN THE TREATMENT OF THE PATIENT; TO SPECIFY THE CONTENTS OF THE AUTHORIZATION; AND TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR GOOD FAITH DISCLOSURE OF INFORMATION; AND TO AMEND SECTION 44‑66‑20, AS AMENDED, RELATING TO DEFINITIONS IN THE ADULT HEALTH CARE CONSENT ACT, SO AS TO DEFINE “PATIENT” AND “TREATMENT” AND TO AMEND OTHER DEFINITIONS.

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

 SECTION 1. Chapter 66, Title 44 of the 1976 Code is amended by adding:

 “Section 44‑66‑75. (A) A health care provider or the provider’s agent shall provide on the patient information form or by electronic health records, the opportunity for the patient to designate a family member or other individual they choose as a person with whom the provider may discuss the patient's medical condition and treatment plan.

 (B) The authorization provided for in subsection (A):

 (1) satisfies the requirements of Title 42 of the Code of Federal Regulations, relating to public health, and the privacy rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA);

 (2) must present the question in bold print and capitalized or by electronic means: ‘DO YOU WANT TO DESIGNATE A FAMILY MEMBER OR OTHER INDIVIDUAL WITH WHOM THE PROVIDER MAY DISCUSS YOUR MEDICAL CONDITION? IF YES, WHOM?’; and

 (3) must specify that the patient may revoke or modify an authorization with regard to any family member or other individual designated by the patient in the authorization and that the revocation or modification must be in writing.

 (C) A health care provider may disclose information pursuant to an authorization unless the provider has actual knowledge that the authorization has been revoked or modified.

 (D) A health care provider who in good faith discloses information in accordance with an authorization signed by a patient pursuant to this section is not subject to civil liability, criminal liability, or disciplinary sanctions because of this disclosure.

 (E) Nothing in this section may be construed to:

 (1) require a health care provider to disclose information that he otherwise may withhold or limit;

 (2) limit or prevent a provider from disclosing information without written authorization from the patient if this disclosure is otherwise lawful or permissible;

 (3) prohibit a provider from receiving and using information relevant to the safe and effective treatment of the patient from family members; and

 (4) conflict with an individual’s health care power of attorney as provided for in the South Carolina Probate Code.

 (F) Notwithstanding any other provision of this chapter, this section does not apply to nursing homes, as defined in Section 44-7-130 or a dentist, dental hygienist, or dental technician licensed or registered in Chapter 15 of Title 40.”

 SECTION 2. Section 44‑66‑20 of the 1976 Code, as last amended by Act 351 of 2002, is further amended to read:

 “Section 44‑66‑20. As used in this chapter:

 (1) ‘Health care’ means a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin. ~~It~~ Health care also includes the provision of intermediate or skilled nursing care; services for the rehabilitation of injured, disabled, or sick persons; and the placement in or removal from a facility that provides these forms of care.

 (2) ‘Health care provider’ or ‘provider’ means a person, health care facility, organization, or corporation licensed, certified, or otherwise authorized or permitted by the laws of this State to administer health care.

 (3) ‘Health care professional’ means an individual who is licensed, certified, or otherwise authorized by the laws of this State to provide health care to members of the public.

 (4) ‘Patient’ means an individual sixteen years of age or older who presents or is presented to a health care provider for treatment.

 (5) ‘Person’ includes, but is not limited to, an individual, a state agency, or a representative of a state agency.

 (~~5~~6) ‘Physician’ means an individual who is licensed to practice medicine or osteopathy ~~under~~ pursuant to Chapter 47 ~~of~~, Title 40.

 (7) ‘Treatment’ means the broad range of emergency, outpatient, intermediate, and inpatient services and care that may be extended to a patient to diagnose and treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin. Treatment includes, but is not limited to, psychiatric, psychological, substance abuse, and counseling services.

 (~~6~~8) ‘Unable to consent’ means unable to appreciate the nature and implications of the patient’s condition and proposed health care, to make a reasoned decision concerning the proposed health care, or to communicate that decision in an unambiguous manner. This ~~definition~~ term does not ~~include~~ apply to minors, and this chapter does not affect the delivery of health care to minors unless they are married or have been determined judicially to be emancipated. A patient’s inability to consent must be certified by two licensed physicians, each of whom has examined the patient. However, in an emergency the patient’s inability to consent may be certified by a health care professional responsible for the care of the patient if the health care professional states in writing in the patient’s record that the delay occasioned by obtaining certification from two licensed physicians would be detrimental to the patient’s health. A certifying physician or other health care professional shall give an opinion regarding the cause and nature of the inability to consent, its extent, and its probable duration. If a patient unable to consent is being admitted to hospice care pursuant to a physician certification of a terminal illness required by Medicare, that certification meets the certification requirements of this item.”

 SECTION 3. This act takes effect January 1, 2014. /

 Renumber sections to conform.

 Amend title to conform.

 Senator CLEARY explained the committee amendment.

 The committee amendment was adopted.

 On motion of Senator McELVEEN, the Bill was carried over, as amended.

