

NO. 20

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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WEDNESDAY, FEBRUARY 11, 2015  
(STATEWIDE SESSION)

**Wednesday, February 11, 2015**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by the SPEAKER *PRO TEMPORE* as follows:

Our thought for today is from Psalm 31:14: "I say, You are my God."

Let us pray. Deepen our trust in You, O Lord, that we may know You always stand at our side. Remind us that with You, we are never totally alone, never nameless. As we experience loneliness and anxiety, be our source of comfort and strength. Look in favor upon our Nation, President, State, Governor, Speaker, this Honorable Assembly, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our men and women who have suffered and sacrificed for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

**MOTION ADOPTED**

Rep. FUNDERBURK moved that when the House adjourns, it adjourn in memory of Coach Clyde Jones of Camden, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the continued recovery of Representative Jerry Govan.

**HOUSE RESOLUTION**

The following was introduced:

H. 3553 -- Reps. Ott, Cobb-Hunter, Govan, Hosey, Jefferson, Williams, Neal and King: A HOUSE RESOLUTION TO RECOGNIZE

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AND HONOR CLAFLIN UNIVERSITY AS ONE OF THE NATION'S LEADING INSTITUTIONS AND TO CONGRATULATE THE UNIVERSITY'S ALUMNI AS THEY GATHER IN ORANGEBURG FOR THE FORTY-FIRST ANNIVERSARY OF CLAFLIN UNIVERSITY INTERNATIONAL ALUMNI ASSOCIATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3554 -- Reprs. Stavrinakis, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE COLLEGE OF CHARLESTON BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 COLONIAL ATHLETIC ASSOCIATION CHAMPIONSHIP TITLE.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 3555 -- Reps. Willis, Bedingfield, G. R. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF DOZIER BROOKS OF GREENVILLE COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3556 -- Reps. Jefferson, Gilliard, M. S. McLeod, King, Knight, Govan, Dillard, Hosey, Clyburn, Anderson, Bales, R. L. Brown, Daning, McKnight, Parks, Ridgeway, Spires, Whipper, Alexander, Allison, Anthony, Atwater, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, Burns, Chumley, Clary, Clemmons, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson,

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Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Howard, Huggins, Johnson, Kennedy, Kirby, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Pitts, Pope, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RAISE AWARENESS SURROUNDING THE ISSUE OF GUN VIOLENCE AND TO DECLARE JUNE 2015 GUN VIOLENCE AWARENESS MONTH.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3557 -- Reps. Hiott, Corley, Hixon, Hodges, V. S. Moss, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING

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STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK FROM FEBRUARY 21 THROUGH FEBRUARY 28, 2015.

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

**INTRODUCTION OF BILLS**

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

H. 3551 -- Rep. Hayes: A BILL TO AMEND SECTION 12-37-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HOMESTEAD PROPERTY TAX EXEMPTION ALLOWED FOR PERSONS WHO ARE OVER THE AGE OF SIXTY-FIVE YEARS, DISABLED, OR LEGALLY BLIND, SO AS TO INCREASE THE EXEMPTION AMOUNT FROM THE FIRST FIFTY THOUSAND DOLLARS TO THE FIRST FIFTY-TWO THOUSAND FIVE HUNDRED DOLLARS OF THE FAIR MARKET VALUE OF THE HOMESTEAD; AND TO REPEAL SECTION 12-37-245 RELATING TO AN OBSOLETE REFERENCE TO THE HOMESTEAD EXEMPTION.

Referred to Committee on Ways and Means

H. 3552 -- Rep. Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-39-165 SO AS TO PROVIDE A PUBLIC SCHOOL DISTRICT SUPPORTED BY STATE FUNDS MAY NOT USE ANY FUNDS OR PERMIT ANY SCHOOL WITHIN THE DISTRICT TO USE ANY FUNDS TO JOIN, AFFILIATE WITH, PAY DUES OR FEES TO, OR IN ANY WAY FINANCIALLY SUPPORT AN INTERSCHOLASTIC ATHLETIC ASSOCIATION, BODY, OR ENTITY UNLESS THE CONSTITUTION, RULES, OR POLICIES OF THE ASSOCIATION, BODY, OR ENTITY CONTAIN CERTAIN PROVISIONS, AND TO PROVIDE THAT IF AN ASSOCIATION, BODY, OR ENTITY FAILS TO COMPLY WITH THESE REQUIREMENTS, PUBLIC SCHOOL DISTRICTS AND SCHOOLS AFFILIATED WITH IT MUST END THEIR AFFILIATION WITH THE ASSOCIATION, BODY, OR ENTITY BEFORE THE BEGINNING OF THE UPCOMING

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SCHOOL YEAR, AND ARE PROHIBITED FROM PAYING DUES OR FEES TO THE ASSOCIATION, BODY, OR ENTITY.

Referred to Committee on Education and Public Works

H. 3558 -- Reps. Ott, Toole, George, Hayes and Finlay: A BILL TO AMEND SECTION 56-5-4140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM GROSS WEIGHT OF VEHICLES, COMBINATIONS OF VEHICLES, AND THEIR LOADS THAT ARE PERMITTED TO TRAVEL ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT COTTON MODULAR VEHICLES ARE EXEMPT FROM AXLE SPACING REQUIREMENTS CONTAINED IN THIS SECTION, AND TO ESTABLISH A MAXIMUM WEIGHT FOR THESE VEHICLES; AND TO AMEND SECTION 57-3-160, RELATING TO THE ISSUANCE OF PERMITS BY THE DEPARTMENT OF TRANSPORTATION THAT ALLOW COTTON MODULAR VEHICLES TO OPERATE ALONG THE STATE'S PUBLIC HIGHWAYS, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT THE PERMIT MUST BE CARRIED ON THESE VEHICLES.

Referred to Committee on Education and Public Works

H. 3559 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 24-1-120 RELATING TO THE EXECUTION OF BOND BY THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS AND HIS OFFICERS, EMPLOYEES, AND AGENTS.

Referred to Committee on Judiciary

H. 3560 -- Reps. Limehouse, Sottile, McCoy and Spires: A BILL TO AMEND SECTION 59-25-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE AND HEARINGS FOR DISMISSAL OF A TEACHER, SO AS TO PROVIDE THAT THE BOARD MAY DESIGNATE A HEARING OFFICER TO CONDUCT A DISMISSAL HEARING AND ISSUE A REPORT WITH RECOMMENDATIONS, TO PROVIDE RELATED REQUIREMENTS OF A HEARING OFFICER, TO PROVIDE A HEARING MUST BE PRIVATE UNLESS THE TEACHER REQUESTS IN WRITING THAT THE HEARING BE PUBLIC, TO PROVIDE THAT A NOTICE OF DISMISSAL MUST BE GIVEN BY THE SUPERINTENDENT OR HIS DESIGNEE INSTEAD OF THE

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SCHOOL BOARD, TO SPECIFY USE OF A COURT REPORTER TO RECORD THE PROCEEDINGS, AND TO PROVIDE AN APPEALS PROCESS.

Referred to Committee on Education and Public Works

H. 3561 -- Reps. McKnight, Bamberg and King: A BILL TO AMEND SECTION 12-37-2680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DETERMINATION OF THE ASSESSED VALUE OF A VEHICLE, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO POST ITS VALUE GUIDES AND MANUALS ON ITS WEBSITE, AND TO ALLOW THE DEPARTMENT TO DETERMINE VALUES IN A DIFFERENT MANNER IF THE NATIONALLY RECOGNIZED PUBLICATION PROHIBITS ITS PUBLIC PUBLISHING.

Referred to Committee on Ways and Means

H. 3562 -- Reps. Herbkersman, Newton, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 10, TITLE 4 ENACTING THE "LOCAL OPTION SCHOOL OPERATING MILLAGE PROPERTY TAX CREDIT ACT" SO AS TO ALLOW A COUNTY GOVERNING BODY WITH REFERENDUM APPROVAL TO IMPOSE A ONE PERCENT SALES TAX THE REVENUE OF WHICH IS USED TO PROVIDE A CREDIT AGAINST PROPERTY TAX LEVIED IN THE COUNTY FOR SCHOOL OPERATIONS, TO PROVIDE FOR THE REFERENDUM, THE DISTRIBUTION OF THE REVENUE, THE CALCULATION AND APPLICATION OF THE CREDIT AND THE ADJUSTMENT OF THE MILLAGE INCREASE CAP TO REFLECT ANNUAL GROWTH IN THIS REVENUE, AND TO PROVIDE THAT THE TAX MAY BE RESCINDED BY REFERENDUM INITIATED BY A PETITION OF FIFTEEN PERCENT OF THE QUALIFIED ELECTORS OF THE COUNTY OR BY ORDINANCE IF THE GOVERNING BODY OF THE COUNTY DETERMINES THAT CHANGES IN STATE LAW PROVIDING FOR THE FINANCING OF SCHOOL OPERATIONS MAKE THE ORIGINAL PURPOSE OF THE TAX IMPOSSIBLE TO ACCOMPLISH UNDER THE EXISTING LAW.

Referred to Committee on Ways and Means

H. 3563 -- Reps. Goldfinch and Pitts: A BILL TO AMEND SECTION 50-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976,

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RELATING TO OPEN SEASON FOR ANTLERED DEER IN THE VARIOUS GAME ZONES THROUGHOUT THE STATE AND HUNTING AND TAKING OF DEER, SO AS TO PROVIDE THAT WITH CERTAIN EXCEPTIONS IT IS UNLAWFUL TO PURSUE DEER WITH DOGS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3564 -- Reps. J. E. Smith, Taylor, Hodges, Herbkersman, Newton, G. M. Smith, Merrill, Bamberg, Ballentine, R. L. Brown, Henderson and Whipper: A BILL TO AMEND SECTION 49-4-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF WITHDRAWAL OF SURFACE WATER FOR AGRICULTURAL USES, SO AS TO REQUIRE PERMITTING FOR NEW WITHDRAWALS AND FOR EXPANSION OF EXISTING REGISTRATIONS; TO AMEND SECTION 49-4-55, RELATING TO THE RIGHT OF REGISTERED SURFACE WATER WITHDRAWERS TO APPLY FOR A PERMIT AND EXEMPT WITHDRAWERS TO APPLY FOR A PERMIT OR REGISTER AN EXEMPT USE, SO AS TO CHANGE THE OPTION OF A WITHDRAWER OF SURFACE WATER FOR AGRICULTURAL USES TO OBTAIN A PERMIT INTO A REQUIREMENT AND ELIMINATE THE RIGHT OF AN EXEMPT WITHDRAWER TO REGISTER THE USE; TO AMEND SECTION 49-4-70, RELATING TO APPLICATIONS FOR SURFACE WATER WITHDRAWAL PERMITS AND OPERATIONAL AND CONTINGENCY PLANS, SO AS TO PROHIBIT APPLICATION TO WITHDRAWERS WHO ARE REGISTERED TO WITHDRAW SURFACE WATER FOR AGRICULTURAL USES, EXCEPT IF THE WITHDRAWER EXPANDS AN EXISTING REGISTERED USE; AND FOR OTHER PURPOSES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3565 -- Reps. Loftis, Burns, Erickson, Anderson, G. A. Brown, Gagnon and McKnight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-437 SO AS TO REQUIRE ALL STATE AGENCIES TO USE A SINGLE THIRD PARTY ORIGINAL SOURCE COMPILER AND PUBLISHER OF UNENCUMBERED ADDRESS DATA FOR PURPOSES OF VALIDATING AND VERIFYING STATE

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RESIDENTS, HOUSEHOLDS, AND BUSINESSES, AND TO DIRECT THE CHIEF INFORMATION OFFICER OF THE STATE BUDGET AND CONTROL BOARD, WITH THE INPUT OF AFFECTED AGENCIES, TO PROCURE SUCH A COMPILER AND PUBLISHER IN THE MANNER REQUIRED BY THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE.

