

NO. 52

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

THURSDAY, APRIL 23, 2015
(STATEWIDE SESSION)

Thursday, April 23, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 31:16-17: "Let your face shine upon your servant; save me in your steadfast love. Do not let me be put to shame, O Lord, for I call on you."

Let us pray. Good and gracious God, You have provided for Your servants who serve the people of this State. Grant them Your continued favor as they work to do the business You have called them to do. Help them to understand their power comes from You alone. Bless those who govern our State and Nation, those who lead this Assembly and those who support them in their duties. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice 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. FINLAY moved that when the House adjourns, it adjourn in memory of Elizabeth Chapman Quantz McMeekin of Spartanburg, which was agreed to.

INVITATIONS

On motion of Rep. BALES, with unanimous consent, the following were taken up for immediate consideration and accepted:

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee

THURSDAY, APRIL 23, 2015

503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the BlueCross BlueShield of South Carolina, the Members of the House of Representatives and their staff are invited to a Legislative Softball Game and Picnic. This event will be held on Tuesday, May 5, 2015, from 6:00 p.m. to 8:00 p.m. at USC Beckham Softball Field.

Sincerely,
James D. D'Alessio
Vice President, Government Affairs, BlueCross BlueShield of SC

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Association of Community Action Partnerships, Inc., the Members of the House of Representatives and their staff are invited to a Legislative Breakfast. This event will be held in Room 112 of the Blatt Building.

Sincerely,
Jessica McMoore, Executive Director
South Carolina Association of Community Action Partnerships, Inc.

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Association of Certified Public Accountants, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 6, 2015, from 12:00 p.m. to 2:00 p.m. at the Marriott Hotel.

[HJ]

THURSDAY, APRIL 23, 2015

Sincerely,
Erin H. Pate, CAE
Chief Executive Officer

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Association for Justice, the Members of the House of Representatives and their staff are invited to a Legislative Reception. This event will be held on Thursday, May 6, 2015, from 6:00 p.m. to 8:00 p.m. at First Citizens Café, 1210 Main Street, Columbia.

Sincerely,
Mandy Pennington
Director of Membership and Development
South Carolina Association for Justice

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Clean Energy Business Alliance, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 7, 2015, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Patricia Pierce
Lobbyist, SC Clean Energy Business Alliance

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee

[HJ]

THURSDAY, APRIL 23, 2015

503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the State Association of Habitat for Humanity Affiliates, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Thursday, May 12, 2015, from 6:00 p.m. to 8:00 p.m. at the Seibels House and Gardens.

Sincerely,
Sarah Moore
Public Relations Associate, Complete Public Relations

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Association of Cosmetology Salon Professionals, the Members of the House of Representatives and their staff are invited to a Legislative Breakfast. This event will be held on Wednesday, May 13, 2015, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Candace Perry
Association of Cosmetology Salon Professionals

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the S.C. Dept. of Agriculture (Certified South Carolina) and Palmetto Agriculture and Food Industry Council, the Members of the House of Representatives and their staff are invited to a Legislative Luncheon, "A South Carolina Taste". This event will be held on

THURSDAY, APRIL 23, 2015

Wednesday, May 13, 2015, from 12:00 p.m. to 2:00 p.m. on the State House Grounds.

Sincerely,
Jackie Moore
Chairwoman, "A South Carolina Taste"

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Association of School Administrators, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 14, 2015, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Molly M. Spearman
Executive Director, SCASA

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Behavioral Health Services Association of South Carolina, the Members of the House of Representatives and their staff are invited to a Legislative Breakfast. This event will be held on Wednesday, May 20, 2015, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Laura Stuckey
Executive Director, BHSA

[HJ]

THURSDAY, APRIL 23, 2015

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Zeta Phi Beta Sorority, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 20, 2015, from 12:00 p.m. to 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,
Yvonne J. Barnes
Chairperson, Social Action Committee, Zeta Phi Beta

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Hosts of South Carolina Association for Community Economic Development and the Federal Reserve Bank of Richmond, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 21, 2015, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Bernie Mazyck
President and CEO

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

[HJ]

THURSDAY, APRIL 23, 2015

Dear Chairman Bales:

On behalf of the South Carolina Tire Manufacturers Council, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 27, 2015, from 12:00 p.m. to 2:00 p.m. on the State House Grounds.

Sincerely,
Ted Pitts
South Carolina Chamber of Commerce

Thursday, April 23, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Office of the State Treasurer, the Members of the House of Representatives and their staff are invited to a Legislative Breakfast. This event will be held on Thursday, May 28, 2015, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Jenny McGill
College Savings Program Director
Office of the State Treasurer

SPEAKER PRO TEMPORE IN CHAIR

REPORTS OF STANDING COMMITTEES

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3851 -- Reps. G. M. Smith and Horne: A BILL TO AMEND SECTION 44-89-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHAPTER DEFINITIONS, SO AS TO CHANGE DEFINITIONAL TERMS; AND TO AMEND SECTION 44-89-60, RELATING TO REGULATION OF BIRTH CENTERS, SO AS TO REQUIRE BIRTH CENTERS TO BE ACCREDITED AND TO COMPLY WITH STATE STATUTES AND REGULATIONS, TO

[HJ]

THURSDAY, APRIL 23, 2015

REQUIRE BIRTHS PLANNED TO OCCUR AT BIRTH CENTERS TO BE EVALUATED BY PROFESSIONAL STAFF TO ASSESS FOR RISK STATUS AND TO DOCUMENT EVALUATIONS IN CLIENT FILES, TO ADDRESS PROFESSIONAL REQUIREMENTS FOR STAFF MEMBERS WHO PROVIDE PATIENT CARE, TO REQUIRE DEVELOPMENT OF GUIDELINES, POLICIES AND PROCEDURES ADDRESSING, AMONG OTHER PRACTICES, THE TRANSFER OF CLIENTS TO HOSPITALS, TO REQUIRE BIRTH CENTERS TO COLLECT AND REPORT DATA, AND TO ESTABLISH A DEADLINE FOR BIRTH CENTERS IN OPERATION TO BECOME ACCREDITED.

Ordered for consideration tomorrow.

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

H. 4023 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT SIGNS THAT CONTAIN THE WORDS "QUAIL POINTE COMMUNITY" ON THE CORNER OF STARLING GOODSON ROAD AND BITTERNUT DRIVE, AND AT THE INTERSECTION OF GOODSON ROAD AND GOOSE BRANCH, BOTH IN LOWER RICHLAND COUNTY.

Ordered for consideration tomorrow.

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

H. 4008 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF CALHOUN STREET AND MCARTHUR AVENUE IN THE TOWN OF DILLON "MAJOR BETHEA INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

THURSDAY, APRIL 23, 2015

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3882 -- Reps. Gambrell, Gagnon, Putnam and Thayer: A BILL TO AMEND SECTION 59-67-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EXAMINATIONS OF SCHOOL BUS DRIVERS, SO AS TO PROVIDE THE PHYSICAL MUST BE A DEPARTMENT OF TRANSPORTATION PHYSICAL THAT MEETS THE REQUIREMENTS OF THE CERTAIN FEDERAL MOTOR CARRIER SAFETY REGULATIONS IN ADDITION TO EXISTING STATE CERTIFICATION REQUIREMENTS.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

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

Ordered for consideration tomorrow.

Rep. ALLISON for the Committee on Education and Public Works, submitted a favorable report.

Rep. KING for the minority, submitted an unfavorable report on:

H. 3512 -- Reps. Sandifer and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-456 SO AS TO PROVIDE A SCHOOL DISTRICT

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MAY EDUCATE STUDENTS ABOUT THE HOLIDAYS OF TRADITIONAL WINTER CELEBRATIONS IN A CERTAIN MANNER, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY DISPLAY CERTAIN SYMBOLS ASSOCIATED WITH THESE HOLIDAYS ON SCHOOL PROPERTY UNLESS THE DISPLAY INCLUDES A MESSAGE THAT ENCOURAGES ADHERENCE TO A PARTICULAR RELIGIOUS BELIEF.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

S. 154 -- Senators Shealy and Campsen: A BILL TO AMEND SECTION 59-39-160 OF THE 1976 CODE, RELATING TO ELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES, TO PROVIDE THE STATE BOARD OF EDUCATION MAY GRANT A WAIVER OF THE REQUIREMENTS IF A STUDENT'S INELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES IS DUE TO A LONG-TERM ABSENCE AS A RESULT OF A MEDICAL CONDITION, BUT THE STUDENT HAS BEEN MEDICALLY CLEARED TO PARTICIPATE OR FOR ANY OTHER REASONABLE CIRCUMSTANCE AS DETERMINED BY THE STATE BOARD OF EDUCATION.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

S. 391 -- Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer, Setzler, Alexander, Davis and Scott: A BILL TO AMEND SECTION 59-112-50 OF THE 1976 CODE, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES, AND TO DEFINE RELATED TERMINOLOGY.

Ordered for consideration tomorrow.

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Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3549 -- Reps. Ott, Finlay and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DELTA WATERFOWL" SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

S. 358 -- Senators Verdin, Campsen and McElveen: A BILL TO AMEND SECTION 56-5-70(A) OF THE 1976 CODE, RELATING TO THE SUSPENSION OF VEHICULAR REQUIREMENTS DURING A DECLARED STATE OF EMERGENCY, TO PROVIDE FOR AN EXTENSION OF THE TIME PERIOD FOR UP TO ONE HUNDRED TWENTY DAYS RELATING TO SUSPENSIONS OF REGISTRATION, PERMITTING, LENGTH, WIDTH, WEIGHT, AND LOAD ON NON-INTERSTATE ROUTES, AND TO MAKE SUSPENSIONS OF TIME OF SERVICE REQUIREMENTS FOR THIRTY DAYS UNLESS EXTENDED BY FEDERAL REGULATION FOR BOTH INTERSTATE AND NON-INTERSTATE ROUTES.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3794 -- Reps. Forrester, Burns, Sottile, Spires, V. S. Moss, Gambrell, Bales, Kennedy, Tallon, Allison, Bedingfield, Daning, Henderson, Hicks, Hixon, G. R. Smith and Thayer: A BILL TO AMEND SECTION 56-1-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A FIVE YEAR DRIVER'S LICENSE MUST BE ISSUED TO A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE WHEN HE RENEWS HIS LICENSE; AND TO AMEND SECTION 56-1-220, RELATING TO VISION SCREENINGS THAT ARE REQUIRED FOR A PERSON TO

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RENEW HIS DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO SUBMIT A VISION SCREENING CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES DURING THE FIFTH YEAR OF A TEN YEAR DRIVER'S LICENSE, AND THE PROVISION THAT ALLOWS A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE TO OBTAIN A DRIVER'S LICENSE THAT IS VALID FOR FIVE YEARS.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3911 -- Reps. Willis and Allison: A BILL TO AMEND SECTION 56-3-1230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE, CONTENT, AND PRODUCTION COSTS OF MOTOR VEHICLE LICENSE PLATES, SO AS TO REVISE THE INTERVAL IN WHICH THE DEPARTMENT OF MOTOR VEHICLES MUST REISSUE A LICENSE PLATE FROM SIX YEARS TO TEN YEARS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3710 -- Reps. Hixon, Norman, Taylor, Wells, Hamilton, Atwater, Brannon, Gagnon, Corley, Ballentine, Southard, Clemmons, Delleney, Gambrell, Huggins, Kennedy, Kirby, Loftis, D. C. Moss, Pitts, Riley, Rivers, Simrill, Toole and Bedingfield: A BILL TO AMEND SECTION 12-43-225, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO PROVIDE FIVE ADDITIONAL YEARS OF ELIGIBILITY IN CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 3891 -- Reps. Toole, Long, Bedingfield, J. E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING

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TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 3788 -- Reps. Funderburk, Taylor, McKnight, Simrill, Burns, Gilliard, Corley, Douglas, Kirby, McCoy, Bales, Atwater, Alexander, McEachern, Jefferson, Spires, Anthony, G. A. Brown, Henegan, Anderson, Bernstein, Bingham, Clemmons, Clyburn, Goldfinch, Hardwick, Hixon, Hodges, Hosey, Limehouse, Long, D. C. Moss, V. S. Moss, Murphy, Norrell, Quinn, Ridgeway, Sandifer, Stringer, Toole, Weeks, Wells and G. M. Smith: A BILL TO AMEND SECTION 56-28-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE ENFORCEMENT OF MOTOR VEHICLE EXPRESS WARRANTIES, SO AS TO REVISE THE DEFINITIONS OF THE TERMS "MOTOR VEHICLE" AND A "NEW MOTOR VEHICLE".

Ordered for consideration tomorrow.

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Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 3431 -- Rep. Sandifer: A BILL TO AMEND SECTION 6-1-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SCOPE OF AUTHORITY OF A POLITICAL SUBDIVISION TO SET MINIMUM WAGE RATES, SO AS TO PROVIDE A POLITICAL SUBDIVISION OF THIS STATE MAY NOT MANDATE OR OTHERWISE REQUIRE AN EMPLOYEE BENEFIT, AND TO DEFINE NECESSARY TERMINOLOGY.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4040 -- Rep. J. E. Smith: A HOUSE RESOLUTION TO RECOGNIZE APRIL 22, 2015 AS EARTH DAY AND TO ACKNOWLEDGE SCIENTIFIC PROOF OF CLIMATE CHANGE.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4041 -- Reps. J. E. Smith, 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, Jordan, 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, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and

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Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE JUNIOR LEAGUE OF COLUMBIA FOR ITS SIGNIFICANT CONTRIBUTIONS TO THE COMMUNITY AND TO CONGRATULATE THE JUNIOR LEAGUE OF COLUMBIA ON CELEBRATING ITS NINETIETH ANNIVERSARY ON SEPTEMBER 23, 2014.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 701 -- Senator Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE OUTSTANDING WORK AND SIGNIFICANT IMPACT OF THE NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES ASSOCIATION AND TO CELEBRATE THEIR MEMBERS DURING PUBLIC SERVICE RECOGNITION WEEK FROM MAY 3 THROUGH 9, 2015.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

INTRODUCTION OF BILLS

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

H. 4042 -- Rep. Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-155 SO AS TO PROVIDE THAT BEGINNING WITH THE 2017-2018 SCHOOL YEAR, SUCCESSFUL COMPLETION OF THREE HIGH SCHOOL-LEVEL VIRTUAL LEARNING CREDIT UNITS DURING HIGH SCHOOL IS REQUIRED TO GRADUATE FROM AN ACCREDITED HIGH SCHOOL IN THIS STATE, SUBJECT TO THE AVAILABILITY OF COURSEWORK PROVIDING THESE VIRTUAL LEARNING CREDIT UNITS FROM IMPLEMENTATION OF THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM UPON THE APPROPRIATION OF FUNDS BY THE GENERAL ASSEMBLY.

Referred to Committee on Education and Public Works

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H. 4043 -- Reps. Loftis, Burns, Erickson, Robinson-Simpson, Corley, Duckworth, Funderburk, Hodges, Huggins, Kennedy, Long, Simrill, G. R. Smith, Wells and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO ENACT THE "SOUTH CAROLINA COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY ACT" (C-PACE) TO PROVIDE THAT GOVERNING BODIES MAY ESTABLISH A DISTRICT BY ADOPTION OF AN ORDINANCE FOR THE PURPOSE OF PROMOTING, ENCOURAGING, AND FACILITATING CLEAN ENERGY IMPROVEMENTS WITHIN ITS GEOGRAPHIC AREA; TO PROVIDE REQUIREMENTS TO BE INCLUDED IN THE ORDINANCE; TO PROVIDE THAT MEMBERS OF THE DISTRICT AND OWNERS OF QUALIFYING REAL PROPERTY MAY VOLUNTARILY EXECUTE A WRITTEN AGREEMENT TO PARTICIPATE IN THE COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY PROGRAM; TO PROVIDE THAT THE GOVERNING BODY HAS THE AUTHORITY TO IMPOSE AN ASSESSMENT ON THE QUALIFYING REAL PROPERTY; TO PROVIDE THAT THE ASSESSMENT SHALL CONSTITUTE A C-PACE LIEN AGAINST THE QUALIFYING REAL PROPERTY UNTIL PAID; TO PROVIDE HOW CLEAN ENERGY IMPROVEMENTS MAY BE FINANCED; TO PROVIDE THAT CLEAN ENERGY IMPROVEMENTS MUST MEET ALL APPLICABLE SAFETY, PERFORMANCE, INTERCONNECTION, AND RELIABILITY STANDARDS; AND TO DEFINE NECESSARY TERMS.