**COMMITTEE AMENDMENT ADOPTED**

**AMENDMENT PROPOSED**

 **CARRIED OVER, AS AMENDED**

 S. 334 -- Senators Leatherman, O’Dell, Bryant, Matthews, Jackson, Malloy, McGill, Fair, Coleman, Ford, Johnson, McElveen, Pinckney, Scott, Setzler, Williams, Nicholson, Allen, Lourie and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑4‑352 SO AS TO REQUIRE THE GOVERNOR TO DEVELOP A PROTECTION PLAN TO MINIMIZE THE ACTUAL AND POTENTIAL COSTS AND EFFECTS OF IDENTITY THEFT DUE TO THE CYBER SECURITY BREACH AT THE DEPARTMENT OF REVENUE BY PROVIDING IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES, TO REQUIRE THE GOVERNOR TO DEVELOP A POLICY THAT ENSURES THE SAFETY OF ALL PERSONALLY IDENTIFIABLE INFORMATION IN THE POSSESSION OF THE DEPARTMENT OF REVENUE, INCLUDING THE ENCRYPTION OF PERSONALLY IDENTIFIABLE INFORMATION, TO SET FORTH THE PROCESS BY WHICH IDENTITY THEFT PROTECTION AND RESOLUTION SERVICES ARE PROCURED, TO REQUIRE THE GOVERNOR AND THE DEPARTMENT OF REVENUE TO ATTEMPT TO MAKE ENROLLMENT IN THESE PROGRAMS AS EASY AS POSSIBLE, TO PROVIDE THAT THESE PROGRAMS MUST BE FREE OF CHARGE TO THE ELIGIBLE PERSONS, AND TO DEFINE TERMS; BY ADDING SECTION 12‑6‑1141, SO AS TO PROVIDE AN INDIVIDUAL INCOME TAX DEDUCTION FOR THE ACTUAL COSTS, BUT NOT EXCEEDING TWO HUNDRED DOLLARS FOR AN INDIVIDUAL TAXPAYER, AND NOT EXCEEDING THREE HUNDRED DOLLARS FOR A JOINT RETURN OR A RETURN CLAIMING DEPENDENTS, INCURRED BY A TAXPAYER IN THE TAXABLE YEAR TO PURCHASE IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES; BY ADDING PART 7 TO CHAPTER 6, TITLE 37 SO AS TO ESTABLISH WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS THE IDENTITY THEFT UNIT AND TO PROVIDE ITS DUTIES; BY ADDING CHAPTER 36 TO TITLE 1 SO AS TO ESTABLISH THE DEPARTMENT OF INFORMATION SECURITY, TO PROVIDE THAT THE MISSION OF THE DEPARTMENT OF INFORMATION SECURITY IS TO PROTECT THE STATE’S INFORMATION AND CYBER SECURITY INFRASTRUCTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INFORMATION SECURITY IS THE CHIEF INFORMATION SECURITY OFFICER OF THE STATE AND TO PROVIDE THE CHIEF INFORMATION SECURITY OFFICER IS APPOINTED BY THE GOVERNOR, AND TO DEFINE TERMS, TO ESTABLISH THE TECHNOLOGY INVESTMENT COUNCIL TO ADOPT AND ANNUALLY REVIEW A STATEWIDE TECHNOLOGY PLAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COUNCIL, AND TO REQUIRE REPORTS; TO AMEND SECTION 1‑3‑240, AS AMENDED, RELATING TO OFFICERS THAT ONLY MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO ADD THE CHIEF INFORMATION SECURITY OFFICER; TO AMEND SECTION 1‑30‑10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF INFORMATION SECURITY; AND BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO CREATE THE JOINT INFORMATION SECURITY OVERSIGHT COMMITTEE TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING CYBER SECURITY, INCLUDING THE RECEIPT OF IMPEDIMENTS TO IMPROVED CYBER SECURITY, AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE.

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

 The Committee on Finance proposed the following amendment (NL\334C004.NL.DG13), which was adopted:

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

 / Whereas, between August 13, 2012, and September 15, 2012, a cyber criminal gained unprecedented access to forty‑four South Carolina Department of Revenue computer systems utilizing thirty‑three unique and undetected pieces of malicious software, leading to the ultimate theft of more than six million of the state’s taxpayers’ most sensitive pieces of personal identifying information that were not encrypted, including social security numbers, bank account information, and credit card numbers; and

 Whereas, at no time during this extended period did the Department of Revenue prevent, mitigate, or detect the presence of the cyber criminal, who ultimately uploaded nearly seventy‑five gigabytes of data containing millions of pieces of the state’s citizens’ personal and financial information; and

 Whereas, the Department of Revenue did not discover this unprecedented crime until October 10, 2012, almost two months after the attack began, when a law enforcement agency contacted the Department of Revenue with evidence that a cyber security breach had occurred; and

 Whereas, the public was notified by the Governor of South Carolina of the cyber security breach at the Department of Revenue, the largest to date in United States history, on October 26, 2012, at which time the public was informed of the initial steps that were being taken by the Governor and the Department of Revenue to mitigate the damaging effects of the cyber security breach; and