Referred to Committee on Judiciary

H. 3566 -- Reps. Atwater, Sottile, Quinn, Hiott, Chumley, Bradley, Merrill, Simrill, McCoy, Ballentine, Loftis, Bedingfield, Hamilton, Long, Willis, Felder, Rivers, Norman, Yow, Huggins, Pope, Brannon, Burns, G. M. Smith, Kennedy, Putnam, Erickson, Spires, Allison, Bannister, Bingham, Clary, Collins, Corley, Delleney, Forrester, Gagnon, Gambrell, Henderson, Herbkersman, Hicks, Hixon, Horne, Limehouse, D. C. Moss, Nanney, Newton, G. R. Smith, Stringer, Tallon, Thayer and Toole: A BILL TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; TO AMEND SECTION 1-30-105, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF CERTAIN OFFICERS BY THE GOVERNOR, SO AS TO DELETE THE PROVISION THAT PROVIDES THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS MAY BE REMOVED FROM OFFICE BY THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO REMOVE THE CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION AS A DIRECTOR, AND TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION IS A MEMBER OF THE BOARD; TO AMEND SECTIONS 57-1-10, 57-1-40, 57-1-410, 57-1-430, 57-1-490, AND 57-3-20, ALL AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, AND ITS

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DUTIES AND RESPONSIBILITIES, SO AS TO ELIMINATE THE DEPARTMENT OF TRANSPORTATION COMMISSION AND ITS RESPONSIBILITIES, TO ALLOW THE GOVERNOR TO APPOINT THE SECRETARY OF TRANSPORTATION AND REQUIRE THE DEPARTMENT OF TRANSPORTATION SUBMIT TO THE GENERAL ASSEMBLY AN ITEMIZED PROJECT LIST TO BE FUNDED FOR THE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY WOULD ENACT ITS ANNUAL GENERAL APPROPRIATIONS ACT; TO AMEND SECTION 57-3-50, RELATING TO THE ESTABLISHMENT OF HIGHWAY DISTRICTS, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "COMMISSION"; TO AMEND SECTION 57-1-500, RELATING TO A DEPARTMENT OF TRANSPORTATION ETHICS WORKSHOP, SO AS TO DELETE THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS AS PARTICIPANTS IN THIS WORKSHOP; TO REPEAL ARTICLE 3, CHAPTER 1, TITLE 57, SECTION 57-1-460, SECTION 57-1-470, ARTICLE 7, CHAPTER 1, TITLE 56, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND ITS COMMISSION.

Referred to Committee on Judiciary

H. 3567 -- Rep. Rutherford: A BILL TO AMEND SECTION 17-5-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A PERSON WHO IS ELECTED AS CORONER AND COMPLETES NECESSARY TRAINING IS QUALIFIED TO SERVE AS CORONER.

Referred to Committee on Judiciary

H. 3568 -- Reps. G. R. Smith, Duckworth, Burns, Goldfinch, Clemmons, Yow, Kirby, Spires, Norrell, Cobb-Hunter, Daning, Parks, Mitchell, Robinson-Simpson, Bamberg, Limehouse, Sottile, Cole, Corley, Felder, Finlay, Funderburk, Gagnon, Hamilton, Hardee, Hardwick, Henderson, McCoy, McKnight, Nanney, Sandifer, Tallon, Wells and Willis: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CONSTRUCTION MATERIALS USED BY AN ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL

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REVENUE CODE AS A NONPROFIT ORGANIZATION TO BUILD, REHABILITATE, OR REPAIR A HOME FOR THE BENEFIT OF AN INDIVIDUAL OR FAMILY IN NEED.

Referred to Committee on Ways and Means

**ROLL CALL**

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hamilton
Hardee	Hardwick	Hart
Hayes	Henderson	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Kennedy
King	Kirby	Knight
Limehouse	Loftis	Long
Lowe	Lucas	Mack
McEachern	McKnight	M. S. McLeod
Mitchell	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	Riley	Rivers
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Southard
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks

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Wells	Whipper	White
Whitmire	Williams	Willis
Yow		

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, February 11.

Christopher A. Corley	Heather Crawford
Chandra Dillard	Kirkman Finlay
Jenny A. Horne	Peter McCoy, Jr.
Walton J. McLeod	James Merrill
Chis Murphy	Joseph Neal
Todd Rutherford	Richard "Rick" Quinn

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ROBINSON-SIMPSON a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. SMITH a leave of absence for the day due to a trial in Charleston.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOVAN a leave of absence for the day.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Todd Schlesinger of Charleston was the Doctor of the Day for the General Assembly.

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**SPECIAL PRESENTATION**

Rep. YOW presented to the House the Chesterfield High School Marching Band, directors, and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

Bill Number: H. 3021  
Date: ADD:  
02/11/15 GAGNON

**CO-SPONSORS ADDED**

Bill Number: H. 3044  
Date: ADD:  
02/11/15 BRADLEY, BOWERS, NEWTON, ANTHONY, BALES, LOWE, HERBKERSMAN, SANDIFER, WHITMIRE, TINKLER, MERRILL, CLEMMONS, GOLDFINCH, H. A. CRAWFORD, HARDWICK, JOHNSON, DUCKWORTH, WHITE, PUTNAM, SPIRES, HORNE, HARDEE, GAMBRELL, GAGNON, WILLIS, SIMRILL, BEDINGFIELD, HAMILTON, STAVRINAKIS, MCCOY, NORRELL, WEEKS and G. M. SMITH

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**CO-SPONSORS ADDED**

Bill Number: H. 3114  
Date: ADD:  
02/11/15 CLEMMONS and DUCKWORTH

**CO-SPONSORS ADDED**

Bill Number: H. 3125  
Date: ADD:  
02/11/15 BALES, MITCHELL and HARDWICK

**CO-SPONSORS ADDED**

Bill Number: H. 3186  
Date: ADD:  
02/11/15 ATWATER and BALLENTINE

**CO-SPONSOR ADDED**

Bill Number: H. 3195  
Date: ADD:  
02/11/15 KNIGHT

**CO-SPONSOR ADDED**

Bill Number: H. 3430  
Date: ADD:  
02/11/15 G. A. BROWN

**CO-SPONSORS ADDED**

Bill Number: H. 3433  
Date: ADD:  
02/11/15 FUNDERBURK and NORRELL

**CO-SPONSOR ADDED**

Bill Number: H. 3441  
Date: ADD:  
02/11/15 H. A. CRAWFORD

**CO-SPONSOR ADDED**

Bill Number: H. 3509  
Date: ADD:  
02/11/15 BANNISTER

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**CO-SPONSORS ADDED**

Bill Number: H. 3521  
Date: ADD:  
02/11/15 CLEMMONS, GAGNON, HILL, RIVERS and  
THAYER

**CO-SPONSOR ADDED**

Bill Number: H. 3523  
Date: ADD:  
02/11/15 HUGGINS

**CO-SPONSOR ADDED**

Bill Number: H. 3539  
Date: ADD:  
02/11/15 FUNDERBURK

**CO-SPONSOR ADDED**

Bill Number: H. 3430  
Date: ADD:  
02/11/15 LONG

**CO-SPONSOR ADDED**

Bill Number: H. 3525  
Date: ADD:  
02/11/15 RUTHERFORD

**CO-SPONSOR REMOVED**

Bill Number: H. 3526  
Date: REMOVE:  
02/11/15 BEDINGFIELD

**CO-SPONSORS REMOVED**

Bill Number: H. 3508  
Date: REMOVE:  
02/11/15 TALLON, COLE, QUINN and RIVERS

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**SENT TO THE SENATE**

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

H. 3179 -- Reps. Toole, Sandifer, Bales and Anthony: A BILL TO AMEND SECTION 40-2-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERS OF THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO REVISE THE BOARD COMPOSITION; TO AMEND SECTION 40-2-35, RELATING TO CERTIFIED PUBLIC ACCOUNTANT LICENSURE REQUIREMENTS, SO AS TO ALSO REQUIRE APPLICANTS TO UNDERGO STATE AND FEDERAL CRIMINAL RECORDS CHECKS AND TO REQUIRE CONTINUING EDUCATION OR ADDITIONAL EXPERIENCE, AS APPLICABLE, FOR APPLICANTS WHO DELAY SUBMITTING AN APPLICATION FOR A SUBSTANTIAL PERIOD OF TIME AFTER PASSING THE CERTIFIED PUBLIC ACCOUNTING EXAMINATION OR OBTAINING ACCOUNTING EXPERIENCE; TO AMEND SECTION 40-2-40, RELATING TO QUALIFICATIONS FOR REGISTRATION OF A CERTIFIED PUBLIC ACCOUNTING FIRM, SO AS TO PROVIDE THAT A SIMPLE MAJORITY OF THE FIRM OWNERSHIP MUST BE CERTIFIED PUBLIC ACCOUNTANTS, TO FURTHER PROVIDE QUALIFICATIONS AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS FOR NONCERTIFIED PUBLIC ACCOUNTANT OWNERS, AND TO GIVE THE BOARD OF ACCOUNTANCY THE DISCRETION TO CHARGE REGISTRATION AND RENEWAL FEES; TO AMEND SECTION 40-2-80, AS AMENDED, RELATING TO THE INVESTIGATION OF COMPLAINTS AND DISCIPLINARY PROCEEDINGS, SO AS TO PROVIDE THAT IN CONDUCTING INVESTIGATIONS AND PROCEEDINGS THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY REQUIRE STATE AND FEDERAL CRIMINAL RECORDS CHECKS; TO AMEND SECTION 40-2-250, AS AMENDED, RELATING TO APPLICATIONS FOR LICENSE RENEWAL, SO AS TO PROVIDE THAT APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN REINSTATEMENT FEES AND SANCTIONING OF THE LICENSEE; AND TO AMEND SECTION 40-2-255, RELATING TO APPLICATIONS FOR REGISTRATION RENEWAL, SO AS TO PROVIDE THAT APPLICATIONS MUST BE

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FILED ON OR BEFORE FEBRUARY FIRST AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN SANCTIONING OF THE REGISTRANT.

H. 3199 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Douglas, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, Weeks, W. J. McLeod, Whipper, Hicks and Jefferson: A BILL TO AMEND SECTION 8-13-1318, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBT, SO AS TO REQUIRE THAT CONTRIBUTIONS RECEIVED PURSUANT TO THIS SECTION MUST BE USED FOR THE SOLE PURPOSE OF RETIRING CAMPAIGN DEBT.

H. 3194 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, M. S. McLeod, Weeks, W. J. McLeod, Whipper and Hicks: A BILL TO AMEND SECTIONS 8-13-100 AND 8-13-1300, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE DEFINITIONS OF "CANDIDATE" FOR PURPOSES OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, SO AS TO SPECIFY THAT A "CANDIDATE" IS ALSO A PERSON THAT MAINTAINS AN OPEN BANK ACCOUNT CONTAINING CONTRIBUTIONS; AND TO AMEND SECTION 8-13-1302, AS AMENDED, RELATING TO THE MAINTENANCE OF RECORDS OF CONTRIBUTIONS, SO AS TO AUTHORIZE THE APPROPRIATE SUPERVISORY OFFICE TO REQUEST IN WRITING THE DISCLOSURE OF CERTAIN MANDATORY RECORDS FOR THE PURPOSE OF VERIFYING CAMPAIGN DISCLOSURE FORMS.