Referred to Committee on Ways and Means

S. 276 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-135 SO AS TO REQUIRE APPLICANTS APPLYING TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION FOR LICENSURE AS A RESIDENTIAL BUILDER OR REGISTRATION AS A RESIDENTIAL SPECIALTY CONTRACTOR TO DISCLOSE AND DESCRIBE ANY CRIMINAL CONVICTIONS, EXCEPT FOR MINOR TRAFFIC VIOLATIONS, ON HIS APPLICATION, TO PROVIDE THE COMMISSION SHALL REQUIRE AN APPLICANT FOR INITIAL LICENSURE TO SUBMIT TO A FINGERPRINT-BASED CRIMINAL BACKGROUND CHECK IN THIS STATE AND IN ANY STATE WHERE HE DISCLOSES HAVING A CONVICTION, TO PROVIDE SIMILAR REQUIREMENTS FOR

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APPLICANTS SEEKING RENEWALS, TO IMPOSE RELATED ADMINISTRATIVE REQUIREMENTS ON THE COMMISSION, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE AN ADDITIONAL PENALTY FOR FAILING TO DISCLOSE CONVICTIONS REQUIRING REGISTRATION AS A SEX OFFENDER.

Referred to Committee on Labor, Commerce and Industry

ROLL CALL

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

| | | |
|--------------|------------|------------------|
| Allison | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Cobb-Hunter |
| Collins | Corley | H. A. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hardee | Hardwick |
| Hayes | Henderson | Henegan |
| Hicks | Hill | Hiott |
| Hodges | Horne | Hosey |
| Jefferson | Johnson | Jordan |
| King | Kirby | Knight |
| Loftis | Long | Lucas |
| Mack | McEachern | McKnight |
| W. J. McLeod | D. C. Moss | V. S. Moss |
| Newton | Norman | Ott |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stringer | Thayer |
| Tinkler | Toole | Wells |

THURSDAY, APRIL 23, 2015

Whipper White Williams
Willis Yow

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on .

| | |
|------------------------|----------------------------|
| Terry Alexander | Carl Anderson |
| Mike Anthony | Beth Bernstein |
| William Clyburn | Derham Cole, Jr. |
| Joe Daning | Dan Hamilton |
| Chris Hart | William G. Herbkersman |
| William "Bill" Hixon | Leon Howard |
| Chip Huggins | Ralph Kennedy |
| H. B. "Chip" Limehouse | Phillip Lowe |
| Mia S. McLeod | James Merrill |
| Harold Mitchell | Joseph Neal |
| Mandy Powers Norrell | Anne Parks |
| Joshua Putnam | Richard "Rick" Quinn |
| W. E. "Bill" Sandifer | Gary Simrill |
| G. Murrell Smith | Leon Stavrinakis |
| Edward "Eddie" Tallon | William "Bill" Taylor |
| David Weeks | William R. "Bill" Whitmire |

Total Present--121

STATEMENT OF ATTENDANCE

Reps. RUTHERFORD and NORRELL signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Wednesday, April 22.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. MURPHY a leave of absence for the day due to court hearings.

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SPECIAL PRESENTATION

Reps. LUCAS and ALLISON presented to the House the South Carolina District Teachers of the Year.

SPECIAL PRESENTATION

Rep. HICKS presented to the House the Spartanburg Christian Academy Boys and Girls Cross Country Teams, and other school officials.

SPECIAL PRESENTATION

Rep. HICKS presented to the House the Spartanburg Christian Academy Varsity Volleyball Team, coaches, and other school officials.

CO-SPONSORS ADDED

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-SPONSORS ADDED

Bill Number: H. 3084
Date: ADD:
04/23/15 MITCHELL and ROBINSON-SIMPSON

CO-SPONSOR ADDED

Bill Number: H. 3096
Date: ADD:
04/23/15 BEDINGFIELD

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CO-SPONSORS ADDED

Bill Number: H. 3147
Date: ADD:
04/23/15 YOW and STAVRINAKIS

CO-SPONSOR ADDED

Bill Number: H. 3154
Date: ADD:
04/23/15 ROBINSON-SIMPSON

CO-SPONSORS ADDED

Bill Number: H. 3215
Date: ADD:
04/23/15 WILLIS and ROBINSON-SIMPSON

CO-SPONSOR ADDED

Bill Number: H. 3353
Date: ADD:
04/23/15 ROBINSON-SIMPSON

CO-SPONSOR ADDED

Bill Number: H. 3430
Date: ADD:
04/23/15 HICKS

CO-SPONSOR ADDED

Bill Number: H. 3568
Date: ADD:
04/23/15 STAVRINAKIS

CO-SPONSOR ADDED

Bill Number: H. 3682
Date: ADD:
04/23/15 ROBINSON-SIMPSON

CO-SPONSOR ADDED

Bill Number: H. 3710
Date: ADD:
04/23/15 BEDINGFIELD

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CO-SPONSORS ADDED

Bill Number: H. 3725
Date: ADD:
04/23/15 LOWE and JORDAN

CO-SPONSOR ADDED

Bill Number: H. 3766
Date: ADD:
04/23/15 ROBINSON-SIMPSON

CO-SPONSOR ADDED

Bill Number: H. 3799
Date: ADD:
04/23/15 RIVERS

CO-SPONSOR ADDED

Bill Number: H. 3868
Date: ADD:
04/23/15 WHITE

CO-SPONSOR ADDED

Bill Number: H. 3979
Date: ADD:
04/23/15 ROBINSON-SIMPSON

CO-SPONSORS ADDED

Bill Number: H. 3997
Date: ADD:
04/23/15 HART, ROBINSON-SIMPSON and G. A. BROWN

CO-SPONSOR ADDED

Bill Number: H. 4043
Date: ADD:
04/23/15 FORRESTER

SPEAKER IN CHAIR

LEAVE OF ABSENCE

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

[HJ]

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ORDERED ENROLLED FOR RATIFICATION

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

S. 599 -- Senator O'Dell: A BILL TO AMEND ACT 1147 OF 1968, AS AMENDED, RELATING TO THE G. FRANK RUSSELL CAREER CENTER, SO AS TO RENAME THE CENTER THE G. FRANK RUSSELL TECHNOLOGY CENTER, AND TO MAKE A TECHNICAL CORRECTION REDUCING THE MEMBERSHIP OF THE TECHNOLOGY CENTER'S ADVISORY COMMITTEE FROM SEVEN MEMBERS TO SIX MEMBERS DUE TO THE DISSOLUTION OF THE GREENWOOD COUNTY BOARD OF EDUCATION PURSUANT TO ACT 175 OF 1997.

SENT TO THE SENATE

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

H. 4014 -- Reps. Gambrell, Gagnon, Hill, Putnam, Thayer and White: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO CHANGE THE METHOD OF ELECTING FOUR OF THE FIVE MEMBERS OF THE ANDERSON COUNTY SCHOOL DISTRICT 3 BOARD OF TRUSTEES FROM RESIDENCY AREAS TO SINGLE-MEMBER DISTRICTS.

ORDERED ENROLLED FOR RATIFICATION

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

S. 237 -- Senators Allen, Corbin and Thurmond: A JOINT RESOLUTION TO CONTINUE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" UNTIL DECEMBER 31, 2015.

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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. 3890 -- Rep. Norrell: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE MUST BE MADE UP, SO AS TO PROVIDE THAT WHEN SCHOOLS CLOSE BECAUSE THE GOVERNOR DECLARES A STATE OF EMERGENCY DUE TO SNOW, EXTREME WEATHER CONDITIONS, OR OTHER NATURAL DISASTERS, STUDENTS IN THOSE SCHOOLS ARE NOT REQUIRED TO MAKE UP ANY DAYS MISSED AS A RESULT.

H. 3539 -- Reps. J. E. Smith, Bannister, Simrill, Bernstein, King, Govan, McKnight, Williams, Norrell, Tinkler, Henegan, Bales, Jefferson, Hicks, Newton, Funderburk, Huggins, Ridgeway, Collins, Pitts and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-240 SO AS TO ENACT THE "JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE" TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS OR PERSONS PURSUING A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE IN THIS STATE TO TAKE THE UNITED STATES CITIZENSHIP CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, TO DIRECT SCHOOL DISTRICTS TO AWARD A CERTIFICATE OF ACHIEVEMENT TO ALL STUDENTS WHO RECEIVE A GRADE OF 60 OR BETTER ON THE TEST, AND TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, AS APPLICABLE.

S. 376--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 376 -- Senators Grooms and Campsen: A BILL TO AMEND SECTION 55-1-80, RELATING TO THE GENERAL PROVISIONS CONCERNING AERONAUTICS, TO RESTORE THE PREVIOUS

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PROVISIONS OF THIS SECTION, TO PROVIDE FOR INCREASES OF THE MEMBERSHIP ON AN AVIATION AUTHORITY, TO PROVIDE FOR THE APPOINTMENT OF THE MEMBERS; AND TO REPEAL ACT 130 OF 2007.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 376 (COUNCIL\BBM\376C002.BBM.BBM15):

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

/ SECTION 1. Section 55-1-80 of the 1976 Code is amended to read:

/ Section 55-1-80. ~~Reserved.~~ (A) Any county aviation commission or like authority may be increased by two members, one of whom must be appointed by the House of Representatives' delegation of the county and one of whom must be appointed by the Senatorial delegation of the county. The additional members shall serve terms of the same length as other members of the commission or like authority.

(B) Any county governing body who has the authority to appoint members to the aviation commission or like authority may add two members for terms as provided in this section.

(C) In counties that have two municipalities with a population in excess of fifty thousand persons according to the latest official United States Census, and the county has an aviation commission or like authority, then the mayors of such municipalities having a population in excess of the fifty thousand persons shall serve, ex officio, as members of the commission or authority.

(D) Of the members appointed by the House of Representatives' Delegation of the County, one member must reside in an unincorporated area or a municipality in the county with a population of less than twenty thousand.

(E) The provisions of this section do not apply in the case of any multicounty aviation commission or authority." /

Re-number sections to conform.

Amend title to conform.

Rep. PUTNAM explained the amendment.

Reps. R. L. BROWN, WHIPPER, FORRESTER, G. A. BROWN, CLYBURN, HOSEY, HODGES, GILLIARD, MACK, MCKNIGHT, MCEACHERN, DOUGLAS, W. J. MCLEOD, RUTHERFORD,

[HJ]

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WILLIAMS, STAVRINAKIS, MERRILL, CROSBY, DANING, HART, HENEGAN and ANDERSON requested debate on the Bill.

H. 3534--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3534 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 2-77-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "ELIGIBLE INSTITUTION" AS IT PERTAINS TO THE SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, SO AS TO INCLUDE AN INSTITUTION THAT OFFERS AT LEAST ONE NONSECTARIAN PROGRAM AT THE BACCALAUREATE LEVEL, AND TO INCLUDE AN INSTITUTION ACCREDITED BY AN ORGANIZATION THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AND ALSO RECEIVES TITLE III FUNDING.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3534 (COUNCIL\AGM\3534C003.AGM.AB15), which was adopted:

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

/ SECTION 1. Section 2-77-15(1) of the 1976 Code, as last amended by Act 162 of 2005, is further amended to read:

“(1) ‘Eligible institution’ means a four-year institution of higher learning or an institution of higher learning that is accredited to offer, and is actively offering, at least one nonsectarian program at the baccalaureate level:

(a)(i) at which sixty percent or more of the enrolled undergraduate students were low-income and educationally disadvantaged students, for the four consecutive years immediately preceding the then current year;

~~(b) that and which~~ is defined in Part B, Subchapter III, Chapter 28, Title 20 of the United States Code; or

(ii) at which, for the four consecutive years immediately preceding the then current year, ninety percent or more of the entitled students are in campus-based programs and are female;

~~(eb)(i)~~ that is accredited by the Southern Association of Colleges and Schools; or

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(ii) which receives Title III funding and is accredited by an accrediting organization recognized by the United States Department of Education;

~~(c)~~ that is organized as a nonprofit corporation or is a public institution; and

~~(e)~~ that has its main campus located in South Carolina.”

SECTION 2. Section 2-77-20(C) of the 1976 Code, as last amended by Act 74 of 2011, is further amended to read:

“(C)(1)An institution seeking to qualify as an eligible institution must submit an annual application to the commission. The commission must certify the eligibility of institutions seeking contracts pursuant to this section. Subject to the provisions of item (2), and less any allocations made pursuant to item (2), the funds appropriated for this program must be allocated equally among the eligible institutions that meet the requirements of Section 2-77-15(1)(b)(i).

(2) An eligible institution that meets the requirements of Section 2-77-15(1)(b)(ii) must be appropriated an amount that equals fifty percent of the amount appropriated to each eligible institution pursuant to item (1).”

SECTION 3. This act takes effect July 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Rep. TAYLOR explained the amendment.

The amendment was then adopted.

Rep. FELDER proposed the following Amendment No. 2 to H. 3534 (COUNCIL\AGM\3534C005.AGM.AB15), which was adopted:

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

/ SECTION 1. Section 2-77-15(1) of the 1976 Code, as last amended by Act 162 of 2005, is further amended to read:

“(1) ‘Eligible institution’ means a four-year institution of higher learning or an institution of higher learning that is accredited to offer, and is actively offering, at least one nonsectarian program at the baccalaureate level:

(a)(i) at which sixty percent or more of the enrolled undergraduate students were low-income and educationally disadvantaged students, for the four consecutive years immediately preceding the then current year;

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~~(b)~~ that and which is defined in Part B, Subchapter III, Chapter 28, Title 20 of the United States Code; or

(ii) at which, for the four consecutive years immediately preceding the then current year, ninety percent or more of the entitled students are in campus-based programs and are female;

~~(eb)(i)~~ that is accredited by the Southern Association of Colleges and Schools; or

(ii) which receives Title III funding and is accredited by an accrediting organization recognized by the United States Department of Education;

~~(dc)~~ that is organized as a nonprofit corporation or is a public institution; and

(ed) that has its main campus located in South Carolina.”

SECTION 2. Section 2-77-20(C) of the 1976 Code, as last amended by Act 74 of 2011, is further amended to read:

“(C)(1)An institution seeking to qualify as an eligible institution must submit an annual application to the commission. The commission must certify the eligibility of institutions seeking contracts pursuant to this section. Subject to the provisions of item (2), and less any allocations made pursuant to item (2), the funds appropriated for this program must be allocated equally among the eligible institutions.

(2) The Commission on Higher Education, or its successor, annually shall review and determine if funds allocated to a school pursuant to item (2) have been properly used by the school pursuant to Section 2-77-30. If the Commission on Higher Education, or its successor, determines these funds were used inappropriately by a school, the funds must be returned, and the following year that school’s allocation must be reduced by fifty percent of the amount appropriated to each eligible institution pursuant to item (1). The balance remaining from a school’s reduced allocation must be distributed equally among the remaining eligible institutions.”

SECTION 3. This act takes effect July 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

| | | |
|-------------|------------------|--------------|
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bradley | Brannon | R. L. Brown |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Hardwick |
| Hart | Hayes | Henderson |
| Henegan | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Limehouse | Lucas | Mack |
| McEachern | McKnight | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Neal | Newton |
| Norman | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Taylor | Thayer | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow | |

Total--95

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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. 3534--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. COBB-HUNTER, with unanimous consent, it was ordered that H. 3534 be read the third time tomorrow.

H. 3353--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3353 -- Reps. Bradley, Herbkersman, Daning, Erickson, Long, Bowers, Newton, Wells, Corley, Hodges, R. L. Brown, George, Johnson and Robinson-Simpson: A JOINT RESOLUTION TO ESTABLISH BEGINNING WITH THE 2015-2016 SCHOOL YEAR A TWO-YEAR PILOT PROGRAM IN FIVE SPECIFIC COUNTIES TO FACILITATE THE USE OF GENERAL EDUCATIONAL DEVELOPMENT CAMPS TO HELP PEOPLE OBTAIN THEIR GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATES, TO PROVIDE PROGRAM ELEMENTS, AND TO PROVIDE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION SHALL ESTABLISH AND OVERSEE THE PROGRAM.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3353 (COUNCIL\AGM\3353C003. AGM.AB15), which was adopted:

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

/ SECTION 1. (A)(1) Effective beginning with the 2015-2016 school year, the State Department of Education shall establish a two-year pilot program to be known as the General Educational Development (GED) Camp Pilot Program, which must emulate existing volunteer programs in the State to develop, implement, support, and monitor GED Camps that provide a volunteer-based system to assist people who do not have a high school diploma earn their GED certificates and advance to higher education, the military, an occupation, and so forth.

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(2) To ensure that the program concentrates on areas served by technical colleges, the GED Camp program must be implemented in each of the service markets of the technical college system.