 Whereas, at a cost of more than twenty million dollars to date, the Governor and the Department of Revenue have utilized emergency procurement laws of this State, to both investigate and close the unprecedented breach, as well as to provide victims of this breach, identity theft protection and resolution services; and

 Whereas, the contract negotiated by the Governor and the Department of Revenue under emergency procurement laws of this State, include differing levels of credit report access, monitoring, alerts and identity theft insurance for free, for the initial year, after which time taxpayers would have to purchase the credit report access, monitoring, alerts and identity theft insurance portions of their current coverage at their own expense; and

 Whereas, taxpayers whose personally identifiable information was stolen as a result of this unprecedented cyber security breach were victims through no fault of their own, and trusted the Department of Revenue to protect their most personal and valuable financial information from criminal attacks that could expose them, and their children, to long‑term identity theft vulnerabilities; and

 Whereas, the failure of the Department of Revenue to adequately protect taxpayers from this cyber security breach, warrants the provision of identity theft protection and resolution services to eligible persons beyond the initial year, free of charge; and

 Whereas, the Department of Revenue declined technology services, including cyber security services, that had been offered free of charge by another entity of state government; and

 Whereas, the Department of Revenue determined that the encryption of taxpayers’ personally identifiable information was too costly and cumbersome to pursue; and

 Whereas, security techniques were known and available but the Department of Revenue decided that the risk of such a breach was small enough to warrant inaction regarding the application of such security techniques; and

 Whereas, this cyber security breach at the Department of Revenue was not primarily about the failure of technology, but was about the failure to deploy even the most basic technology and a failure of organizational structure; and

 Whereas, under the state’s current decentralized approach to information security, each agency, decides its own risk tolerance for data loss and creates its own information security plan, absent statewide oversight and standards, thereby undermining the state’s overall cyber security posture and creating unacceptable risks for data breaches throughout all of state government; and

 Whereas, the creation of a centralized Department of Information Security is necessary to provide statewide oversight and standards to all South Carolina State and local governments to protect the personally identifiable information of all citizens and taxpayers of this State; and

 Whereas, the development and implementation of a single, common, statewide technology direction is fundamental to every aspect of state government, and that the creation of the Department of Information Security will best support the State in this endeavor to unify its technology strategies while identifying those solutions which best improve the protection of the personally identifiable information of the state’s citizens. Now, therefore,

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

 SECTION 1. A. Article 3, Chapter 4, Title 12 of the 1976 Code is amended by adding:

 “Section 12‑4‑352. (A) As used in this section:

 (1) ‘Eligible person’ means a taxpayer that filed a return with the department for any taxable year after 1997 and before 2013, whether by paper or electronic transmission, or any taxpayer whose personally identifiable information was contained on the return of another eligible person, including minor dependents.

 (2) ‘Identity theft protection’ means identity fraud and protection products and services that attempt to proactively detect, notify, or prevent unauthorized access or misuse of a person’s identifying information or financial information to fraudulently obtain resources, credit, government documents or benefits, phone or other utility services, bank or savings accounts, loans, or other benefits in the person’s name.

 (3) ‘Identity theft resolution services’ means products and services that attempt to mitigate the effects of identity fraud after personally identifiable information has been fraudulently obtained by a third party, including, but not limited to, identity theft insurance and other identity theft resolution services that are designed to resolve actual and potential identity theft and related matters.

 (4) ‘Person’ means an individual, corporation, firm, association, joint venture, partnership, limited liability corporation, or any other business entity.

 (5) ‘Personally identifiable information’ means information that can be used to uniquely identify, contact, or locate a single person or can be used with other sources to uniquely identify a single individual, including, but not limited to, social security numbers, debit card numbers, credit card numbers, and bank account numbers.

 (B)(1) The Governor shall develop a protection plan to minimize the actual and potential costs and effects of identity theft perpetrated upon all eligible persons by providing identity theft protection and identity theft resolution services. The identity theft protection and identity theft resolution services must be free of charge to each eligible person.

 (2) The Governor shall develop and implement a policy that is designed to ensure the safety of all personally identifiable information in possession of the Department of Revenue. The policy shall include, but is not limited to, the encryption of personally identifiable information both during transmission and at rest.

 (3) The protection plan and policy implemented pursuant to items (1) and (2) may include assistance from or services provided by any executive branch agency of state government, including the Department of Consumer Affairs.

 (C)(1) The protection plan implemented pursuant to subsection (B)(1) must include procurement by the Governor of one or more contracts for identity theft protection and identity theft resolution services for all eligible persons, including, but not limited to, credit monitoring and alerts. In implementing the protection plan, the Governor must also consider including protections against government documents and benefits fraud, phone and other utilities fraud, bank fraud and loan fraud. The procurement of identity theft protection shall be governed by the South Carolina Consolidated Procurement Code and conducted in compliance with the following additional requirements. Any contract for identity theft protection or identity theft resolution services entered into by the Governor must be solicited through the Materials Management Office using the process set forth in Section 11‑35‑1530. Prior to issuance, the Governor’s request for proposals must be reviewed and approved by an advisory panel composed of three members appointed by the Governor, Chairman of the Senate Finance Committee, and Chairman of the House Ways and Means Committee. The evaluation and ranking required by Section 11‑35‑1530 must be conducted by an evaluation panel composed of at least three members. The advisory panel must approve anyone selected to serve or otherwise participate with the evaluation panel and anyone authorized by the procurement officer to participate, directly or indirectly, in the selection process.