H. 3202 -- Reps. Funderburk, Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, McCoy, Cobb-Hunter, McKnight, Clary, M. S. McLeod, J. E. Smith, Weeks, W. J. McLeod,

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Whipper, Hicks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-27-05 SO AS TO ENTITLE CHAPTER 27 THE "SOUTH CAROLINA WHISTLEBLOWER AND PUBLIC EMPLOYEE PROTECTION ACT"; TO AMEND SECTION 8-27-20, AS AMENDED, RELATING TO REWARDS FOR REPORTS RESULTING IN SAVINGS, SO AS TO ELIMINATE THE TWO THOUSAND DOLLAR CAP ON REWARDS; AND TO AMEND SECTION 8-27-30, AS AMENDED, RELATING TO CIVIL ACTIONS AGAINST AN EMPLOYING PUBLIC BODY FOR RETALIATION AGAINST AN EMPLOYEE WHO REPORTS A VIOLATION OF STATE OR FEDERAL LAW OR REGULATION, SO AS TO REMOVE THE ONE-YEAR LIMITATION ON THE PERIOD DURING WHICH THE EMPLOYEE IS PROTECTED FROM ADVERSE EMPLOYMENT ACTIONS, AND TO PROVIDE FOR ADDITIONAL REMEDIES.

***SPEAKER PRO TEMPORE IN CHAIR***

**H. 3189--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3189 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, J. E. Smith, W. J. McLeod, Weeks, Whipper and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1313 SO AS TO REQUIRE A PERSON WHO IS NOT A COMMITTEE AND WHO MAKES AN INDEPENDENT EXPENDITURE IN AN AGGREGATE AMOUNT OR VALUE IN EXCESS OF FIVE HUNDRED DOLLARS DURING A CALENDAR YEAR OR MAKES AN ELECTIONEERING COMMUNICATION TO FILE A REPORT OF SUCH EXPENDITURE OR COMMUNICATION WITH THE STATE ETHICS COMMISSION; AND TO AMEND SECTION 8-13-1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO DEFINE "ELECTIONEERING COMMUNICATION".

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The Committee on Judiciary proposed the following Amendment No. 1 to H. 3189 (COUNCIL\GGS\3189C001.GGS.ZW15), which was adopted:

Amend the bill, as and if amended, Section 8-13-1313, as contained in SECTION 1, page 1, beginning on line 30, by striking the first undesignated paragraph and inserting:

/ “Section 8-13-1313. A person who is not a committee required to file subject to Section 8-13-1304 and who makes an independent expenditure in an aggregate amount or value in excess of five hundred dollars during a calendar year or makes an electioneering communication must file a report of the expenditure or communication with the State Ethics Commission electronically in the manner prescribed by the commission pursuant to Section 8-13-365 within thirty days of the expenditure being made, or if the independent expenditure or electioneering communication is made within thirty days before an election, the report must be filed within forty-eight hours of the expenditure being made. The report must include: /

Renumber sections to conform.

Amend title to conform.

Rep. NORRELL explained the amendment.

The amendment was then adopted.

Rep. TOOLE proposed the following Amendment No. 2 to H. 3189 (COUNCIL\GGS\3189C003.GGS.ZW15):

Amend the bill, as and if amended, Section 8-13-1313(6), by striking lines 20 through 28 and inserting:

/ (6)(a) the identification of each person or entity making a donation of more than one hundred dollars to the entity filing the report if the donation was made to further the reported independent expenditure or electioneering communication.

(b) If the donor is an individual, the statement shall include the name, primary occupation, address, and amount of the donation.

(c) If the donor is a business or another organization that is not an individual, then the identification shall indicate the name and title of the chief executive officer or the controlling individual of the donor organization, and include the address and amount of the donation.” /

Amend the bill further, Section 8-13-1313, as contained in SECTION 1, page 2, by adding Item (7) at the end to read:

/ (7) For the purposes of item (6) of this section, a donation to the person or entity making the independent expenditure or electioneering

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communication is deemed to have been donated to further the independent expenditure or electioneering communication if any of items (1) through (4) of this section apply. For purposes of this section, the “filer” is the person or entity making the independent expenditure or electioneering communication and responsible for filing the report, or an agent of that person or entity. For purposes of this section, the “donor” is the person or entity donating to the filer the funds or other thing of value, or an agent of that person or entity.

(a) The donor designates, requests, or suggests that the donation be used for an independent expenditure or electioneering communication or for multiple independent expenditures or electioneering communication, and the filer agrees to use the donation for an independent expenditure or electioneering communication.

(b) The filer expressly solicited the donor for a donation for making or paying for an independent expenditure or electioneering communication.

(c) The donor and the filer engaged in substantial written or oral discussion regarding the donor’s making, donating, or paying for an independent expenditure or electioneering communication.

(d) The donor or the filer knew or had reason to know of the filer’s intent to make independent expenditures or electioneering communications with the donation.

A donation must not be deemed to be made to further an independent expenditure or electioneering communication if the donation was a commercial transaction occurring in the ordinary course of business between the donor and the filer unless there is affirmative evidence that the amounts were donated to further an independent expenditure or electioneering communication. In determining the amount of a donation that was made to further a particular independent expenditure or electioneering communication, there must be excluded any amount that was designated by the donor with respect to a different election than the election that is the subject of the independent expenditure or electioneering communication covered by the report. /

Amend the bill further, section 8-13-1300(35)(A)(1), as contained in section 2, page 2, by striking lines 36 through 37 and inserting:

/ (1) Refers to a clearly identified candidate for elected office or ballot measure; and /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

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Reps. NORMAN, HIOTT, WELLS, ATWATER, BALLENTINE, HICKS, NEAL, WEEKS, TOOLE, TAYLOR, JEFFERSON, PUTNAM, WILLIAMS, CORLEY, COLLINS, G. R. SMITH, V. S. MOSS, CLARY, HART, THAYER, HILL, YOW, KNIGHT, WILLIS, GAMBRELL and RIVERS requested debate on the Bill.

**SPEAKER IN CHAIR**

**H. 3195--AMENDED, REQUEST FOR DEBATE, AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3195 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Spires, Tallon, Taylor, Wells, Williams, Willis, Bernstein, Long, Douglas, Henderson, G. M. Smith, McCoy, Clary, M. S. McLeod, Weeks, W. J. McLeod, Whipper, Hicks and Knight: A BILL TO AMEND SECTION 2-17-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACTS PROHIBITED OF LOBBYISTS' PRINCIPALS, SO AS TO DELETE THE SPECIFIC AUTHORIZATION FOR AMERICAN LEGISLATIVE EXCHANGE COUNCIL CONVENTIONS AND CONFERENCES; AND TO AMEND SECTION 8-13-1348, AS AMENDED, RELATING TO THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO CLARIFY THE TYPE OF PROHIBITED EXPENSES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3195 (COUNCIL\GG\3195C001.GGS.ZW15), which was adopted:

Amend the bill, as and if amended, Section 8-13-1348(B)(2), as contained in SECTION 2, page 2, beginning on line 30, by striking item (2) and inserting:

/ (2) the payment or reimbursement for any lodging, food and beverage, or travel expenses, other than mileage, for the candidate, a member of the candidate's immediate family or staff must be for travel for the purpose of campaigning for office or otherwise a part of the official responsibilities of an officeholder. Official responsibilities of the officeholder include events to which an officeholder is invited in his official capacity to include, but not limited to, political party events,

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official appearances or meetings for which reimbursement is not offered by a governmental entity, educational forums and conventions: /

Amend the bill further, Section 8-13-1348(B)(4), as contained in SECTION 2, page 3, beginning on line 5, by striking Item (4) and inserting:

/ (4) payments to campaign or office staff must be made contemporaneously with the work provided. A campaign may not compensate an immediate family member of the candidate. /

Renumber sections to conform.

Amend title to conform.

Rep. POPE explained the amendment.

The amendment was then adopted.

Rep. J. E. SMITH proposed the following Amendment No. 2 to H. 3195 (COUNCIL\GGS\3195C002.GGS.ZW15), which was tabled:

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

/ SECTION \_\_\_\_\_. Section 2-17-20(A) of the 1976 Code is amended to read:

“(A) ~~Any~~ A person who acts as a lobbyist ~~must~~, within fifteen days of being employed, appointed, or retained as a lobbyist, shall register with the State Ethics Commission as provided in this section. Each person registering ~~must~~ shall pay a fee of ~~one~~ two hundred dollars and present to the State Ethics Commission a communication reflecting the authority of the registrant to represent the person by whom he is employed, appointed, or retained. If a partnership, committee, association, corporation, labor organization, or any other organization or group of persons registers as a lobbyist, it ~~must~~ shall identify each person who will act as a lobbyist on its behalf during the covered period. There is no registration fee for a lobbyist who is a full-time employee of a state agency and limits his lobbying to efforts on behalf of that particular state agency.” /

/ SECTION \_\_\_\_\_. Section 2-17-25(A) of the 1976 Code is amended to read:

“(A) ~~Any~~ A lobbyist’s principal ~~must~~, within fifteen days of employing, appointing, or retaining a lobbyist, shall register with the State Ethics Commission as provided in this section. Each person registering ~~must~~ shall pay a fee of ~~one~~ two hundred dollars. If a partnership, committee, an association, a corporation, labor organization, or any other organization or group of persons registers as

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a lobbyist's principal, it ~~must~~ shall identify each person who will act as a lobbyist on its behalf during the covered period. If the State is a lobbyist's principal, the State is exempt from paying a registration fee and filing a lobbyist's principal registration statement." /

/ SECTION \_\_\_\_\_. Section 2-17-30(A) of the 1976 Code is amended to read:

“(A) Each lobbyist, no later than ~~June thirtieth~~ July tenth and ~~January thirty-first~~ January tenth of each year, must file a report with the State Ethics Commission covering that lobbyist's lobbying during that filing period. The filing periods are from January first to ~~May thirty-first~~ June thirtieth for the ~~June thirtieth~~ July tenth report, and are from ~~June July~~ July first to December thirty-first for the January ~~thirty-first~~ tenth report. Any lobbying activity not reflected on the ~~June thirtieth~~ July tenth report and not reported on a statement of termination pursuant to Section 2-17-20(C) must be reported no later than January ~~thirty-first~~ tenth of the succeeding year. Each report must be in a form prescribed by the State Ethics Commission and be limited to and contain:

(1) the full name, address, and telephone number of the reporting lobbyist;

(2) an identification of each person on whose behalf the reporting lobbyist engaged in lobbying during the covered period;

(3) the official name, number, or description, designated by the House or Senate or by an agency, of legislation, covered agency actions, or covered gubernatorial actions for which the reporting lobbyist engaged in lobbying during the covered period;

(4) the identification of each person from whom income attributable to the lobbyist's lobbying is paid or promised and the amount of the income attributable to the lobbyist's lobbying paid or promised;

(5)(a) a complete and itemized account of the totals of all amounts expended by a lobbyist in the performance of his lobbying during the covered period. The totals must be segregated by the amounts expended for office expenses, rent, utilities, supplies, and compensation of support personnel attributable to lobbying covered under the provisions of this chapter;

