

NO. 75

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

WEDNESDAY, JUNE 3, 2015
(STATEWIDE SESSION)

Wednesday, June 3, 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 Job 37:5: "God thunders wondrously with His voice; He does great things that we cannot comprehend."

Let us pray. Almighty God, thank You for the beauty and majesty of Your creation. Enable our lawmakers to foster legislation that provides government with strength and power, tempered by justice. Inspire them with the wisdom to write and enact laws that provide safety, protection, and integrity. Bless our Nation, President, State, Governor, Speaker, staff, and all contribute to this success. Protect our defenders of freedom 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. GEORGE moved that when the House adjourns, it adjourn in memory of William "Billy" L. Rogers, Jr. of Mullins, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for Representative Neal and his family.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 2, 2015

Mr. Speaker and Members of the House:

WEDNESDAY, JUNE 3, 2015

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 389:

S. 389 -- Senator Lourie: A BILL TO AMEND CHAPTER 37, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA BUSINESS DEVELOPMENT CORPORATIONS, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CORPORATIONS ARE ORGANIZED, REGULATED, AND PERMITTED TO OPERATE. and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 3, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 78:

S. 78 -- Senators Massey and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "FORFEITED LANDS EMERGENCY DEVELOPMENT ACT" BY ADDING SECTION 12-59-140 SO AS TO AUTHORIZE THE COUNTY COUNCIL TO PETITION THE DEPARTMENT OF REVENUE TO ALLOW THE COUNTY'S FORFEITED LAND COMMISSION TO UTILIZE EMERGENCY PROCEDURES, TO SPECIFY THE PROCESS BY WHICH THE PETITION IS SUBMITTED, AND TO SPECIFY THE EMERGENCY PROCEDURES; AND BY ADDING SECTION 12-59-150 SO TO PROHIBIT AN IMMEDIATE FAMILY MEMBER OF A COUNTY FORFEITED LAND COMMISSION MEMBER FROM PURCHASING LAND FROM THE FORFEITED LAND COMMISSION ON WHICH THEIR RELATIVE SERVES, AND TO PROVIDE EXCEPTIONS.

and has ordered the Bill enrolled for ratification.

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Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 2, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Campsen, Gregory and Johnson of the Committee of Free Conference on the part of the Senate on S. 11:

S. 11 -- Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen: A BILL TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 2, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on S. 11:

S. 11 -- Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen: A BILL TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST

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PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

Very respectfully,
President
Received as information.

HOUSE RESOLUTION

The following was introduced:

H. 4311 -- Rep. Bowers: A HOUSE RESOLUTION TO CELEBRATE AND HONOR THE LIFE OF VIRGINIA RILEY "DEN" PRIESTER, SOUTH CAROLINA'S FIRST BLACK FEMALE CORONER, FOR HER SIGNIFICANT CONTRIBUTIONS TO OUR STATE AND TO HER COMMUNITY.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4310 -- Reps. McKnight, G. A. Brown and Anderson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 512 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 261 IN WILLIAMSBURG COUNTY TO THE WILLIAMSBURG COUNTY/GEORGETOWN COUNTY LINE AND THE PORTION OF COUNTY ROAD S-5-22-6 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 261 TO ROSE HILL CHURCH IN GEORGETOWN COUNTY "JOHN JAMES SNOW II AND JOHN JAMES SNOW III (BUBBER) HIGHWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

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INTRODUCTION OF BILLS

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

H. 4302 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-1030 SO AS TO PROVIDE THAT A PERSON WHO IS AUTHORIZED TO PLANT AND GROW SHELLFISH, PLACE SHELLFISH IN OR UNDER PROTECTIVE DEVICES AFFIXED TO TIDAL FLATS OR LAND UNDER COASTAL WATERS, OR GROW SHELLFISH BY CERTAIN MEANS, MAY SELL SHELLFISH FOR CONSUMPTION WITHIN THE STATE THROUGHOUT THE YEAR.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4303 -- Rep. Bowers: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSESSMENT RATIOS ON RESIDENTIAL PROPERTY, SO AS TO ALLOW A TAXPAYER TO CLAIM THE FOUR PERCENT ASSESSMENT RATIO ON A RESIDENTIAL PROPERTY OTHER THAN THEIR LEGAL RESIDENCE IF THE ADDITIONAL RESIDENCE IS THE LEGAL RESIDENCE OF EITHER A PARENT OR CHILD OF THE TAXPAYER.

Referred to Committee on Ways and Means

H. 4304 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 27 TO CHAPTER 37, TITLE 12 SO AS TO IMPOSE A UNIFORM STATEWIDE AD VALOREM TAX TO REPLACE ANY OTHER AD VALOREM TAX IMPOSED FOR SCHOOL OPERATING PURPOSES, TO SPECIFY THE MANNER IN WHICH THE TAX IS TO BE IMPOSED AND ADMINISTERED, AND THE MANNER IN WHICH ITS REVENUE IS APPROPRIATED.

Referred to Committee on Ways and Means

H. 4305 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 29 TO CHAPTER 37, TITLE 12 SO AS TO IMPOSE A UNIFORM STATEWIDE AD VALOREM TAX ON PERSONAL MOTOR VEHICLES TO REPLACE ANY OTHER AD VALOREM TAX

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IMPOSED ON PERSONAL MOTOR VEHICLES FOR SCHOOL OPERATING PURPOSES, TO SPECIFY THE MANNER IN WHICH THE TAX IS TO BE IMPOSED AND ADMINISTERED, AND THE MANNER IN WHICH ITS REVENUE IS APPROPRIATED.

Referred to Committee on Ways and Means

H. 4306 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-460 SO AS TO ALLOW THE CREATION OF PROMENADE PRIDE DISTRICTS AND TO PROVIDE THAT THE VALUE OF ANY ADDITION OR IMPROVEMENT TO REAL PROPERTY LOCATED WITHIN THE DISTRICT IS EXEMPT FROM ANY PROPERTY TAX LEVIED BY THE POLITICAL SUBDIVISION THAT CREATED THE DISTRICT FOR SEVEN YEARS.

Referred to Committee on Ways and Means

H. 4307 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-1-120 SO AS TO PROVIDE A ONE-HUNDRED-TWENTY-DAY PERIOD FOR WHICH A RESIDENT OVER SEVENTY MAY TERMINATE HIS CONTRACT WITH A SELLER OF HOME SECURITY SYSTEMS OR HOME MEDICAL DEVICES.

Referred to Committee on Labor, Commerce and Industry

H. 4308 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-1-304 SO AS TO REQUIRE A SELLER WHO USES A CONSUMER'S CREDIT SCORE TO DETERMINE THE PRICE OF A SERVICE TO DISCLOSE THE SCORE TO THE CONSUMER ON THE CONSUMER'S INVOICE.

Referred to Committee on Labor, Commerce and Industry

H. 4309 -- Rep. Bowers: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR THE FOUR PERCENT ASSESSMENT RATIO, SO AS TO DELETE THE REQUIREMENT THAT A TAXPAYER CERTIFIES THAT NO MEMBER OF THE TAXPAYER'S HOUSEHOLD CLAIMS TO BE A RESIDENT OF ANOTHER STATE OR CLAIMS THE FOUR PERCENT ASSESSMENT RATIO ON ANY OTHER RESIDENCE.

Referred to Committee on Ways and Means

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H. 4312 -- Reps. W. J. McLeod, Pitts and Cobb-Hunter: A BILL TO AMEND SECTION 6-1-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO RESTORE THE FORMER METHOD OF OVERRIDING THE ANNUAL CAP BY A POSITIVE MAJORITY OF THE APPROPRIATE GOVERNING BODY AND DELETING THE SUPER MAJORITY REQUIREMENT FOR OVERRIDING THE CAP FOR SPECIFIC CIRCUMSTANCES AND TO MAKE CONFORMING CHANGES.

Referred to Committee on Ways and Means

S. 221 -- Senators Malloy and Campsen: A JOINT RESOLUTION TO CONTINUE THE "SENTENCING REFORM OVERSIGHT COMMITTEE" UNTIL DECEMBER 31, 2020.

Referred to Committee on Judiciary

S. 652 -- Senator L. Martin: A BILL TO AMEND TITLE 34, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 45, SO AS TO AUTHORIZE FINANCIAL INSTITUTIONS THAT DO BUSINESS IN SOUTH CAROLINA TO CONDUCT SAVINGS PROMOTION CONTESTS FOR MEMBERS AND CUSTOMERS OF THE FINANCIAL INSTITUTIONS, SUBJECT TO CERTAIN REQUIREMENTS, AND TO AUTHORIZE THE APPROPRIATE FEDERAL OR STATE REGULATORY AGENCY OF EACH FINANCIAL INSTITUTION TO OVERSEE THE CONDUCT OF THE CONTESTS AND ISSUE CEASE AND DESIST ORDERS WHEN NECESSARY.

Referred to Committee on Labor, Commerce and Industry

S. 693 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-27-475 SO AS TO REVISE THE INSURERS' REHABILITATION AND LIQUIDATION ACT BY ADDING PROVISIONS SPECIFIC TO FEDERAL HOME LOAN BANKS AND INSURER-MEMBERS OF THOSE BANKS IN DELINQUENCY PROCEEDINGS BROUGHT PURSUANT TO THE ACT; TO AMEND SECTION 38-27-50, RELATING TO DEFINITIONS CONCERNING THE ACT SO AS TO DEFINE ADDITIONAL TERMS; AND TO AMEND SECTION 38-27-70, RELATING TO INJUNCTIONS AND OTHER EQUITABLE REMEDIES AVAILABLE TO RECEIVERS

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APPOINTED IN DELINQUENCY PROCEEDINGS UNDER THE ACT, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH FEDERAL HOME LOAN BANKS MAY EXERCISE THEIR RIGHTS REGARDING COLLATERAL PLEDGED BY ITS INSURER-MEMBERS INVOLVED IN DELINQUENCY PROCEEDINGS BROUGHT PURSUANT TO THE ACT.