(B) The GED Camp program should focus on the use of volunteers to provide tutorial assistance for community members without a high school diploma who seek to obtain a GED certificate using a concentrated “boot camp” model lasting approximately six to eight consecutive weeks during which students must:

(1) undergo direct instruction by teacher volunteers and test for vocational interests;

(2) participate in college and career readiness workshops related to interviewing skills, resume building, enrollment, and education financing; and

(3) receive direct and indirect mentoring.

(C) Based on the outcomes achieved by the GED Camp program, the State Department of Education shall make recommendations regarding statewide expansion of the program to the General Assembly before July 1, 2017. In keeping with federal and state requirements for tracking adult education, GED Camp programs shall report outcomes to the State Department of Education. For the duration of the two-year pilot, programs using the GED Camp program model shall report these outcomes annually to the State Department of Education by June fifteenth for the previously completed school year. The State Department of Education may prescribe additional outcome measures to be tracked by the GED Camp programs. The State Department of Education shall in turn report the program outcomes annually to the Senate Education Committee and the House Education and Public Works Committee by December first for the previously completed school year.

(D) The State Department of Education shall create policies to implement the provisions of this joint resolution. Recognizing that great flexibility in the implementation of the GED Camp Pilot Program is critical to its success, the department is directed to assist volunteers in the implementation of the provisions of this joint resolution.

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

Renumber sections to conform.

Amend title to conform.

Rep. TAYLOR explained the amendment.

The amendment was then adopted.

[HJ]

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The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 2

Those who voted in the affirmative are:

| | | |
|------------------|-------------|-------------|
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bingham | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Govan | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McEachern | McKnight |
| M. S. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Neal | Newton |
| Norman | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Taylor | Thayer | Toole |
| Weeks | Wells | Whipper |

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Whitmire
Yow

Williams

Willis

Total--103

Those who voted in the negative are:

Merrill

White

Total--2

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

**H. 3353--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BRADLEY, with unanimous consent, it was ordered that H. 3353 be read the third time tomorrow.

LEAVE OF ABSENCE

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

H. 3343--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3343 -- Reps. Huggins, Toole, Long, McCoy, Knight, R. L. Brown, Pope, Collins, Bingham, Stavrinakis, Yow and Erickson: A BILL TO AMEND SECTION 47-3-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF EUTHANASIA THAT MAY BE USED TO KILL ANIMALS IMPOUNDED OR QUARANTINED IN ANIMAL SHELTERS, SO AS TO PROVIDE THAT THE USE OF BARBITURIC ACID DERIVATIVES, AND CARBON MONOXIDE GAS ARE NOT ALLOWABLE METHODS OF EUTHANASIA AND TO PROVIDE THAT THE USE OF SODIUM PENTOBARBITAL AND OTHER SUBSTANCES OR PROCEDURES THAT ARE HUMANE MAY BE USED TO PERFORM EUTHANASIA.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3343 (COUNCIL\AGM\3343C003.AGM.AB15), which was adopted:

[HJ]

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

/ SECTION 1. Section 47-3-420 of the 1976 Code, as last amended by Act 293 of 2000, is further amended to read:

“Section 47-3-420. (A) Only the following methods of euthanasia may be used to kill animals impounded or quarantined in animal shelters, and the procedure applicable to the method selected must be strictly followed:

(1) ~~Barbituric acid derivatives~~ Sodium pentobarbital or a derivative of it by means of:

(a) ~~intravenous or intracardial~~ injection by hypodermic needle of a lethal solution;

(b) intraperitoneal injection by hypodermic needle of lethal solution as a last resort only when location of an injection into the vein is difficult or impossible;

(c) ~~oral ingestion of powdered barbituric acid derivatives in capsules mixed with food or by manual administration of a solution~~ intracardial injection by hypodermic needle if the dog or cat is unconscious;

(d) intravenous injection of these solutions must be specifically injected according to the directions of the manufacturers for intravenous injections;

(e) ~~intracardial injection of these solutions must only be administered if the animal has been tranquilized with an approved, humane substance and the animal, at the time of the intracardial injection, is anesthetized or comatose~~ an animal may be sedated with an approved and humane substance before euthanasia is performed;

(f) the solutions may not be administered via ~~intraperitoneal~~, intrathoracic, intrapulmonary, subcutaneous, intramuscular, intrarenal, intrasplenic, or intrathecal routes or in any other nonvascular injection route except as provided above;

(g) administration of injections must be done only by a licensed veterinarian or by a euthanasia technician or Department of Natural Resources employee, trained and certified for this purpose in a euthanasia training class taught by a licensed South Carolina veterinarian or an individual or entity approved by the State Board of Veterinary Examiners, which must include training in tranquilizing animals. A person certified pursuant to this subitem must continue to maintain his proficiency by successfully completing a training course taught by a licensed South Carolina veterinarian or an individual or entity approved by the State Board of Veterinary Examiners every five years;

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(h) all injections must be administered using an undamaged hypodermic needle of a size suitable for the size and species of animal;

(i) an animal shelter, governmental animal control agency, or the Department of Natural Resources (department) may obtain a ~~barbituric acid~~ sodium pentobarbital or a derivative or tranquilizing agent by direct licensing. The animal shelter, governmental animal control agency, or department must apply for a Controlled Substance Registration Certificate from the federal Drug Enforcement Administration (DEA) and a State Controlled Substances Registration from the Department of Health and Environmental Control (DHEC). If an animal shelter, governmental animal control agency, or the department is issued a certificate by the DEA and a registration by DHEC pursuant to this subitem, the animal shelter, governmental animal control agency director or his designee, and the department's applicant are responsible, for maintaining their respective records regarding the inventory, storage, and administration of controlled substances. An animal shelter, governmental animal control agency and its certified euthanasia technician, and the department and its certified employees are subject to inspection and audit by DHEC and the DEA regarding the recordkeeping, inventory, storage, and administration of controlled substances used under authority of this article;

(j) oral administration of sodium pentobarbital is permitted for the purpose of anesthetizing animals, provided a lethal dose of sodium pentobarbital is administered to euthanize the animal; and

(k) carbon monoxide gas, carbon dioxide gas, or other non-anesthetic inhalants may not be used to perform euthanasia.

(2) ~~Carbon monoxide gas:~~

~~(a) dogs and cats, except animals under sixteen weeks of age, may be killed by bottled carbon monoxide gas administered in a tightly enclosed chamber. The chamber must be equipped with:~~

~~(i) internal lighting and a window providing direct visual surveillance of the collapse and death of any animal within the chamber;~~

~~(ii) the gas concentration process must be adequate to achieve a carbon monoxide gas concentration throughout the chamber of at least six percent within five minutes after any animal is placed in the chamber. The chamber must have a functioning gas concentration gauge attached to the chamber and a strong airtight seal must be maintained around the door;~~

~~(iii) the unit shall include an exhaust fan connected by a gas-tight duct to the outdoors capable of completely evacuating the gas from the~~

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chamber before it is opened after each use, except that this provision does not apply to chambers located out of doors;

~~(iv) animals must be left in the chamber for a period of no less than fifteen minutes from the time the gas concentration throughout the chamber reaches six percent.~~

~~(b) no person may euthanize an animal by gas emitted from any engine exhaust system.~~

~~(c) in all instances where a carbon monoxide chamber is used:~~

~~(i) no incompatible or hostile animals, or animals of different species, may be placed in any chamber simultaneously;~~

~~(ii) every chamber must be thoroughly cleaned after the completion of each full cycle. No live animals may be placed in the chamber with dead animals;~~

~~(iii) all animals must be examined by a veterinarian or certified euthanasia technician to ensure they are dead upon removal from the chamber;~~

~~(iv) all chambers must be inspected quarterly by an independent, qualified technician who is thoroughly knowledgeable with the operation and maintenance of the particular euthanasia chamber being used;~~

~~(v) an operational guide and maintenance instructions must be displayed in the room with the euthanasia chamber. A substance which is clinically proven to be as humane as sodium pentobarbital and which has been officially recognized as such by the American Veterinary Medical Association may be used in lieu of sodium pentobarbital to perform euthanasia on dogs and cats, but succinylcholine chloride, curate, curariform mixtures, carbon monoxide gas, carbon dioxide gas, or any substance which acts as a neuromuscular blocking agent may not be used on a dog or cat in lieu of sodium pentobarbital for euthanasia purposes.~~

~~(3) Shooting: Shooting may be used in a location other than a shelter as a means of euthanasia only in an emergency situation to prevent extreme suffering or in which the safety of people or other animal life is threatened or where it is considered necessary by the South Carolina Department of Natural Resources to eliminate or control the population of feral animals.~~

~~(4) In cases of extraordinary circumstance where a dog or cat poses an extreme risk or danger to the veterinarian, physician, or lay person performing euthanasia, the person is allowed the use of any other substance or procedure that is necessary to perform euthanasia on a dangerous dog or cat.~~

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(B) In any of the previously listed methods, an animal may not be left unattended between the time euthanasia procedures have commenced and the time death occurs, and the animal's body may not be disposed of until death is confirmed by a certified euthanasia technician.

(C) Under no circumstance shall a chamber using commercially bottled carbon monoxide gas or other lethal gas or a chamber which causes a change in body oxygen by means of altering atmospheric pressure or which is connected to an internal combustion engine and uses the engine exhaust for euthanasia purposes be permitted."

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

Renumber sections to conform.

Amend title to conform.

Rep. V. S. MOSS explained the amendment.

The amendment was then adopted.

Rep. PITTS explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 3

Those who voted in the affirmative are:

| | | |
|-------------|----------------|-------------|
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bingham | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |

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| | | |
|------------------|-------------|--------------|
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kirby | Knight |
| Limehouse | Long | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Neal |
| Newton | Norman | Ott |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Willis |
| Yow | | |

Total--100

Those who voted in the negative are:

| | | |
|------|-------|-------|
| Lowe | Pitts | White |
|------|-------|-------|

Total--3

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 on constituent business during the vote on H. 3343. If I had been present, I would have voted in favor of the Bill.

Rep. Justin T. Bamberg

OBJECTION TO MOTION

Rep. HUGGINS asked unanimous consent that H. 3343 be read a third time tomorrow.

Rep. WHITE objected.

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

OBJECTION TO RECALL

Rep. GOVAN asked unanimous consent to recall H. 3214 from the Committee on Judiciary.

Rep. FORRESTER objected.

OBJECTION TO RECALL

Rep. TAYLOR asked unanimous consent to recall H. 3177 from the Committee on Judiciary.

Rep. HODGES objected.

OBJECTION TO RECALL

Rep. RUTHERFORD asked unanimous consent to recall H. 3376 from the Committee on Labor, Commerce and Industry.

Rep. LOFTIS objected.

OBJECTION TO RECALL

Rep. HART asked unanimous consent to recall H. 3362 from the Committee on Ways and Means.

Rep. WHITE objected.

H. 3877--NONCONCURRENCE IN SENATE AMENDMENTS

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

H. 3877 -- Reps. Delleney, D. C. Moss and Douglas: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN CHESTER COUNTY CLOSED IN FEBRUARY 2015 DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

Rep. STRINGER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 93

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Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

| | | |
|-------------|------------------|----------------|
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bamberg | Bannister | Bedingfield |
| Bingham | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Hardee | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hixon |
| Hodges | Hosey | Johnson |
| Jordan | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Neal | Newton |
| Norman | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Yow |

Total--93

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

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**H. 3663--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

Reps. MERRILL, COBB-HUNTER, and BINGHAM proposed the following Amendment No. 1A to H. 3663 (COUNCIL\MS\3663C006.MS.AHB15), which was adopted:

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

/ Whereas, the members of the General Assembly of the State of South Carolina recognize the rich and diverse history of South Carolina State University founded in 1896 in Orangeburg, South Carolina, and the significant contribution that the university has made to the higher education community as well as its current students and alumni; and

Whereas, South Carolina State University is currently experiencing student enrollment revenues that are insufficient to cover existing expenditure obligations, such that the General Assembly finds it necessary to shepherd the institution through this temporary period to restore it to the viable institution it has been in the past and, in order to preserve the long and distinguished history of South Carolina State University, the General Assembly finds it necessary to take temporary corrective action; and

Whereas, with new, experienced management and the proper support and encouragement from the State, South Carolina State University should once again thrive as the State's only state-supported historically

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black university and continue to graduate generations of distinguished scholars and leaders who will represent the university with pride and serve as the state's future professionals and leaders doing so in such a manner that operating expenditures do not exceed available revenue in a fiscal year; and

Whereas, the Southern Association of Colleges and Schools has expressed concerns regarding governing board conflicts of interests and board/administration structure as well as financial stability and controls of South Carolina State University and the General Assembly recognizes that maintaining accreditation by the Southern Association of colleges and schools is of great importance; and

Whereas, in addition, the General Assembly recognizes and acknowledges the need to follow up on this temporary action that is so critical at this juncture with permanent, statewide legislation to restructure the Board of Trustees and general governance of South Carolina State University with particular emphasis on maintaining the institutional knowledge of members of the Board of Trustees going forward and staggering terms of newly appointed Board of Trustees members to maintain that essential consistency in the university's governance as it seeks to accomplish its important educational mission. Now, therefore,

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

SECTION 1. (A) Immediately upon the appointment of an Interim South Carolina State University Board of Trustees pursuant to subsection (B), the current members of the Board of Trustees of South Carolina State University are hereby removed from service, and their positions, powers, and duties are hereby transferred to the newly appointed Interim Board of Trustees pursuant to subsection (B).

(B) Section 59-127-20 of the South Carolina Code, relating to the South Carolina State University Board of Trustees, election, and term, is suspended until June 30, 2018. There is established a new Interim Board of Trustees of South Carolina State University, to be composed of and who shall serve ex officio at the pleasure of the appropriate appointing member:

(1) one designee of each of the five members of the State Budget and Control Board or its successor agency, respectively;

(2) one member appointed by the chairman of the House Ways and Means Higher Education and Technical Colleges Subcommittee; and

(3) one member appointed by the chairman of the Senate Finance Higher Education Subcommittee.

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The members of the Interim Board of Trustees must be appointed no later than seven days following the effective date of this joint resolution. The Interim Board of Trustees shall meet as soon as practical and elect a chairman and other officers from its membership. Vacancies must be filled in the manner of the original appointment.

(C) Unless extended by the General Assembly, the Interim Board of Trustees established pursuant to subsection (B) shall serve until June 30, 2018, or until a full new Board of Trustees is elected and qualified pursuant to Chapter 127, Title 59. Such election must include a restructured Board of Trustees including, but not limited to, the members of the Interim Board of Trustees to serve staggered terms. The term of each office for each seat on the Board of Trustees shall be suspended as of the date of removal pursuant to subsection (A) until a new member of the Board of Trustees is elected to that seat pursuant to Chapter 127, Title 59, after June 30, 2018. Initial terms of the new members of the Board of Trustees shall be the unexpired term of the seat to which they are elected.

(D) The Interim Board of Trustees is responsible solely for the selection, periodic evaluation, and retention or termination of the university's president.

(E) The Interim Board of Trustees shall ensure there is a clear and appropriate distinction between the policy-making functions of the Interim Board of Trustees and the responsibility of the university's president, administration, and faculty to administer and implement policies and that the university has a clearly defined organizational structure that delineates responsibility for the administration of policies.

(F) The Interim Board of Trustees shall ensure that the university has qualified administrative and academic officers with the experience and competence necessary to lead the university.

(G) Notwithstanding any other provision of law, the Interim Board of Trustees established pursuant to subsection (B) and the university's president are authorized to develop programmatic, personnel, and related policies concerning all daily operations of South Carolina State University including, but not limited to, the expenditure of funds necessary for the university's daily operations within its appropriated and authorized budget. The policies developed may be across all operations of the university including, but not limited to, administration, academics, auxiliary operations, public service activities, and athletics. Programmatic and personnel policies developed by the Interim Board of Trustees and the university's president must be reported to the appointing member of each Interim Trustee, the Commission on Higher

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Education, and the State Division of Human Resources, respectively, as soon as is practicable after implementation.

(H) The president of South Carolina State University, whose actions must be overseen by the Interim Board of Trustees, shall review both the educational accreditation of the university and the past and current financial situation of the university and make recommendations to the Interim Board of Trustees, to the appointing member of each Interim Trustee, and to the Executive Budget Office regarding the path that the university must pursue in order to lead the university out of the current financial crisis with an emphasis on having the university return to the valuable and functional institution of higher learning that it has been in the past.

(I) The Interim Board of Trustees shall be indemnified in the same manner as members of the Retirement System Investment Commission, mutatis mutandis.

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

Renumber sections to conform.

Amend title to conform.

Rep. BINGHAM explained the amendment.

Rep. GOVAN spoke against the amendment.

Rep. GOVAN moved to table the amendment.