(b) any expenditure directly or indirectly related to lobbying if expended while engaged in the general course of lobbying and if reimbursed by the lobbyist's principal;

(6) the name of each member of the judiciary on whose behalf a lobbyist initiated or made expenditures and a complete and itemized account of the amount expended by the lobbyist for each member of the judiciary;

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(7) a statement detailing any direct business association of a lobbyist with any current member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees. For the purposes of this item, direct business association does not include:

(a) ownership interests held by a lobbyist or a lobbyist's principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in the same corporation or partnership unless the interest of each exceeds five percent of the total shares outstanding or partnership interests in such entity;

(b) an interest held by a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in a partnership or corporation represented by a lobbyist or a lobbyist's principal if the interest is less than five percent of the total shares outstanding or partnership interests in such entity; or

(c) any commercial transaction between a lobbyist or a lobbyist's principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in which the fair market value of the goods transferred or services rendered is paid." /

/ SECTION \_\_\_\_\_. Section 2-17-35(A) of the 1976 Code is amended to read:

“(A) Except as otherwise provided by Section 2-17-90(E), each lobbyist's principal, no later than ~~June thirtieth~~ July tenth and ~~January thirty-first~~ January tenth of each year, must file a report with the State Ethics Commission covering that lobbyist's principal's expenditures attributable to lobbying during that filing period. The filing periods are from January first to ~~May thirty-first~~ June thirtieth for the ~~June thirtieth~~ July tenth report, and are from ~~June~~ July first to December thirty-first for the ~~January thirty-first~~ tenth report. Any lobbying activity not reflected on the ~~June thirtieth~~ July tenth report and not reported on a statement of termination pursuant to Section 2-17-25(C) must be reported no later than January ~~thirty-first~~ tenth of the succeeding year. Each report must be in a form prescribed by the State Ethics Commission and be limited to and contain:

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(1) the full name, address, and telephone number of the reporting lobbyist's principal;

(2) an identification of each person who acted as a lobbyist on behalf of the reporting lobbyist's principal during the covered period;

(3) the official name, number, or description, designated by the House or Senate or by an agency, of legislation, covered agency actions, or covered gubernatorial actions for which its lobbyist engaged in lobbying during the covered period;

(4) the identification of each person to whom income attributable to the lobbyist's lobbying is paid or promised and the amount of the income attributable to the lobbyist's lobbying paid or promised;

(5)(a) a complete and itemized account of all amounts expended by a lobbyist's principal for lobbying during the covered period. The totals must be segregated by the amounts expended for office expenses, rent, utilities, supplies, and compensation of support personnel attributable to lobbying covered under the provisions of this chapter;

(b) any expenditure directly or indirectly related to lobbying if expended while a lobbyist's principal or his lobbyist is engaged in the general course of lobbying;

(c) the name of each public official on whose behalf a lobbyist's principal initiated or made expenditures pursuant to Section 2-17-90 and a complete and itemized account of the amount expended by the lobbyist's principal for each public official;

(d) any reimbursements of or expenditures for actual expenses as allowed in Section 2-17-100;

(6) the name of each member of the judiciary on whose behalf a lobbyist's principal initiated or made expenditures and a complete and itemized account of the amount expended by the lobbyist's principal for each member of the judiciary;

(7) a statement detailing any direct business association of a lobbyist's principal with any current member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees. For the purposes of this item, direct business association does not include:

(a) ownership interests held by a lobbyist or a lobbyist's principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in the same corporation or partnership

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unless the interest of each exceeds five percent of the total shares outstanding or partnership interests in the entity;

(b) an interest held by a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in a partnership or corporation represented by a lobbyist or a lobbyist's principal if the interest is less than five percent of the total shares outstanding or partnership interests in such entity; or

(c) any commercial transaction between a lobbyist or lobbyist's principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in which the fair market value of the goods transferred or services rendered is paid;

(8) any contribution, as defined by Section 8-13-1300(7), made by the lobbyist's principal to any candidate or public official, including an itemization of:

(a) the name and address of the public official or candidate to whom the contribution was made;

(b) the amount of the contribution;

(c) the date of the contribution;

(9) in the case of a voluntary membership organization, dues, fees, or other amounts payable to the organization during any calendar year from a member need be recorded only if the contribution to the organization is more than five hundred dollars and more than twenty percent of the total contributions of the organization during that calendar year." /

/ SECTION \_\_\_\_\_. Section 2-17-40 of the 1976 Code is amended to read:

"Section 2-17-40. (A) Each state agency or department must, no later than ~~June thirtieth~~ July tenth and ~~January thirty-first~~ January tenth of each year, file a report with the State Ethics Commission covering that agency's lobbying during that filing period. The filing periods are from January first to ~~May thirty-first~~ June thirtieth for the ~~June thirtieth~~ July tenth report, and are from ~~June~~ July first to December thirty-first for the January ~~thirty-first~~ tenth report. Any lobbying activity not reflected on the ~~June thirtieth~~ July tenth report and not reported on a statement of termination pursuant to Section 2-17-25(C) must be reported no later than January ~~thirty-first~~ tenth of the succeeding year. Each report must

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be in a form prescribed by the State Ethics Commission and be limited to and contain:

(1) an identification of each public official, public employee, or other person who engaged in lobbying for that agency during the covered period;

(2) legislation, covered agency actions, or covered gubernatorial actions the persons identified in item (1) engaged in lobbying during the covered period;

(3) the identification of each person to whom income attributable to the lobbyist's lobbying is paid or promised and the amount of the income attributable to the lobbyist's lobbying paid or promised;

(4)(a) a complete and itemized account of all expenditures made or incurred by those persons identified in item (1) in the performance of their lobbying during the covered period. The totals must be segregated by the amounts expended for office expenses, rent, utilities, supplies, and compensation of support personnel attributable to lobbying covered under the provisions of this chapter;

(b) the name of each public official on whose behalf the state agency or department initiated or made expenditures pursuant to Section 2-17-90 and a complete and itemized account of the amount expended by the state agency or department for each public official;

(c) any reimbursements of or expenditures for actual expenses as allowed in Section 2-17-100.

(B) Where total amounts are required to be reported, totals must be reported for the entire calendar year to date. The reports required by this section are not required from any agency whose only lobbying is appearing before any committee of the General Assembly at the request of that committee or at the request of any member or members of that committee." /

Renumber sections to conform.

Amend title to conform.

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

Rep. HILL requested debate on the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	George
Gilliard	Goldfinch	Hamilton
Hardee	Hardwick	Hart
Hayes	Henderson	Henegan
Herbkersman	Hill	Hiott
Hixon	Hodges	Horne
Hosey	Howard	Huggins
Jefferson	Johnson	Kennedy
King	Kirby	Knight
Limehouse	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Murphy	Nanney	Neal
Newton	Norman	Norrell
Parks	Pope	Putnam
Ridgeway	Riley	Rutherford
Simrill	G. M. Smith	G. R. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
Whipper	White	Whitmire
Williams	Willis	Yow

**Total--111**

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Those who voted in the negative are:

**Total--0**

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

**H. 3186--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3186 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. R. Smith, G. M. Smith, McCoy, Clary, J. E. Smith, W. J. McLeod, Weeks, Whipper, Hicks, Atwater and Ballentine: A BILL TO AMEND SECTION 8-13-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO ETHICS AND GOVERNMENT ACCOUNTABILITY, SO AS TO REVISE THE DEFINITION OF "BUSINESS WITH WHICH HE IS ASSOCIATED"; AND TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REVISE THE FORM AND REQUIRED CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS.

Reps. BANNISTER, WEEKS, TALLON, G. M. SMITH and BEDINGFIELD requested debate on the Bill.

**H. 3168--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3168 -- Reps. Tallon, McCoy and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 9, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA EMERGENCY MANAGEMENT LAW ENFORCEMENT ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE QUALIFICATIONS, POWERS, DUTIES, AND LIMITATIONS OF SPECIAL LAW ENFORCEMENT OFFICERS SERVING PURSUANT TO THIS ARTICLE.

Rep. WEEKS explained the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Gilliard
Goldfinch	Hamilton	Hardee
Hart	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Horne	Hosey
Howard	Huggins	Jefferson
Kennedy	King	Kirby
Knight	Limehouse	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Murphy	Nanney
Neal	Norman	Norrell
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
Riley	Rivers	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells

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Whipper  
Williams

White  
Willis

Whitmire  
Yow

**Total--111**

Those who voted in the negative are:

**Total--0**

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

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. TAYLOR moved that the House recur to the morning hour, which was agreed to.

**H. 3125--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3125 -- Reps. Quinn, Cobb-Hunter, M. S. McLeod, Felder, Atwater, Toole, Huggins, Pitts, Pope, Weeks, Whipper, R. L. Brown, Gilliard, Hicks, Bernstein, Finlay, J. E. Smith, Putnam, Hardwick, Mitchell and Bales: A BILL TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM AND LEGISLATIVE FINDINGS AND APPLICABILITY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-3-2010, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE DEFINITION OF "SEX TRAFFICKING"; 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 LANGUAGE FOR THE POSTING, AND PROVIDE A PENALTY FOR THE

[HJ]

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FAILURE TO POST THE INFORMATION; AND TO AMEND SECTION 16-3-2050, RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE.

Rep. WEEKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	G. A. Brown	R. L. Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hamilton
Hardee	Hardwick	Hart
Hayes	Henderson	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Horne	Hosey	Huggins
Johnson	Kennedy	King
Kirby	Knight	Limehouse
Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Murphy
Nanney	Neal	Newton
Norman	Norrell	Ott
Parks	Pitts	Pope
Putnam	Ridgeway	Riley

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Rivers	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
Whipper	White	Whitmire
Williams	Willis	Yow

**Total--114**

Those who voted in the negative are:

**Total--0**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 3125. If I had been present, I would have voted in favor of the Bill.

Rep. Terry Alexander

**H. 3247--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3247 -- Reps. Rutherford, Douglas, McCoy, McKnight, Weeks, W. J. McLeod and Gilliard: A JOINT RESOLUTION TO CONTINUE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" UNTIL DECEMBER 31, 2015.

Rep. WEEKS explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 75; Nays 36

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Bales	Bamberg	Bannister
Bernstein	Bowers	G. A. Brown
R. L. Brown	Clary	Clyburn

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Cobb-Hunter	Cole	Collins
Corley	Delleney	Dillard
Douglas	Erickson	Felder
Finlay	Funderburk	Gambrell
Gilliard	Hardee	Hart
Hayes	Henderson	Henegan
Herbkersman	Hicks	Hixon
Hodges	Horne	Hosey
Howard	Jefferson	Kennedy
King	Kirby	Knight
Limehouse	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
V. S. Moss	Nanney	Neal
Newton	Norman	Norrell
Ott	Parks	Pope
Ridgeway	Rutherford	G. M. Smith
Sottile	Southard	Spires
Stavrinakis	Tallon	Taylor
Thayer	Tinkler	Weeks
Wells	Whipper	Williams

**Total--75**

Those who voted in the negative are:

Allison	Atwater	Ballentine
Bedingfield	Bingham	Bradley
Burns	Chumley	Clemmons
H. A. Crawford	Crosby	Daning
Duckworth	Forrester	Gagnon
Goldfinch	Hill	Huggins
Johnson	Loftis	Lowe
Merrill	D. C. Moss	Pitts
Putnam	Riley	Rivers
Sandifer	Simrill	G. R. Smith
Stringer	Toole	White
Whitmire	Willis	Yow

**Total--36**

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

**H. 3519--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3519 -- Rep. Merrill: A BILL TO RATIFY AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, TO PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE FOR ANY OTHER LAW NECESSARY TO ENSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

Rep. MERRILL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	G. A. Brown	R. L. Brown
Chumley	Clary	Clemmons
Clyburn	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell

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George	Gilliard	Goldfinch
Hamilton	Hardee	Hardwick
Hart	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Horne	Hosey	Huggins
Jefferson	Kennedy	King
Kirby	Knight	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Ott
Parks	Pitts	Pope
Putnam	Ridgeway	Riley
Rivers	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
Whipper	White	Whitmire
Williams	Willis	Yow

**Total--108**

Those who voted in the negative are:

**Total--0**

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

**H. 3519--MOTION TO RECONSIDER TABLED**

Rep. MERRILL moved to reconsider the vote whereby the following Bill was read second time:

H. 3519 -- Rep. Merrill: A BILL TO RATIFY AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO

[HJ]

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AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, TO PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE FOR ANY OTHER LAW NECESSARY TO ENSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

Rep. MERRILL moved to table the motion to reconsider, which was agreed to.