Referred to Committee on Labor, Commerce and Industry

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bedingfield
Bowers	Bradley	Brannon
Burns	Clary	Clemmons
Collins	Corley	Crosby
Daning	Delleney	Douglas
Duckworth	Felder	Forrester
Gagnon	George	Goldfinch
Govan	Hamilton	Hardee
Henderson	Henegan	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Lucas	McEachern
W. J. McLeod	Mitchell	D. C. Moss
Murphy	Newton	Norman
Norrell	Ott	Pitts
Pope	Putnam	Ridgeway
Riley	Rivers	Ryhal
Sandifer	G. R. Smith	J. E. Smith
Sottile	Southard	Spires
Stringer	Tallon	Taylor
Tinkler	Toole	Wells
Whipper	Williams	Yow

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STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Wednesday, June 3.

Bruce W. Bannister	Beth Bernstein
Kenny Bingham	Grady Brown
Robert L. Brown	Bill Chumley
William Clyburn	Gilda Cobb-Hunter
Derham Cole, Jr.	Heather Crawford
Chandra Dillard	Shannon Erickson
Kirkman Finlay	Laurie Funderburk
Mike Gambrell	Wendell Gilliard
Chris Hart	Jackie Hayes
Lonnie Hosey	Ralph Kennedy
H. B. "Chip" Limehouse	Peter McCoy, Jr.
Cezar McKnight	Mia S. McLeod
James Merrill	V. Stephen Moss
Wendy Nanney	Richard "Rick" Quinn
Leola Robinson-Simpson	Todd Rutherford
Gary Simrill	G. Murrell Smith
Leon Stavrinakis	Anne Thayer
David Weeks	Brian White
William R. "Bill" Whitmire	Mark Willis
David Mack	

Total Present--120

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. HORNE a leave of absence for the day due to work obligations.

LEAVE OF ABSENCE

The SPEAKER granted Rep. V. S. MOSS a temporary leave of absence.

LEAVE OF ABSENCE

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

[HJ]

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DOCTOR OF THE DAY

Announcement was made that Dr. Helmut Albrecht of Columbia was the Doctor of the Day for the General Assembly.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were 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. 809 -- Senator Leatherman: A BILL TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THE FIVE SINGLE-MEMBER ELECTION DISTRICTS AND THE TWO MULTIMEMBER ELECTION DISTRICTS FROM WHICH THESE NINE MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER AND MULTIMEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

S. 810 -- Senator Leatherman: A BILL TO AMEND ACT 250 OF 1991, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN FLORENCE COUNTY SCHOOL DISTRICT NUMBER FIVE, SO AS TO REAPPORTION THE FOUR SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH TRUSTEES ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

H. 4299--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4299 -- Reps. Clary and Collins: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO INCREASE THE NUMBER OF BOARD MEMBERS FROM SIX TO SEVEN, TO PROVIDE THE SEVENTH MEMBER MUST SERVE AT LARGE

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AND INITIALLY BE APPOINTED BY A MAJORITY OF THE LEGISLATIVE DELEGATION OF PICKENS COUNTY TO SERVE UNTIL JANUARY 1, 2019, AT WHICH TIME THE AT-LARGE SEAT TERMINATES AND THE NUMBER OF MEMBERS AND DISTRICTS IS INCREASED TO SEVEN BASED ON THE SEVEN ATTENDANCE ZONES, AND TO PROVIDE ALL PICKENS COUNTY SCHOOL BOARD MEMBERS MUST BE ELECTED BY MAJORITY VOTE BEGINNING WITH THE GENERAL ELECTION IN 2016.

The yeas and nays were taken resulting as follows:

Yeas 61; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Bales	Bamberg	Bannister
Bowers	Bradley	Brannon
Burns	Clary	Clemmons
Collins	Corley	Crosby
Daning	Delleney	Douglas
Duckworth	Forrester	Gagnon
George	Goldfinch	Hamilton
Henderson	Henegan	Herbkersman
Hicks	Hiott	Huggins
Jefferson	Johnson	Jordan
Kirby	Knight	Loftis
Lucas	McEachern	McKnight
W. J. McLeod	D. C. Moss	Murphy
Nanney	Newton	Norrell
Ott	Pitts	Ridgeway
Rutherford	Ryhal	Sandifer
Simrill	G. R. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Tinkler	Wells
Yow		

Total--61

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Those who voted in the negative are:
Hill

Total--1

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

S. 757--ORDERED TO THIRD READING

The following Bill was taken up:

S. 757 -- Senator Nicholson: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

The yeas and nays were taken resulting as follows:
Yeas 57; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Bales	Bamberg	Bannister
Bradley	Brannon	Burns
Chumley	Clary	Clemmons
Collins	Daning	Delleney
Duckworth	Forrester	Gagnon
Gambrell	George	Henderson
Henegan	Herbkersman	Hicks
Hill	Hixon	Hodges
Hosey	Huggins	Jefferson
Jordan	Kirby	Loftis
Lucas	D. C. Moss	Murphy
Nanney	Newton	Norrell
Ott	Pitts	Riley
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	Sottile
Spires	Tallon	Taylor

[HJ]

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Thayer	Tinkler	Wells
Williams	Willis	Yow

Total--57

Those who voted in the negative are:

Total--0

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

H. 3878--DEBATE ADJOURNED

Rep. GAMBRELL moved to adjourn debate upon the following Bill, which was adopted:

H. 3878 -- Reps. White, Pope, Clemmons, Duckworth, Goldfinch, Hardwick, Johnson, H. A. Crawford, George, Yow, Ryhal, Hardee, Hayes and Kirby: A BILL TO AMEND SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

H. 4145--DEBATE ADJOURNED

Rep. GAMBRELL moved to adjourn debate upon the following Bill, which was adopted:

H. 4145 -- Reps. White, Clemmons, Goldfinch, Yow, W. J. McLeod, Horne, Murphy, Erickson, Duckworth, Gagnon, Gambrell, Hardwick, Jordan, Long, Lowe, Pitts, Sandifer, Thayer, Willis, Loftis and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 1, TITLE 13 SO AS TO CREATE THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO DEVELOP A COMPREHENSIVE PLAN FOR WORKFORCE TRAINING AND EDUCATION UNDER THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE DEFINITIONS, TO ESTABLISH THE

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DUTIES OF THE COUNCIL, TO ESTABLISH TO WHOM THE COMPREHENSIVE PLAN MUST BE SUBMITTED AND THE CONTENTS REQUIRED, TO PROVIDE FOR PROGRAM EVALUATIONS, TO PROVIDE FOR A BIENNIAL ASSESSMENT BY THE COUNCIL, TO PROVIDE THAT THE COUNCIL SHALL IMPROVE COORDINATION OF WORKFORCE DEVELOPMENT IN THE STATE, TO PROVIDE FOR THE CREATION OF A STATE STRATEGIC PLAN FOR SUPPLY OF HEALTH CARE PERSONNEL, TO PROVIDE THAT THE WORKFORCE DEVELOPMENT COUNCILS SHALL DEVELOP AND MAINTAIN A LOCAL UNIFIED PLAN FOR THE WORKFORCE DEVELOPMENT SYSTEM; BY ADDING ARTICLE 29 TO CHAPTER 53, TITLE 59 SO AS TO DEVELOP AND IMPLEMENT A CAREER PATHWAYS FOR SUCCESS INITIATIVE, TO ESTABLISH A PATHWAYS TO FIRST CAREERS PROGRAM, AND TO ESTABLISH A PATHWAYS TO NEW OPPORTUNITIES PROGRAM; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO HIRE AN APPRENTICE; BY ADDING SECTION 59-53-110 SO AS TO CREATE A WORKFORCE SCHOLARSHIP AND GRANT FUND; AND BY ADDING SECTION 12-6-3765 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO CONTRIBUTE TO THE WORKFORCE SCHOLARSHIP AND GRANT FUND.

S. 176--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 176 -- Senator Alexander: A BILL TO AMEND SECTION 44-63-74(A) OF THE 1976 CODE, RELATING TO ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES, TO PROVIDE THAT DEATH CERTIFICATES MUST BE ELECTRONICALLY FILED WITH THE BUREAU OF VITAL STATISTICS WITHIN THREE DAYS AFTER DEATH, TO PROVIDE THAT MEDICAL CERTIFICATIONS OF CAUSE OF DEATH SHALL BE COMPLETED AND RETURNED TO FUNERAL HOME DIRECTORS WITHIN FORTY-EIGHT HOURS AFTER DEATH BY THE PHYSICIAN IN CHARGE OF THE PATIENT'S CARE FOR THE ILLNESS OR CONDITION WHICH RESULTED IN DEATH, EXCEPT WHEN INQUIRY IS REQUIRED BY CORONER OR MEDICAL EXAMINER, TO PROVIDE THAT IF THE CAUSE OF DEATH CANNOT BE DETERMINED WITHIN FORTY-EIGHT

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HOURS AFTER DEATH, A MEDICAL CERTIFICATION SHALL BE ENTERED AS PENDING AND A SUPPLEMENTAL REPORT SHALL BE FILED WITH THE BUREAU OF VITAL STATISTICS AND THIS REPORT SHALL BE MADE PART OF THE DEATH CERTIFICATE, AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 32-8-325(A)(1), RELATING TO THE RECEIPT OF INSTRUCTIONS FOR CREMATION, TO PROVIDE THAT A DEATH CERTIFICATE ABSTRACT IS SUFFICIENT TO AUTHORIZE CREMATIONS; AND TO AMEND SECTION 32-8-340(A), RELATING TO THE TIME PERIOD PRIOR TO CREMATION, TO CONFORM TO AMENDMENTS ALLOWING FOR THE USE OF A DEATH CERTIFICATE ABSTRACT.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to S. 176 (COUNCIL\BH\176C001.BH.VR15), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 3, by striking Section 44-63-74(A)(5) and inserting:

/ (5)(a) A physician who fails to certify the cause of death within forty-eight hours, without good cause shown, may be assessed an administrative penalty for violating item (3). The department shall notify the Board of Medical Examiners if a penalty is assessed. Each day after the initial forty-eight hour period shall constitute an additional violation.