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

Yeas 7; Nays 89

Those who voted in the affirmative are:

| | | |
|---------|----------|------------------|
| Clyburn | Gilliard | Govan |
| Hosey | Howard | Robinson-Simpson |
| Weeks | | |

Total--7

Those who voted in the negative are:

| | | |
|-------------|---------|-----------|
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bingham | Bradley |

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| | | |
|--------------|----------------|-------------|
| Brannon | G. A. Brown | Burns |
| Chumley | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Forrester |
| Funderburk | Gagnon | Gambrell |
| Hardee | Hardwick | Hart |
| Hayes | Henderson | Herbkersman |
| Hicks | Hill | Hixon |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McEachern | McKnight |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Norman |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Taylor | Thayer | Tinkler |
| Toole | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow | |

Total--89

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

| | | |
|-------------|---------|-----------|
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bingham | Bowers |

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| | | |
|----------------|-------------|------------------|
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Hardee |
| Hart | Hayes | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McEachern | McKnight |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Newton |
| Norman | Parks | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. R. Smith | J. E. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Taylor | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

Total--99

Those who voted in the negative are:

Total--0

The amendment was then adopted.

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

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H. 3877--RECONSIDERED

Rep. STRINGER moved to reconsider the vote whereby the House nonconcurred in the Senate Amendments to the following Joint Resolution, which was agreed to:

H. 3877 -- Reps. Delleney, D. C. Moss and Douglas: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN CHESTER COUNTY CLOSED IN FEBRUARY 2015 DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

H. 3877--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 3877 -- Reps. Delleney, D. C. Moss and Douglas: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN CHESTER COUNTY CLOSED IN FEBRUARY 2015 DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

Rep. ALLISON proposed the following Amendment No. 1 to H. 3877 (COUNCIL\AGM3877C001.AGM.AB15), which was adopted:

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

/ SECTION 1. Notwithstanding the provisions of Section 59-1-425, the governing body of a school district may waive the requirement that schools make up full days missed due to inclement weather for three or fewer full school days that students who attend schools or charter schools in the district missed due to inclement weather during the 2014-2015 school year; provided, however, that a district may not waive this requirement until it has exhausted all statutorily required make-up days

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remaining on the 2014-2015 school calendar. When a district waives a make-up day pursuant to this section, the make-up day also is waived for any student participating in a home schooling program approved by the board of trustees of the district in which the student resides.

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

Renumber sections to conform.

Amend title to conform.

Rep. STRINGER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

| | | |
|--------------|----------------|--------------|
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | 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 | Forrester | Gagnon |
| Gambrell | George | Gilliard |
| Govan | Hardee | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | King | Kirby |
| Knight | Loftis | Long |
| Lucas | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Newton | Norman |
| Parks | Pitts | Quinn |
| Ridgeway | Riley | Rivers |

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| | | |
|------------------|-------------|-------------|
| Robinson-Simpson | Ryhal | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Williams | Willis | Yow |

Total--99
0

Those who voted in the negative are:

Total--0

The amendment was then adopted.

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

MOTION PERIOD

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

SPEAKER *PRO TEMPORE* IN CHAIR

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H. 3025--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3025 -- Reps. Clemmons, Yow, Hixon, Kennedy, Loftis, Huggins, Rivers, Hill, Gagnon, Stringer, Bedingfield, Burns, Hicks and Chumley: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPONS PERMITS, SO AS TO REVISE THE CONDITIONS THAT ALLOW A HOLDER OF AN OUT-OF-STATE CONCEALED WEAPONS PERMIT TO CARRY A WEAPON IN THIS STATE.

Rep. HILL proposed the following Amendment No. 1 to H. 3025 (COUNCIL\SWB\3025C002.SWB.CM15), which was tabled:

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

/SECTION 1. This act may be cited as the “South Carolina Constitutional Carry Act of 2015”.

SECTION 2. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon; or

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not apply to a person who possesses a ~~concealable weapons’ permit pursuant to Article 4, Chapter 31, Title 23~~ firearm and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person’s vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.”

SECTION 3. Section 16-23-20 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“Section 16-23-20. (A) It is unlawful for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited by law:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State,

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uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;

(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;

(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person ~~has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23~~ is not prohibited by state law from possessing the weapon, then the person also may secure his weapon under a seat in a

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vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

~~(b) concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23 provided he is not prohibited by state law from possessing the weapon;~~

(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;

(11) a prison guard while engaged in his official duties;

(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: ~~(a) acquiring a permit pursuant to item (12), and (b)~~ obtaining the permission of the owner or person in legal control or legal possession of the premises;

(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun;

(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle; or

(17) a person who is at least twenty-one years of age and who is not prohibited from possessing firearms under state and federal law, whether or not the person is a resident of the State.

(B) Unless a person first obtains authorization to possess a handgun from a person with the apparent authority to grant it, nothing in

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subsection (A)(17) authorizes carrying of a handgun into any location prohibited under Section 23-31-215(M)."

SECTION 4. Section 16-23-420 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

"Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to a person who ~~is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ lawfully is carrying a weapon when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a weapon in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms 'premises' and 'property' do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23~~

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when upon any premises, property, or building that is part of an interstate highway rest area facility.”

SECTION 5. Section 16-23-430 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply to a person who ~~is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ lawfully is carrying a weapon when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.”

SECTION 6. Section 16-23-460(C) of the 1976 Code, as last amended by Act 337 of 2008, is further amended to read:

“(C) The provisions of this section also do not apply to handguns, rifles, shotguns, dirks, slingshots, metal knuckles, knives, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.”

SECTION 7. Section 51-3-145(G) of the 1976 Code, as last amended by Act 274 of 2002, is further amended to read:

“(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person carrying a concealable

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weapon pursuant to Article 4, Chapter 31, Title 23, as defined in Section 23-31-210(5) and the concealable weapon and its ammunition.”

SECTION 8. Section 23-31-215 (N) of the 1976 Code as last amended by Act 349 of 2008, and (M) and (O) of the 1976 Code, as last amended by Act 123 of 2014, are further amended to read:

“(M) A Unless an individual first obtains authorization to possess a concealable weapon from a person with the apparent authority to grant it, a permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:

- (1) law enforcement, correctional, or detention facility;
- (2) courthouse or courtroom;
- (3) polling place on election days;
- (4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (5) school or college athletic event not related to firearms;
- (6) daycare facility or preschool facility;
- (7) place where the carrying of firearms is prohibited by federal law;
- (8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;
- (9) hospital, medical clinic, doctor’s office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or
- (10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court ~~and have his permit revoked for five years.~~

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, 50-9-830, and 51-3-145.

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(N) Valid out-of-state permits to carry concealable weapons held by a resident of a reciprocal state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(O) A permit issued pursuant to this article is not required for a person:

(1) specified in Section 16-23-20, ~~items (1) through (5) and items (7) through (11);~~

(2) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as “pepper gas”;
or

(3) carrying a concealable weapon in a manner not prohibited by law.”

SECTION 9. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person ~~who~~, whether the person is licensed under this article or not, from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon upon his premises.

The posting of a sign by the employer, owner, or person in legal possession or control of ~~a sign stating~~ ‘No Concealable Weapons Allowed’ shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. ~~In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year.~~

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The prohibition contained in this section does not apply to persons specified in Section 16-23-20, ~~item(A)(1).~~”

SECTION 10. Section 23-31-225 of the 1976 Code is amended to read:

“Section 23-31-225. No person ~~who holds a permit issued pursuant to Article 4, Chapter 31, Title 23~~ may carry a concealable weapon into the residence or dwelling place of another person without the express permission of the owner or person in legal control or possession, as appropriate. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned for not more than one year, or both, at the discretion of the court ~~and have his permit revoked for five years.~~”

SECTION 11. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons ~~who possess a valid permit pursuant to this article~~ may carry a concealable weapon anywhere within this State, when carrying out the duties of their office:

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors; and
- (12) active workers’ compensation commissioners.”

SECTION 12. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for

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the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 13. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

POINT OF ORDER

Rep. MCEACHERN raised the Point of Order that under Rule 9.3, Amendment No. 1 to H. 3025 was out of order in that it was not germane to the Bill.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and ruled that Amendment No. 1 was germane.

Rep. HILL spoke in favor of the amendment.

Rep. BEDINGFIELD spoke in favor of the amendment.

Rep. BEDINGFIELD spoke in favor of the amendment.

Rep. G. A. BROWN moved that the House do now adjourn.

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

Yeas 31; Nays 76

Those who voted in the affirmative are:

| | | |
|--------------|-------------|------------------|
| Alexander | Anthony | Bowers |
| Bradley | G. A. Brown | Clyburn |
| Cobb-Hunter | Crosby | Dillard |
| Douglas | George | Hart |
| Henegan | Jefferson | King |
| Limehouse | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Ridgeway | Robinson-Simpson |
| Rutherford | J. E. Smith | Sottile |
| Spires | Weeks | Whipper |
| Williams | | |

Total--31

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Those who voted in the negative are:

| | | |
|-------------|-------------|----------------|
| Anderson | Atwater | Bamberg |
| Bannister | Bedingfield | Bingham |
| Brannon | R. L. Brown | Burns |
| Clary | Clemmons | Cole |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Duckworth |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Merrill |
| D. C. Moss | V. S. Moss | Newton |
| Norman | Norrell | Pitts |
| Pope | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Southard | Stavrinakis |
| Stringer | Taylor | Thayer |
| Tinkler | Toole | Wells |
| White | Whitmire | Willis |
| Yow | | |

Total--76

So, the House refused to adjourn.

Rep. BAMBERG spoke against the amendment.

Rep. BAMBERG spoke against the amendment.

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

SPEAKER IN CHAIR

Rep. PITTS proposed the following Amendment No. 2 to H. 3025 (COUNCIL\NBD\3025C001.NBD.CZ15), which was adopted:

[HJ]

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

/ SECTION 1. Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-510. (A) Except as provided in subsection (D), no person, whether the person has a concealed weapons permit or not, shall carry a handgun, whether concealed or not, into any of the following places without the permission of the owner or a person in control of the premises:

- (1) a police, sheriff, or highway patrol station or any other law enforcement office or facility;
- (2) a detention facility, prison, or jail or any other correctional facility or office;
- (3) a courthouse or courtroom;
- (4) a polling place on election day;
- (5) an office or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (6) a school or college athletic event not related to firearms;
- (7) a place where the carrying of firearms is prohibited by federal law; or
- (8) a daycare facility or a preschool facility.

(B) A person who wilfully violates subsection (A) is guilty of a misdemeanor, and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court, and shall have any permit issued to him under Article 4, Chapter 31 revoked for five years.

(C) When carrying a handgun, whether concealed or not, a person must inform a law enforcement officer of the fact he is carrying a handgun when an officer:

- (1) initiates an investigatory stop of the person including, but not limited to, a traffic stop;
- (2) identifies himself as a law enforcement officer; and
- (3) requests identification or a driver’s license from the person.

(D) The provisions of subsection (A) do not apply to peace officers in the actual discharge of their duties.”

SECTION 2. Section 16-23-20 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“(A) It is unlawful for anyone to carry about the person any handgun, whether concealed or not, ~~except as follows, unless otherwise specifically prohibited by law: with the intent to use the handgun unlawfully against another person. The intent to use a handgun~~

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unlawfully against another person shall not be inferred from the mere possession, carrying, or concealment of the handgun, whether it is loaded or unloaded.

(B) No person shall carry a handgun off of any real property the person occupies as a resident, owner, or lessee if the person is under twenty-one years of age or carries the handgun in a manner that openly exposes it to common observation, with the following exceptions:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;

(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person ~~in his home or upon his real property or a person~~ who has the permission of the owner or the person in legal possession or the person in legal control of ~~the a~~ home or real property;

(9) a person in a vehicle if the handgun is:

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(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

(b) concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;

~~(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;~~

(11) a prison guard while engaged in his official duties;

~~(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between a place of concealment on or about the permittee's person and a location specified in item (9);~~

~~(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining a person who has obtained the permission of the owner or person in legal control or legal possession of the premises;~~

~~(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);~~

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.

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(16) ~~Any~~ any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle;

(17) a person who possesses or exposes the handgun while in justified defense of self, property, or another; or

(18) a person who is over twenty-one years old or who is carrying in accordance with subitem (9)(b) of this section and who inadvertently exposes to another person a handgun in a holster or other retention device that the person intended to keep concealed on or about his person.”

SECTION 3. Section 16-23-420 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

“Section 16-23-420. (A) It is unlawful for a person to knowingly possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon firearm that remains concealed from common observation inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle either possessed by a person with a valid permit issued pursuant to Article 4, Chapter 31 or is not loaded and in a locked container or a locked firearms rack that is in or on the motor vehicle. The provisions of this section related to publicly owned buildings do not apply to any portion of the property leased to an individual or a business or to the occupants or invitees of such leased premises during reasonable ingress to or egress from the leased premises.

(B) It is unlawful for a person to ~~enter the~~ threaten other persons with a firearm on the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A

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married student residing in an apartment provided by the private or public school whose presence with a weapon in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms ‘premises’ and ‘property’ do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23 when upon any premises, property, or building that is part of an interstate highway rest area facility.”

SECTION 4. Section 16-23-430 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon that remains concealed from common observation inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle and, in the case of a firearm, is either possessed by a person with a valid permit issued pursuant to Article 4, Chapter 31 or is not loaded and in a locked container or a locked firearm rack that is in or on the motor vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.”

SECTION 5. Section 16-23-460 of the 1976 Code, as last amended by Act 337 of 2008, is further amended to read:

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“Section 16-23-460. (A) A person carrying a deadly weapon usually used for the infliction of personal injury concealed about his person with the intent to use the weapon unlawfully against another person is guilty of a misdemeanor, must forfeit to the county, or, if convicted in a municipal court, to the municipality, the concealed weapon, and must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned not less than thirty days nor more than ninety days. The intent to use a weapon unlawfully against another person shall not be inferred by the mere possession, carrying, or concealment of the weapon, including the possession, carrying or concealment of a loaded or unloaded firearm. In the case of handguns, violations shall be determined by the provisions contained in Section 16-23-20(A).

(B) The provisions of this section do not apply to:

(1) A person carrying a concealed weapon upon his own premises or pursuant to and in compliance with Article 4, Chapter 31 of Title 23; or

(2) peace officers in the actual discharge of their duties.

(C) The provisions of this section also do not apply to rifles, shotguns, dirks, slingshots, metal knuckles, knives, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.”

SECTION 6. Section 16-23-465 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“Section 16-23-465. (A) In addition to the penalties provided for by Sections 16-11-330 and 16-23-460, ~~and~~ by Article 1 of Chapter 23 of Title 16, Sections 16-11-620 and 23-31-220 a person convicted of carrying a pistol or firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than ~~three~~ two years, or both, when the person:

(1) carries a firearm into any business which sells alcoholic liquor, beer, or wine for consumption on the premises and which at the time of the offense was clearly and conspicuously posted in accordance with Section 23-31-220;

(2) carries a firearm in any business which sells alcoholic liquor, beer, or wine for consumption on the premises and refuses to leave or to remove the firearm from the premises when asked to do so by a person legally in control of the premises; or

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(3) consumes alcohol while carrying a firearm in any business which sells alcoholic liquor, beer, or wine for consumption on the premises.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, must have his concealed weapon permit revoked.

(B)(1) This section does not apply to a person carrying a concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business' premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a "NO CONCEALABLE WEAPONS ALLOWED" sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A)."

SECTION 7. Section 23-31-215 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

"(A) Notwithstanding any other provision of law, except ~~subject to~~ subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least twenty-one years of age and who is not prohibited by state law from possessing the weapon upon submission of:

- (1) a completed application signed by the person;
- (2) a photocopy of a driver's license or photographic identification card;

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(3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;

(4) proof of actual or corrected vision rated at 20/40 within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;

(5) proof of training;

(6) payment of a fifty-dollar application fee. This fee must be waived for disabled veterans and retired law enforcement officers; and

(7) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

(B) Upon submission of the items required by subsection (A), SLED must conduct or facilitate a local, state, and federal fingerprint review of the applicant. SLED also must conduct a background check of the applicant through notification to and input from the sheriff of the county where the applicant resides or if the applicant is a qualified nonresident, where the applicant owns real property in this State. The sheriff within ten working days after notification by SLED, may submit a recommendation on an application. Before making a determination whether or not to issue a permit under this article, SLED must consider the recommendation provided pursuant to this subsection. If the fingerprint review and background check are favorable, SLED must issue the permit.

(C) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received; otherwise, SLED shall issue a concealable weapon permit. If an applicant is unable to comply with the provisions of Section 23-31-210(4), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23-31-210(4). The course shall cost fifty dollars. SLED shall use the proceeds to defray the training course's operating costs. If a permit is granted by operation of law because an applicant was not notified of a denial within the ninety-day notification period, the permit may be

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revoked upon written notification from SLED that sufficient grounds exist for revocation or initial denial.