**S. 225--RECALLED FROM COMMITTEE ON  
WAYS AND MEANS**

On motion of Rep. WHITE, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Ways and Means:

S. 225 -- Senators Cromer and Setzler: A JOINT RESOLUTION TO SUSPEND PROVISIO 105.15 OF PART 1B OF THE 2014-2015 APPROPRIATIONS ACT, RELATING TO REIMBURSEMENT RATES PAID TO PHARMACIES PARTICIPATING IN THE STATE HEALTH PLAN BY CATAMARAN, THE CONTRACTED PHARMACY BENEFIT MANAGER FOR THE PLAN.

**H. 3471--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3471 -- Reps. Yow, Lucas and Henegan: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH EAST CATO STREET TO AIRPORT ROAD "SCHP PATROLMAN H. M. SMITH MEMORIAL HIGHWAY" AND

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ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3474--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3474 -- Reps. Murphy, Horne, Jefferson, Knight, Mack, Tinkler and Whipper: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 78 AND DEMING WAY IN DORCHESTER COUNTY "MAJOR ERNEST SAMUEL MOULTRIE INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 181--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 181 -- Senator Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RAWLINSON ROAD IN THE CITY OF ROCK HILL FROM ITS INTERSECTION WITH WEST MAIN STREET TO ITS INTERSECTION WITH HECKLE BOULEVARD "COACH ROBERT T. 'BOB' JENKINS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 344--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 344 -- Senators O'Dell and Bryant: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 81 IN ANDERSON COUNTY FROM ITS

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INTERSECTION WITH MASTERS BOULEVARD IN THE CITY OF ANDERSON TO ITS INTERSECTION WITH THE SOUTHERN BOUNDARY OF THE TOWN OF IVA "DEPUTY J. ALEX BURDETTE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3202--MOTION TO RECONSIDER TABLED**

Rep. NORMAN moved to reconsider the vote whereby the following Bill was read third time and sent to the Senate:

H. 3202 -- Reps. Funderburk, Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, McCoy, Cobb-Hunter, McKnight, Clary, M. S. McLeod, J. E. Smith, Weeks, W. J. McLeod, Whipper, Hicks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-27-05 SO AS TO ENTITLE CHAPTER 27 THE "SOUTH CAROLINA WHISTLEBLOWER AND PUBLIC EMPLOYEE PROTECTION ACT"; TO AMEND SECTION 8-27-20, AS AMENDED, RELATING TO REWARDS FOR REPORTS RESULTING IN SAVINGS, SO AS TO ELIMINATE THE TWO THOUSAND DOLLAR CAP ON REWARDS; AND TO AMEND SECTION 8-27-30, AS AMENDED, RELATING TO CIVIL ACTIONS AGAINST AN EMPLOYING PUBLIC BODY FOR RETALIATION AGAINST AN EMPLOYEE WHO REPORTS A VIOLATION OF STATE OR FEDERAL LAW OR REGULATION, SO AS TO REMOVE THE ONE-YEAR LIMITATION ON THE PERIOD DURING WHICH THE EMPLOYEE IS PROTECTED FROM ADVERSE EMPLOYMENT ACTIONS, AND TO PROVIDE FOR ADDITIONAL REMEDIES.

Rep. W. J. MCLEOD moved to table the motion to reconsider.

Rep. NORMAN demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 39

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Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Bales	Bamberg	Bannister
Bernstein	Bowers	G. A. Brown
R. L. Brown	Clary	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Finlay	Funderburk
George	Gilliard	Hart
Hayes	Henderson	Henegan
Hill	Hodges	Hosey
Jefferson	Johnson	Kennedy
King	Kirby	Lucas
Mack	McKnight	M. S. McLeod
W. J. McLeod	Mitchell	V. S. Moss
Newton	Norrell	Ott
Parks	Pope	Ridgeway
Rutherford	Simrill	G. R. Smith
Spires	Stavrinakis	Taylor
Tinkler	Weeks	Wells
Whipper	Williams	

**Total--62**

Those who voted in the negative are:

Allison	Atwater	Ballentine
Bedingfield	Bingham	Bradley
Chumley	Clemmons	Crosby
Daning	Forrester	Gagnon
Goldfinch	Hamilton	Hardee
Hardwick	Hicks	Hixon
Huggins	Knight	Limehouse
Loftis	Long	Lowe
McCoy	Merrill	D. C. Moss
Nanney	Norman	Pitts
Putnam	Riley	G. M. Smith
Sottile	Stringer	Tallon
White	Willis	Yow

**Total--39**

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So, the motion to reconsider was tabled.

**MOTION PERIOD**

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

**H. 3114--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3114 -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H. A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D. C. Moss, Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G. M. Smith, G. R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V. S. Moss, Whitmire, Bedingfield, Hill, Duckworth and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE "SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT", TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST-FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST-FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING BY PHYSICIANS WHO PERFORM ABORTIONS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO PROVIDE FOR A CIVIL RIGHT OF ACTION FOR CERTAIN INDIVIDUALS AGAINST A PHYSICIAN PERFORMING AN ABORTION IN VIOLATION OF THE ACT AND FOR INJUNCTIVE RELIEF, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

[HJ]

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Reps. RIDGEWAY and McEACHERN proposed the following Amendment No. 1 to H. 3114 (COUNCIL\BH\3114C002.BH.VR15), which was tabled:

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

/ SECTION 1. Chapter 41, Title 44 of the 1976 Code is amended by adding:

“Article 5  
South Carolina Pain-Capable  
Unborn Child Protection Act

Section 44-41-410. This article may be cited as the ‘South Carolina Pain-Capable Unborn Child Protection Act’.

Section 44-41-420. The General Assembly makes the following findings:

(1) Pain receptors (nociceptors) are present throughout the entire body of the unborn child in the fetal stage of life and nerves link these receptors to the brain’s thalamus and subcortical plate by no later than twenty-two weeks.

(2) By eight weeks, the unborn child in the fetal stage of life reacts to touch. After twenty-two weeks, the unborn child in the fetal stage of life reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In an unborn child in the fetal stage of life, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children in the fetal stage of life, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their levels when painful stimuli are applied without such anesthesia.

(6) The position, asserted by some medical experts, that the unborn child in the fetal stage of life is incapable of experiencing pain until a point later in pregnancy than twenty-two weeks predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

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(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adults, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some medical experts, that the unborn child in the fetal stage of life remains in a coma-like sleep state that precludes experiencing of pain is inconsistent with the documented reaction of fetuses to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child in the fetal stage of life with anesthesia to prevent the fetus from thrashing about in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child in the fetal stage of life is capable of experiencing pain by twenty-two weeks.

(12) It is the purpose of the State to assert a compelling state interest in protecting the lives of unborn children in the fetal stage of life from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) South Carolina's compelling state interest in protecting the lives of unborn children in the fetal stage of life from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of South Carolina's compelling state interest in protecting the lives of unborn children in the fetal stage of life from the stage of viability, and neither state interest is intended to replace the other.

(14) Mindful of *Leavitt v. Jane L.*, 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion, the United States Supreme Court noted that an explicit statement of legislative intent specifically made applicable to a particular statute is of greater weight than a general savings or severability clause, it is the intent of the State that if any one or more provisions, sections, subsections, sentences, clauses, phrases or words of this article or the application thereof to any person or circumstance is found to be unconstitutional, the same is hereby declared to be severable and the balance of this article shall remain effective notwithstanding

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such unconstitutionality. Moreover, the State declares that it would have passed this article, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more provisions, sections, subsections, sentences, clauses, phrases or words, or any of their applications, were to be declared unconstitutional.

Section 44-41-430. For the purposes of this article:

(1) ‘Abortion’ means the use or prescription of any instrument, medicine, drug, or any other substance or device:

(a) to intentionally kill the fetus of a woman known to be pregnant; or

(b) to intentionally prematurely terminate the pregnancy of a woman known to be pregnant, with an intention other than to increase the probability of a live birth or of preserving the life or health of the child after live birth.

(2) ‘Attempt to perform or induce an abortion’ means an act, or an omission of a statutorily required act, that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in the performance or induction of an abortion in this State in violation of this article.

(3) ‘Department’ means the South Carolina Department of Health and Environmental Control.

(4) ‘Medical emergency’ means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman that it necessitates the immediate abortion of her pregnancy without first determining the age of the fetus by applying Naegele’s Rule to avert her death or for which the delay necessary to determine fetal age will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No condition must be considered a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(5) ‘Naegele’s Rule’ means the standard way to calculate the expected date of delivery based on the first day of the woman’s last menstrual period.

(6) ‘Physician’ means any person licensed to practice medicine and surgery or osteopathic medicine and surgery in this State.

(7) ‘Reasonable medical judgment’ means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

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(8) ‘Unborn child in the fetal stage of life’ or ‘fetus’ each means an individual organism of the species homo sapiens more than eight weeks after conception.

(9) ‘Woman’ means a female human being whether or not she has reached the age of majority.

Section 44-41-440. (A) Except in the case of a medical emergency, no abortion may be performed or induced or be attempted to be performed or induced unless the physician performing or inducing it has first made a determination of the probable age of the fetus based on application of Naegele’s Rule or relied upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the medical conditions involved, would consider necessary to perform in making an accurate diagnosis with respect to the age of the fetus.

(B) Failure by any physician to conform to any requirement of this section constitutes ‘unprofessional conduct’ pursuant to Section 40-47-20(53).