 (2) Any contract entered into pursuant to subsection (B)(1) must be for a term of no more than five years. Upon the expiration of a contract or contracts, the Governor shall issue a report to the General Assembly containing findings and recommendations concerning the ongoing risk of identity theft to eligible persons, the services the contract or contracts provided, and the need, if any, for extending the period for the contracted services, including the levels of service required if such a need exists. Based on the findings of the report, the Governor may extend the provision of one or more services offered pursuant to subsection (B)(1) for one additional term of up to five years; however, the provisions of item (1) of this subsection must be complied with in procuring another contract.

 (3) No service provided pursuant to subsection (B)(1) may be procured for a cost if the same service is available to eligible persons for free under state or federal law.

 (D)(1) In order to ensure that every eligible person obtains identity theft protection and identity theft resolution services pursuant to subsection (B)(1), to the extent allowed by federal or state law, including Section 30-2-320, the Governor and the Department of Revenue must develop and implement a policy to make enrollment as simple as possible for each eligible person. The policy may include, but is not limited to, automatic enrollment, provided that there is an opt-out mechanism for otherwise eligible persons, enrollment authorization on a tax return filed in this State, and enrollment authorization through a secure protected server on the department’s website.

 (2) By March fifteenth of each year, the Department of Revenue shall issue a report to the Governor and the General Assembly detailing the number of eligible persons that enrolled in the identity theft protection and identity theft resolution services program procured by the Governor pursuant to subsection (B)(1) in the most recent tax year for which there is an accurate figure and the number of people eligible to enroll. The report also must detail the efforts of the Governor and the Department of Revenue to increase enrollment in the programs.

 (E) The Governor must include the estimated costs of implementing this section when submitting the executive budget pursuant to Article 1, Chapter 11, Title 11. Also, if the department, or an executive branch of state government, including the Department of Consumer Affairs, anticipate funds are necessary to implement the provisions of this section, they must account specifically for such estimated costs in making their annual budget request to the Office of State Budget pursuant to Article 1, Chapter 11, Title 11.

 (F) Nothing in this section creates a private right of action or an expenditure of funds.”

 B. Article 9, Chapter 6, Title 12 of the 1976 Code is amended by adding:

 “Section 12‑6‑1141. (A) In addition to the deductions allowed in Section 12‑6‑1140, there is allowed a deduction in computing South Carolina taxable income of an individual the actual costs, but not exceeding three hundred dollars for an individual taxpayer, and not exceeding one thousand dollars for a joint return or a return claiming dependents, incurred by a taxpayer in the taxable year to purchase a monthly or annual contract or subscription for identity theft protection and identity theft resolution services. The deduction allowed by this item may not be claimed by an individual if the individual deducted the same actual costs as a business expense or if the taxpayer is enrolled in the identity theft protection and identity theft resolution services program pursuant to Section 12‑4‑352(B)(1). For purposes of this item, ‘identity theft protection’ and ‘identity theft resolution services’ have the same meaning as provided in Section 12‑4‑352.

 (B) By March fifteenth of each year, the department shall issue a report to the Governor and the General Assembly detailing the number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure, and the total monetary value of the deductions claimed pursuant to this item in that same year.

 (C) The department shall prescribe the necessary forms to claim the deduction allowed by this section. The department may require the taxpayer to provide proof of the actual costs and the taxpayer’s eligibility.”

 C. Unless reauthorized by the General Assembly, SECTION 1B, as contained in this act, is repealed on January 1, 2018, and only applies to tax years beginning after 2012 and ending before 2018.

 SECTION 2. A. Chapter 6, Title 37 of the 1976 Code is amended by adding:

 “Part 7

 Identity Theft Unit

 Section 37‑6‑701. There is created within the Department of Consumer Affairs the Identity Theft Unit with duties and organizations as provided in this part.

 Section 37‑6‑702. The Identity Theft Unit must be staffed and equipped to perform the functions prescribed in Section 37‑6‑703.

 Section 37‑6‑703. The purpose of the Identity Theft Unit is to promote the protection of individuals’ personal information, establish programs to inform the public with respect to identity theft, identity fraud and related unlawful conduct or practices, and provide identity theft and fraud resolution services to victims. The unit shall:

 (1) receive complaints concerning identity theft, identity fraud, and related crimes;

 (2) provide information and advice to the public on effective ways of handling complaints that involve identity theft, identity fraud, and related crimes;

 (3) assist victims of identity theft, identity fraud, and related crimes in rectifying the effects of the theft or fraud through personalized assistance;

 (4) refer complaints where appropriate to local, state, or federal agencies that are available to assist the public with identity theft, identity fraud, and related crimes;

 (5) develop information and educational programs and materials to foster public understanding and recognition of the issues related to identity theft, identity fraud, and other unlawful conduct or practices;

 (6) identify consumer problems in, and promote and facilitate the development and use of best practices in the protection of the privacy of personal information;

 (7) promote voluntary and mutually agreed upon non-binding mediation of identity theft and identity fraud disputes where appropriate;

 (8) cooperate and assist local, state, and federal law enforcement agencies in carrying out their legal enforcement responsibilities related to identity theft and identity fraud;

 (9) assist and coordinate in the training of local, state, and federal law enforcement agencies regarding identity theft, identity fraud, and other privacy related crimes; and

 (10) provide a centralized location where information related to incidents of identity theft may be securely stored and accessed for the benefit of victims of identity theft.