(b) A funeral home or funeral director who fails to file a death certificate or collect data or collect medical certification of cause of death as required in items (1), (2), or both, without good cause shown, may be assessed an administrative penalty for violating the respective item. However, the department must not assess a penalty against a funeral home or funeral director for the delay or inability to collect personal data of the decedent pursuant to item (2)(a). The department shall notify the Board of Funeral Services if a penalty is assessed. Each day after the initial five day period in item (1) shall constitute an additional violation of that item.

(c) A physician, funeral director, or funeral home that is required to file electronically pursuant to item (4) but who fails to file accordingly may be assessed an administrative penalty for violating item (4).

(d) The administrative penalties are:

(i) two hundred fifty dollars for a first violation or a warning letter;

(ii) five hundred dollars for a second violation; and

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(iii) one thousand dollars for a third or subsequent violation.

(e) The department shall retain any administrative penalties collected pursuant to this subsection and must allocate all of these funds to the Bureau of Vital Statistics for its use.” /

Renumber sections to conform.

Amend title to conform.

Rep. JEFFERSON explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Brannon	R. L. Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Collins	Corley
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Finlay	Forrester	Gagnon
Gambrell	Gilliard	Goldfinch
Govan	Hamilton	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	Kirby	Loftis
Long	Lucas	McCoy
McEachern	Merrill	Mitchell
D. C. Moss	Murphy	Nanney
Newton	Norman	Norrell
Pope	Putnam	Ridgeway
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stringer	Tallon

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Taylor	Thayer	Tinkler
Wells	Whipper	Whitmire
Williams	Willis	Yow

Total--84

Those who voted in the negative are:

Total--0

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

S. 341--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 341 -- Senator Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-65 SO AS TO PROVIDE THAT EVERY HOSPITAL IN THIS STATE SHALL PROVIDE THE PARENTS OF EACH NEWBORN BABY DELIVERED IN THE HOSPITAL CERTAIN EDUCATIONAL INFORMATION ON RENAL MEDULLARY CARCINOMA AND THE DEBILITATING EFFECT OF THIS RARE KIDNEY CANCER ASSOCIATED WITH THE SICKLE CELL TRAIT, AND TO PROVIDE A HOSPITAL IS NOT REQUIRED TO PROVIDE OR PAY FOR RENAL MEDULLARY CARCINOMA TESTING.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to S. 341 (COUNCIL\BH\341C001.BH.VR15), which was adopted:

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

/ SECTION 1. Chapter 37, Title 44 of the 1976 Code is amended by adding:

“Section 44-37-65. Every hospital and birth center in this State shall provide the parents of each newborn baby who is at high risk for sickle cell disease or sickle cell trait delivered in the hospital or birth center, educational information on sickle cell disease and sickle cell trait and associated complications.”

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

[HJ]

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Renumber sections to conform.
Amend title to conform.

Rep. SPIRES explained the amendment.
The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 77; Nays 2

Those who voted in the affirmative are:

Allison	Anthony	Bales
Ballentine	Bamberg	Bannister
Bowers	R. L. Brown	Burns
Chumley	Clary	Clyburn
Collins	Corley	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Felder
Finlay	Forrester	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hardee
Henderson	Henegan	Hill
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
Kirby	Long	Lucas
McCoy	McEachern	W. J. McLeod
Merrill	Mitchell	D. C. Moss
Murphy	Nanney	Norman
Norrell	Pitts	Putnam
Ridgeway	Riley	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Simrill	G. R. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Tinkler
Whipper	Whitmire	Williams
Willis	Yow	

Total--77

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Those who voted in the negative are:

Bedingfield Clemmons

Total--2

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

S. 754--ORDERED TO THIRD READING

The following Bill was taken up:

S. 754 -- Senators Cleary, Rankin and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-23-15 SO AS TO INCREASE THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT.

The yeas and nays were taken resulting as follows:

Yeas 74; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Bales
Bannister	Bernstein	Bowers
Bradley	Brannon	R. L. Brown
Burns	Chumley	Clemmons
Clyburn	Corley	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Felder
Finlay	Forrester	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Henderson	Henegan	Hicks
Hill	Hixon	Hodges
Jefferson	Johnson	Jordan
Kirby	Long	Lucas
McCoy	McEachern	McKnight
Mitchell	D. C. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pitts	Pope
Putnam	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill

[HJ]

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G. R. Smith	J. E. Smith	Sottile
Spires	Tallon	Taylor
Tinkler	Wells	Whitmire
Willis	Yow	

Total--74

Those who voted in the negative are:

Total--0

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

S. 407--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 407 -- Senators Bryant and Young: A BILL TO AMEND SECTION 41-27-265(A) AND (B) OF THE 1976 CODE, RELATING TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE; TO AMEND CHAPTER 41, TITLE 41 TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN CHAPTERS 27 THROUGH 41 OF TITLE 41 AND TO DEFINE NECESSARY TERMS.

Rep. BALLENTINE proposed the following Amendment No. 1 to S. 407 (COUNCIL\AGM\407C001.AGM.AB15), which was adopted:

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

[HJ]

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/ SECTION 1. Section 41-27-265(A) and (B) of the 1976 Code is amended to read:

“Section 41-27-265. (A)(1) Solely for purposes of this ~~title section~~, ‘corporate officer’ shall mean services performed by a person appointed or otherwise serving as an officer for a corporation pursuant to Article 4, Chapter 8, Title 33, a person who owns twenty-five percent or more of the shares of a corporation, or a person who otherwise exercises an ownership interest in a corporation. Solely for the purposes of this title, services performed by a corporate officer shall not be considered services in employment. However, unless a corporation may elect elects not to cover not less than all of its corporate officers under subsection (B) item (2). If an employer does not elect elects not to cover its corporate officers under subsection (B) item 2, the employer must notify its corporate officers in writing that they are ineligible for unemployment benefits. However, if the employer fails to provide notice, the individual’s status as a corporate officer is unchanged and the person remains ineligible eligible for unemployment benefits subject to all other requirements for eligibility in Chapters 27 through 41 of this title.

~~(B)(2)~~ (2) An employer may elect not to cover its corporate officers by providing the department with a written election that all services performed by its corporate officers shall not be deemed to constitute employment for all purposes related to Chapters 27 through 41 of this title for at least two calendar years. ~~Upon written approval of the election by the department, the services shall be deemed to constitute employment for purposes of Chapters 27 through 41 of this title on and after the date of approval. Services covered under this subsection shall cease to be deemed employment as of January first of any calendar year subsequent to the two calendar year period, only if the employer files a written application for termination of coverage with the department before January fifteenth of that year.~~ To make the election, a corporation with qualifying corporate officers pursuant to item (1) must register with the department all qualifying corporate officers exempt from coverage. The registration must be in a format prescribed by the department. Registration forms received and approved by the department on or before January fifteenth must become effective the first day of the calendar year and must remain in effect for at least two consecutive calendar years. Registration forms received and approved by the department after January fifteenth, must become effective January first of the following year, and must remain in effect for at least two consecutive calendar years. Exemptions from coverage shall not be

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eligible for a refund or credit for contributions paid for corporate officers before the effective date of the exemption.

(B)(1) Solely for the purposes of this title, services performed by a person who has at least a twenty-five percent ownership interest in a business entity formed pursuant to the laws of this State, other than a corporation, shall be considered services in employment unless the entity elects not to cover a person with at least a twenty-five percent ownership interest in the entity.

(2) A person who has an ownership interest of at least twenty-five percent in a business entity formed pursuant to the laws of this State, other than a corporation, may elect not to cover himself by providing the department with a written election that all services performed by the person shall not be deemed to constitute employment for all purposes related to Chapters 27 through 41 of this title for at least two calendar years. The election must be in a format prescribed by the department. Election forms received and approved by the department on or before January fifteenth must become effective the first day of the calendar year and must remain in effect for at least two consecutive calendar years. Registration forms received and approved by the department after January 15, 2015, must become effective January 1, 2016, and must remain in effect for at least two consecutive calendar years. Exemptions from coverage must not be retroactive and the business entity requesting the exemption shall not be eligible for a refund or credit for contributions paid for persons before the effective date of the exemption.

(3) A newly formed business entity with qualifying persons pursuant to items (1) and (2) must register with the department each person it elects to exempt within thirty calendar days after becoming an employer under Chapters 27 through 41 of this title. Registration forms received and approved by the department must become effective on and after the date of approval and must remain in effect for at least two consecutive calendar years.”

SECTION 2. Chapter 41, Title 41 of the 1976 Code is amended to read:

“CHAPTER 41

Employment and Workforce-Offenses, Penalties and Liabilities

Section 41-41-10. Whoever makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to obtain or to increase any benefits or other payment under Chapters 27 through 41 of this title or under an employment security or unemployment compensation law of any other state, the

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Federal Government, or of a foreign government, either for himself or for any other person, shall be punished by a fine of not less than ~~twenty~~ fifty nor more than ~~one two~~ hundred fifty dollars or by imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

Section 41-41-20. (A) A claimant found by the department knowingly to have made a false statement or who knowingly failed to disclose a material fact when filing a compensable claim to establish his right to or increase the amount of his benefits is ineligible to receive benefits for any week for which the claim was filed and is ineligible to receive further benefits for not less than ten and not more than fifty-two consecutive weeks as determined by the department according to the circumstances of the case, these weeks to commence with the date of the determination.

(B) If the department finds that a fraudulent misrepresentation has been made by a claimant with the object of obtaining benefits under this chapter to which he was not entitled, in addition to any other penalty or prosecution provided under this chapter, the department may make a determination that there must be deducted from benefits to which the claimant might become entitled during this present benefit year or the next subsequent benefit year, or both, an amount not less than two and one-half times his weekly benefit amount and not more than his maximum benefit amount payable in a benefit year, as determined under Chapter 35. This deduction takes effect on the date of the determination. An appeal from this determination must be made in the manner prescribed in Article 5, Chapter 35.