Section 44-41-450. (A) No person shall perform or induce or attempt to perform or induce an abortion upon a woman when it has been determined, by the physician performing or inducing or attempting to perform or induce the abortion or by another physician upon whose determination that physician relies, that the probable age of the fetus is twenty-two or more weeks, unless, in reasonable medical judgment, the woman has a condition which so complicates her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(B) When an abortion upon a woman whose unborn child in the fetal stage of life has been determined to have a probable age of twenty-two or more weeks is not prohibited by subsection (A), the physician shall terminate the pregnancy in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child in the fetal stage of life to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and

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irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

Section 44-41-460. (A) An abortion performed in this State must be reported by the performing physician on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of the patient and physician may not be reported on the form or otherwise disclosed to the state registrar. The form must indicate from whom consent was obtained or circumstances waiving consent and must include:

- (1) Fetal age, as determined by Naegele's Rule:
  - (a) if a determination of probable fetal age was made, whether ultrasound was employed in making the determination, and the week of probable fetal age determined; or
  - (b) if a determination of probable fetal age was not made, the basis of the determination that a medical emergency existed.
- (2) Method of abortion, of which the following was employed:
  - (a) medication abortion such as, but not limited to, mifepristone/misoprostol or methotrexate/misoprostol;
  - (b) manual vacuum aspiration;
  - (c) electrical vacuum aspiration;
  - (d) dilation and evacuation;
  - (e) combined induction abortion and dilation and evacuation;
  - (f) induction abortion with prostaglandins;
  - (g) induction abortion with intra-amniotic instillation such as, but not limited to, saline or urea;
  - (h) induction abortion; and
  - (i) intact dilation and extraction (partial-birth).
- (3) Whether an intrafetal injection was used in an attempt to induce fetal demise such as, but not limited to, intrafetal potassium chloride or digoxin.
- (4) Age of the patient.
- (5) If the probable fetal age was determined to be twenty-two or more weeks, the basis of the determination that the pregnant woman had a condition which so complicated her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk

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of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions.

(6) If the probable fetal age was determined to be twenty-two or more weeks, whether or not the method of abortion used was one that, in reasonable medical judgment, provided the best opportunity for the unborn child in the fetal stage of life to survive and, if such a method was not used, the basis of the determination that termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods.

(B) Reports required by subsection (A) may not contain the name or the address of the patient whose pregnancy was terminated, nor may the report contain any other information identifying the patient, except that each report shall contain a unique medical record identifying number, to enable matching the report to the patient's medical records. The reports must be maintained in strict confidence by the department, must not be available for public inspection, and must not be made available except:

(1) to the Attorney General or solicitor with appropriate jurisdiction pursuant to a criminal investigation;

(2) to the Attorney General or solicitor pursuant to a civil investigation of the grounds for an action pursuant to Section 44-41-480(B); or

(3) pursuant to court order in an action under Section 44-41-480.

(C) By June thirtieth of each year, the department shall issue a public report providing statistics for the previous calendar year compiled from all of the reports covering that year submitted in accordance with this section for each of the items listed in subsection (A). Each such report also must provide the statistics for all previous calendar years during which this section was in effect, adjusted to reflect any additional information from late or corrected reports. The department shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any pregnant woman upon whom an abortion was performed, induced, or attempted.

(D) A physician who fails to submit a report by the end of thirty days following the due date is subject to a late fee of one thousand dollars for each additional thirty-day period or portion of a thirty-day period the report is overdue. A physician required to report in accordance with this article who has not submitted a report, or has submitted only an

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incomplete report, more than six months following the due date, may, in an action brought by the department, be directed by a court of competent jurisdiction to submit a complete report within a period stated by court order or be subject to civil contempt. Intentional or reckless failure by a physician to conform to any requirement of this section, other than late filing of a report, constitutes 'unprofessional conduct' pursuant to Section 40-47-20(53). Intentional or reckless failure by a physician to submit a complete report in accordance with a court order constitutes 'unprofessional conduct' pursuant to Section 40-47-20(53). Intentional or reckless falsification of a report required under this section is a misdemeanor punishable by not more than one year in prison.

(E) Within ninety days of the effective date of this article, the Department of Health and Environmental Control shall adopt and promulgate forms and regulations to assist in compliance with this section. Subsection (A) shall take effect so as to require reports regarding all abortions performed or induced on and after the first day of the first calendar month following the effective date of such rules.

Section 44-41-470. A person who intentionally or knowingly fails to conform to a requirement in Section 44-41-440 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended.

Section 44-41-480. (A) A woman upon whom an abortion has been performed or induced in violation of this article, or the father of the unborn child in the fetal stage of life who was the subject of such an abortion, may maintain an action against the person who performed or induced the abortion in intentional or reckless violation of this article for actual and punitive damages. A woman upon whom an abortion has been attempted in violation of this article may maintain an action against the person who attempted to perform or induce the abortion in an intentional or reckless violation of this article for actual and punitive damages.

(B) A cause of action for injunctive relief against a person who has intentionally or recklessly violated this article may be maintained by the woman upon whom an abortion was performed or induced or attempted to be performed or induced in violation of this article; by a person who is the spouse, parent, sibling or guardian of, or a current or former licensed health care provider of, the woman upon whom an abortion has

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been performed or induced or attempted to be performed or induced in violation of this article; by a county attorney with appropriate jurisdiction; or by the Attorney General. The injunction prevents the abortion provider from performing or inducing or attempting to perform or induce further abortions in violation of this article in this State.

(C) If judgment is rendered in favor of the plaintiff in an action described in this section, the court also shall render judgment for a reasonable attorney's fee in favor of the plaintiff against the defendant.

(D) No damages or attorney's fee may be assessed against the woman upon whom an abortion was performed or induced or attempted to be performed or induced.

Section 44-41-490. In every civil or criminal proceeding or action brought under this article, the court shall rule whether the anonymity of a woman upon whom an abortion has been performed or induced or attempted to be performed or induced must be preserved from public disclosure if she does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that her anonymity should be preserved, shall issue orders to the parties, witnesses, and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. In the absence of written consent of the woman upon whom an abortion has been performed or induced or attempted to be performed or induced, anyone, other than a public official, who brings an action pursuant to Section 44-41-480(A) or (B) shall do so under a pseudonym. This section may not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

Section 44-41-500. This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such

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temporary or permanent restraining order of injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.”

SECTION 2. This act takes effect upon approval of the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Rep. RIDGEWAY explained the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. DELLENEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 72; Nays 38

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	G. A. Brown
Burns	Chumley	Clary
Clemmons	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Forrester	Gagnon	Goldfinch
Hamilton	Hardee	Hardwick
Hart	Hayes	Henderson
Herbkersman	Hicks	Hill
Hiott	Hixon	Huggins
Johnson	Kennedy	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Pitts	Pope	Putnam
Riley	Rivers	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stringer
Tallon	Taylor	Thayer

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Toole	Wells	White
Whitmire	Willis	Yow

**Total--72**

Those who voted in the negative are:

Alexander	Bales	Bamberg
Bernstein	Bowers	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Douglas	Finlay	George
Gilliard	Henegan	Hodges
Hosey	Howard	Jefferson
King	Kirby	Knight
Mack	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
Neal	Norrell	Ott
Parks	Ridgeway	Rutherford
Stavrinakis	Tinkler	Weeks
Whipper	Williams	

**Total--38**

So, the amendment was tabled.

Rep. NANNEY explained the Bill.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANTHONY a leave of absence for the remainder of the day to attend a funeral.

Rep. NANNEY continued speaking.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. MCEACHERN spoke upon the Bill.  
Rep. RIDGEWAY spoke in favor of the Bill.  
Rep. RUTHERFORD spoke against the Bill.  
Rep. BERNSTEIN spoke against the Bill.

The question then recurred to the passage of the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 80; Nays 27

Those who voted in the affirmative are:

Allison	Atwater	Ballentine
Bannister	Bedingfield	Bingham
Bowers	Bradley	G. A. Brown
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	George
Goldfinch	Hamilton	Hardwick
Hayes	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Kennedy	Limehouse	Loftis
Long	Lowe	Lucas
McCoy	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stringer
Tallon	Taylor	Toole
Weeks	Wells	Whitmire
Willis	Yow	

**Total--80**

Those who voted in the negative are:

Alexander	Anderson	Bales
Bamberg	Bernstein	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Gilliard	Henegan	Hosey
Howard	Jefferson	King
Mack	McEachern	McKnight

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M. S. McLeod	Mitchell	Neal
Parks	Rutherford	Stavrinakis
Tinkler	Whipper	Williams

**Total--27**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber meeting with Sen. Peeler on an education issue and missed the vote on H. 3114. If I had been present, I would have voted in favor of the Bill.

Rep. Anne Thayer

**RECORD FOR VOTING**

I was temporarily out of the Chamber, attending the memorial services of a family member and missed the vote on H. 3114. If I had been present, I would have voted in favor of this Bill.

Rep. Brian White

**H. 3041--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 3041 -- Reprs. Delleney, Allison, Atwater, Ballentine, Bannister, Bedingfield, Bingham, Bradley, Brannon, Burns, Clary, Clemmons, Collins, H. A. Crawford, Daning, Duckworth, Erickson, Forrester, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Herbkersman, Hicks, Hill, Hiott, Hixon, Horne, Huggins, Kennedy, Limehouse, Loftis, Long, Lowe, Lucas, McCoy, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Newton, Pitts, Pope, Putnam, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stringer, Tallon, Taylor, Thayer, Wells, White, Whitmire, Willis, Yow, McKnight and Funderburk: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE

[HJ]

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SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

Rep. DELLENEY moved to adjourn debate on the Joint Resolution until Wednesday, February 18, which was agreed to.

**H. 3006--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3006 -- Reps. Atwater, Bedingfield, Allison, Bannister, Bingham, Brannon, Clemmons, Crosby, Daning, Erickson, Felder, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Horne, Huggins, Limehouse, Loftis, Long, McCoy, Merrill, D. C. Moss, V. S. Moss, Nanney, Newton, Putnam, Quinn, Sandifer, G. M. Smith, G. R. Smith, Sottile, Stringer, Tallon, Thayer, Whitmire, Willis, Southard, Hixon, Pitts, Ballentine, Toole, Simrill, Lucas, Kennedy, Rivers and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-138 SO AS TO PROVIDE A REGULATION PROMULGATED UNDER THE ADMINISTRATIVE PROCEDURES ACT EXPIRES FIVE YEARS FROM THE DATE ON WHICH IT BECOMES EFFECTIVE; TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO THE APPROVAL OF REGULATIONS, SO AS TO DELETE LANGUAGE REQUIRING A STATE AGENCY TO PERIODICALLY REVIEW REGULATIONS IT PROMULGATES.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3006 (COUNCIL\AGM\3006C001.AGM.AB15), which was adopted:

Amend the bill, as and if amended, Section 1-23-138, as contained in SECTION 1, by deleting the SECTION in its entirety and inserting:

/ SECTION 1. Article 1, Chapter 23, Title 1 of the 1976 Code is amended by adding:

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“Section 1-23-138. A regulation promulgated under this article after July 1, 2015, or the effective date of this act, whichever occurs last, expires five years from the date on which it becomes effective.” /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

The amendment was then adopted.

Rep. W. J. MCLEOD proposed the following Amendment No. 2 to H. 3006 (COUNCIL\NBD\3006C001.NBD.SA15), which was tabled:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/SECTION 3. This act takes effect on July 1, 2017. /

Renumber sections to conform.

Amend title to conform.

Rep. W. J. MCLEOD explained the amendment.

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

Rep. W. J. MCLEOD proposed the following Amendment No. 3 to H. 3006 (COUNCIL\NBD\3006C003.NBD.SA15), which was tabled:

Amend the bill, as and if amended, by Striking SECTION 1 and inserting:

/ Amend the bill, as and if amended, by striking Section 1 and inserting:

/ SECTION 1. Article 1, Chapter 23, Title 1 of the 1976 Code is amended by adding:

“Section 1-23-138. A regulation promulgated under this article after July 1, 2015, or the effective date of this act, whichever occurs last, expires five years from the date on which it becomes effective. Provided however, in the event that an agency determines that the public interest requires that a regulation must be retained, the agency may submit to the General Assembly a request for approval to retain the regulation.”/

Renumber sections to conform.