 Section 37‑6‑704. By March fifteenth of each year, the division shall issue a report to the Governor, the General Assembly, and the Joint Information Security Oversight Committee with recommendations, including the text of an amendment effectuating the recommendations, to state and federal law, including the Consumer Protection Code, regarding identity theft that would reduce the occurrence of identity theft and the costs, monetary and otherwise, of identity theft.”

 B. Notwithstanding the general effective date of this act, this SECTION takes effect October 1, 2013.

 SECTION 3. A. Title 1 of the 1976 Code is amended by adding:

 “CHAPTER 36

 Information Security

 Article 1

 Division of Information Security

 Section 1‑36‑10. (A) There is hereby established within the Budget and Control Board the Division of Information Security that is dedicated to the protection of the state’s information and cyber security infrastructure, including, but not limited to, the identification and mitigation of vulnerabilities, deterring and responding to cyber events, and promoting cyber security awareness within the State. The division also shall be responsible for statewide policies, standards, programs, and services relating to cyber security and information systems, including the statewide coordination of critical infrastructure information. The divison shall consist of the Chief Information Security Officer, who is the director of the divison, and a staff employed by the Chief Information Security Officer as necessary to carry out the duties of the division and as are authorized by law. The Chief Information Security Officer, with advice and assistance of the Office of Human Resources of the Budget and Control Board, shall fix the salaries of all staff subject to the funds authorized in the annual general appropriations act. Subject to funding, the salaries of the staff involved with information technology must be competitive with the private sector. The compensation plan must be unique to information technology employees working at the Division of Information Security and consider all factors including areas requiring specialized skill sets, and should include components necessary to recruit and retain highly qualified information technology professionals to the State.

 (B) After consulting with the Division of State Information Technology of the Budget and Control Board, the Governor shall appoint the Chief Information Security Officer with the advice and consent of the Senate for a term of four years, except that the initial appointment shall expire June 30, 2017. The Governor may reappoint the Chief Information Security Officer for additional terms. The Chief Information Security Officer’s compensation must not be reduced during the Chief Information Security Officer’s uninterrupted continued tenure in office.

 (C) The Chief Information Security Officer may be removed from office only by the Governor as provided in Section 1‑3‑240(C).

 Section 1‑36‑20.(A) In consultation with appropriate agency heads, the Chief Information Security Officer shall develop cyber security policies, guidelines, and standards. The Chief Information Security Officer shall oversee the implementation of and compliance with established standards. Each agency or agency head shall, under the management of the Division of State Information Technology, install and administer state data security systems on its computer facilities consistent with these policies, guidelines, standards, and state law to ensure the integrity of computer‑based and other data and to ensure applicable limitations on access to data. In furtherance of and in addition to these duties, the Chief Information Security Officer shall:

 (1) include the identification and routine assessment of security risks at the agency level in the information security plan developed;

 (2) regularly audit agencies to monitor compliance with established standards;

 (3) require in the information security plan developed that agencies ensure service contractors follow established procedures when providing contracted services;

 (4) coordinate all incident responses to agency cyber security breaches; and

 (5) offer security services to agencies.

 (B) The Chief Information Security Officer is responsible for overall security of state agency networks connected to the Internet as a component of the overall information technology function. Information technology remains the responsibility of the Director of the Division of State Information Technology. Each agency or agency head is responsible for the security of the agency’s data within the guidelines of the policy established by the Chief Information Security Officer.

 Section 1‑36‑30. (A) In developing policies, guidelines, and standards, the Chief Information Security Officer must consider:

 (1) developing an information technology security governance structure that is inclusive of all agencies;

 (2) adopting control objectives to manage, implement, and maintain information technology security;

 (3) developing security metrics that accurately measure unwanted intrusions, security breaches, penetrations, and vulnerabilities;

 (4) developing security standards based on a full risk assessment of critical infrastructure vulnerabilities; and

 (5) developing a method for the sharing of security information sharing and analysis.

 (B) The Chief Information Security Officer and the Director of the Division of State Information Technology shall collaborate with each other in developing policies, guidelines, and standards required by each office.

 Section 1‑36‑40. (A) All agencies must adopt and implement the policies, guidelines, and standards developed by the Chief Information Security Officer.

 (B) Upon request of the Chief Information Security Officer for information or data, all agencies must fully cooperate with and furnish the Chief Information Security Officer with all documents, reports, answers, records, accounts, papers, and other necessary data and documentary information to perform the division’s mission and to exercise the division’s functions, powers, and duties.