Section 41-41-30. Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to prevent or reduce the payment of benefits to any individual entitled thereto or to avoid becoming or remaining subject thereto or to avoid or reduce any contribution or other payment required from any employing unit under Chapters 27 through 41 of this title shall be punished by a fine of not less than ~~twenty~~ fifty nor more than ~~one two~~ hundred fifty dollars or by imprisonment for not longer than thirty days, and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

Section 41-41-40. (A)(1) A person who has received a sum as benefits under Chapters 27 through 41 while conditions for the receipt of benefits imposed by these chapters were not fulfilled or while he was

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disqualified from receiving benefits is liable to repay the department for the unemployment compensation fund a sum equal to the amount received by him.

(2) If full repayment of benefits, to which an individual was determined not entitled, has not been made, the sum must be deducted from future benefits payable to him under Chapters 27 through 41, and the sum must be collectible in the manner provided in Sections 41-31-380 through 41-31-400 for the collection of past due contributions.

(3) The department may attempt collection of overpayments through the South Carolina Department of Revenue in accordance with Section 12-56-10, et seq. If the overpayment is collectible in accordance with Section 12-56-60, the department shall add to the amount of the overpayment a collection fee of not more than ~~twenty-five~~ fifty dollars for each collection attempt to defray administrative costs. Notwithstanding another provision of law, a final decision of the department or court establishing the character and amount of overpayment is final for all purposes and proceedings.

(4) The department may attempt collection of overpayment through the federal Unemployment Compensation Treasury Offset Program (UCTOP). If the overpayment is collectible, the department shall add to the amount of the overpayment a collection fee not to exceed the administrative costs set by this program.

(5) Notwithstanding any other provision of this section, no action to enforce recovery or recoupment of any overpayment may begin after five years from the date of the final determination for nonfraudulent overpayments nor after eight years from the date of the final determination for fraudulent overpayments.

(B)(1) A person who is overpaid any amounts as benefits under Chapters 27 through 41 is liable to repay those amounts, except as otherwise provided by this subsection.

(2) Upon written request by the person submitted to the department within the statutory appeal period from the issuance of the determination of overpayment, the department may waive repayment if the department finds that the:

(a) overpayment was not due to fraud, misrepresentation, or wilful nondisclosure on the part of the person;

(b) overpayment was received without fault on the part of the person; and

(c) recovery of the overpayment from the person would be contrary to equity and good conscience.

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(3) Decisions denying waiver requests are subject to the appeal provisions of Chapter 35.

(C) A person who has received a sum as benefits under the comparable unemployment law of any other state while conditions imposed by that law were not fulfilled or while he was disqualified from receiving benefits by that law is liable to repay the department for the corresponding unemployment compensation fund of the other state a sum equal to the amount received by him if the other state has entered into an Interstate Reciprocal Overpayment Recovery Agreement with the State and has furnished the department with verification of the overpayment as required by the agreement. Recovery of overpayments under this subsection are not subject to the provisions of subsections (A)(3) and (B).

(D) Upon the determination of fraudulent overpayments by the department, an employer from whose account the overpayment was debited must be credited for the amount of the overpayment regardless of the outcome of the action for recoupment or recovery of the overpayment. This section shall not apply to employers whose accounts are subject to the provisions of Sections 41-31-810 or 41-31-620.

Section 41-41-45. (A) Notwithstanding any other provision of law, if the department determines that an improper payment from its unemployment compensation fund or from any federal unemployment compensation fund was made to any individual due to a false statement or failure to disclose a material fact pursuant to Sections 41-41-10 and 41-41-20, the department will assess a monetary penalty of ~~twenty-five~~ thirty-three percent of the amount of the overpayment.

(B) The notice of the determination or decision informing the individual of the overpayment must include:

- (1) the claimant's appeal rights;
- (2) the penalty amount;
- (3) an explanation of the reason for the overpayment; and
- (4) the reason the penalty has been applied.

(C) The recovered amounts shall be applied with priority to:

- (1) the principal amount of the overpayment to the unemployment compensation fund;
- (2) sixty percent of the monetary penalty to the unemployment compensation fund;
- (3) the remaining forty percent of the monetary penalty to promote unemployment compensation integrity; and
- (4) any remaining amounts to interest.

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(D) Offset of future unemployment insurance benefits shall not be applied to the monetary penalty or interest associated with an overpayment.

(E) The monetary penalty will be assessed on any fraudulent overpayment determined by the department ~~after October 21, 2013.~~

Section 41-41-50. An employing unit or person who wilfully violates a provision of Chapters 27 through 41 of this title or an order, rule, or regulation under this title, the violation of which is made unlawful or the observance of which is required under the terms of these chapters, is liable to a penalty of ~~one~~ two thousand dollars, to be recovered by the department in an appropriate ~~civil action in a court of competent jurisdiction~~ action in the South Carolina Administration Law Court, and also is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than ~~twenty~~ twenty five dollars but not more than ~~one~~ two hundred fifty dollars or imprisonment for not longer than thirty days, and, with regard to both civil and criminal penalties, each day the violation continues is considered a separate offense.”

SECTION 3. This act takes effect upon approval by the Governor. The provisions contained in SECTION 1 shall retroactively apply to contribution rates calculated and imposed on or after January 1, 2015. Where the application of SECTION 1 would result in the reduction of contribution rates on an employer, the department shall credit that amount against future contributions from that employer until the credit is exhausted. /

Renumber sections to conform.

Amend title to conform.

Rep. BALLENTINE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Bales	Ballentine	Bannister
Bedingfield	Bernstein	Bradley
Brannon	Burns	Chumley
Clary	Clemmons	Cole

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Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Govan	Hamilton	Hardee
Henderson	Henegan	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Hosey
Huggins	Jefferson	Johnson
Jordan	Kirby	Loftis
Long	Lucas	McCoy
McEachern	W. J. McLeod	Merrill
Mitchell	D. C. Moss	Murphy
Nanney	Newton	Norman
Norrell	Ott	Pitts
Pope	Putnam	Ridgeway
Riley	Rivers	Rutherford
Ryhal	Sandifer	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Wells	Whipper
Whitmire	Williams	Willis
Yow		

Total--88

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. 3881--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3881 -- Reps. Toole, Erickson, Long, Bedingfield, Anderson, Forrester and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-29-327 SO

[HJ]

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AS TO PROVIDE EACH LICENSED MANUFACTURING HOUSING RETAIL DEALER LOCATION MUST HAVE ONE AUTHORIZED OFFICIAL REPRESENTING THE DEALERSHIP, TO PROVIDE AN AUTHORIZED OFFICIAL WHO IS NOT THE DEALER MUST HOLD A MANUFACTURED HOME RETAIL SALESPERSON OR RETAIL DEALER LICENSE, AND TO PROVIDE THE MANUFACTURED HOUSING BOARD MUST BE NOTIFIED IN WRITING WITHIN TWENTY DAYS IF THE AUTHORIZED OFFICIAL CHANGES.

Rep. TOOLE spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bowers	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
Finlay	Forrester	Funderburk
Gagnon	Gambrell	George
Goldfinch	Govan	Hardee
Henderson	Henegan	Herbkersman
Hicks	Hiott	Hixon
Hodges	Hosey	Huggins
Jefferson	King	Kirby
Loftis	Long	Lucas
McCoy	McEachern	W. J. McLeod
Merrill	Mitchell	D. C. Moss
Murphy	Nanney	Newton
Norman	Norrell	Ott
Pitts	Putnam	Ridgeway
Riley	Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer

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Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stringer
Taylor	Tinkler	Toole
Wells	Whipper	Whitmire
Williams	Willis	Yow

Total--90

Those who voted in the negative are:

Total--0

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

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

RECURRENCE TO THE MORNING HOUR

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

H. 3878--DEBATE ADJOURNED

Rep. PITTS moved to adjourn debate upon the following Bill until Thursday, June 4, which was adopted:

H. 3878 -- Reps. White, Pope, Clemmons, Duckworth, Goldfinch, Hardwick, Johnson, H. A. Crawford, George, Yow, Ryhal, Hardee, Hayes and Kirby: A BILL TO AMEND SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

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H. 4145--DEBATE ADJOURNED

Rep. PITTS moved to adjourn debate upon the following Bill until Thursday, June 4, which was adopted:

H. 4145 -- Reps. White, Clemmons, Goldfinch, Yow, W. J. McLeod, Horne, Murphy, Erickson, Duckworth, Gagnon, Gambrell, Hardwick, Jordan, Long, Lowe, Pitts, Sandifer, Thayer, Willis, Loftis and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 1, TITLE 13 SO AS TO CREATE THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO DEVELOP A COMPREHENSIVE PLAN FOR WORKFORCE TRAINING AND EDUCATION UNDER THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE DEFINITIONS, TO ESTABLISH THE DUTIES OF THE COUNCIL, TO ESTABLISH TO WHOM THE COMPREHENSIVE PLAN MUST BE SUBMITTED AND THE CONTENTS REQUIRED, TO PROVIDE FOR PROGRAM EVALUATIONS, TO PROVIDE FOR A BIENNIAL ASSESSMENT BY THE COUNCIL, TO PROVIDE THAT THE COUNCIL SHALL IMPROVE COORDINATION OF WORKFORCE DEVELOPMENT IN THE STATE, TO PROVIDE FOR THE CREATION OF A STATE STRATEGIC PLAN FOR SUPPLY OF HEALTH CARE PERSONNEL, TO PROVIDE THAT THE WORKFORCE DEVELOPMENT COUNCILS SHALL DEVELOP AND MAINTAIN A LOCAL UNIFIED PLAN FOR THE WORKFORCE DEVELOPMENT SYSTEM; BY ADDING ARTICLE 29 TO CHAPTER 53, TITLE 59 SO AS TO DEVELOP AND IMPLEMENT A CAREER PATHWAYS FOR SUCCESS INITIATIVE, TO ESTABLISH A PATHWAYS TO FIRST CAREERS PROGRAM, AND TO ESTABLISH A PATHWAYS TO NEW OPPORTUNITIES PROGRAM; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO HIRE AN APPRENTICE; BY ADDING SECTION 59-53-110 SO AS TO CREATE A WORKFORCE SCHOLARSHIP AND GRANT FUND; AND BY ADDING SECTION 12-6-3765 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO CONTRIBUTE TO THE WORKFORCE SCHOLARSHIP AND GRANT FUND.