Amend title to conform.

Rep. W. J. MCLEOD explained the amendment.

Rep. TOOLE moved to table the amendment.

[HJ]

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Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 72; Nays 35

Those who voted in the affirmative are:

Alexander	Allison	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Delleney
Duckworth	Erickson	Felder
Finlay	Forrester	Gagnon
Gambrell	Goldfinch	Hamilton
Hardwick	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Kennedy	Knight	Limehouse
Loftis	Long	Lowe
McCoy	Merrill	D. C. Moss
V. S. Moss	Murphy	Nanney
Newton	Norman	Pitts
Pope	Putnam	Quinn
Riley	Rivers	Rutherford
Sandifer	Simrill	G. R. Smith
Sottile	Southard	Spires
Stringer	Tallon	Taylor
Thayer	Toole	Wells
Whitmire	Willis	Yow

**Total--72**

Those who voted in the negative are:

Anderson	Bales	Bamberg
Bernstein	Bowers	Clyburn
Cobb-Hunter	Dillard	Douglas
Funderburk	George	Gilliard
Hart	Hayes	Henegan
Hodges	Hosey	Jefferson
King	Kirby	Mack
McEachern	McKnight	M. S. McLeod

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W. J. McLeod	Mitchell	Neal
Norrell	Ott	Parks
Ridgeway	Stavrinakis	Tinkler
Whipper	Williams	

**Total--35**

So, the amendment was tabled.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 80; Nays 26

Those who voted in the affirmative are:

Alexander	Allison	Atwater
Ballentine	Bannister	Bedingfield
Bernstein	Bingham	Bradley
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
George	Goldfinch	Hamilton
Hardwick	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Huggins	Johnson	Kennedy
Kirby	Knight	Limehouse
Loftis	Long	McCoy
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Ott	Pitts
Pope	Putnam	Quinn
Riley	Rivers	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler

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Toole	Wells	Whitmire
Willis	Yow	

**Total--80**

Those who voted in the negative are:

Anderson	Bales	Bamberg
Bowers	Clyburn	Cobb-Hunter
Dillard	Douglas	Gilliard
Hart	Hodges	Hosey
Jefferson	King	Mack
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Mitchell	Norrell
Parks	Ridgeway	Rutherford
Whipper	Williams	

**Total--26**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber, attending the memorial services of a family member and missed the vote on H. 3006. If I had been present, I would have voted in favor of this Bill.

Rep. Brian White

**RECURRENCE TO THE MORNING HOUR**

Rep. COLLINS moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 174 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF N. OLD GEORGETOWN ROAD AND HIGHWAY 378 THE "DEPUTY JOSEPH C. ANTWINE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS INTERSECTION

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CONTAINING THE WORDS "DEPUTY JOSEPH C. ANTWINE MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 404 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 908 IN MARION COUNTY FROM ITS INTERSECTION WITH HENRY ALFORD ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 378 "BILLY RICHARDSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

H. 3191 -- Reprs. Newton, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Finlay, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Douglas, Henderson, G. M. Smith, G. R. Smith, McCoy and Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-665 SO AS TO CREATE THE OFFICE OF FREEDOM OF INFORMATION ACT REVIEW WITHIN THE ADMINISTRATIVE LAW COURT, TO PROVIDE FOR THE ADMINISTRATION, FUNCTIONS, AND RELATED PROCEDURES OF THE OFFICE, ITS HEARING OFFICERS, AND APPEALS FROM DECISIONS OF THE OFFICE; TO AMEND SECTION 30-4-30, RELATING TO THE RIGHT TO INSPECT OR COPY PUBLIC RECORDS, SO AS TO EXPAND THE RIGHT TO INCLUDE RECEIPT OF EXISTING ELECTRONIC TRANSMISSIONS OF PUBLIC RECORDS, TO REVISE THE MANNER IN WHICH RELATED FEES AND CHARGES MAY BE ESTABLISHED AND COLLECTED, TO REDUCE THE TIME IN WHICH A PUBLIC BODY MUST RESPOND WITH NOTICE OF ITS FINAL DETERMINATION CONCERNING A RECORDS REQUEST FROM FIFTEEN TO TEN DAYS, TO PROVIDE TWO SETS OF

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TIME LIMITS WITHIN WHICH RECORDS SUBSEQUENTLY MUST BE FURNISHED OR MADE AVAILABLE FOR INSPECTION OR COPYING BASED ON WHETHER THE DOCUMENTS ARE LESS OR MORE THAN TWO YEARS OLD, TO INCLUDE AMONG THOSE RECORDS THAT MUST BE AVAILABLE FOR COPYING AND INSPECTION WITHOUT WRITTEN REQUEST DURING NORMAL BUSINESS HOURS ALL DOCUMENTS PRODUCED BY THE PUBLIC BODY OR ITS AGENT THAT WERE DISTRIBUTED TO OR REVIEWED BY ANY MEMBER OF THE PUBLIC BODY DURING A PUBLIC MEETING FOR THE PRECEDING SIX-MONTH PERIOD, AND TO PROVIDE THAT A PUBLIC BODY MAY COMPLY WITH REQUIREMENTS FOR MAKING CERTAIN RECORDS AVAILABLE FOR COPYING AND INSPECTION WITHOUT WRITTEN REQUEST DURING NORMAL BUSINESS HOURS BY MAKING THE RECORDS AVAILABLE ON A PUBLICLY AVAILABLE INTERNET WEBSITE; TO AMEND SECTION 30-4-100, RELATING TO REMEDIES AVAILABLE FOR VIOLATIONS, SO AS TO INCLUDE HEARINGS BEFORE THE OFFICE OF FREEDOM OF INFORMATION ACT REVIEW TO SEEK SPECIFIC ENFORCEMENT, TO CHALLENGE THE REASONABLENESS OF FEES, AND TO SEEK RELIEF FROM UNDULY BURDENSOME, OVERLY BROAD, AND OTHERWISE IMPROPER REQUESTS TO PUBLIC BODIES; AND TO AMEND SECTION 30-4-110, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO REMOVE EXISTING CRIMINAL PENALTIES, TO PROVIDE A PRIVATE CAUSE OF ACTION FOR A VIOLATION, AND TO PROVIDE FOR THE AWARD OF DAMAGES AND ATTORNEY FEES.

Ordered for consideration tomorrow.

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

H. 3192 -- Reps. Newton, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Finlay, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Douglas, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, M. S. McLeod and Thayer: A BILL TO AMEND SECTION 30-4-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC NOTICE

[HJ]

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REQUIREMENTS OF PUBLIC MEETINGS, SO AS TO REQUIRE AN AGENDA FOR THE MEETINGS, AND TO PROVIDE FOR THE MANNER IN WHICH ITEMS MAY BE ADDED TO THE AGENDA.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3569 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 18, 2015, AS "UNCLAIMED PROPERTY DAY" IN THE PALMETTO STATE AND TO URGE ALL CITIZENS TO UTILIZE THE OFFICE OF STATE TREASURER'S DATABASE TO SEARCH FOR UNCLAIMED PROPERTY FOR THEMSELVES, THEIR FRIENDS AND FAMILY, AND THEIR BUSINESSES.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3570 -- Rep. Putnam: A CONCURRENT RESOLUTION TO MEMORIALIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION TO ADOPT POLICIES THAT

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PRESERVE ENVIRONMENTAL QUALITY UNDER THE CLEAN AIR ACT WHILE REFUSING TO IMPLEMENT A CLEAN POWER STATE IMPLEMENTATION PLAN.

The Concurrent Resolution was ordered referred to the Committee on Labor, Commerce and Industry.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3571 -- Reps. Limehouse, R. L. Brown and Sottile: A CONCURRENT RESOLUTION TO MEMORIALIZE THE COMMISSIONER OF BASEBALL TO REINSTATE "SHOELESS JOE" JACKSON AS A MEMBER IN GOOD STANDING IN PROFESSIONAL BASEBALL AND REQUEST, THAT IF REINSTATED, THE APPROPRIATE COMMITTEE NOMINATE HIM TO BE INDUCTED TO THE NATIONAL BASEBALL HALL OF FAME.

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

**INTRODUCTION OF BILLS**

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

H. 3572 -- Rep. Goldfinch: A BILL TO AMEND SECTION 56-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS, SO AS TO REQUIRE AN OWNER OF A GOLF CART TO OBTAIN A PERMIT DECAL AND REGISTRATION TO OPERATE A GOLF CART ALONG A PUBLIC ROAD OR HIGHWAY, TO INCREASE THE FEE FOR THE PERMIT AND REGISTRATION AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE TO A LAW ENFORCEMENT AGENCY, UPON REQUEST, THE NAME AND ADDRESS OF THE OWNER OF A GOLF CART REGISTERED WITH THE DEPARTMENT.

Referred to Committee on Education and Public Works

H. 3573 -- Reps. Finlay, Pitts and Ott: A BILL TO AMEND SECTION 50-11-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL BAITING OF WILD TURKEYS, SO AS TO PROVIDE THAT THE TERM "BAITED

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AREA" DOES NOT INCLUDE A FIELD THAT IS PLANTED UNDER NORMAL AGRICULTURAL PRACTICES; AND TO AMEND SECTION 50-11-544, RELATING TO WILD TURKEY HUNTING AND WILD TURKEY TRANSPORTATION TAGS, SO AS TO PROVIDE FOR THE ISSUANCE OF INDIVIDUAL WILD TURKEY TRANSPORTATION TAGS, AND TO PROVIDE FOR THE ISSUANCE OF WILD TURKEY TRANSPORTATION TAG PERMITS TO A LANDOWNER OR LESSEE FOR A FEE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3574 -- Reps. Parks, Cobb-Hunter, King, Henegan, Yow, Mitchell, Alexander, Jefferson, Williams, Rivers, Hosey, Kirby, Anderson, M. S. McLeod, Anthony, Bales, Gagnon, Hart, Ott and Rutherford: A JOINT RESOLUTION TO AUTHORIZE THE CITY OF GREENWOOD TO ALTER THE WORLD WAR I AND WORLD WAR II MEMORIAL MONUMENTS LOCATED ON PROPERTY OWNED BY THE CITY OF GREENWOOD, SOUTH CAROLINA.

Referred to Committee on Invitations and Memorial Resolutions

H. 3575 -- Reps. Jefferson, Southard, Johnson, Ott, Crosby, Dillard and Hosey: A BILL TO AMEND SECTION 44-96-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO REVISE THE DEFINITION OF "SOLID WASTE" TO EXCLUDE STEEL SLAG.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3576 -- Reps. Bannister, Merrill, Murphy, Atwater, Collins, Gagnon, Hamilton, Hicks, Pitts, Sandifer, G. R. Smith, Tallon and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-120 SO AS TO PROVIDE THAT CERTAIN WRITTEN AGREEMENTS BETWEEN NONPROFIT YOUTH SPORTS ORGANIZATIONS AND COACHES PROVIDE CONCLUSIVE EVIDENCE THAT THE COACH IS AN INDEPENDENT CONTRACTOR RATHER THAN AN EMPLOYEE OF THE ORGANIZATION AND THAT THE ORGANIZATION IS EXEMPT FROM CERTAIN OBLIGATIONS CONCERNING WORKERS' COMPENSATION COVERAGE, UNEMPLOYMENT INSURANCE COVERAGE, AND INCOME TAX WITHHOLDINGS,

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TO PROVIDE SPECIFIC REQUIREMENTS FOR THESE WRITTEN AGREEMENTS, TO PROVIDE THESE WRITTEN AGREEMENTS ARE NOT CONCLUSIVE PROOF OF THE EXISTENCE OF AN INDEPENDENT CONTRACTOR RELATIONSHIP FOR PURPOSES OF ANY CIVIL ACTIONS INSTITUTED BY THIRD PARTIES, AND TO DEFINE THE TERM "NONPROFIT YOUTH SPORTS ORGANIZATION".

