**Tuesday, June 17, 2014**

**(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 these verses from what is called “Moses’ Song” we read:

“ ‘In your unfailing love You will lead the people You have redeemed. In Your strength You will guide them...’ ” (Exodus 15:13)

Join me as we bow in prayer, please:

Gracious and Loving God, You have faithfully provided wise and caring leaders for Your people through the centuries. By Your grace have they been able to lead Your people in the ways You would have them to go. We praise You, Lord, for these servants of Yours who labor conscientiously in this Senate. Grant them not only wisdom and vision, but also give these leaders a passion to stand for what they know to be the very best for the women, men and children whom they represent. May great blessings continue to unfold for South Carolina.

This we pray in Your glorious name, dear Lord. Amen.

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

**Leave of Absence**

At 12:05 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 11:15 P.M. tonight for the balance of the week.

**RECESS**

At 12:05 P.M., on motion of Senator PEELER, the Senate receded from business until 2:00 P.M.

At 2:10 P.M., the Senate resumed.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1373 -- Senator Hayes: A SENATE RESOLUTION TO RECOGNIZE AND HONOR NORMAN FRANCIS SCHAEFER FOR FORTY YEARS OF OUTSTANDING SERVICE TO THE BOY SCOUTS OF AMERICA AND TO CONGRATULATE HIM UPON RECEIVING THE PRESTIGIOUS OUTSTANDING EAGLE SCOUT AWARD.

l:\council\bills\gm\24168zw14.docx

The Senate Resolution was adopted.

S. 1374 -- Senator Young: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF GREGORY WHITE SMITH OF AIKEN, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

l:\s-res\try\025greg.mrh.try.docx

The Senate Resolution was adopted.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 9, 2014, at 2:00 P.M. and the following Acts were ratified:

(R313, S. 516) -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND TO PROVIDE FOR ITS PURPOSES, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR A COMPREHENSIVE STATE PLAN TO IMPROVE READING ACHIEVEMENT IN PUBLIC SCHOOLS BY ASSESSING THE READINESS AND READING PROFICIENCY OF STUDENTS PROGRESSING FROM PREKINDERGARTEN THROUGH THIRD GRADE AND PROVIDING APPROPRIATE INTERVENTIONS AND OTHER ASSISTANCE TO STUDENTS AS APPROPRIATE, TO PROVIDE RELATED OBLIGATIONS OF THE STATE DEPARTMENT OF EDUCATION, READ TO SUCCEED OFFICE, STATE BOARD OF EDUCATION, AND EACH SCHOOL CONCERNING THE PLAN AND RELATED PROVISIONS, TO PROVIDE THAT BEGINNING WITH THE 2017‑2018 SCHOOL YEAR A STUDENT MUST BE RETAINED IN THE THIRD GRADE IF HE FAILS TO DEMONSTRATE READING PROFICIENCY AT THE END OF THE THIRD GRADE AS INDICATED BY SCORING AT A CERTAIN ACHIEVEMENT LEVEL ON THE STATE SUMMATIVE READING ASSESSMENT, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR THE ASSISTANCE OF RETAINED STUDENTS THROUGH CERTAIN SUPPORT AND SERVICES, TO PROVIDE RELATED EDUCATION REQUIREMENTS FOR TEACHERS AND ADMINISTRATORS IMPLEMENTED OVER SEVERAL YEARS, TO ENCOURAGE LOCAL SCHOOL DISTRICTS TO CREATE FAMILY‑SCHOOL‑COMMUNITY PARTNERSHIPS TO PROMOTE AND ENHANCE READING DEVELOPMENT AND PROFICIENCY THROUGHOUT THE YEAR IN HOMES AND IN THE COMMUNITY, TO REQUIRE THE READ TO SUCCEED OFFICE AND EACH DISTRICT TO PLAN FOR AND ACT DECISIVELY TO ENGAGE THE FAMILIES OF STUDENTS AS FULL PARTICIPATING PARTNERS IN PROMOTING THE READING AND WRITING HABITS AND SKILLS DEVELOPMENT OF THEIR CHILDREN IN A CERTAIN MANNER, AND TO PROVIDE THE BOARD AND DEPARTMENT SHALL TRANSLATE THE STATUTORY REQUIREMENTS FOR READING AND WRITING SPECIFIED IN THIS CHAPTER INTO STANDARDS, PRACTICES, AND PROCEDURES FOR SCHOOL DISTRICTS, BOARDS, AND THEIR EMPLOYEES AND FOR OTHER ORGANIZATIONS AS APPROPRIATE AND IN A CERTAIN MANNER; BY ADDING CHAPTER 156 TO TITLE 59 SO AS TO CREATE THE CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM, TO PROVIDE A FULL DAY, FOUR‑YEAR‑OLD KINDERGARTEN PROGRAM FOR AT‑RISK CHILDREN WHICH MUST BE MADE AVAILABLE TO QUALIFIED CHILDREN IN ALL PUBLIC SCHOOL DISTRICTS WITHIN THE STATE, TO SPECIFY REQUIREMENTS OF THE PROGRAM, TO PROVIDE THE PROGRAM FIRST MUST BE MADE AVAILABLE TO ELIGIBLE CHILDREN IN EIGHT SPECIFIC TRIAL DISTRICTS AND THAT REMAINING FUNDS MAY BE USED TO EXPAND THE PROGRAM IN A SPECIFIC MANNER, TO PROVIDE ELIGIBILITY CRITERIA, TO PROVIDE REQUIREMENTS AND PROCEDURES FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, READ TO SUCCEED OFFICE, AND THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, TO REQUIRE PROVIDERS OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM SHALL OFFER A COMPLETE EDUCATIONAL PROGRAM IN ACCORDANCE WITH AGE‑APPROPRIATE INSTRUCTIONAL PRACTICE AND A RESEARCH‑BASED PRESCHOOL CURRICULUM ALIGNED WITH SCHOOL SUCCESS, TO PROVIDE RELATED REQUIREMENTS, TO RECOGNIZE AND IMPROVE RELATIONSHIPS BETWEEN THE SKILLS AND PREPARATION OF PREKINDERGARTEN INSTRUCTORS AND THE EDUCATIONAL OUTCOMES OF STUDENTS, TO PROVIDE PUBLIC AND PRIVATE PROVIDERS ARE ELIGIBLE FOR TRANSPORTATION FUNDS PURSUANT TO CERTAIN CRITERIA AND REQUIREMENTS, TO PROVIDE SPECIFIC DUTIES OF THE READ TO SUCCEED OFFICE WITH RESPECT TO APPROVED PRIVATE PROVIDERS AND PUBLIC PROVIDERS, TO PROVIDE FUNDING FORMULAS, TO PROVIDE THE DEPARTMENT OF SOCIAL SERVICES SHALL MAINTAIN A LIST OF ALL APPROVED PUBLIC AND PRIVATE PROVIDERS AND PROVIDE THE DEPARTMENT OF EDUCATION AND THE OFFICE OF FIRST STEPS INFORMATION NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS CHAPTER, TO PROVIDE THE OFFICE OF FIRST STEPS TO SCHOOL READINESS IS RESPONSIBLE FOR THE COLLECTION AND MAINTENANCE OF DATA ON THE STATE‑FUNDED PROGRAMS PROVIDED THROUGH PRIVATE PROVIDERS, AND TO MAKE THESE REQUIREMENTS CONTINGENT ON STATE FUNDING.

L:\COUNCIL\ACTS\516AB14.DOCX

(R314, S. 813) -- Senators Hayes, Peeler, O’Dell, Alexander, McElveen, McGill, Pinckney, Johnson, Williams and Verdin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑625 SO AS TO PROVIDE A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A PUBLIC LIBRARY AFTER HAVING BEEN WARNED BY THE LIBRARY DIRECTOR, BRANCH MANAGER, OR ACTING BRANCH MANAGER OF THE LIBRARY NOT TO DO SO IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, TO PROVIDE PROCEDURES FOR A WRITTEN WARNING AND FOR APPEALING THE WARNING, AND TO PROVIDE THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

L:\COUNCIL\ACTS\813AHB14.DOCX

(R315, S. 999) -- Senator Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR CERTAIN CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE PERFORMING DUTY OUTSIDE OF THE STATE WHOSE DRIVER’S LICENSE EXPIRES WHILE SERVING OUTSIDE OF THIS STATE OR WHOSE LICENSE EXPIRES WITHIN NINETY DAYS FROM THE BEGINNING OF SERVICE OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION UPON THE EXPIRATION OF THE DRIVER’S LICENSE THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

L:\COUNCIL\ACTS\999CM14.DOCX

(R316, H. 3014) -- Reps. J.E. Smith, Bernstein, M.S. McLeod, McEachern, Weeks, Hart and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE “VETERANS TREATMENT COURT PROGRAM ACT”; TO AUTHORIZE CIRCUIT SOLICITORS TO ESTABLISH VETERANS TREATMENT COURT PROGRAMS; TO PROVIDE THAT EACH CIRCUIT SOLICITOR THAT ACCEPTS STATE FUNDING FOR THE IMPLEMENTATION OF A VETERANS TREATMENT COURT PROGRAM MUST ESTABLISH AND ADMINISTER AT LEAST ONE VETERANS TREATMENT COURT PROGRAM FOR THE CIRCUIT WITHIN ONE HUNDRED EIGHTY DAYS OF RECEIPT OF FUNDING; AND TO PROVIDE THAT THE CIRCUIT SOLICITOR MUST ADMINISTER THE PROGRAM AND ENSURE THAT ALL ELIGIBLE PERSONS ARE PERMITTED TO APPLY FOR ADMISSION.