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H. 3440--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3440 -- Reps. Crosby, Daning and George: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-3-115 AND 56-5-3715 SO AS TO PROVIDE THAT A MOPED MUST BE REGISTERED, CARRY LIABILITY INSURANCE, AND MAY NOT BE OPERATED ON A PUBLIC ROAD THAT HAS A SPEED LIMIT GREATER THAN THIRTY-FIVE MILES AN HOUR; TO AMEND SECTIONS 56-1-1720 AND 56-1-1730, RELATING TO THE OPERATION OF MOPEDS ALONG THE STATE'S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON WHOSE DRIVER'S LICENSE HAS BEEN SUSPENDED MAY NOT BE ISSUED A MOPED OPERATOR'S LICENSE OR ALLOWED TO OPERATE A MOPED DURING HIS PERIOD OF SUSPENSION.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3440 (COUNCIL\NBD\3440C001.NBD.NBD15):

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

/ SECTION 1. Section 56-1-10 of the 1976 Code, as last amended by Act 216 of 2010, is further amended to read:

“Section 56-1-10. For the purpose of this title, unless otherwise indicated, the following words, phrases, and terms are defined as follows:

(1) ‘Driver’ means every person who drives or is in actual physical control of a vehicle.

(2) ‘Operator’ means every person who drives or is in actual physical control of a motor vehicle or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(3) ‘Owner’ means a person, other than a lienholder, having the property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security. This term also includes a person to whom a moped is registered if the moped is not titled.

(4) ‘Department’ means the Department of Motor Vehicles when the term refers to the duties, functions, and responsibilities of the former

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Motor Vehicle Division of the Department of Public Safety and means the Department of Public Safety otherwise and in Section 56-3-840.

(5) 'State' means a state, territory, or possession of the United States and the District of Columbia, or the Commonwealth of Puerto Rico.

(6) 'Highway' means the entire width between the boundary lines of every way publicly maintained when any part of it is open to the use of the public for purposes of vehicular travel.

(7) 'Motor vehicle' means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

(8) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor and a moped.

(9) 'Nonresident' means every person who is not a resident of this State.

(10) 'Nonresident's operating privilege' means the privilege conferred upon a nonresident by the laws of this State pertaining to the operation by the person of a motor vehicle, or the use of a vehicle owned by the person, in this State.

(11) 'Conviction' means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(12) 'Cancellation of driver's license' means the annulment or termination by formal action of the Department of Motor Vehicles of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to the license; the cancellation of a license is without prejudice, and application for a new license may be made at any time after the cancellation.

(13) 'Revocation of driver's license' means the termination by formal action of the Department of Motor Vehicles of a person's driver's license or privilege to operate a motor vehicle on the public highways, which privilege to operate is not subject to renewal or restoration, except that an application for a new license may be presented and acted upon by the department.

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(14) ‘Suspension of driver’s license’ means the temporary withdrawal by formal action of the Department of Motor Vehicles of a person’s driver’s license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be as specifically designated.

(15) ‘Automotive three-wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three-wheel vehicle.

(16) ‘Alcohol’ means a substance containing any form of alcohol including, but not limited to, ethanol, methanol, propanol, and isopropanol.

(17) ‘Alcohol concentration’ means:

(a) the number of grams of alcohol for each one hundred milliliters of blood by weight; or

(b) as determined by the South Carolina Law Enforcement Division for other bodily fluids.

(18) ‘Motorcycle three-wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device but excluding a tractor or automotive three-wheel vehicle.

(19) ‘Low speed vehicle’ or ‘LSV’ means a four-wheeled motor vehicle, other than an all terrain vehicle, whose speed attainable in one mile is more than twenty miles an hour and not more than twenty-five miles an hour on a paved level surface, and whose GVWR gross vehicle weight rating (GVWR) is less than three thousand pounds.

(20) ‘All terrain vehicle’ or ‘ATV’ means a motor vehicle measuring fifty inches or less in width, designed to travel on three or more wheels and designed primarily for off-road recreational use, but not including farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicles.

(21) ‘Operator’ or ‘driver’ means a person who is in actual physical control of a motor vehicle.

(22) ‘Person’ means every natural person, firm, partnership, trust, company, firm, association, or corporation. Where the term ‘person’ is used in connection with the registration of a motor vehicle, it includes any corporation, association, partnership, trust, company, firm, or other aggregation of individuals which owns or controls the motor vehicle as

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actual owner, or for the purpose of sale or for renting, as agent, salesperson, or otherwise.

(23) 'Office of Motor Vehicle Hearings' means the Office of Motor Vehicle Hearings created by Section 1-23-660. The Office of Motor Vehicle Hearings has exclusive jurisdiction to conduct all contested case hearings or administrative hearings arising from department actions.

(24) 'Administrative hearing' means a 'contested case hearing' as defined in Section 1-23-310. It is a hearing conducted pursuant to the South Carolina Administrative Procedures Act.

(25) 'Home jurisdiction' means the jurisdiction which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

(26) 'Moped' means a cycle, defined as a motor vehicle, with or without pedals, to permit propulsion by human power, that travels on not more than three wheels in contact with the ground whether powered by gasoline, electricity, alternative fuel, or a hybrid combination thereof. Based on the engine or fuel source, the moped must be equipped not to exceed the following limitations: a motor less than fifty cubic centimeters; or designed to have an input of less than 1500 watts. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

(27) 'Daylight hours' means after six o'clock A.M. and no later than six o'clock P.M. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, 'daylight hours' means after six o'clock a.m. and no later than eight o'clock p.m. All other hours are designated as nighttime hours.

(28) 'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks."

SECTION 2. Section 56-1-30 of the 1976 Code is amended to read:

"Section 56-1-30. The following persons are exempt from licenses under this ~~article~~ chapter:

(1) Any employee of the United States Government while operating a motor vehicle owned by or leased to the United States Government and being operated on official business, unless the employee is required by the United States Government or the Federal agency by which he is employed to have a State driver's license;

(2) A nonresident who is at least sixteen years of age and who has in his immediate possession a valid operator's or chauffeur's license

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issued to him in his home state or country may operate a motor vehicle, but a person may not claim nonresidence exemption under this provision who does not maintain a permanent residence address in the state or country of which he holds a valid and current operator's or chauffeur's license at which he regularly receives his mail and which address is on file with the motor vehicle authorities of that state or country; also, a person may not claim nonresidence exemption under this provision who for all other intents and purposes has or may remove his residence into this State;

(3) Any nonresident who is at least eighteen years of age and whose home state or country does not require the licensing of operators may operate a motor vehicle for a period of not more than ninety days in any calendar year, if the motor vehicle is duly registered in the home state or country of the nonresident and a nonresident on active duty in the Armed Services of the United States who has a valid license issued by his home state and the nonresident's spouse or dependent who has a valid license issued by his home state;

(4) A person operating or driving implements of husbandry temporarily drawn, propelled, or moved upon a highway. Implements of husbandry include, but are not limited to, farm machinery and farm equipment other than a passenger car.

(5) Any person on active duty in the Armed Services of the United States who has in his immediate possession a valid driver's license issued in a foreign country or by the Armed Services of the United States may operate a motor vehicle in this State for a period of not more than ninety days from the date of his return to the United States; and

(6) A citizen of a foreign jurisdiction whose licensing procedure is at least as strict as South Carolina's, as determined by the Department of Motor Vehicles, who is at least eighteen years of age, who is employed in South Carolina, and who has a valid driver's license issued by that jurisdiction may drive in this State for five years if the foreign jurisdiction provides a reciprocal arrangement for South Carolina residents. The provisions of this item also shall apply to the dependents of foreign nationals who qualify under this section."

SECTION 3. Section 56-1-50 of the 1976 Code, as last amended by Act 176 of 2005, is further amended to read:

"Section 56-1-50. (A) A person who is at least fifteen years of age may apply to the Department of Motor Vehicles for a beginner's permit. After the applicant has passed successfully all parts of the examination other than the driving test, the department may issue to the applicant a beginner's permit which entitles the applicant having the

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permit in his immediate possession to drive a motor vehicle under the conditions contained in this section on the public highways for not more than twelve months.

(B) The permit is valid only in the operation of:

(1) vehicles after six o'clock a.m. and not later than midnight. Except as provided in subsection (E), while driving, the permittee must be accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience. A permittee may not drive between midnight and six o'clock a.m. unless accompanied by the permittee's licensed parent or guardian;

(2) motorcycles or mopeds, ~~motor scooters, or light motor driven cycles of five brake horsepower or less after six o'clock a.m. and not later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the permittee may operate motor scooters or light motor driven cycles after six o'clock a.m. and not later than eight o'clock p.m. during daylight hours.~~ A permittee may not operate a motorcycle or moped, ~~motor scooter, or light motor driven cycle~~ at any other time unless supervised by the permittee's motorcycle licensed parent or guardian.

(C) The accompanying driver must occupy a seat beside the permittee, except when the permittee is operating a motorcycle or moped. A three-wheel vehicle requires the accompanying driver to be directly behind the permittee on a saddle-type seat or beside the permittee on a bench-type seat.

(D) A beginner's permit may be renewed or a new permit issued for additional periods of twelve months, but the department may refuse to renew or issue a new permit where the examining officer has reason to believe the applicant has not made a bona fide effort to pass the required driver's road test or does not appear to the examining officer to have the aptitude to pass the road test. The fee for every beginner's or renewal permit is two dollars and fifty cents, and the permit must bear the full name, date of birth, and residence address and a brief description and color photograph of the permittee and a facsimile of the signature of the permittee or a space upon which the permittee shall write his usual signature with pen and ink immediately upon receipt of the permit. A permit is not valid until it has been signed by the permittee.