(D) Denial of an application may be appealed. The appeal must be in writing and state the basis for the appeal. The appeal must be submitted to the Chief of SLED within thirty days from the date the denial notice is received. The chief shall issue a written decision within ten days from the date the appeal is received. An adverse decision shall specify the reasons for upholding the denial and may be reviewed by the Administrative Law Court pursuant to Article 5, Chapter 23, Title 1, upon a petition filed by an applicant within thirty days from the date of delivery of the division's decision.

(E) SLED must make permit application forms available to the public. A permit application form shall require an applicant to supply:

- (1) name, including maiden name if applicable;
- (2) date and place of birth;
- (3) sex;
- (4) race;
- (5) height;
- (6) weight;
- (7) eye and hair color;
- (8) current residence address; and
- (9) all residence addresses for the three years preceding the application date.

(F) The permit application form shall require the applicant to certify that:

- (1) he is not a person prohibited under state law from possessing a weapon;
- (2) he understands the permit is revoked and must be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon; and
- (3) all information contained in his application is true and correct to the best of his knowledge.

(G) Medical personnel, law enforcement agencies, organizations offering handgun education courses pursuant to Section 23-31-210(4), and their personnel, who in good faith provide information regarding a person's application, must be exempt from liability that may arise from issuance of a permit; provided, however, a weapons instructor must meet the requirements established in Section 23-31-210(4) in order to be exempt from liability under this subsection.

(H) A permit application must be submitted in person, by mail, or online to SLED headquarters which shall verify the legibility and

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accuracy of the required documents. If an applicant submits his application online, SLED may continue to make all contact with that applicant through online communications.

(I) SLED must maintain a list of all permit holders and the current status of each permit. SLED may release the list of permit holders or verify an individual's permit status only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is required to be released pursuant to a subpoena or court order. SLED may charge a fee not to exceed its costs in releasing the information under this subsection. Except as otherwise provided in this subsection, a person in possession of a list of permit holders obtained from SLED must destroy the list.

(J) A permit is valid statewide unless revoked because the person has:

- (1) become a person prohibited under state law from possessing a weapon;
- (2) moved his permanent residence to another state and no longer owns real property in this State;
- (3) voluntarily surrendered the permit; or
- (4) been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm. However, if the person subsequently is found not guilty of the offense, then his permit must be reinstated at no charge.

Once a permit is revoked, it must be surrendered to a sheriff, police department, a SLED agent, or by certified mail to the Chief of SLED. A person who fails to surrender his permit in accordance with this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

~~(K) A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

- ~~(1) identifies himself as a law enforcement officer; and~~
- ~~(2) requests identification or a driver's license from a permit holder.~~

A permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

(L) SLED shall issue a replacement for lost, stolen, damaged, or destroyed permit identification cards after the permit holder has updated

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all information required in the original application and the payment of a five-dollar replacement fee. Any change of permanent address must be communicated in writing to SLED within ten days of the change accompanied by the payment of a fee of five dollars to defray the cost of issuance of a new permit. SLED shall then issue a new permit with the new address. A permit holder's failure to notify SLED in accordance with this subsection constitutes a misdemeanor punishable by a twenty-five dollar fine. The original permit shall remain in force until receipt of the corrected permit identification card by the permit holder, at which time the original permit must be returned to SLED.

~~(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:~~

- ~~(1) law enforcement, correctional, or detention facility;~~
- ~~(2) courthouse or courtroom;~~
- ~~(3) polling place on election days;~~
- ~~(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~
- ~~(5) school or college athletic event not related to firearms;~~
- ~~(6) daycare facility or preschool facility;~~
- ~~(7) place where the carrying of firearms is prohibited by federal law;~~
- ~~(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~
- ~~(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or~~
- ~~(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

~~Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.~~

~~Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430,~~

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16-23-465, ~~16-23-510~~ 44-23-1080, 44-52-165, ~~50-9-830~~, and 51-3-145, unless specifically provided for in this section.

(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal state~~ another state must be honored by this State, ~~provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety.~~ A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(O) A permit issued pursuant to this article is not required for a person:

~~(1) specified in Section 16-23-20, items (1) through (5) and items (7) through (11);~~

~~(2) carrying a self defense device generally considered to be nonlethal including the substance commonly referred to as "pepper gas"; or~~

~~(3) carrying a concealable weapon in a manner not prohibited by law.~~

(P) Upon renewal, a permit issued pursuant to this article is valid for five years. Subject to subsection (Q), SLED shall renew a currently valid permit upon:

(1) payment of a fifty-dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;

(2) completion of the renewal application; and

(3) picture identification or facsimile copy thereof.

(Q) Upon submission of the items required by subsection (P), SLED must conduct or facilitate a state and federal background check of the applicant. If the background check ~~is favorable~~ reveals no information which would be disqualifying under the provisions of this section, SLED must renew the permit.

(R) No provision contained within this article shall expand, diminish, or affect the duty of care owed by and liability accruing to, as may exist at law immediately before the effective date of this article, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a concealable weapon. Absence of a sign prohibiting concealable weapons shall not constitute negligence or establish a lack of duty of care.

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(S) At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail or online if permitted by subsection (H) at the permit holder's address of record that the permit is set to expire along with notification of the permit holder's opportunity to renew the permit pursuant to the provisions of subsections (P) and (Q).

(T) During the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year:

- (1) the number of permits;
- (2) the number of permits that were issued;
- (3) the number of permit applications that were denied;
- (4) the number of permits that were renewed;
- (5) the number of permit renewals that were denied;
- (6) the number of permits that were suspended or revoked; and
- (7) the name, address, and county of a person whose permit was revoked, including the reason for the revocation pursuant to subsection (J)(1).

The report must include a breakdown of such information by county.

(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars."

SECTION 8. Section 23-31-220 of the 1976 Code is amended to read:

"Section 23-31-220. Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person, including a person who is licensed under this article, from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control of private property to allow or prohibit the carrying of a concealable weapon, including a person who possesses a concealable weapons permit, upon his premises.

The posting by the employer, owner, or person in legal possession or control of a sign stating 'No Concealable Weapons Allowed' shall constitute notice to a person, including a person holding a permit issued pursuant to this article, that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought

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upon the premises or into the work place. A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have ~~his~~ any permit issued to him pursuant to this article revoked for a period of one year. The prohibition contained in this section does not apply to ~~persons specified in Section 16-23-20, item (1)~~ peace officers engaged in the lawful performance of their official duties.”

SECTION 9. Section 23-31-225 of the 1976 Code is amended to read:

“Section 23-31-225. No person, including a person who holds a permit issued pursuant to Article 4, Chapter 31, Title 23, may carry a concealable weapon into the residence or dwelling place of another person without the express permission of the owner or person in legal control or possession, as appropriate, nor may any person remain on the premises while in possession of the weapon if asked by the owner or person who is in legal control or possession of the premises to leave or to remove the weapon from the premises. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned for not more than one year, or both, at the discretion of the court and have his permit revoked for five years.”

SECTION 10. Section 23-31-180 of the 1976 Code is repealed.

SECTION 11. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 12. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

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Rep. PITTS explained the amendment.
Rep. PITTS spoke in favor of the amendment.
Rep. WHIPPER spoke against the amendment.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. RUTHERFORD moved cloture on the entire matter.

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

Yeas 80; Nays 21

Those who voted in the affirmative are:

| | | |
|----------------|--------------|-------------|
| Bamberg | Bannister | Bedingfield |
| Bernstein | Bingham | Bradley |
| Brannon | Burns | Clary |
| Clemmons | Cole | Collins |
| H. A. Crawford | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Forrester | Gagnon |
| Gambrell | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Jefferson |
| Johnson | Jordan | Kennedy |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McEachern | M. S. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Neal |
| Newton | Norman | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Taylor | Thayer |
| Tinkler | Toole | Wells |

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| | | |
|--------|----------|----------|
| White | Whitmire | Williams |
| Willis | Yow | |

Total--80

Those who voted in the negative are:

| | | |
|------------------|-------------|--------------|
| Alexander | Anthony | Atwater |
| Bales | G. A. Brown | R. L. Brown |
| Cobb-Hunter | Dillard | Gilliard |
| Henegan | Hosey | Kirby |
| Knight | Mack | W. J. McLeod |
| Mitchell | Norrell | Parks |
| Robinson-Simpson | Weeks | Whipper |

Total--21

So, cloture was ordered.

The question then recurred to the adoption of Amendment No. 2.

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

Yeas 81; Nays 27

Those who voted in the affirmative are:

| | | |
|-------------|----------------|-------------|
| Anthony | Atwater | Bales |
| Bamberg | Bannister | Bedingfield |
| Bingham | Bradley | Brannon |
| G. A. Brown | Burns | Clary |
| Clemmons | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Delleney | Douglas | Duckworth |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| Govan | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Huggins | Johnson |
| Jordan | Kennedy | King |
| Kirby | Limehouse | Loftis |
| Long | Lowe | Lucas |

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| | | |
|-------------|-------------|------------|
| McEachern | Merrill | D. C. Moss |
| V. S. Moss | Newton | Norman |
| Norrell | Ott | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Southard | Spires | Stringer |
| Taylor | Thayer | Toole |
| Wells | White | Whitmire |
| Williams | Willis | Yow |

Total--81

Those who voted in the negative are:

| | | |
|--------------|--------------|------------------|
| Alexander | Anderson | Bernstein |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Daning | Dillard | Gilliard |
| Henegan | Hodges | Howard |
| Jefferson | Knight | Mack |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Neal | Parks | Robinson-Simpson |
| Ryhal | J. E. Smith | Stavrinakis |
| Tinkler | Weeks | Whipper |

Total--27

So, the amendment was adopted.

Rep. J. E. SMITH proposed the following Amendment No. 4 to H. 3025 (COUNCIL\AGM\3025C001.AGM.AB15), which was tabled:

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

/ SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety, and does not grant permits to persons who have been convicted of an offense involving the use, attempted use, or threatened use of a

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~~firearm. A resident of a reciprocal another state carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.”~~

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

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 5 to H. 3025 (COUNCIL\AGM\3025C002.AGM.AB15), which was tabled:

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

/ SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal another~~ state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety, and does not grant permits to persons who are less than twenty-one years of age. A resident of a ~~reciprocal another~~ state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.”~~

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

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 6 to H. 3025 (COUNCIL\AGM\3025C004.AGM.AB15), which was tabled:

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

[HJ]

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/ SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety, and does not grant permits to persons who have been convicted more than once of driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.”~~

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

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 7 to H. 3025 (COUNCIL\SWB\3025C014.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, ~~provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety.~~ A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.”~~

SECTION 2. This act takes effect January 1, 2016. /
Renumber sections to conform.
Amend title to conform.

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Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 8 to H. 3025 (COUNCIL\SWB\3025C011.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

SECTION 2. This act takes effect January 1, 2017. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 9 to H. 3025 (COUNCIL\SWB\3025C009.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED~~”

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~~shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.”~~

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

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 10 to H. 3025 (COUNCIL\SWB\3025C008.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of ~~a reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety and does not grant permits to persons who appear on any terror watch list. A resident of ~~a reciprocal~~ another state ~~carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.”~~

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

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 11 to H. 3025 (COUNCIL\SWB\3025C007.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of ~~a reciprocal~~ another state must be honored by this State,

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provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety and does not grant permits to persons who have been convicted of an offense involving the sale of a controlled substance. A resident of a ~~reciprocal another state carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity."~~

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

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 12 to H. 3025 (COUNCIL\SWB\3025C006.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal another~~ state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety and does not grant permits to persons who have been convicted more than once for driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A resident of a ~~reciprocal another state carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity."~~

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

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

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Rep. J. E. SMITH proposed the following Amendment No. 13 to H. 3025 (COUNCIL\SWB\3025C005.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety and does not grant permits to persons who have been convicted of an offense against a child. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

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

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 14 to H. 3025 (COUNCIL\SWB\3025C004.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety and does not grant permits to persons who have been convicted of a crime of violence. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

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

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 15 to H. 3025 (COUNCIL\SWB\3025C018.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, ~~provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety.~~ A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

SECTION 2. This act takes effect January 1, 2020. /
Renumber sections to conform.
Amend title to conform.

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 16 to H. 3025 (COUNCIL\SWB\3025C012.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a ~~reciprocal~~ another state ~~carrying a concealable~~

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~~weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

SECTION 2. This act takes effect January 1, 2018. /

Renumber sections to conform.

Amend title to conform.

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

Rep. J. E. SMITH proposed the following Amendment No. 17 to H. 3025 (COUNCIL\SWB\3025C013.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina with a valid out-of-state permit to carry a concealable weapon~~ is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

SECTION 2. This act takes effect January 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 18 to H. 3025 (COUNCIL\SWB\3025C016.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

[HJ]

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“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, ~~provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety.~~ A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

SECTION 2. This act takes effect January 1, 2018. /

Renumber sections to conform.

Amend title to conform.

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

Rep. J. E. SMITH proposed the following Amendment No. 19 to H. 3025 (COUNCIL\SWB\3025C017.SWB.CM15), which was tabled:

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

/SECTION 1. Section 23-31-215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a ~~reciprocal~~ another state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~”

SECTION 2. This act takes effect January 1, 2020. /

Renumber sections to conform.

Amend title to conform.

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

Rep. HILL proposed the following Amendment No. 20 to H. 3025 (COUNCIL\SWB\3025C019.SWB.CM15), which was tabled:

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

/SECTION 1. This act may be cited as the “South Carolina Constitutional Carry Act of 2015”.

SECTION 2. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon; or

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not apply to a person who possesses a ~~concealable weapons’ permit pursuant to Article 4, Chapter 31, Title 23~~ firearm and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person’s vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.”

SECTION 3. Section 16-23-20 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“Section 16-23-20. (A) It is unlawful for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited by law:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor’s constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;

(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or

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going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;

(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person ~~has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23~~ is not prohibited by state law from possessing the weapon, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

(b) ~~concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23~~ provided he is not prohibited by state law from possessing the weapon;

(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;

(11) a prison guard while engaged in his official duties;

(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person,

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under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: ~~(a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;~~

(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun;

(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle; ~~or~~

(17) a person who is at least twenty-one years of age and who is not prohibited from possessing firearms under state law, whether or not the person is a resident of the State.

(B) Unless a person first obtains authorization to possess a handgun from a person with the apparent authority to grant it, nothing in subsection (A)(17) authorizes carrying of a handgun into any location prohibited under Section 23-31-215(M)."

SECTION 4. Section 16-23-420 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

"Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to a person who ~~is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~

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lawfully is carrying a weapon when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a weapon in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms ‘premises’ and ‘property’ do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23~~ when upon any premises, property, or building that is part of an interstate highway rest area facility.”

SECTION 5. Section 16-23-430 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply to a person ~~who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ lawfully is carrying a weapon when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove

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compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.”

SECTION 6. Section 16-23-460(C) of the 1976 Code, as last amended by Act 337 of 2008, is further amended to read:

“(C) The provisions of this section also do not apply to handguns, rifles, shotguns, dirks, slingshots, metal knuckles, knives, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.”

SECTION 7. Section 51-3-145(G) of the 1976 Code, as last amended by Act 274 of 2002, is further amended to read:

“(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, as defined in Section 23-31-210(5) and the concealable weapon and its ammunition.”

SECTION 8. Section 23-31-215 (N) of the 1976 Code as last amended by Act 349 of 2008, and (M) and (O) of the 1976 Code, as last amended by Act 123 of 2014, are further amended to read:

“(M) A Unless an individual first obtains authorization to possess a concealable weapon from a person with the apparent authority to grant it, a permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:

- (1) law enforcement, correctional, or detention facility;
- (2) courthouse or courtroom;
- (3) polling place on election days;
- (4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (5) school or college athletic event not related to firearms;
- (6) daycare facility or preschool facility;

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(7) place where the carrying of firearms is prohibited by federal law;

(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or

(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court ~~and have his permit revoked for five years.~~

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, 50-9-830, and 51-3-145.

~~(N) Valid out-of-state permits to carry concealable weapons held by a resident of a reciprocal another state must be honored by this State; provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~

(O) A permit issued pursuant to this article is not required for a person:

(1) specified in Section 16-23-20, ~~items (1) through (5) and items (7) through (11);~~

(2) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as "pepper gas"; or

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(3) carrying a concealable weapon in a manner not prohibited by law.”

SECTION 9. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person ~~who~~ , whether the person is licensed under this article or not, from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon upon his premises.