 (C) The Chief Information Security Officer shall coordinate at least one training conference annually for state agency information security officers and shall receive an appropriation for the conference in an amount sufficient to attract the top cyber security professionals in the country to speak and to produce training materials for attendees.

 Section 1‑36‑50. For purposes of this chapter, ‘agency’ means all state agencies, departments, boards, commissions, institutions, and authorities, except the legislative and judicial departments of state government, that collect or maintain personally identifiable information as defined in Section 12‑4‑352. ‘Agency’ also includes all political subdivisions of this State, including school districts, and public authorities that collect or maintain personally identifiable information as defined in Section 12‑4‑352.

 Section 1‑36‑60. The Division of Information Security may promulgate regulations necessary to implement the provisions of this chapter and to accomplish the objectives set forth in Section 1‑36‑20. The regulations may include penalties for any agency in violation of Section 1‑36‑40.

 Article 3

 Technology Investment Council

 Section 1‑36‑310. There is hereby established a Technology Investment Council. The council shall consist of seven members, appointed as follows:

 (1) the Director of the Budget and Control Board, Division of State Information Technology, who shall serve as chairman;

 (2) the Chief Information Security Officer;

 (3) five members, with one appointment made by each: the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, Chairman of the Senate Finance Committee, and Chairman of the House Ways and Means Committee.

 Section 1‑36‑320. The duties of the council are as follows:

 (1) adopt policies and procedures used to develop, review, and annually update a statewide technology plan and provide it to the Governor, Office of State Budget, and the General Assembly;

 (2) by October 1, 2013, and each October first thereafter, the council shall provide the Governor, the Legislative Fiscal Office, the Executive Budget and Strategic Planning Office, and the General Assembly with a statewide technology plan. The plan shall discuss the state’s overall technology needs over a multiyear period and the potential budgetary implications of meeting those needs;

 (3) by November fifteenth of each year, the council shall make recommendations to the Governor and General Assembly regarding the funding of technology for the next fiscal year;

 (4) enforce active project management, review the progress of current projects to determine if they are on budget and have met their project milestones, and when necessary, recommend the termination of projects; and

 (5) develop minimum technical standards, guidelines, and architectures as required for state technology projects.

 Section 1‑36‑330. To assist the council and Division of Information Security in fulfilling its duties, each agency shall name an individual to act as that agency’s ‘information security officer’. It is the intent of this section that such information security officers will act as the primary points of contact for appropriate communications between the council and the Division of Information Security.”

 B. Section 1‑3‑240(C)(1) of the 1976 Code, as last amended by Act 105 of 2012, is further amended by adding an appropriately numbered subitem at the end to read:

 “( ) Chief Information Security Officer.”

 C. Notwithstanding the general effective date of this act, this SECTION takes effect July 1, 2013.

 SECTION 4. Title 2 of the 1976 Code is amended by adding:

 “CHAPTER 79

 Joint Information Security Oversight Committee

 Section 2‑79‑10. The General Assembly finds that:

 (1) a need exists for the protection of the state’s information and cyber security infrastructure;

 (2) a need exists for statewide policies, standards, programs, and services relating to cyber security and information systems; and

 (3) it is necessary that the General Assembly be kept apprised of statewide efforts to improve cyber security, including any barriers to improved cyber security.

 Section 2‑79‑20. There is created the Joint Information Security Oversight Committee to conduct a continuing study of the laws of this State affecting cyber security, including the receipt of information from the Department of Information Security regarding impediments to improved cyber security. The committee is composed of nine members appointed as follows:

 (1) two members appointed by the Chairman of the Senate Finance Committee;

 (2) two members appointed by the Chairman of the House Ways and Means Committee;

 (3) one member appointed by the President Pro Tempore of the Senate;

 (4) one member appointed by the Speaker of the House of Representatives;

 (5) two members appointed by the Governor; and

 (6) the Chief Information Security Officer who shall serve ex officio.

 At its first meeting the committee shall organize by selecting from its membership a chairman, vice chairman, secretary, and other officers the committee may determine. The committee shall meet on the call of the chairman or a majority of the members. A quorum consists of five members. Terms of appointed committee members are coterminous with that of the appointing authority. The committee shall report its initial findings and recommendations to the General Assembly on March 15, 2014, and shall make a report to the General Assembly each year thereafter. The report shall include the text of an amendment that effectuates the recommendations.

 Section 2‑79‑30. The committee shall make a continuous study and investigation of all facets of the laws and practices relating to cyber security, so as to recommend appropriate modifications. The committee and its subcommittees may hold hearings and act at the times and places within the State the chairman designates and require the appearance of witnesses and the production of documents as provided for in Chapter 69, Title 2.

 Section 2‑79‑40. (A) The members of the committee are ineligible for compensation but shall receive the usual mileage, per diem, and subsistence as is provided by law for members of state boards, commissions, and committees. The allowed mileage, per diem, and subsistence must be paid from approved accounts of the Senate for the Senate appointees, from approved accounts of the House for the House appointees, from funds appropriated to the Office of the Governor for gubernatorial appointees, and from funds appropriated to the Department of Information Security for the Chief Information Security Officer.