(E) The following persons are not required to obtain a beginner's permit to operate a motor vehicle:

(1) a student at least fifteen years of age regularly enrolled in a high school of this State which conducts a driver's training course while

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the student is participating in the course and when accompanied by a qualified instructor of the course; and

(2) a person fifteen years of age or older enrolled in a driver training course conducted by a driver training school licensed under Chapter 23 of this title. However, this person at all times must be accompanied by an instructor of the school and may drive only an automobile owned or leased by the school which is covered by liability insurance in an amount not less than the minimum required by law.

(F) A person who has never held a form of license evidencing previous driving experience first must be issued a beginner's permit and must hold the permit for at least one hundred eighty days before being eligible for full licensure.

(G) The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:

Fees and Penalties	General Fund	Department of
Collected After	of the State	Transportation
	State Non-Federal Aid	
	Highway Fund	
June 30, 2005	60 percent	40 percent
June 30, 2006	20 percent	80 percent
June 30, 2007	0 percent	100 percent.

SECTION 4. Section 56-1-175 of the 1976 Code is amended to read:

“Section 56-1-175. (A) The Department of Motor Vehicles may issue a conditional driver's license to a person who is at least fifteen years of age and less than sixteen years of age, who has:

(1) held a beginner's permit for at least one hundred eighty days;

(2) passed a driver's education course as defined in subsection (E);

(3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by the person's licensed parent or guardian;

(4) passed successfully the road tests or other requirements the department may prescribe; and

(5) satisfied the school attendance requirement contained in Section 56-1-176.

(B) A conditional driver's license is valid only in the operation of:

(1) vehicles during daylight hours. The holder of a conditional license must be accompanied by a licensed adult twenty-one years of age

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or older after six o'clock p.m. or eight o'clock p.m. during daylight saving time. A conditional driver's license holder may not drive between midnight and six o'clock a.m., unless accompanied by the holder's licensed parent or guardian; or

~~(2) a motor scooter or light motor driven cycle of five brake horsepower or less, during daylight hours.~~ mopeds during daylight hours.

(C) A conditional driver's license holder may not transport more than two passengers who are under twenty-one years of age unless accompanied by a licensed adult who is twenty-one years of age or older. This restriction does not apply when the conditional driver's license holder is transporting family members, or students to or from school.

~~(D) Daylight hours, as used in this section, means after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the holder of the conditional license may operate a vehicle after six o'clock a.m. and no later than eight o'clock p.m. For purposes of this section, all other hours are designated as nighttime hours.~~

~~(E)~~ A driver training course, as used in this section, means a driver's training course administered by a driver's training school or a private, parochial, or public high school conducted by a person holding a valid driver's instructor permit contained in Section 56-23-85.

~~(F)~~(E) For purposes of issuing a conditional driver's license pursuant to this section, the department must accept a certificate of completion for a student who attends or is attending an out-of-state high school and passed a qualified driver's training course or program that is equivalent to an approved course or program in this State. The department must establish procedures for approving qualified driver's training courses or programs for out-of-state students."

SECTION 5. Section 56-1-180 of the 1976 Code is amended to read:

"Section 56-1-180. (A) The Department of Motor Vehicles may issue a special restricted driver's license to a person who is at least sixteen years of age and less than seventeen years of age, who has:

(1) held a beginner's permit for at least one hundred eighty days;

(2) passed a driver's education course as defined in subsection (F);

(3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by the person's licensed parent or guardian;

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(4) passed successfully the road test or other requirements the department may prescribe; and

(5) satisfied the school attendance requirement contained in Section 56-1-176.

(B) The special restricted driver's license is valid only in the operation of:

(1) vehicles during daylight hours. During nighttime hours, the holder of a special restricted driver's license must be accompanied by a licensed adult, twenty-one years of age or older. The holder of a special restricted driver's license may not drive between midnight and six o'clock a.m., unless accompanied by the holder's licensed parent or guardian. The restrictions in this section may be modified or waived by the department if the restricted licensee proves to the department's satisfaction that the restriction interferes or substantially interferes with:

(a) employment or the opportunity for employment;

(b) travel between the licensee's home and place of employment or school; or

(c) travel between the licensee's home or place of employment and vocational training;

(2) ~~a motor scooter or light motor driven cycle of five brake horsepower or less during daylight hours.~~ mopeds during daylight hours.

(C) The waiver or modification of restrictions provided for in ~~item~~ subsection (B)(1) must include a statement of the purpose of the waiver or modification executed by the parents or legal guardian of the holder of the restricted license and documents executed by the driver's employment or school official, as is appropriate, evidencing the holder's need for the waiver or modification.

(D) A special restricted license holder may not transport more than two passengers who are under twenty-one years of age unless accompanied by a licensed adult twenty-one years of age or older. This restriction does not apply when the special restricted license holder is transporting family members or students to or from school.

(E) ~~Daylight hours, as used in this section, means after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the holder of the special restricted license may operate a vehicle after six o'clock a.m. and no later than eight o'clock p.m. For purposes of this section, all other hours are designated as nighttime hours.~~

(F) A driver training course, as used in this section, means a driver's training course administered by a driver's training school or a

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private, parochial, or public high school conducted by a person holding a valid driver's instruction permit contained in Section 56-23-85.

~~(G)~~(F) For purposes of issuing a special restricted driver's license pursuant to this section, the department must accept a certificate of completion for a student who attends or is attending an out-of-state high school and passed a qualified driver's training course or program that is equivalent to an approved course or program in this State. The department must establish procedures for approving qualified driver's training courses or programs for out-of-state students."

SECTION 6. Section 56-1-185 of the 1976 Code is amended to read:

"Section 56-1-185. (A) A person while operating a motor vehicle under a conditional or a special restricted driver's license who is convicted of a traffic offense or involved in an accident in which he was at fault shall have the removal of the restrictions postponed for twelve months and is not eligible to be issued a regular driver's license until one year from the date of the last traffic offense or accident in which he was at fault or until he is seventeen years of age.

(B) A person while operating a motor vehicle under a beginner's permit or a conditional or a special restricted driver's license or a person who is younger than seventeen years of age while operating a motor vehicle under a moped operator's license who is convicted of one or more point-assessable traffic offenses totaling six or more points, as determined by the values contained in Section 56-1-720, shall have his license suspended by the Department of Motor Vehicles for six months. This suspension shall not preclude other penalties otherwise provided for the same violations.

(C) The department may not issue a beginner's permit or special restricted license as provided for in Sections 56-1-50 and 56-1-180 to any person convicted of a second or subsequent violation of operating a moped on the public highways of this State while under age or without a license, until that person is at least fifteen and one-half years of age."

SECTION 7. Section 56-1-1710 of the 1976 Code is amended to read:

~~"Section 56-1-1710. For purposes of this article, "moped" means a cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically~~

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~~without clutching or shifting by the operator after the drive system is engaged. Reserved.”~~

SECTION 8. Section 56-1-1720 of the 1976 Code is amended to read:

~~“Section 56-1-1720. Until January 1, 1987, no person under the age of twelve may operate a moped on the public highways and streets of this State. After December 31, 1986, to operate a moped on the public highways and streets of this State, a person must possess a valid driver’s license issued under Article 1 of this chapter or a valid moped operator’s license issued under this article, except that a person whose driver’s license has been suspended for a period of six months or less is not required to obtain a moped operator’s license or possess a valid driver’s license during the period of suspension. From January 1, 1987, to December 31, 1987, the Department shall not issue a moped operator’s license to any person who is less than thirteen years of age. After December 31, 1987, the~~ (A) To operate a moped on the public highways and streets of this State, a person must possess a valid driver’s license issued under Article 1 of this chapter or a valid moped operator’s license issued under this article. The Department of Motor Vehicles shall not issue a moped operator’s license to any person who is less than fourteen years of age.

(B) Any person who violates operates a moped in violation of the provisions of this section is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not less than twenty-five dollars nor more than fifty dollars and, upon conviction of a second or subsequent offense, must be fined not less than fifty dollars nor more than one hundred dollars.

~~The Department may not issue a beginner’s permit or special restricted license as provided for in Sections 56-1-50 and 56-1-180 to any person convicted of a second or subsequent violation of operating a moped on the public highways and roads of this State while under age, until that person is at least fifteen and one-half years of age.”~~

SECTION 9. Section 56-1-1730 of the 1976 Code is amended to read:

~~“Section 56-1-1730. (A) A person is eligible for a moped operator’s license without regard to his eligibility for or the status of any other driver’s license or permit.~~

(B) The Department of Motor Vehicles may suspend, revoke, or cancel a moped operator’s license only for violations committed while operating a moped. A moped operator’s license may be suspended, revoked, or canceled in the same manner and upon the same grounds for

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which any other motor vehicle operator's license or permit may be suspended, revoked, or canceled.

(C) No person may operate a moped at a speed in excess of thirty-five miles an hour as provided in Section 56-5-1555 and is subject to the fines and penalties provided pursuant to that section."

SECTION 10. Section 56-1-1740 of the 1976 Code is amended to read:

"Section 56-1-1740. (A) The Department of Motor Vehicles shall examine every applicant for a moped operator's license. The examination shall include a test of the applicant's eyesight and, as pertains to the operation of a moped, a test of his ability to read and understand highway signs regulating, warning, and directing traffic and his knowledge of the traffic laws of this State. The department may require further physical and mental examination as it considers necessary to determine the applicant's fitness to operate a moped upon the highways, the further examination to be at the applicant's expense. The department shall make provisions for giving an examination in the county where the applicant resides. The department shall charge ~~a fee of two~~ an appropriate fee not to exceed ten dollars to defray the expenses of the department for each complete examination or reexamination required in this article.

(B) The expiration and renewal of moped operator's licenses must be in accordance with Sections 56-1-210, 56-1-220, and 56-1-225."

SECTION 11. Section 56-2-2740(C) of the 1976 Code is amended to read:

"(C) All validation decals must be issued for a period not to exceed twelve months, except for vehicles not requiring the payment of property taxes."

SECTION 12. Chapter 2, Title 56 of the 1976 Code is amended by adding:

"Article 3
Mopeds

Section 56-2-3000. A person operating a moped on a public road or highway must at all times have in his possession a valid moped operator's license or valid driver's license pursuant to the requirements of Chapter 1 of this title.