The posting of a sign by the employer, owner, or person in legal possession or control ~~of a sign stating~~ ‘No Concealable Weapons Allowed’ shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. ~~In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year.~~ The prohibition contained in this section does not apply to persons specified in Section 16-23-20, ~~item(A)(1).~~”

SECTION 10. Section 23-31-225 of the 1976 Code is amended to read:

“Section 23-31-225. No person ~~who holds a permit issued pursuant to Article 4, Chapter 31, Title 23~~ may carry a concealable weapon into the residence or dwelling place of another person without the express permission of the owner or person in legal control or possession, as appropriate. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned for not more than one year, or both, at the discretion of the court ~~and have his permit revoked for five years.~~”

SECTION 11. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons ~~who possess a valid~~

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~~permit pursuant to this article~~ may carry a concealable weapon anywhere within this State, when carrying out the duties of their office:

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors; and
- (12) active workers' compensation commissioners."

SECTION 12. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 13. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

Rep. HILL explained the amendment.

Rep. PITTS spoke against the amendment and moved to table the amendment, which was agreed to.

Rep. PITTS proposed the following Amendment No. 21 to H. 3025 (COUNCIL\NBD\3025C002.NBD.CZ15), which was tabled:

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

/ SECTION 1. Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

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“Section 16-23-510. (A) Except as provided in subsection (D), no person, whether the person has a concealed weapons permit or not, shall carry a handgun, whether concealed or not, into any of the following places without the permission of the owner or a person in control of the premises:

- (1) a police, sheriff, or highway patrol station or any other law enforcement office or facility;
- (2) a detention facility, prison, or jail or any other correctional facility or office;
- (3) a polling place on election day;
- (4) a courthouse or courtroom;
- (5) an office or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (6) a school or college athletic event not related to firearms;
- (7) a place where the carrying of firearms is prohibited by federal law; or
- (8) a daycare facility or a preschool facility.

(B) A person who wilfully violates subsection (A) is guilty of a misdemeanor, and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court, and shall have any permit issued to him under Article 4, Chapter 31 revoked for five years.

(C) When carrying a handgun, whether concealed or not, a person must inform a law enforcement officer of the fact he is carrying a handgun when an officer:

- (1) initiates an investigatory stop of the person including, but not limited to, a traffic stop;
- (2) identifies himself as a law enforcement officer; and
- (3) requests identification or a driver’s license from the person.

(D) The provisions of subsection (A) do not apply to peace officers in the actual discharge of their duties.”

SECTION 2. Section 16-23-20 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“(A) It is unlawful for anyone to carry about the person any handgun, whether concealed or not, ~~except as follows, unless otherwise specifically prohibited by law:~~ with the intent to use the handgun unlawfully against another person. The intent to use a handgun unlawfully against another person shall not be inferred from the mere possession, carrying, or concealment of the handgun, whether it is loaded or unloaded.

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(B) No person shall carry a handgun off of any real property the person occupies as a resident, owner, or lessee if the person is under twenty-one years of age or carries the handgun in a manner that openly exposes it to common observation, with the following exceptions:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;

(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person ~~in his home or upon his real property~~ or a person who has the permission of the owner or the person in legal possession or the person in legal control of ~~the~~ a home or real property;

(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this

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item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

(b) concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;

(10) a person carrying a handgun unloaded and in a secure wrapper ~~from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;~~

(11) a prison guard while engaged in his official duties;

(12) a person ~~who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between a place of concealment on or about the permittee's person and a location specified in item (9);~~

(13) ~~the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining a person who has obtained the permission of the owner or person in legal control or legal possession of the premises;~~

(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, ~~as a regular course of its business,~~ activities related to sale, repair, pawn, firearms training, or use of firearms, ~~unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);~~

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.

(16) ~~Any~~ any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle;

(17) a person who possesses or exposes the handgun while in justified defense of self, property, or another; or

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(18) a person who is over twenty-one years old or who is carrying in accordance with subitem (9)(b) of this section and who inadvertently exposes to another person a handgun in a holster or other retention device that the person intended to keep concealed on or about his person.”

SECTION 4. Section 16-23-420 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

“Section 16-23-420. (A) It is unlawful for a person to knowingly possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon firearm that remains concealed from common observation inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle either possessed by a person with a valid permit issued pursuant to Article 4, Chapter 31 or is not loaded and in a locked container or a locked firearms rack that is in or on the motor vehicle. The provisions of this section related to publicly owned buildings do not apply to any portion of the property leased to an individual or a business or to the occupants or invitees of such leased premises during reasonable ingress to or egress from the leased premises.

(B) It is unlawful for a person to ~~enter the~~ threaten other persons with a firearm on the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a weapon in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

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(E) For purposes of this section, the terms ‘premises’ and ‘property’ do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23 when upon any premises, property, or building that is part of an interstate highway rest area facility.”

SECTION 5. Section 16-23-430 of the 1976 Code, as last amended by Act 32 of 2009, is further amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon that remains concealed from common observation inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle and, in the case of a firearm, is either possessed by a person with a valid permit issued pursuant to Article 4, Chapter 31 or is not loaded and in a locked container or a locked firearm rack that is in or on the motor vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.”

SECTION 6. Section 16-23-460 of the 1976 Code, as last amended by Act 337 of 2008, is further amended to read:

“Section 16-23-460. (A) A person carrying a deadly weapon usually used for the infliction of personal injury concealed about his person with the intent to use the weapon unlawfully against another person is guilty of a misdemeanor, must forfeit to the county, or, if

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convicted in a municipal court, to the municipality, the concealed weapon, and must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned not less than thirty days nor more than ninety days. The intent to use a weapon unlawfully against another person shall not be inferred by the mere possession, carrying, or concealment of the weapon, including the possession, carrying or concealment of a loaded or unloaded firearm. In the case of handguns, violations shall be determined by the provisions contained in Section 16-23-20(A).

(B) The provisions of this section do not apply to:

(1) A person carrying a concealed weapon upon his own premises or pursuant to and in compliance with Article 4, Chapter 31 of Title 23; or

(2) peace officers in the actual discharge of their duties.

(C) The provisions of this section also do not apply to rifles, shotguns, dirks, slingshots, metal knuckles, knives, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.”

SECTION 7. Section 16-23-465 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“Section 16-23-465. (A) In addition to the penalties provided for by Sections 16-11-330 and 16-23-460, ~~and~~ by Article 1 of Chapter 23 of Title 16, Sections 16-11-620 and 23-31-220 a person convicted of carrying a pistol or firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than ~~three~~ two years, or both, when the person:

(1) carries a firearm into any business which sells alcoholic liquor, beer, or wine for consumption on the premises and which at the time of the offense was clearly and conspicuously posted in accordance with Section 23-31-220;

(2) carries a firearm in any business which sells alcoholic liquor, beer, or wine for consumption on the premises and refuses to leave or to remove the firearm from the premises when asked to do so by a person legally in control of the premises; or

(3) consumes alcohol while carrying a firearm in any business which sells alcoholic liquor, beer, or wine for consumption on the premises.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, must have his concealed weapon permit revoked.

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(B)(1) This section does not apply to a person carrying a concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business' premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a "NO CONCEALABLE WEAPONS ALLOWED" sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A)."

SECTION 8. Section 23-31-215 of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

"(A) Notwithstanding any other provision of law, except ~~subject to~~ subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least twenty-one years of age and who is not prohibited by state law from possessing the weapon upon submission of:

- (1) a completed application signed by the person;
- (2) a photocopy of a driver's license or photographic identification card;
- (3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;
- (4) proof of actual or corrected vision rated at 20/40 within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;
- (5) proof of training;

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(6) payment of a fifty-dollar application fee. This fee must be waived for disabled veterans and retired law enforcement officers; and

(7) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

(B) Upon submission of the items required by subsection (A), SLED must conduct or facilitate a local, state, and federal fingerprint review of the applicant. SLED also must conduct a background check of the applicant through notification to and input from the sheriff of the county where the applicant resides or if the applicant is a qualified nonresident, where the applicant owns real property in this State. The sheriff within ten working days after notification by SLED, may submit a recommendation on an application. Before making a determination whether or not to issue a permit under this article, SLED must consider the recommendation provided pursuant to this subsection. If the fingerprint review and background check are favorable, SLED must issue the permit.

(C) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received; otherwise, SLED shall issue a concealable weapon permit. If an applicant is unable to comply with the provisions of Section 23-31-210(4), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23-31-210(4). The course shall cost fifty dollars. SLED shall use the proceeds to defray the training course's operating costs. If a permit is granted by operation of law because an applicant was not notified of a denial within the ninety-day notification period, the permit may be revoked upon written notification from SLED that sufficient grounds exist for revocation or initial denial.

(D) Denial of an application may be appealed. The appeal must be in writing and state the basis for the appeal. The appeal must be submitted to the Chief of SLED within thirty days from the date the denial notice is received. The chief shall issue a written decision within ten days from the date the appeal is received. An adverse decision shall

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specify the reasons for upholding the denial and may be reviewed by the Administrative Law Court pursuant to Article 5, Chapter 23, Title 1, upon a petition filed by an applicant within thirty days from the date of delivery of the division's decision.

(E) SLED must make permit application forms available to the public. A permit application form shall require an applicant to supply:

- (1) name, including maiden name if applicable;
- (2) date and place of birth;
- (3) sex;
- (4) race;
- (5) height;
- (6) weight;
- (7) eye and hair color;
- (8) current residence address; and
- (9) all residence addresses for the three years preceding the application date.

(F) The permit application form shall require the applicant to certify that:

(1) he is not a person prohibited under state law from possessing a weapon;

(2) he understands the permit is revoked and must be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon; and

(3) all information contained in his application is true and correct to the best of his knowledge.

(G) Medical personnel, law enforcement agencies, organizations offering handgun education courses pursuant to Section 23-31-210(4), and their personnel, who in good faith provide information regarding a person's application, must be exempt from liability that may arise from issuance of a permit; provided, however, a weapons instructor must meet the requirements established in Section 23-31-210(4) in order to be exempt from liability under this subsection.

(H) A permit application must be submitted in person, by mail, or online to SLED headquarters which shall verify the legibility and accuracy of the required documents. If an applicant submits his application online, SLED may continue to make all contact with that applicant through online communications.

(I) SLED must maintain a list of all permit holders and the current status of each permit. SLED may release the list of permit holders or verify an individual's permit status only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is

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required to be released pursuant to a subpoena or court order. SLED may charge a fee not to exceed its costs in releasing the information under this subsection. Except as otherwise provided in this subsection, a person in possession of a list of permit holders obtained from SLED must destroy the list.

(J) A permit is valid statewide unless revoked because the person has:

- (1) become a person prohibited under state law from possessing a weapon;
- (2) moved his permanent residence to another state and no longer owns real property in this State;
- (3) voluntarily surrendered the permit; or
- (4) been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm. However, if the person subsequently is found not guilty of the offense, then his permit must be reinstated at no charge.

Once a permit is revoked, it must be surrendered to a sheriff, police department, a SLED agent, or by certified mail to the Chief of SLED. A person who fails to surrender his permit in accordance with this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

~~(K) A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

- ~~(1) identifies himself as a law enforcement officer; and~~
- ~~(2) requests identification or a driver's license from a permit holder.~~

A permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

(L) SLED shall issue a replacement for lost, stolen, damaged, or destroyed permit identification cards after the permit holder has updated all information required in the original application and the payment of a five-dollar replacement fee. Any change of permanent address must be communicated in writing to SLED within ten days of the change accompanied by the payment of a fee of five dollars to defray the cost of issuance of a new permit. SLED shall then issue a new permit with the new address. A permit holder's failure to notify SLED in accordance with this subsection constitutes a misdemeanor punishable by a

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twenty-five dollar fine. The original permit shall remain in force until receipt of the corrected permit identification card by the permit holder, at which time the original permit must be returned to SLED.

~~(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:~~

- ~~(1) law enforcement, correctional, or detention facility;~~
- ~~(2) courthouse or courtroom;~~
- ~~(3) polling place on election days;~~
- ~~(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~
- ~~(5) school or college athletic event not related to firearms;~~
- ~~(6) daycare facility or preschool facility;~~
- ~~(7) place where the carrying of firearms is prohibited by federal law;~~
- ~~(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~
- ~~(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or~~
- ~~(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

~~Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.~~

~~Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 16-23-510 44-23-1080, 44-52-165, 50-9-830, and 51-3-145, unless specifically provided for in this section.~~

~~(N) Valid out-of-state permits to carry concealable weapons held by a resident of a reciprocal state another state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a reciprocal state carrying a~~

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~~concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~

(O) A permit issued pursuant to this article is not required for a person:

~~(1) specified in Section 16-23-20, items (1) through (5) and items (7) through (11);~~

~~(2) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as "pepper gas";~~
~~or~~

~~(3) carrying a concealable weapon in a manner not prohibited by law.~~

(P) Upon renewal, a permit issued pursuant to this article is valid for five years. Subject to subsection (Q), SLED shall renew a currently valid permit upon:

(1) payment of a fifty-dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;

(2) completion of the renewal application; and

(3) picture identification or facsimile copy thereof.

(Q) Upon submission of the items required by subsection (P), SLED must conduct or facilitate a state and federal background check of the applicant. If the background check is favorable reveals no information which would be disqualifying under the provisions of this section, SLED must renew the permit.

(R) No provision contained within this article shall expand, diminish, or affect the duty of care owed by and liability accruing to, as may exist at law immediately before the effective date of this article, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a concealable weapon. Absence of a sign prohibiting concealable weapons shall not constitute negligence or establish a lack of duty of care.

(S) At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail or online if permitted by subsection (H) at the permit holder's address of record that the permit is set to expire along with notification of the permit holder's opportunity to renew the permit pursuant to the provisions of subsections (P) and (Q).

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(T) During the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year:

- (1) the number of permits;
- (2) the number of permits that were issued;
- (3) the number of permit applications that were denied;
- (4) the number of permits that were renewed;
- (5) the number of permit renewals that were denied;
- (6) the number of permits that were suspended or revoked; and
- (7) the name, address, and county of a person whose permit was revoked, including the reason for the revocation pursuant to subsection (J)(1).

The report must include a breakdown of such information by county.

(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars.”

SECTION 9. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person, including a person who is licensed under this article, from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control of private property to allow or prohibit the carrying of a concealable weapon, including a person who possesses a concealable weapons permit, upon his premises.

The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable Weapons Allowed’ shall constitute notice to a person, including a person holding a permit issued pursuant to this article, that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have ~~his~~ any permit issued to him pursuant to this

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article revoked for a period of one year. The prohibition contained in this section does not apply to ~~persons specified in Section 16-23-20, item (1)~~ peace officers engaged in the lawful performance of their official duties.”

SECTION 10. Section 23-31-225 of the 1976 Code is amended to read:

“Section 23-31-225. No person, including a person who holds a permit issued pursuant to Article 4, Chapter 31, Title 23, may carry a concealable weapon into the residence or dwelling place of another person without the express permission of the owner or person in legal control or possession, as appropriate, nor may any person remain on the premises while in possession of the weapon if asked by the owner or person who is in legal control or possession of the premises to leave or to remove the weapon from the premises. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned for not more than one year, or both, at the discretion of the court and have his permit revoked for five years.”

SECTION 11. Section 23-31-180 of the 1976 Code is repealed.

SECTION 12. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 13. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

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

SPEAKER IN CHAIR

Rep. J. E. SMITH proposed the following Amendment No. 3 to H. 3025 (COUNCIL\GGS\3025C002.GGS.ZW15), which was adopted:

[HJ]

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

/ () The provisions of this act shall apply only to those individuals who may legally purchase a firearm from a properly licensed and certified firearms dealer. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Rep. PITTS spoke in favor of the amendment.

Rep. G. R. SMITH spoke against the amendment.

Rep. CLEMMONS spoke in favor of the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 18

Those who voted in the affirmative are:

| | | |
|-----------|----------------|-------------|
| Anthony | Atwater | Bales |
| Bamberg | Bannister | Bedingfield |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Duckworth | Erickson | Felder |
| Forrester | Funderburk | Gambrell |
| Govan | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hosey | Huggins |
| Johnson | Jordan | Kennedy |
| King | Kirby | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McEachern |
| Merrill | D. C. Moss | V. S. Moss |
| Newton | Norman | Norrell |
| Ott | Pitts | Pope |

[HJ]

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| | | |
|-------------|-------------|-------------|
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Yow |

Total--90

Those who voted in the negative are:

| | | |
|------------------|--------------|--------------|
| Alexander | Bernstein | Cobb-Hunter |
| Dillard | Gilliard | Henegan |
| Hodges | Howard | Jefferson |
| Mack | M. S. McLeod | W. J. McLeod |
| Mitchell | Neal | Parks |
| Robinson-Simpson | J. E. Smith | Whipper |

Total--18

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 on constituent business during the vote on H. 3025. If I had been present, I would have voted in favor of the Bill.