L:\COUNCIL\ACTS\3014ZW14.DOCX

(R317, H. 3102) -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 43‑5‑1285, RELATING TO EVALUATION OF THE SUCCESS AND EFFECTIVENESS OF THE SOUTH CAROLINA FAMILY INDEPENDENCE ACT OF 1995, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES (DSS) TO REPORT ANNUALLY CERTAIN DATA TO THE GENERAL ASSEMBLY; BY ADDING SECTION 2‑15‑64 SO AS TO REQUIRE THE LEGISLATIVE AUDIT COUNCIL TO AUDIT EVERY THREE YEARS A PROGRAM OF DSS TO BE DETERMINED IN CONSULTATION WITH THE HOUSE JUDICIARY COMMITTEE AND SENATE GENERAL COMMITTEE AND TO AUTHORIZE THE LEGISLATIVE AUDIT COUNCIL TO SEEK REIMBURSEMENT OF AUDIT COSTS FROM DSS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO A PLACEMENT PLAN FOR A CHILD REMOVED FROM THE CUSTODY OF THE PARENT OR GUARDIAN, SO AS TO ALLOW DSS TO FILE A MOTION WITH THE COURT TO TERMINATE OR SUSPEND VISITATION WITH THE PARENT OR GUARDIAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF A PARENT INCLUDE CONTROLLED SUBSTANCE ABUSE, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH DSS IS REQUIRED TO FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO ADD COMMITTING, AND AIDING OR ABETTING TO COMMIT, HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT AND WILFUL FAILURE TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN TWICE WITHIN TWELVE MONTHS; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED ENTRY OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO REQUIRE ENTRY IF A NEWBORN INFANT TESTS POSITIVE FOR A CONTROLLED SUBSTANCE, PRESCRIBED DRUG, OR ALCOHOL‑RELATED DIAGNOSIS, IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, SO AS TO ADD ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE AND COMMITTING MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT; TO AMEND SECTION 63‑7‑1700, AS AMENDED, RELATING TO PERMANENCY PLANNING FOR A CHILD, SO AS TO REQUIRE A PARENT TO UNDERGO A DRUG TEST BEFORE RETURNING THE CHILD TO THE HOME IF THE REASON FOR REMOVAL IS RELATED TO DRUG ABUSE BY THE PARENT; TO AMEND SECTION 17‑5‑540, RELATING TO CORONER OR MEDICAL EXAMINER NOTIFICATION OF THE DEPARTMENT OF CHILD FATALITIES, SO AS TO APPLY IN ALL CASES WHEN A CHILD DIES AS A RESULT OF VIOLENCE; AND TO AMEND SECTION 43‑1‑210, AS AMENDED, RELATING TO DSS REPORTING REQUIREMENTS, SO AS TO REQUIRE DSS ANNUALLY TO REPORT CERTAIN DATA TO THE GOVERNOR AND GENERAL ASSEMBLY ADDRESSING CHILD PROTECTION WORKER CASELOADS, TIMELINESS OF CHILD ABUSE AND NEGLECT INVESTIGATIONS, AND TIMELINESS OF CASEWORKER VISITS WITH CHILDREN IN FOSTER CARE.

L:\COUNCIL\ACTS\3102VR14.DOCX

(R318, H. 3853) -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D.C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G.R. Smith, Sottile, Stringer, Wells and Willis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59‑40‑55, RELATING TO A CHARTER SCHOOL SPONSOR’S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59‑40‑90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATIVE LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED, AND TO REQUIRE A SPONSOR TO DEVELOP A PUBLIC CHARTER SCHOOL PROTOCOL TO ENSURE A SMOOTH AND ORDERLY CLOSURE AND TRANSITION; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL’S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59‑40‑65, AS AMENDED, RELATING TO ONLINE OR COMPUTER INSTRUCTION USED IN A CHARTER SCHOOL, SO AS TO REQUIRE THAT SUCH INSTRUCTION MUST BE APPROVED BY THE CHARTER SCHOOL’S SPONSOR RATHER THAN THE STATE DEPARTMENT OF EDUCATION.