Section 56-2-3010. (A) Beginning July 1, 2018 a moped operated on a public road or highway:

(1) must be registered and licensed with the Department of Motor Vehicles in the same fashion as passenger vehicles pursuant to this title; and

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(2) must be insured subject to the same insurance requirements applicable to an individual private passenger automobile pursuant to Title 38 of the 1976 Code.

(B) The Department of Motor Vehicles shall establish a special size and class of license plates for mopeds that clearly identifies the motor vehicle as a moped and distinctive numbering and/or lettering so as to be identifiable to law enforcement.

(C) Mopeds are not required to be titled in this State.

(D) If a manufacturer's certificate of origin states the vehicle is a 'motor scooter', 'motor-driven cycle', or any similar term, the definitions of 'motorcycle' and 'moped', as shown in Section 56-1-10, must be used to determine whether the vehicle must be registered as a moped or must be titled and registered as a motorcycle.

Section 56-2-3020. (A) A privately owned and operated moped of a nonresident, otherwise subject to registration and license as provided by this chapter, may be operated within this State without being registered and licensed pursuant to this chapter, subject to the conditions that at all times when operated in this State the moped:

(1) is duly registered or licensed in the state, territory, district, or country of residence of the owner; and

(2) has displayed or issued a valid registration, registration card, license plate or decal, or other indicia satisfactorily evidencing compliance with the requirements of the owner's home jurisdiction.

(B) The moped of a nonresident must be registered and licensed pursuant to this chapter upon the earlier of a nonresident's:

(1) subsequent establishment of domicile in this State; or

(2) operation of the moped in this State for an accumulated period exceeding one hundred and eighty days.

Section 56-2-3030. An owner of a moped required to be registered in this state shall make application to the Department of Motor Vehicles for the registration and licensing of the moped. The application must be made upon the appropriate form furnished by the department. Every application must bear the signature of the owner.

Section 56-2-3040. An application for registration and licensing of a moped shall contain:

(1) the name, bona fide residence and mailing address of the owner or business address of the owner if a firm, association or corporation;

(2) a description of the vehicle including, insofar as this exists with respect to a given vehicle, the make, model, type of body, number of cylinders, serial number or other identifying number of the vehicle,

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whether the vehicle is new or used, and the date of sale by the manufacturer or seller to the person intending to operate the vehicle;

(3) other information that reasonably may be required by the Department of Motor Vehicles to enable it to determine whether the vehicle is lawfully entitled to registration and licensing;

(4) the application shall be accompanied by a bill of sale and a vehicle registration certificate, Manufacturer's Certificate of Origin, or an affidavit from the applicant certifying that he is the legal and rightful owner of the moped. The documentation provided must list the vehicle specifications, including the total cubic centimeters of the engine or wattage of the engine, as applicable.

Section 56-2-3050. The department, at the request of the owner, may issue a title for the moped in conjunction with the moped registration, provided that the owner makes application for title on the appropriate form and provides the department with a Manufacturer's Statement of Origin or a prior title. If an owner cannot provide a Manufacturer's Statement of Origin or prior title, the moped may be registered, but not titled.

Section 56-2-3060. (A) A person is guilty of a misdemeanor who:

- (1) fraudulently uses or gives a false or fictitious name or address in an application required to be made under this chapter;
- (2) knowingly makes a false statement in an application; or
- (3) knowingly conceals a material fact in an application.

(B) A person who operates or an owner who permits the operation or movement of a vehicle registered and licensed under a violation of this section is guilty of a misdemeanor.

Section 56-2-3065. A moped, while traveling along a multi-lane highway, must be operated in the farthest right lane except when making a left turn.

Section 56-2-3070. (A) A person may not ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. A moped may not be used to carry more persons at one time than the number for which it is designed and equipped by the manufacturer.

(B) A person, while operating a moped, and his passenger must each wear a reflective vest that at a minimum is ANSI/ISEA Class 1 standard.

Section 56-2-3080. It is unlawful for a person to operate a moped on the public roads in this State that have a speed limit of greater than fifty-five miles per hour. A moped is not prohibited from crossing an intersection at a public road with a speed limit in excess of fifty-five miles per hour.

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Section 56-2-3090. (A) It is unlawful for a person to sell a new moped for use on the public highways and streets of this State or operate a moped upon the public highways and streets of this State without:

- (1) operable pedals, if the moped is equipped with pedals;
- (2) at least one rearview mirror;
- (3) operable headlight and running lights;
- (4) brake lights which are operable when either brake is deployed; and
- (5) a flashing red rear tail light that is continuously engaged while the vehicle is in operation.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

Section 56-2-3100. The operator of a moped must have the operational lights turned on at all times while the moped is in operation on the public highways and streets of this State and have the following equipment turned on and in operation:

- (1) the head lights and operational lights; and
- (2) the continuously flashing rear red tail light.

Section 56-2-3110. (A) Prior to July 1, 2018, a person who sells, solicits, or advertises the sale of mopeds clearly and conspicuously shall label each moped with its specifications including, but not limited to, the brake horsepower of the motor and the maximum speed of the vehicle on level ground. The seller also shall attach a metal identification plate to each moped without pedals identifying the vehicle as a moped. This plate must be designed by the Department of Motor Vehicles and must display information the department considers necessary for enforcement purposes. The plate must be displayed permanently on each moped without pedals and must not be removed. A seller of mopeds who fails to label a moped, fails to attach a metal identification plate to a moped, knowingly labels a motorcycle or motor-driven cycle as a moped, or attaches a metal identification plate to a motorcycle or motor-driven cycle identifying the vehicle as a moped, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days.

(B) It is unlawful for a person to operate a moped without pedals upon the public highways and streets of this State without displaying the metal identification plate which must be attached to the vehicle. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

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(C) Each vehicle which is incorrectly labeled or plated and each moped which is not labeled or plated is a separate violation of this section.

Section 56-2-3120. A person selling mopeds shall post, in a conspicuous place in his business, a sign that contains a brief explanation of the provisions of law governing the operation of mopeds, including but not limited to, age restrictions, maximum speeds, and the definition of a moped.

Section 56-2-3130. A person or entity selling mopeds is not required to obtain a motor vehicle dealer's license."

SECTION 13. Chapter 2, Title 56 of the 1976 Code is amended by adding:

"Section 56-2-4000. It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony. Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days."

SECTION 14. Section 56-3-20 of the 1976 Code is amended to read:

"Section 56-3-20. For purposes of this chapter, the following words and phrases are defined as follows:

(1) ~~'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks. Reserved.~~

(2) ~~'Motor vehicle' means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. Reserved.~~

(3) ~~'Motorcycle' means every motorcycle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor. Reserved.~~

(4) ~~'Motor driven cycle' means every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower. Reserved.~~

(5) 'Authorized emergency vehicle' means vehicles of the fire department (fire patrol), police vehicles, and the ambulances and emergency vehicles of municipal departments or public service

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corporations designated or authorized by the department or the chief of police of an incorporated municipality.

(6) 'School bus' means every bus owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for the transportation of children to or from school.

(7) 'Truck tractor' means every motor vehicle designed and used primarily for drawing other vehicles and not constructed so as to carry a load other than a part of the weight of the vehicle and load drawn.

(8) 'Farm tractor' means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(9) 'Road tractor' means every motor vehicle designed and used for drawing other vehicles and not constructed so as to carry a load on it either independently or any part of the weight of a vehicle or load drawn.

(10) 'Truck' means every motor vehicle designed, used, or maintained primarily for the transportation of property.

(11) 'Special mobile equipment' includes every vehicle, with or without motive power, not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditchdigging apparatus, well-boring apparatus, truck cranes or mobile shovel cranes, and similar vehicles; this enumeration is deemed partial and does not operate to exclude other vehicles which are within the general terms of this definition.

(12) 'Bus' means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(13) 'Trailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(14) 'Semitrailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(15) 'Pole trailer' means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise

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secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(16) 'Foreign vehicle' means every vehicle of a type required to be registered brought into this State from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this State.

(17) 'Implement of husbandry' means every vehicle which is designed for agricultural purposes and exclusively used by its owner in the conduct of his agricultural operations.

(18) 'Solid tire' means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(19) 'Gross weight' or 'gross weight vehicle' means the weight of a vehicle without load plus the weight of any load on it.

(20) 'Load capacity' means the maximum weight of the pay load of the property intended to be transported by a vehicle or combination of vehicles, exclusive of the weight of the vehicle or vehicles.

(21) 'Owner' means a person who holds the legal title of a vehicle or, in the event (a) a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or (b) a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor is deemed the owner for the purpose of this chapter.

(22) ~~'Nonresident' means every person who is not a resident of this State.~~ Reserved.

(23) 'Dealer' or 'motor vehicle dealer' means both 'dealer' and 'wholesaler' as defined in Chapter 15 of this title.

(24) ~~{Deleted}~~ Reserved.

(25) 'Street' or 'highway' means the entire width between boundary lines of every way publicly maintained when any part of it is open to the use of the public for vehicular travel.

(26) 'Odometer' means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; it does not include an auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(27) 'Odometer reading' means actual cumulative distance traveled disclosed on the odometer.

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(28) 'Odometer disclosure statement' means a statement, as prescribed by item (4) of Section 56-3-240, certified by the owner of the motor vehicle to the transferee or to the Department of Motor Vehicles as to the odometer reading.

~~(29) 'Moped' means every cycle with pedals to permit propulsion by human power and with a motor of not more than fifty cubic centimeters which produces not to exceed one and one-half brake horsepower and which is not capable of propelling the vehicle at a speed in excess of twenty-five miles per hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. Reserved.~~

(30) 'Automotive three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three-wheel vehicle.

~~(31) 'Motorcycle three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device, but excluding a tractor or automotive three-wheel vehicle. Reserved."~~

SECTION 15. Section 56-3-200 of the 1976 Code is amended to read:

"Section 56-3-200. Except in the case of a moped or as otherwise provided for in Chapter 19 of this title, the Department of Motor Vehicles shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the Department to the owner or an application ~~therefor~~ has been delivered by the owner to the department."