 (B) Upon funding from the General Assembly, the committee may engage or employ staff or consultants as may be necessary and prudent to assist the commission in the performance of its duties and responsibilities.

 (C) Staffs of the Senate, the House of Representatives, and the Department of Information Security must be available to assist the commission in its work. Any other expenses incurred by the commission shall be paid equally from each respective house’s approved account subject to the approval of the Senate Operations and Management Committee and the Speaker of the House.”

 SECTION 5. Except as otherwise provided, this act takes effect upon approval by the Governor. /

 Renumber sections to conform.

 Amend title to conform.

 Senator O’DELL explained the committee amendment.

 The committee amendment was adopted.

 Senators SHEHEEN, MALLOY and SETZLER proposed the following amendment (334R001.VAS):

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

 / SECTION \_\_\_. Article 3, Chapter 4, Title 12 of the 1976 Code is amended by adding:

 “Section 12‑4‑355. (A) For the purposes of this section:

 (1) ‘Eligible person’ shall mean a person whose personally identifiable information was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission.

 (2) ‘Eligible expenses’ shall mean the actual, verified losses incurred by an eligible person related to the theft of his personally identifiable information.

 (3) ‘Person’ shall mean an individual, corporation, firm, association, joint venture, partnership, limited liability corporation, or any other business entity.

 (4) ‘Personally identifiable information’ means information that can be used to uniquely identify, contact, or locate a single person or can be used with other sources to uniquely identify a single individual, including, but not limited to, social security numbers, debit card numbers, and credit card numbers.

 (B) There is established in the State Treasury the Department of Revenue Identity Theft Reimbursement Fund which must be maintained separately from the general fund of the State and all other funds. The proceeds of the fund must be utilized to reimburse eligible expenses incurred by an eligible person.

 (C) The State Treasurer may promulgate regulations necessary to implement the provisions of this section, including the disbursal of proceeds of the fund.” /

 Renumber sections to conform.

 Amend title to conform.

 Senator SHEHEEN explained the amendment.

 On motion of Senator SETZLER, the Bill was carried over, as amended.

**OBJECTION**

 S. 313 -- Senators Hayes, Courson, Setzler, Matthews, Lourie, Hutto, Jackson, Rankin, L. Martin, O’Dell, Malloy and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 62 TO TITLE 59 SO AS TO ESTABLISH A SCHOOL DISTRICT CHOICE PROGRAM AND OPEN ENROLLMENT PROGRAM WITHIN THE PUBLIC SCHOOL SYSTEM OF THIS STATE, TO PROVIDE FOR A VOLUNTARY PILOT TESTING OF THE PROGRAM BEFORE FULL IMPLEMENTATION, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR AN APPLICATION PROCESS FOR STUDENTS WISHING TO TRANSFER, TO PROVIDE RESPONSIBILITIES, STANDARDS, AND CRITERIA CONCERNING SENDING AND RECEIVING SCHOOLS AND SCHOOL DISTRICTS, TO PROVIDE STANDARDS OF APPROVAL, PRIORITIES FOR ACCEPTING STUDENTS AND CRITERIA FOR DENYING STUDENTS, TO PROVIDE THAT WITH CERTAIN EXCEPTIONS THE PARENT IS RESPONSIBLE FOR TRANSPORTING THE STUDENT TO SCHOOL, TO PROVIDE THAT DISTRICTS SHALL RECEIVE ONE HUNDRED PERCENT OF THE BASE STUDENT COST FROM THE STATE FOR NONRESIDENT STUDENTS ENROLLED PURSUANT TO THIS CHAPTER, TO PROVIDE THAT A STUDENT GENERALLY MAY NOT PARTICIPATE IN INTERSCHOLASTIC ATHLETIC CONTESTS AND COMPETITIONS FOR ONE YEAR AFTER HIS DATE OF ENROLLMENT, TO PROVIDE THAT A RECEIVING DISTRICT SHALL ACCEPT CERTAIN CREDITS TOWARD A STUDENT’S REQUIREMENTS FOR GRADUATION AND SHALL AWARD A DIPLOMA TO A NONRESIDENT STUDENT WHO MEETS ALL REQUIREMENTS FOR GRADUATION, TO PROVIDE THAT A SCHOOL DISTRICT MAY CONTRACT WITH CERTAIN ENTITIES FOR THE PROVISION OF SERVICES, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL SURVEY SCHOOL DISTRICTS TO DETERMINE PARTICIPATION IN THE OPEN ENROLLMENT PROGRAM AND PROVIDE CERTAIN DELETED REPORTS ON THE PROGRAM TO THE GENERAL ASSEMBLY, TO PROVIDE A DISTRICT MAY RECEIVE CERTAIN WAIVERS CONCERNING THE IMPLEMENTATION OF THIS ACT, AND TO PROVIDE THAT IMPLEMENTATION OF THIS PROGRAM EACH FISCAL YEAR IS CONTINGENT UPON THE APPROPRIATION OF ADEQUATE FUNDING BY THE GENERAL ASSEMBLY.

 Senator SCOTT objected to the Bill.