L:\COUNCIL\ACTS\3853HTC14.DOCX

(R319, H. 3905) -- Reps. Loftis, H.A. Crawford, Brannon, Daning, Crosby, Munnerlyn, J.R. Smith, Burns, Dillard, V.S. Moss, Pope, Powers Norrell, Ridgeway, Rivers, Simrill, Toole, Wood, W.J. McLeod and Cobb‑Hunter: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “BACK TO BASICS IN EDUCATION ACT OF 2014” BY ADDING SECTION 59‑29‑15 SO AS TO REQUIRE CURSIVE WRITING AND MEMORIZATION OF MULTIPLICATION TABLES AS SUBJECTS OF INSTRUCTION IN PUBLIC SCHOOLS, TO REQUIRE STUDENTS DEMONSTRATE COMPETENCE IN EACH SUBJECT BEFORE COMPLETION OF THE FIFTH GRADE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ASSIST THE SCHOOL DISTRICTS IN IDENTIFYING THE MOST APPROPRIATE MEANS FOR INTEGRATING THIS REQUIREMENT INTO THEIR EXISTING CURRICULUMS AND RECOMMEND CURSIVE WRITING INSTRUCTIONAL MATERIALS FOR INCLUSION ON THE APPROVED STATE TEXTBOOK ADOPTION LIST, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH THE 2015‑2016 SCHOOL YEAR.

L:\COUNCIL\ACTS\3905AB14.DOCX

(R320, H. 4560) -- Reps. G.M. Smith and Weeks: AN ACT TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO DEFINE THE TERM “UNDER SEAL”, TO PROVIDE IN THE CASE OF OFFENSES EXPUNGED FOR THE RETENTION BY LAW ENFORCEMENT AND PROSECUTION AGENCIES OF ARREST AND BOOKING RECORDS, ASSOCIATED BENCH WARRANTS, INCIDENT REPORTS, AND OTHER INFORMATION UNDER SEAL FOR THREE YEARS AND ONE HUNDRED TWENTY DAYS AND ALLOW FOR THEIR INDEFINITE RETENTION FOR CERTAIN DELINEATED PURPOSES, TO PROVIDE THAT THIS INFORMATION IS NOT A PUBLIC DOCUMENT AND IS EXEMPT FROM DISCLOSURE EXCEPT BY COURT ORDER, TO AUTHORIZE REDACTION OF CERTAIN INFORMATION IN AN INCIDENT REPORT IF A REQUEST IS MADE TO INSPECT OR OBTAIN AN INCIDENT REPORT PURSUANT TO THE FREEDOM OF INFORMATION ACT, AND TO PROVIDE A CRIMINAL PENALTY FOR PERSONS WHO VIOLATE PROVISIONS RELATING TO THE RELEASE OF AN INCIDENT REPORT; TO AMEND SECTION 22‑5‑910, AS AMENDED, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO INCLUDE ASSOCIATED BENCH WARRANTS IN THE INFORMATION THAT MAY BE EXPUNGED; TO AMEND SECTION 17‑22‑910, RELATING TO APPLICATIONS FOR CERTAIN OFFENSES ELIGIBLE FOR EXPUNGEMENT, SO AS TO CONFORM THE PROVISIONS TO THAT OF SECTION 44‑53‑450 WHICH ALLOWS FOR EXPUNGEMENT OF CERTAIN DELINEATED DRUG OFFENSES, TO AMEND SECTION 17‑22‑940, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE THE TRAFFIC EDUCATION PROGRAM DIRECTOR’S PARTICIPATION IN THE PROCESS; AND TO AMEND SECTION 17‑22‑950, RELATING TO THE ISSUANCE OF EXPUNGEMENT ORDERS, SO AS TO MAKE A CONFORMING CHANGE TO ADD THAT ASSOCIATED BENCH WARRANTS ARE INCLUDED IN THE EXPUNGEMENT ORDER AND TO PROVIDE EXPUNGEMENT PROCEDURES WHEN CRIMINAL CHARGES ARE BROUGHT IN SUMMARY COURT WHEN THE PERSON WAS NOT FINGERPRINTED.

L:\COUNCIL\ACTS\4560AHB14.DOCX

(R321, H. 4944) -- Rep. Skelton: AN ACT TO AMEND SECTION 12‑43‑225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO PROVIDE AN ADDITIONAL YEAR OF ELIGIBILITY IN CERTAIN CIRCUMSTANCES.