Referred to Committee on Judiciary

H. 3577 -- Reps. Gilliard, Anderson, Williams, Jefferson, R. L. Brown and Mack: A BILL TO AMEND SECTION 51-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FREE ADMISSION AND REDUCED CHARGES TO STATE PARKS, SO AS TO ALLOW ANY SOUTH CAROLINA RESIDENT WHO IS A VETERAN TO ENTER INTO A STATE PARK WITHOUT CHARGE UPON PRESENTATION OF AN IDENTIFICATION CARD FROM THE COUNTY VETERANS AFFAIRS OFFICE AND TO GRANT ALL STATE EMPLOYEES A TWENTY PERCENT DISCOUNT ON ADMISSION TO ALL SOUTH CAROLINA STATE PARKS.

Referred to Committee on Ways and Means

H. 3578 -- Reps. Gilliard, Williams, Jefferson, Anderson, Mack and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-195 SO AS TO REQUIRE EACH COUNTY TO PUBLISH AND DISTRIBUTE A DOCUMENT THAT IDENTIFIES LOCATIONS WITHIN THE COUNTY WHERE A HOMELESS OR NEEDY PERSON MAY GO TO RECEIVE SHELTER, HEALTH CARE, FOOD, AND OTHER HUMANITARIAN ASSISTANCE, AND TO REQUIRE THE DOCUMENT TO BE PROVIDED TO EACH LOCAL LAW ENFORCEMENT OFFICER FOR DISTRIBUTION.

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

H. 3579 -- Reps. Simrill, White, Lucas, Allison, Henderson, Limehouse, Newton, Ott, Clary, Collins, Delleney, Forrester, Gambrell, Hardwick, Hiott, Horne, Merrill, D. C. Moss, V. S. Moss, Murphy, Pitts, Pope, Sandifer, G. M. Smith, Sottile, Spires, Wells, Whitmire, Yow, Jefferson, Erickson, Funderburk, Duckworth, Hosey, Hixon, Clyburn, Knight, Herbkersman, H. A. Crawford, Felder, Hardee, Kirby, Willis, McCoy, Bradley, Douglas, Norrell, Long, Bales, Daning, Loftis, Tallon,

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Anthony, Stavrinakis, Howard, Gagnon, Riley, Williams, Hayes, G. A. Brown, R. L. Brown, Hart, Weeks and Whipper: A BILL TO AMEND SECTIONS 57-1-310, 57-1-320, 57-1-325, AND 57-1-330, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT ALL THE COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR AND SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE THAT APPOINTEES MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE, AND TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER FOR MORE THAN TWELVE YEARS AND NO COUNTY MAY HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWELVE CONSECUTIVE YEARS; TO AMEND SECTION 57-1-410, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, INSTEAD OF THE GOVERNOR, SHALL APPOINT THE SECRETARY; TO AMEND SECTIONS 57-1-730 AND 57-1-740, AS AMENDED, RELATING RESPECTIVELY TO THE DUTIES OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, BOTH SO AS TO REQUIRE THE COMMITTEE TO SCREEN APPOINTEES TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION IN A SIMILAR MANNER AS CURRENTLY ELECTED COMMISSIONERS ARE SCREENED;

Referred to Committee on Ways and Means

H. 3580 -- Reps. Stringer, Toole, Ballentine, Hamilton, Rivers, Quinn, Taylor, Kennedy, Hixon, Erickson, Bannister, Allison, Huggins, Collins, Goldfinch, Atwater, G. R. Smith, Murphy, Bedingfield, Bingham, Cole, Felder, Forrester, Gagnon, Henderson, Hicks, Horne, Loftis, Long, Lowe, McCoy, D. C. Moss, Nanney, Norman, Pope, G. M. Smith, Tallon, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT REFORM ACT"; TO DEVOLVE THE DUTIES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION UPON THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO

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AS TO DELETE THE PROVISION THAT PROVIDES THAT PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; TO AMEND SECTION 1-30-105, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF CERTAIN OFFICERS BY THE GOVERNOR, SO AS TO DELETE THE PROVISION THAT PROVIDES THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS MAY BE REMOVED FROM OFFICE BY THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO REMOVE THE CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION AS A DIRECTOR, AND TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION IS A MEMBER OF THE BOARD; TO AMEND SECTIONS 57-1-10, AS AMENDED, 57-1-40, AS AMENDED, 57-1-360, 57-1-370, 57-1-430, AS AMENDED, 57-1-490, AS AMENDED, AND 57-3-20, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, AND ITS DUTIES AND RESPONSIBILITIES, SO AS TO ELIMINATE THE DEPARTMENT OF TRANSPORTATION COMMISSION AND ITS RESPONSIBILITIES, TO ALLOW THE GOVERNOR TO APPOINT THE SECRETARY OF TRANSPORTATION AND REQUIRE THE DEPARTMENT OF TRANSPORTATION SUBMIT TO THE GENERAL ASSEMBLY AN ITEMIZED PROJECT LIST TO BE FUNDED FOR THE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY WOULD ENACT ITS ANNUAL GENERAL APPROPRIATIONS ACT; TO AMEND SECTION 57-1-500, RELATING TO A DEPARTMENT OF TRANSPORTATION ETHICS WORKSHOP, SO AS TO DELETE THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS AS PARTICIPANTS IN THIS WORKSHOP; TO AMEND SECTION 57-3-50, RELATING TO THE ESTABLISHMENT OF HIGHWAY DISTRICTS, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "COMMISSION"; TO AMEND SECTION 57-1-90, RELATING TO

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MOTORCYCLES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-3-210, RELATING TO THE DEPARTMENT OF TRANSPORTATION CONTRACTING WITH PUBLIC TRANSIT SYSTEMS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-3-700, RELATING TO THE DEPARTMENT OF TRANSPORTATION SERVING AS AN AGENT FOR COUNTIES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-10, AS AMENDED, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-50, RELATING TO THE TRANSFER OF CERTAIN ROADS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-90, RELATING TO BELT LINES AND SPURS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-310, RELATING TO THE OWNERSHIP OF REAL ESTATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-340, RELATING TO THE DISPOSITION OF REAL ESTATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-1350, RELATING TO TURNPIKES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 57-13-10, 57-13-20, 57-13-40, AND 57-13-50, ALL RELATING TO BRIDGES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-25-120, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 57-25-140, 57-25-150, 57-25-170, 57-25-200, AND 57-25-210, ALL RELATING TO SIGNS ALONG THE HIGHWAYS, SO AS TO MAKE A CONFORMING CHANGE; AND TO REPEAL SECTION 57-1-310, SECTION 57-1-320, SECTION 57-1-325, SECTION 57-1-330, SECTION 57-1-340, SECTION 57-1-350, SECTION 57-1-460, SECTION 57-1-470, ARTICLE 7, CHAPTER 1, TITLE 56, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND ITS COMMISSION; TO AMEND SECTION 12-6-510, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS FOR TAXABLE YEARS AFTER 1994, SO AS TO PROVIDE FOR AN ANNUAL TWO TENTHS OF ONE PERCENT REDUCTION IN TAX RATES BEGINNING IN TAX YEAR 2016 AND CEASING AFTER TAX YEAR 2025, AT WHICH TIME THE REDUCTION IN EACH AFFECTED TAX BRACKET SHALL BE PERMANENT; TO AMEND SECTION 12-28-310, RELATING TO USER FEES ON

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GASOLINE AND DIESEL FUEL, TO PROVIDE FOR A TEN CENT INCREASE IN THE MOTOR FUEL USER FEE FOR A PERIOD OF THREE YEARS BEGINNING ON JANUARY 1, 2016 AND ENDING ON JANUARY 1, 2019; TO AMEND SECTION 56-11-410, RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE USER FEE; AND TO AMEND SECTION 12-36-2647, RELATING TO THE TAX REVENUES COLLECTED FROM THE SALE OR LEASE OF A MOTOR VEHICLE, SO AS TO CREDIT THE PORTION OF THE REVENUES CREDITED TO THE GENERAL FUND TO THE STATE HIGHWAY FUND INSTEAD.

Referred to Committee on Ways and Means

H. 3581 -- Reps. M. S. McLeod and Horne: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-970 SO AS TO ESTABLISH A COORDINATED STATEWIDE INITIATIVE TO PROMOTE DIVERSITY AND INCLUSION IN THE STATE WORKFORCE AND TO DEFINE THE RESPONSIBILITIES OF STATE AGENCIES UNDER THIS INITIATIVE.

Referred to Committee on Judiciary

H. 3582 -- Reps. Finlay, Sandifer, Ballentine, Bedingfield, Herbkersman, Huggins and Newton: A BILL TO AMEND SECTION 12-28-2930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLOCATION OF STATE SOURCE HIGHWAY FUNDS FOR CONSTRUCTION AND RENOVATION PROJECTS TO FIRMS OWNED AND CONTROLLED BY DISADVANTAGED ETHNIC MINORITIES OR WOMEN, SO AS TO ADD A FIVE PERCENT ALLOCATION OF STATE SOURCE HIGHWAY FUNDS TO VETERANS WHO OWN A BUSINESS; AND TO AMEND SECTION 11-35-5010, RELATING TO ASSISTANCE TO MINORITY BUSINESSES, SO AS TO ADD VETERANS TO THE DEFINITION OF "MINORITY PERSON".

Referred to Committee on Ways and Means

H. 3583 -- Reps. Clemmons, Simrill, McCoy, Loftis, Atwater, Kirby, Corley, Bernstein, McEachern, Weeks, Johnson, Goldfinch, Kennedy, H. A. Crawford, Rutherford, Whitmire, Douglas, Burns, Clyburn, Erickson, G. R. Smith, Yow, Spires, Chumley, Allison, Hardee, Anderson, Gagnon, Putnam, Nanney, Williams, Limehouse, Duckworth,

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Norrell, Anthony, Ballentine, Bannister, Bedingfield, Bingham, Clary, Delleney, Felder, Finlay, Funderburk, Gambrell, Hamilton, Hardwick, Hicks, Hiott, Hixon, Huggins, Long, Lowe, Lucas, V. S. Moss, Murphy, Norman, Pitts, Pope, Quinn, Riley, Rivers, Sandifer, G. M. Smith, Stringer, Tallon, Taylor, Thayer, Toole, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 23 TO CHAPTER 35, TITLE 11 SO AS TO PROHIBIT THE STATE OR A POLITICAL SUBDIVISION OF THE STATE FROM ACCEPTING A PROPOSAL FROM OR PROCURING GOODS OR SERVICES FROM A BUSINESS WHICH ENGAGES IN THE BOYCOTT OF A PERSON OR AN ENTITY BASED ON RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.

Referred to Committee on Judiciary

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

**ADJOURNMENT**

At 2:01 p.m. the House, in accordance with the motion of Rep. FUNDERBURK, adjourned in memory of Coach Clyde Jones of Camden, to meet at 10:00 a.m. tomorrow.

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