**CARRIED OVER**

S. 542 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL GAS CODE, AND NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4320, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

 On motion of Senator BRIGHT, the Joint Resolution was carried over.

**ADOPTED**

S. 498 -- Senators Bennett and Hutto: A SENATE RESOLUTION TO DECLARE MAY 2013 AS “BLADDER CANCER AWARENESS MONTH” IN SOUTH CAROLINA, TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF BLADDER CANCER IN THE UNITED STATES, TO ENCOURAGE RESEARCH IN THE MEDICAL COMMUNITY TO IDENTIFY THE CAUSES AND DEVELOP A CURE FOR THE DISEASE, AND TO COMMEND BOY SCOUT TROOP 2 FROM SUMMERVILLE FOR ITS EFFORTS IN THIS ENDEAVOR.

 The Senate Resolution was adopted.

S. 479 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2013.

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

S. 493 -- Senator Sheheen: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, APRIL 11, 2013, AS “CITY OF CAMDEN DAY” IN SOUTH CAROLINA.

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

S. 499 -- Senator Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE SOUTH CAROLINA GENERAL ASSEMBLY’S AND THE STATE OF SOUTH CAROLINA’S SUPPORT FOR ORGAN, EYE, AND TISSUE DONATION AND TO DESIGNATE THURSDAY, APRIL 4, 2013, AS “ORGAN DONOR REGISTRATION DAY” IN SOUTH CAROLINA.

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

H. 3615 -- Reps. Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION THAT GIVES THE STATE OF SOUTH CAROLINA AUTHORITY TO MANAGE ITS STOCK OF BLACK SEA BASS (CENTROPRISTIS STRIATA) IN BOTH STATE AND FEDERAL WATERS.

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

H. 3714 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 14, 2013, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

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

H. 3749 -- Reps. Horne, Harrell, Murphy and Erickson: A CONCURRENT RESOLUTION TO DECLARE MAY 2013 AS “BLADDER CANCER AWARENESS MONTH” IN SOUTH CAROLINA, TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF BLADDER CANCER IN THE UNITED STATES, TO ENCOURAGE RESEARCH IN THE MEDICAL COMMUNITY TO IDENTIFY THE CAUSES AND DEVELOP A CURE FOR THE DISEASE, AND TO COMMEND BOY SCOUT TROOP 2 FROM SUMMERVILLE FOR ITS EFFORTS IN THIS ENDEAVOR.

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

H. 3800 -- Reps. Huggins and Ballentine: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE COLUMBIA RADIO PERSONALITY JONATHON RUSH ON THE TWENTY‑FIFTH ANNIVERSARY OF HIS RADIO PROGRAM, *THE MORNING RUSH*, TO COMMEND HIM FOR THE MANY CONTRIBUTIONS HE HAS MADE TO THE COLUMBIA‑AREA METROPOLITAN RADIO MARKET, AND TO DECLARE MARCH 21, 2013, AS JONATHON RUSH DAY IN SOUTH CAROLINA.

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

**MOTION ADOPTED**

 On motion of Senator BRYANT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Newton Newell of Anderson, S.C.

and

**MOTION ADOPTED**

 On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. N. Everette “Boss” Kneece of Gilbert, S.C. He, along with his wife, Martha, continued the Pond Branch Telephone Company, Inc. which was the first telephone company in the State of South Carolina to provide all private lines. He was a leader in the community and was awarded many accolades and honors throughout his life. Mr. Kneece was the beloved husband of Martha, devoted father of Debbie Johnson, Ann, Luther and David and doting grandfather and great-grandfather.

and

**MOTION ADOPTED**

 On motion of Senator COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Baroness Margaret Thatcher, 87, former Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

 Baroness Margaret Thatcher’s political career has been one of the most remarkable of modern times. Born in October 1925 at Grantham, a small market town in eastern England, she rose to become the first (and for two decades the only) woman to lead a major Western democracy. She won three successive General Elections and served as British Prime Minister for more than eleven years (1979-90), a record unmatched in the twentieth century.

 During her term of office she reshaped almost every aspect of British politics, reviving the economy, reforming outdated institutions, and reinvigorating the nation’s foreign policy. She challenged and did much to overturn the psychology of decline which had become rooted in Britain since the Second World War, pursuing national recovery with striking energy and determination.

 In the process, Baroness Margaret Thatcher became one of the founders, with Ronald Reagan, of a school of conservative conviction politics, which has had a powerful and enduring impact on politics in Britain and the United States and earned her a higher international profile than any British politician since Winston Churchill.

 By successfully shifting British economic and foreign policy to the right, her governments helped to encourage wider international trends which broadened and deepened during the 1980s and 1990s, as the end of the Cold War, the spread of democracy, and the growth of free markets strengthened political and economic freedom in every continent.

 Baroness Margaret Thatcher, often called “Iron Lady,” became one of the world’s most influential and respected political leaders, as well as one of the most controversial, dynamic, and plain‑spoken, a reference point for friends and enemies alike.

**ADJOURNMENT**

 At 2:31 P.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 2:00 P.M.

**Recorded Vote**

 Senator BRIGHT desired to be recorded as voting against the motion to adjourn.

\* \* \*