Rep. Stephen Goldfinch, Jr.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3025. If I had been present, I would have voted in favor of the Bill.

Rep. William M. "Bill" Chumley

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RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3025. If I had been present, I would have voted in favor of the Bill.

Rep. Craig A. Gagnon

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3025. If I had been present, I would have voted in favor of the Bill.

Rep. Nathan Ballentine

H. 3203--DEBATE ADJOURNED

The following Bill was taken up:

H. 3203 -- Rep. Bernstein: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-245 SO AS TO DEFINE THE TERM "UTILITY TRAILER" AND TO PROVIDE FOR THE EQUIPMENT THAT MUST BE USED TO ATTACH A TOWING VEHICLE TO A UTILITY TRAILER.

Rep. BERNSTEIN moved to adjourn debate on the Bill until Tuesday, April 28, which was agreed to.

S. 376--ORDERED TO THIRD READING

The following Bill was taken up:

S. 376 -- Senators Grooms and Campsen: A BILL TO AMEND SECTION 55-1-80, RELATING TO THE GENERAL PROVISIONS CONCERNING AERONAUTICS, TO RESTORE THE PREVIOUS PROVISIONS OF THIS SECTION, TO PROVIDE FOR INCREASES OF THE MEMBERSHIP ON AN AVIATION AUTHORITY, TO PROVIDE FOR THE APPOINTMENT OF THE MEMBERS; AND TO REPEAL ACT 130 OF 2007.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 376 (COUNCIL\BBM\376C002.BBM.BBM15), which was tabled:

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

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/ SECTION 1. Section 55-1-80 of the 1976 Code is amended to read:

~~/ Section 55-1-80. Reserved.~~ (A) Any county aviation commission or like authority may be increased by two members, one of whom must be appointed by the House of Representatives' delegation of the county and one of whom must be appointed by the Senatorial delegation of the county. The additional members shall serve terms of the same length as other members of the commission or like authority.

(B) Any county governing body who has the authority to appoint members to the aviation commission or like authority may add two members for terms as provided in this section.

(C) In counties that have two municipalities with a population in excess of fifty thousand persons according to the latest official United States Census, and the county has an aviation commission or like authority, then the mayors of such municipalities having a population in excess of the fifty thousand persons shall serve, ex officio, as members of the commission or authority.

(D) Of the members appointed by the House of Representatives' Delegation of the County, one member must reside in an unincorporated area or a municipality in the county with a population of less than twenty thousand.

(E) The provisions of this section do not apply in the case of any multicounty aviation commission or authority." /

Renumber sections to conform.

Amend title to conform.

Rep. PUTNAM spoke in favor of the amendment.

Rep. STAVRINAKIS spoke in favor of the amendment.

Rep. R. L. BROWN spoke against the amendment.

Rep. MERRILL spoke against the amendment.

Rep. MERRILL moved to table the amendment.

Rep. R. L. BROWN demanded the yeas and nays which were taken, resulting as follows:

Yeas 57; Nays 34

Those who voted in the affirmative are:

| | | |
|-----------|---------|----------------|
| Anthony | Bales | Bannister |
| Bernstein | Bingham | Bradley |
| Clemmons | Cole | H. A. Crawford |

[HJ]

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| | | |
|--------------|-------------|-------------|
| Crosby | Daning | Delleney |
| Erickson | Forrester | Gagnon |
| Hamilton | Hardwick | Henderson |
| Herbkersman | Hicks | Hill |
| Hixon | Huggins | Jefferson |
| Jordan | Kennedy | Knight |
| Loftis | Lowe | Lucas |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Newton | Norman |
| Pitts | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Southard | Stavrinakis |
| Stringer | Tinkler | Toole |
| White | Willis | Yow |

Total--57

Those who voted in the negative are:

| | | |
|-------------|-------------|------------------|
| Alexander | Anderson | Bamberg |
| Bowers | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Duckworth | Felder | Funderburk |
| Gilliard | Henegan | Hodges |
| Hosey | Howard | Johnson |
| King | Kirby | Limehouse |
| Mack | McEachern | Mitchell |
| Neal | Norrell | Ott |
| Parks | Ridgeway | Robinson-Simpson |
| Rutherford | Weeks | Whipper |
| Williams | | |

Total--34

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 96; Nays 0

[HJ]

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Those who voted in the affirmative are:

| | | |
|--------------|-------------|------------------|
| Anderson | Anthony | Bales |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| R. L. Brown | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gilliard |
| Hamilton | Hardee | Hardwick |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Jordan |
| Kennedy | King | Kirby |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | 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 |
| Stavrinakis | Stringer | Taylor |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Williams | Willis | Yow |

Total--96

Those who voted in the negative are:

Total--0

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

[HJ]

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S. 376--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. CROSBY, with unanimous consent, it was ordered that S. 376 be read the third time tomorrow.

RECURRENCE TO THE MORNING HOUR

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

REPORTS OF STANDING COMMITTEES

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

H. 3430 -- Reps. Simrill, G. M. Smith, Felder, Pope, Weeks, Taylor, Hixon, Corley, Norrell, Ridgeway, Henderson, G. A. Brown, Long, Lucas, Brannon, Pitts, Atwater, Gagnon, Gambrell, Wells and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SELL OR INSTALL AN UNMOUNTED, UNSAFE USED TIRE ONTO A PASSENGER CAR OR LIGHT TRUCK, TO DEFINE "UNSAFE" FOR THE PURPOSES OF THE CHAPTER, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT INSPECTIONS, TO PROVIDE A CIVIL FINE FOR EACH VIOLATION, TO PROVIDE THAT THIS CHAPTER DOES NOT LIMIT A BUSINESS OR INDIVIDUAL'S LIABILITY UNDER THE STATE'S PRODUCTS LIABILITY LAWS, AND TO EXEMPT A BUSINESS OR PERSON WHO IS SELLING TIRES FOR RETREADING.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3151 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 59-29-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL

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COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59-29-130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59-29-140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3927 -- Reps. Willis and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; AND TO AMEND SECTION 56-3-2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THIS DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT IT PRODUCES, AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE, TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

Ordered for consideration tomorrow.

[HJ]

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Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3250 -- Reps. G. M. Smith, Clyburn, Merrill and Anthony: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMINOLOGY FOR THE CERTIFICATE OF NEED PROGRAM, SO AS TO ADD THE TERM "NEW AND EMERGING TECHNOLOGY"; BY ADDING SECTION 44-7-215 SO AS TO ENTITLE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO HAVE ACCESS TO CERTAIN DATA MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 13-7-10, AS AMENDED, RELATING TO THE DEFINITION OF "NONIONIZING RADIATION", SO AS TO CHANGE THE DEFINITION; TO AMEND SECTION 13-7-45, AS AMENDED, RELATING TO REGULATION OF SOURCES OF IONIZING AND NONIONIZING RADIATION, SO AS TO REQUIRE ACCREDITATION OR CERTIFICATION FOR CERTAIN SOURCES OF RADIATION AND TO CHANGE ALLOWABLE FEES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO THE REVIEW OF CERTIFICATE OF NEED DECISIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL AND REQUESTS FOR CONTESTED CARE HEARINGS IN CERTIFICATE OF NEED CASES, SO AS TO ELIMINATE BOARD REVIEW; TO AMEND SECTION 44-7-120, RELATING TO THE PURPOSE OF THE CERTIFICATE OF NEED PROGRAM, SO AS TO ELIMINATE THE USE OF A STATE HEALTH PLAN; TO AMEND SECTION 44-7-130, AS AMENDED, RELATING TO CERTIFICATE OF NEED PROGRAM DEFINITIONS, SO AS TO REVISE DEFINITIONS FOR "AFFECTED PERSON", "HEALTH SERVICE", "FREESTANDING OR MOBILE TECHNOLOGY", AND "LIKE NEW AND EMERGING TECHNOLOGY WITH SIMILAR CAPABILITIES"; TO AMEND SECTION 44-7-150, AS AMENDED, RELATING TO THE USE OF CERTIFICATE OF NEED FEES, SO AS TO ALLOW THE DEPARTMENT TO RETAIN ALL FEES COLLECTED FOR THE USE OF THE PROGRAM; TO AMEND SECTION 44-7-160, AS AMENDED, RELATING TO CIRCUMSTANCES UNDER WHICH A CERTIFICATE OF NEED IS REQUIRED, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44-7-170, AS

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AMENDED, RELATING TO CERTIFICATE OF NEED EXCEPTIONS, SO AS TO ADD NEW EXCEPTIONS AND MAKE CHANGES TO EXISTING EXCEPTIONS; TO AMEND SECTION 44-7-200, AS AMENDED, RELATING TO NOTICE REQUIREMENTS ABOUT CERTIFICATE OF NEED APPLICATIONS, SO AS TO ELIMINATE THE REQUIREMENT FOR PUBLICATION OF NOTICE AND INSTEAD TO REQUIRE THE APPLICANT TO FILE A LETTER OF INTENT WITH THE DEPARTMENT AND TO ELIMINATE THE REFERENCE TO BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44-7-210, AS AMENDED, RELATING TO CERTIFICATE OF NEED REVIEW PROCEDURES, SO AS TO ELIMINATE THE REQUIREMENT OF A PUBLIC HEARING, THE APPLICATION OF THE STATE HEALTH PLAN, AND BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44-7-220, AS AMENDED, RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS ON CERTIFICATE OF NEED MATTERS, SO AS TO ADD CERTAIN REQUIREMENTS RELATED TO THE AWARD OF ATTORNEY FEES AND COSTS AND TO CHANGE THE DEFINITION OF FRIVOLOUS APPEAL; TO AMEND SECTION 44-7-230, AS AMENDED, RELATING TO LIMITATIONS ON CERTIFICATES OF NEED, SO AS TO SUBSTITUTE THE TERM "NEW AND EMERGING TECHNOLOGY" FOR "MEDICAL EQUIPMENT" AND TO ELIMINATE THE ROLE OF THE BOARD; TO AMEND SECTION 44-7-240, RELATING TO CONSTRUCTION PROGRAMS IN THE STATE, SO AS TO ELIMINATE REFERENCE TO THE STATE HEALTH PLAN; TO AMEND SECTION 44-7-1590, RELATING TO PROCEDURES FOR APPROVAL OF HOSPITAL BONDS, SO AS TO ELIMINATE THE RIGHT TO CHALLENGE AN ACTION BY THE DEPARTMENT; TO REPEAL SECTION 44-7-180 RELATING TO THE STATE HEALTH PLANNING COMMITTEE AND THE STATE HEALTH PLAN, AND SECTION 44-7-225 RELATING TO JUDICIAL CONSIDERATION OF THE STATE HEALTH PLAN IN MATTERS BEFORE THE COURT; AND TO REQUIRE THE BOARD TO REVIEW CERTAIN PROJECTS FOR WHICH A CERTIFICATE OF NEED WAS REQUIRED BUT NOT OBTAINED BETWEEN JULY 1, 2013, AND APRIL 14, 2014, TO DETERMINE WHETHER THE PROJECTS MEET THE REQUIREMENTS FOR

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ISSUANCE OF A CERTIFICATE OF NEED, AND TO ISSUE CERTIFICATES OF NEED IN APPROPRIATE CASES.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3062 -- Reps. Goldfinch, G. R. Smith and Pitts: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES AND USE TAX, SO AS TO EXEMPT FROM THESE TAXES GROSS PROCEEDS OF SALES OR SALES PRICE OF CHILDREN'S CLOTHING SOLD TO A PRIVATE CHARITABLE ORGANIZATION FOR THE SOLE PURPOSE OF DISTRIBUTION AT NO COST TO NEEDY CHILDREN AND TO DEFINE "CLOTHING" AND "NEEDY CHILDREN".

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3147 -- Reps. G. M. Smith, G. R. Smith, Huggins, Weeks, Taylor, Pope, Collins, Johnson, Stavrinakis and Yow: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES; AND TO AMEND SECTION 12-6-1170, AS AMENDED, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO CONFORM THIS DEDUCTION TO THE MILITARY RETIREMENT DEDUCTION ALLOWED BY THIS ACT.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3002 -- Reps. Pitts, G. R. Smith and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

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CHAPTER 4 TO TITLE 2 SO AS TO ESTABLISH THE CAPITOL POLICE FORCE, WHICH CONSISTS OF THE CAPITOL POLICE FORCE, THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT THE FUNCTIONS, POWERS, DUTIES, AND RESPONSIBILITIES EXERCISED BY THE DEPARTMENT OF PUBLIC SAFETY AND THE BUREAU OF PROTECTIVE SERVICES AT THE STATE HOUSE AND CAPITOL GROUNDS AND THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT, INCLUDING ALL CLASSIFIED AND UNCLASSIFIED EMPLOYEES WHOSE DUTIES INVOLVE THE PROVISION OF SECURITY SERVICES AT THESE AREAS, BUT EXCLUDING THOSE AREAS OF THE STATE HOUSE THAT ARE RESERVED FOR THE EXECUTIVE CHAMBER AND THE GOVERNOR'S STAFF, ARE DEVOLVED UPON AND TRANSFERRED TO THE CAPITOL POLICE FORCE, TO PROVIDE THAT THE SERGEANT AT ARMS OF THE SENATE AND THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES HAVE EXCLUSIVE CARE AND CHARGE OVER SPECIFIC AREAS, AND TO PROVIDE THAT THE MARSHAL OF THE SUPREME COURT HAS PRIMARY RESPONSIBILITY OVER THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT, AND OTHER SPECIFIED AREAS, TO PROVIDE FOR THE CREATION OF THE CAPITOL POLICE FORCE COMMITTEE, CONSISTING OF THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT THE DIRECTOR OF GENERAL SERVICES SHALL SERVE AS A NONVOTING MEMBER OF THE COMMITTEE, TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE COMMITTEE, TO PERMIT THE CHIEF OF THE CAPITOL POLICE FORCE TO EMPLOY DEPUTY OFFICERS AND OTHER EMPLOYEES AS NECESSARY, TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, THE SERGEANTS AT ARMS OF THE SENATE AND HOUSE OF REPRESENTATIVES, THE MARSHAL OF THE SUPREME COURT, AND ALL THEIR DEPUTIES HAVE THE SAME POLICE POWERS AS OFFICERS OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED), TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE MAY ENTER INTO RECIPROCAL LAW

[HJ]

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ENFORCEMENT AGREEMENTS, TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, AND HIS DEPUTIES SHALL DEMONSTRATE KNOWLEDGE OF THE DUTIES OF LAW ENFORCEMENT OFFICERS OR UNDERGO TRAINING REQUIRED OF OFFICERS OF SLED, AND TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE OFFICERS; BY ADDING SECTION 14-3-135 SO AS TO PROVIDE FOR THE APPOINTMENT OF A MARSHAL OF THE SUPREME COURT AND TO DEFINE HIS DUTIES; TO AMEND SECTION 10-1-30, RELATING TO THE USE OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS, AND OTHER PUBLIC BUILDINGS AND GROUNDS, SO AS TO FURTHER PROVIDE FOR THE USE OF THESE FACILITIES AND HOW THIS USE IS REGULATED, AND TO PROVIDE THAT THE CAPITOL POLICE FORCE SHALL PROVIDE SECURITY SERVICES FOR ALL USES OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS AND GROUNDS, AND ALL PUBLIC BUILDINGS AND GROUNDS IN THE CAPITOL COMPLEX; TO AMEND CHAPTER 11, TITLE 10, RELATING TO TRESPASSES AND OFFENSES ON THE CAPITOL GROUNDS AND IN CAPITOL BUILDINGS, AND RELATED MATTERS, SO AS TO FURTHER PROVIDE FOR THESE TRESPASSES AND OFFENSES, FOR LAW ENFORCEMENT AUTHORITY OVER THEM, AND THE RELATED JURISDICTION OF SPECIFIED COURTS, INCLUDING PROVISIONS TO PROVIDE THAT THE PARKING LOTS ON THE CAPITOL GROUNDS AND AT THE SUPREME COURT BUILDING MUST BE POLICED BY THE CAPITOL POLICE FORCE, TO DELETE PROVISIONS RELATING TO NIGHT WATCHMEN AND POLICEMEN EMPLOYED BY THE STATE BUDGET AND CONTROL BOARD, TO PROVIDE THAT THE CAPITOL POLICE FORCE HAS THE RIGHT TO ISSUE PARKING TICKETS, TO DELETE REFERENCES TO THE CITY OF COLUMBIA RECORDER, AND TO FURTHER PROVIDE FOR THE JURISDICTION OF CERTAIN COURTS IN CRIMINAL MATTERS ARISING IN THESE LOCATIONS, TO DELETE REFERENCES TO THE STATE HOUSE RENOVATION PROJECT, AND TO REVISE THE DEFINITION OF "CAPITOL GROUNDS" SO AS TO INCLUDE THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT.