L:\COUNCIL\ACTS\4944DG14.DOCX

(R322, H. 5040) -- Reps. R.L. Brown, Knight, Hodges, Sellers, Bowers and W.J. McLeod: AN ACT TO AMEND SECTION 51‑13‑1720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF REGENTS FOR THE OLD JACKSONBOROUGH HISTORIC DISTRICT AUTHORITY, SO AS TO REDUCE THE BOARD TO SEVEN MEMBERS, AND TO CHANGE THE MANNER IN WHICH TWO APPOINTMENTS ARE MADE.

L:\COUNCIL\ACTS\5040DG14.DOCX

**Motion Adopted**

Senator CLEARY moved to proceed to the election of a PRESIDENT *Pro Tempore*.

**Point of Order Overridden**

Senator MASSEY moved that the motion to elect a PRESIDENT *Pro Tempore* was out of order in that the election of Senate Officers was not included in the *Sine Die* Resolution.

Senator SCOTT spoke on the Point of Order.

Senator CAMPBELL spoke on the Point of Order.

Senator LEATHERMAN spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

**Parliamentary Inquiry**

Senator BRYANT made a Parliamentary Inquiry as to whether or not the motion made by Senator CLEARY was debatable.

The PRESIDENT stated that the motion to proceed to the election was a procedural motion and therefore was not debatable.

Senator MALLOY spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the motion to proceed to the election of a PRESIDENT *Pro Tempore*.

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

**Ayes 23; Nays 22**

**AYES**

Allen Campbell Cleary

Coleman Grooms Hutto

Jackson Johnson Kimpson

Leatherman Malloy Matthews

McElveen McGill Nicholson

O'Dell Pinckney Rankin

Reese Scott Setzler

Sheheen Williams

**Total--23**

**NAYS**

Alexander Bennett Bright

Bryant Campsen Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree *Martin, Larry Martin, Shane*

Massey Peeler Shealy

Thurmond Turner Verdin

Young

**Total--22**

The Senate agreed to proceed with the election of a PRESIDENT *Pro Tempore*.

Senator RANKIN placed the name of Senator McGILL into nomination for the office of PRESIDENT *Pro Tempore*.

**Objection**

Senator MASSEY asked unanimous consent to make a motion that the Senate stand adjourned to meet tomorrow at 10:00 A.M.

Senator SETZLER moved to table the motion to adjourn.

**Point of Order**

Senator BRYANT raised the Point of Order that the motion to adjourn is a higher motion and is not subject to a tabling motion.

The PRESIDENT sustained the Point of Order.

Senator SETZLER objected to the unanimous consent request.

**Motion Adopted**

Senator MASSEY moved that the Senate adjourn.

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

**Ayes 23; Nays 22**

**AYES**

Alexander Bennett Bright

Bryant Campsen Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree *Martin, Larry*

*Martin, Shane* Massey Peeler

Shealy Thurmond Turner

Verdin Young

**Total--23**

**NAYS**

Allen Campbell Cleary

Coleman Hutto Jackson

Johnson Kimpson Leatherman

Malloy Matthews McElveen

McGill Nicholson O'Dell

Pinckney Rankin Reese

Scott Setzler Sheheen

Williams

**Total--22**

The Senate agreed to stand adjourned.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Rex Lyle Carter of Greenville, S.C. Rex was a former South Carolina Speaker of the House who served in the General Assembly from 1953-1980. He graduated from Erskine College in 1950, earned his Juris Doctorate degree from the University of South Carolina in 1952 and started the law firm of Carter, Smith, Merriam & Traxler, P.A. where he continued as senior partner until his death. Rex was a World War II veteran, received many honorary doctor of laws, the Erskine College Algermon Sidney Sullivan Award in 2006 and was a recipient of the Order of the Palmetto from former Governor Dick Riley. He was a loving husband, devoted father and doting grandfather who served this State well and will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senators RANKIN, ALEXANDER, ALLEN, BENNETT, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, CORBIN, COURSON, CROMER, DAVIS, FAIR, GREGORY, GROOMS, HAYES, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, LOURIE, MALLOY, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, REESE, SCOTT, SETZLER, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Dick Elliott of North Myrtle Beach, S.C. Senator Elliott began his career in public service on the North Myrtle Beach City Council in 1961. In 1982, he was elected to the S.C. House of Representatives and later served as Senator from 1992-2012. He was a successful businessman of Elliott Realty, Eagle Nest and Beachwood golf courses. Dick Elliott spent a large part of his life helping others and was active in his community and church. He was a loving husband, devoted father and doting grandfather who served his State well and will be dearly missed.

**ADJOURNMENT**

At 2:32 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 2:00 P.M., pursuant to the provisions of H. 5282, the *Sine Die* Resolution.

\* \* \*