Ordered for consideration tomorrow.

[HJ]

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Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

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

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3725 -- Reps. J. E. Smith, Quinn, Lowe and Jordan: A BILL TO AMEND SECTION 12-67-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, SO AS TO ADD THE DEFINITION OF "STATE-OWNED ABANDONED BUILDINGS"; TO AMEND SECTION 12-67-140, RELATING TO THE ELIGIBILITY OF A TAXPAYER TO RECEIVE A TAX CREDIT FOR REHABILITATING AN ABANDONED BUILDING, SO AS TO PROVIDE IF A TAX CREDIT IS EARNED BY A TAXPAYER WHO REHABILITATES A STATE-OWNED ABANDONED BUILDING THE CREDIT MUST BE CLAIMED OVER A TWO-YEAR PERIOD AND TO PROVIDE REQUIREMENTS FOR A TAXPAYER WHO SELLS A BUILDING SITE; TO AMEND SECTION 12-6-3535, RELATING TO INCOME TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO PROVIDE AN ADDITIONAL INCOME TAX CREDIT OPTION FOR TAXPAYERS, TO PROVIDE ADDITIONAL REQUIREMENTS FOR WHEN A TAX CREDIT MAY BE TAKEN WHEN A TAXPAYER

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REHABILITATES A STATE-OWNED ABANDONED BUILDING, AND TO PROVIDE REQUIREMENTS FOR TAX CREDITS EARNED BY A PASS-THROUGH ENTITY; BY ADDING SECTION 12-67-160 SO AS TO PROVIDE REQUIREMENTS FOR A CERTIFICATION OF THE ABANDONED BUILDING SITE; BY ADDING SECTION 12-6-3586 SO AS TO ALLOW A TAX CREDIT TO A TAXPAYER WHO CONSTRUCTS, PURCHASES, OR LEASES A NONRESIDENTIAL SOLAR ENERGY SYSTEM; AND TO AMEND SECTION 12-6-3587, RELATING TO THE PURCHASE AND INSTALLATION OF SOLAR ENERGY SYSTEMS FOR HEATING WATER, SPACE HEATING, AIR COOLING, OR GENERATING ELECTRICITY, SO AS TO PROVIDE THAT THE CREDIT IS ALLOWED WITHOUT REGARD TO WHETHER THE TAXPAYER OCCUPIES THE INSTALLATION SITE.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3874 -- Reps. Mitchell, Cobb-Hunter, Merrill and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3770 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES RENEWABLE ENERGY PROPERTY AND PLACES IT IN SERVICE IN THIS STATE, AND TO PROVIDE A DEFINITION OF "RENEWABLE ENERGY PROPERTY".

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3149 -- Reps. G. M. Smith, G. R. Smith, Cobb-Hunter and Johnson: A BILL TO AMEND SECTION 12-39-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COUNTY'S AUTHORITY TO EXTEND THE PAYMENT OF PROPERTY TAXES FOR SERVICE MEMBERS IN OR NEAR A HAZARD DUTY ZONE, SO AS TO REQUIRE EACH COUNTY TO ALLOW FOR A DEFERMENT, TO PROVIDE THE DEFERMENT BEGINS ON THE TAX DUE DATE AND ENDS NINETY DAYS AFTER THE LAST DATE OF DEPLOYMENT, AND TO PROVIDE THAT NO

[HJ]

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INTEREST MAY BE CHARGED DURING THE DEPLOYMENT UNLESS THE TAX IS NOT PAID WITHIN THE NINETY-DAY GRACE PERIOD.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V. S. Moss, Norman, Stringer and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3562 -- Reps. Herbkersman, Newton, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,

[HJ]

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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.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3152 -- Rep. G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY 15, 2015, FOR FISCAL YEAR 2015-2016, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO EXCLUDE FROM THIS LIMIT CONSTITUTIONAL AND STATUTORY REQUIREMENTS, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND TO DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED, TO PROVIDE FOR THE PRIORITY USES OF THE REVENUES OF THIS FUND, TO

[HJ]

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PROVIDE FOR THE APPROPRIATION OF FUND REVENUES AFTER THESE PRIORITIES ARE MET, TO REQUIRE THAT APPROPRIATION OF REVENUES OF THIS FUND MUST BE BY A JOINT RESOLUTION ORIGINATING IN THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT THIS LIMIT FIRST APPLIES FOR FISCAL YEAR 2016-2017.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3027 -- Reps. Clemmons, Long and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-65-140 SO AS TO REQUIRE THAT BY OCTOBER THIRTY-FIRST OF EACH YEAR, EACH STATE AGENCY SHALL SUBMIT A REPORT DETAILING ITS FEDERAL RECEIPTS AND DEVELOPING A PLAN SHOULD ITS FEDERAL RECEIPTS BE REDUCED, TO REQUIRE THAT BY FEBRUARY FIFTEENTH OF EACH YEAR, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE MUST PLACE THE MOST RECENTLY RECEIVED REPORT ON THE AGENDA FOR REVIEW AND CONSIDERATION.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3768 -- Reps. G. M. Smith and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 5, TITLE 11 SO AS TO ESTABLISH THE "SOUTH CAROLINA ABLE SAVINGS PROGRAM", TO ALLOW INDIVIDUALS WITH A DISABILITY AND THEIR FAMILIES TO SAVE PRIVATE FUNDS TO SUPPORT THE INDIVIDUAL WITH A DISABILITY, TO PROVIDE GUIDELINES TO THE STATE TREASURER FOR THE MAINTENANCE OF THESE ACCOUNTS, AND TO ESTABLISH THE SAVINGS PROGRAM TRUST FUND AND SAVINGS EXPENSE TRUST FUND; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 5, TITLE 11 AS ARTICLE 1 AND ENTITLE THEM "GENERAL PROVISIONS".

Ordered for consideration tomorrow.

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Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3113 -- Reps. Mitchell and Cobb-Hunter: A BILL TO AMEND SECTION 31-7-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDEVELOPMENT PROJECT COSTS, SO AS TO PROVIDE PROPERTY ASSEMBLY COSTS ALSO INCLUDE THE COST OF ENVIRONMENTAL REMEDIATION.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3868 -- Reps. Pitts and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WETLANDS CONSERVATION ACT"; TO AMEND SECTION 12-24-95, RELATING TO DEED RECORDING FEES, SO AS TO INCREASE THE PORTION OF A STATE DEED RECORDING FEE THAT MUST BE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND FROM TWENTY-FIVE CENTS TO THIRTY CENTS; TO AMEND SECTION 48-59-60, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, SO AS TO REQUIRE THAT ANY FUNDS COLLECTED BY THE SOUTH CAROLINA CONSERVATION BANK IN EXCESS OF THE AMOUNT AUTHORIZED IN THE ANNUAL APPROPRIATIONS BILL MUST BE TRANSFERRED TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-59-70, RELATING TO TRUST FUND GRANTS AND CONSERVATION CRITERIA, SO AS TO ADD ISOLATED WETLANDS AND CAROLINA BAYS TO THE CONSERVATION CRITERIA, TO ADD THE VALUE OF A PROPOSAL ON WILDLIFE MANAGEMENT AREAS OWNED AND MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES TO THE CONSERVATION CRITERIA, AND TO ALLOW THE BOARD TO AUTHORIZE UP TO EIGHT AND THIRTY-THREE ONE HUNDREDTHS PERCENT OF THE MONIES CREDITED TO THE TRUST FUND TO APPLICATIONS THAT SOLELY MEET THE NEW CONSERVATION CRITERIA AND LIMIT THE AWARD OF MONEY TO APPLICATIONS FOR ACQUISITION OF INTERESTS IN LAND SOLELY FOR THE SITES OF HISTORICAL OR

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ARCHAEOLOGICAL SIGNIFICANCE; TO AMEND SECTION 48-59-75, RELATING TO RESTRICTIONS ON THE TRANSFER OF DEED RECORDING FEES TO THE TRUST FUND, SO AS TO PROVIDE THE TRANSFER OF RECORDING FEES AND OTHER APPROPRIATED FUNDS TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND MUST BE DECREASED BY TWICE THE AVERAGE PERCENTAGE REDUCTION OF APPROPRIATIONS TO EACH AGENCY AND DEPARTMENT IN A FISCAL YEAR WHEN THE GENERAL ASSEMBLY PROVIDES LESS APPROPRIATIONS THAN WHAT WAS PROVIDED FOR IN THE PREVIOUS YEAR TO AT LEAST ONE-HALF OF ALL STATE AGENCIES OR DEPARTMENTS.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3259 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 6-34-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA RETAIL FACILITIES REVITALIZATION ACT, SO AS TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIREMENT CONTAINED IN THE DEFINITION OF "ELIGIBLE SITE".

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4044 -- Rep. Rutherford: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CARLISLE CARRINGTON COOPER FOR HER EXCEPTIONAL POISE, TALENT, AND BEAUTY AND TO CONGRATULATE HER FOR BEING NAMED THE 2015 MISS SOUTH CAROLINA HIGH SCHOOL AMERICA.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4045 -- Reps. Rutherford and Finlay: A HOUSE RESOLUTION TO WISH FORMER COLUMBIA MAYOR BOB COBLE A SPEEDY RECOVERY FROM HIS RECENT HEALTH CHALLENGES.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4046 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF DULAH MAE MARTIN OF HORRY COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4047 -- Reps. Gilliard, King, Whipper, Williams, Mack, Jefferson, R. L. Brown, Hart, Parks, Cobb-Hunter, Anderson, Rutherford, Alexander, Allison, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Johnson, Jordan, Kennedy, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks,

[HJ]

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Wells, White, Whitmire, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE FEIDIN SANTANA OF NORTH CHARLESTON FOR RECORDING THE FATAL SHOOTING OF WALTER SCOTT BY A NORTH CHARLESTON POLICE OFFICER, AND TO ACKNOWLEDGE THAT HIS COMING FORWARD WITH THE VIDEO CONTRIBUTED TO AN ORDERLY AND PROMPT JUDICIAL PROCESSING OF THE INCIDENT.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4048 -- Reps. H. A. Crawford, Hamilton, Murphy, Allison, Cobb-Hunter, M. S. McLeod, Bales, Duckworth, Johnson, Hardee, Goldfinch, Kennedy, Clemmons, Dillard, Forrester, Hardwick, Hicks, Lowe, Pope and Riley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-200 SO AS TO DESIGNATE THE SECOND WEEK OF SEPTEMBER OF EACH YEAR AS "GRADUATION AWARENESS WEEK" IN SOUTH CAROLINA.

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

H. 4049 -- Reps. Chumley, Burns, Williams, Yow, Henegan, Mitchell, Toole, Brannon, Jefferson, Robinson-Simpson, Duckworth, Hardee, Hiott, Hardwick, Ott, H. A. Crawford, Gambrell, Hill, Willis, Parks, Neal, Allison, Bedingfield, Dellaney, Dillard, Forrester, Gagnon, Long, D. C. Moss, Pitts, Pope and Riley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-444 SO AS TO PROMOTE ACADEMIC FREEDOM FOR PUBLIC SCHOOL TEACHERS BY PROVIDING PUBLIC SCHOOL TEACHERS MAY CONDUCT OR PARTICIPATE IN ANY STUDENT-LED PRAYER, STUDENT-ORGANIZED PRAYER GROUPS, RELIGIOUS CLUBS, AND OTHER SIMILAR ACTIVITIES.

Referred to Committee on Judiciary

H. 4050 -- Reps. Chumley, Burns, Williams, Yow, Mitchell, Toole, Jefferson, Brannon, Hiott, Robinson-Simpson, Hardee, Hart, Ott,

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Duckworth, Gambrell, Hill, Willis, Parks, Neal, Allison, Bedingfield, H. A. Crawford, Delleney, Dillard, Forrester, Gagnon, Hardwick, Henegan, Long, D. C. Moss, Pitts, Pope and Riley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-444 SO AS TO PROMOTE ACADEMIC FREEDOM FOR PUBLIC SCHOOL TEACHERS BY PROVIDING PUBLIC SCHOOL TEACHERS MAY PARTICIPATE IN ANY STUDENT-LED PRAYER, STUDENT-ORGANIZED PRAYER GROUPS, RELIGIOUS CLUBS, AND OTHER SIMILAR ACTIVITIES.

Referred to Committee on Judiciary

H. 4051 -- Rep. Alexander: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS FOR OFFICERS, SO AS TO EXEMPT A PERSON APPOINTED OR ELECTED TO SERVE ON THE GOVERNING BODY OF A PUBLIC COLLEGE OR PUBLIC UNIVERSITY IN THIS STATE AND DELETE ARCHAIC REFERENCES.

Referred to Committee on Judiciary

H. 4052 -- Reps. Hardwick, H. A. Crawford, Clemmons and Duckworth: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF ONE DAY THAT SCHOOLS IN HORRY COUNTY CLOSED IN THE 2014-2015 SCHOOL YEAR DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

On motion of Rep. HARDWICK, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 4053 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-19-2470 SO AS TO PROVIDE IMMUNITY FROM CERTAIN CHARGES RELATED TO THE UNLAWFUL PURCHASE, CONSUMPTION, OR POSSESSION OF ALCOHOL BY A PERSON UNDER AGE TWENTY-ONE FOR A PERSON WHO SEEKS

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MEDICAL ASSISTANCE FOR AN ALCOHOL-RELATED OVERDOSE.

Referred to Committee on Judiciary

H. 4054 -- Reps. Clyburn, Pitts and Hosey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-17-1095 SO AS TO ALLOW PROFESSIONAL DISCIPLINE, UP TO AND INCLUDING REVOCATION OF BUSINESS, OCCUPATIONAL, OR PROFESSIONAL LICENSES OR OTHER CERTIFICATIONS, FOR FAILURE TO PAY CHILD SUPPORT; TO AMEND SECTION 63-5-20, RELATING TO THE DUTY TO PROVIDE REASONABLE SUPPORT FOR SPOUSES AND CHILDREN, SO AS TO REQUIRE COURTS TO TAKE INTO CONSIDERATION EMPLOYMENT CIRCUMSTANCES WHEN DETERMINING WHETHER THERE IS JUST CAUSE OR EXCUSE FOR A PERSON NOT TO PROVIDE REASONABLE SUPPORT; TO AMEND SECTION 63-17-390, RELATING TO PLACING PERSONS IN JAIL FOR FAILURE TO COMPLY WITH A CHILD SUPPORT ORDER, SO AS TO REQUIRE THE COURT TO DETERMINE WHETHER THERE IS JUST CAUSE OR EXCUSE FOR NONCOMPLIANCE, INCLUDING EMPLOYMENT CIRCUMSTANCES, AND TO PROHIBIT PLACING PERSONS IN JAIL IF THERE IS JUST CAUSE OR EXCUSE FOR NONCOMPLIANCE; AND TO AMEND SECTION 63-17-1020, RELATING TO CHILD SUPPORT ENFORCEMENT THROUGH LICENSE REVOCATION, SO AS NOT TO APPLY TO BUSINESS, OCCUPATIONAL, OR PROFESSIONAL LICENSES.

Referred to Committee on Judiciary

H. 4055 -- Reps. Cole and Mitchell: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

[HJ]

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H. 4056 -- Reps. Funderburk, Norrell, King, Knight, Brannon, Cobb-Hunter, Daning, Henderson, Herbkersman, Hicks, Kennedy, Newton, Simrill, Thayer and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-1655 SO AS TO PROVIDE THAT A DEPARTMENT OF TRANSPORTATION CONTRACTOR OR CONTRACTING FIRM SHALL NOT BE QUALIFIED TO PARTICIPATE IN DEPARTMENT CONTRACTS AS A PRIME CONTRACTOR OR SUBCONTRACTOR UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Labor, Commerce and Industry

H. 4057 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 56-3-11510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "DISTINGUISHED SERVICE CROSS" SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THERE IS NO FEE FOR THIS SPECIAL LICENSE PLATE.

Referred to Committee on Education and Public Works

Rep. W. J. MCLEOD moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4024 -- Reps. Howard, 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, Huggins, Jefferson, Johnson, Jordan, 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,

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Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE AND TO RECOGNIZE THE TWELVE YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2015 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS.

ADJOURNMENT

At 2:03 p.m. the House, in accordance with the motion of Rep. FINLAY, adjourned in memory of Elizabeth Chapman Quantz McMeekin of Spartanburg, to meet at 10:00 a.m. tomorrow.

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