SECTION 16. Section 56-3-250 of the 1976 Code is amended to read:

"Section 56-3-250. No vehicle shall be registered and licensed by the Department of Motor Vehicles unless a signed statement accompanies the application certifying that all county and municipal taxes legally due by the applicant on the vehicle concerned have been paid and if such vehicle is legally subject to being returned by the applicant for county and municipal taxes such return has been made; that the applicant is not delinquent in the payment of any motor vehicle taxes in this State, and that the address and county shown on the application for license is the true legal residence of the applicant. A transfer between

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members of the same family shall not, for the purpose of this section, be considered a bona fide purchase. Any person falsely certifying as required in this section shall have his driver's license suspended for a period of six months.

The provisions of this section shall not apply to a moped, to any citizen of this State on active duty with the Armed Forces of the United States when the vehicle to be registered and licensed is operated for more than six months each year outside the boundaries of this State, nor to any motor vehicle subject to assessment for ad valorem tax purposes by the ~~State Tax Commission~~ Department of Revenue."

SECTION 17. Section 56-3-630 of the 1976 Code, as last amended by Act 398 of 2006, is further amended to read:

"Section 56-3-630. The Department of Motor Vehicles shall classify as a private passenger motor vehicle every motor vehicle which is designed, used, and maintained for the transportation of ten or fewer persons and trucks having an empty weight of nine thousand pounds or less and a gross weight of eleven thousand pounds or less, except a motorcycle, motorcycle three-wheel vehicle, or ~~motor-driven cycle moped~~. The department shall classify a three-wheel vehicle by the ~~manufacturers~~ manufacturer's statement of origin for the vehicle's initial registration. For subsequent registration, the department shall classify the three-wheel vehicle by its title document. This section does not relieve or negate any applicable fees required under Section 56-3-660."

SECTION 18. Section 56-3-760 of the 1976 Code is amended to read:

"Section 56-3-760. For every motorcycle, motorcycle three-wheel vehicle, or ~~motor-driven cycle moped~~ the biennial registration fee is ten dollars."

SECTION 19. Section 56-5-120 of the 1976 Code is amended to read:

"Section 56-5-120. ~~Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks, is a "vehicle. Reserved.~~"

SECTION 20. Section 56-5-130 of the 1976 Code is amended to read:

"Section 56-5-130. ~~Every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, is a "motor vehicle". Reserved.~~"

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SECTION 21. Section 56-5-140 of the 1976 Code is amended to read:

~~“Section 56-5-140. Every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor, is a “motorcycle”. Reserved.”~~

SECTION 22. Section 56-5-150 of the 1976 Code is amended to read:

~~“Section 56-5-150. Every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower is a “motor driven cycle”. Reserved.”~~

SECTION 23. Section 56-5-155 of the 1976 Code is amended to read:

~~“Section 56-5-155. A motorcycle three wheel vehicle means a motor vehicle having no more than three permanent functional wheels in contact with the ground and includes motorcycles with detachable side cars, having a saddle type seat for the operator, and handle bars or a motorcycle type steering device, but excludes a tractor or automotive three wheel vehicle. Reserved.”~~

SECTION 24. Section 56-5-165 of the 1976 Code is amended to read:

~~“Section 56-5-165. Notwithstanding the provisions of Section 56-5-160, every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground is a moped. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. Reserved.”~~

SECTION 25. Section 56-5-361 of the 1976 Code is amended to read:

~~“Section 56-5-361. Every motor vehicle except motorcycles and motor driven cycles mopeds, designed for carrying ten passengers or less and used for the transportation of persons is a ‘passenger car’.”~~

SECTION 26. Section 56-5-410 of the 1976 Code is amended to read:

~~“Section 56-5-410. An “owner” is a person, other than a lienholder, having the property or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security~~

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interest in another person but excludes a lessee under a lease not intended as security. Reserved.”

SECTION 27. Section 56-5-1550 of the 1976 Code is amended to read:

“Section 56-5-1550. ~~No person shall operate any motor driven cycle at any time mentioned in Section 56-5-4450 at a speed greater than thirty five miles per hour unless such motor driven cycle is equipped with head lamps which are adequate to reveal a person or vehicle at a distance of three hundred feet ahead.~~ Reserved.”

SECTION 28. Section 56-5-1555 of the 1976 Code is amended to read:

“Section 56-5-1555. No person may operate a moped at a speed in excess of ~~twenty five~~ thirty-five miles an hour. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION 29. Section 56-5-4450 of the 1976 Code is amended to read:

“Section 56-5-4450. (A) Every vehicle upon a street or highway within this State shall display lighted lamps and illuminating devices, excluding parking lights, from a half hour after sunset to a half hour before sunrise, and at any other time when windshield wipers are in use as a result of rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or highway at a distance of five hundred feet ahead as required in this article for different classes of vehicles, subject to exceptions with respect to parked vehicles as provided in this article; provided, however, the provisions of this section requiring use of lights in conjunction with the use of windshield wipers shall not apply to instances when windshield wipers are used intermittently in misting rain, sleet, or snow.

~~Until January 1, 1989, any person who fails to display the lights of a vehicle he is operating when lights are required by this section due to inclement weather or environmental factors may be issued only a warning ticket.~~

(B) Any person who violates this section is guilty of a misdemeanor and, upon conviction, may be fined up to twenty-five dollars.”

SECTION 30. Section 56-9-20(4), (5), (6), (7), (8), and (9) of the 1976 Code is amended to read:

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“(4) ‘Motor vehicle’: Every self-propelled vehicle which is designed for use upon a highway, including trailers and semitrailers designed for use with such vehicles but excepting traction engines, road rollers, farm tractors, tractor cranes, power shovels, ~~mopeds~~, and well drillers, and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails;

(5) ‘Motor vehicle liability policy’: An owner’s or an operator’s policy of liability insurance that fulfills all the requirements of Sections 38-77-140 through 38-77-230, certified as provided in Section 56-9-550 or 56-9-560 as proof of financial responsibility and issued, except as otherwise provided in Section 56-9-560, by an insurance carrier duly authorized to transact business in this State, to or for the benefit of the person or persons named therein as insured, and any other person, as insured, using the vehicle described therein with the express or implied permission of the named insured, and subject to the following special conditions:

(a) Contents of motor vehicle liability policy. The motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this chapter as respects bodily injury and death or property damage, or both, and is subject to all of the provisions of this chapter.

(b) Provisions deemed incorporated in such policy. Every motor vehicle liability policy is subject to the following provisions, which need not be contained therein:

(1) The liability of the insurance carrier with respect to the insurance required by this chapter shall become absolute whenever injury or damage covered by the motor vehicle liability policy occurs;

(2) The policy may not be cancelled or annulled as to the liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage;

(3) No Statement made by the insured or on his behalf and no violation of the policy shall defeat or void the policy;

(4) The satisfaction by the insured of a judgment for the injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage;

(5) The insurance carrier shall have the right to settle any claim covered by the policy, and if the settlement is made in good faith,

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the amount thereof shall be deductible from the limits of liability specified in Section 38-77-140; and

(6) The policy, written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this chapter shall constitute the entire contract between the parties.

(c) What policy need not cover. The motor vehicle liability policy need not insure any liability under the Workers' Compensation Law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance, or repair of the motor vehicle, nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured.

(d) Additional coverage permitted. Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy and the excess or additional coverage shall not be subject to the provisions of this chapter. With respect to a policy which grants this excess or additional coverage, the term 'motor vehicle liability policy' shall apply only to that part of the coverage which is required by this article.

(e) Additional permissible provisions. Any motor vehicle liability policy may provide:

(1) That the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this chapter; and

(2) For the prorating of the insurance thereunder with other valid and collectible insurance.

(f) Requirements may be met by several policies. The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.

(g) Legal binder deemed to meet requirements. Any legal binder issued pending the issuance of a motor vehicle liability policy shall be considered as fulfilling the requirements for such policy.

(h) Notice required to cancel certified policy; cancellation by subsequent policy. When an insurance carrier has certified a motor vehicle liability policy under Sections 56-9-550 or 56-9-560, the insurance so certified shall not be cancelled or terminated until at least ten days after a notice of cancellation or termination of the insurance certified shall be filed with the Department of Motor Vehicles, except

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that a policy subsequently procured and certified shall at 12:01 A. M., on the effective date of its certification, terminate the insurance previously certified with respect to any motor vehicle designated in both certificates.

(i) Other required policies unaffected. This chapter shall not be held to apply to or affect policies of automobile insurance against liability insuring public carriers or policies which may be required by any other law of this State, any law or ordinance of any municipality or any law or regulation of the United States or any of its agencies, and those policies, if they contain an agreement or are endorsed to conform with the requirements of this chapter, may be certified as proof of financial responsibility under this chapter.

(j) Chapter inapplicable to policies covering use by employees, etc., of vehicles not owned by insured. This chapter shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by the persons in the insured's employ or on his behalf of motor vehicles not owned by the insured;

(6) ~~'Nonresident:' Every person who is not a resident of this State;~~ Reserved.

(7) ~~'Nonresident operating privilege:' The privilege conferred upon a nonresident by the laws of this State pertaining to the operation by him of a motor vehicle or the use of a motor vehicle owned by him in this State;~~ Reserved.

(8) ~~'Operator:' Every person who is in actual physical control of a motor vehicle, whether or not licensed as an operator or chauffeur under the laws of this State;~~ Reserved.

(9) ~~'Owner:'~~ , A person who holds the legal title of a motor vehicle or a person to whom a moped is registered, or, in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be considered the owner for the purposes of this chapter;"

SECTION 31. Section 56-9-110 of the 1976 Code is amended to read:

~~"Section 56-9-110. This chapter shall not apply with respect to any accident or judgment arising therefrom or violation of the motor vehicle laws of this State, occurring prior to January 1, 1953. Reserved."~~

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SECTION 32. Section 56-10-520 of the 1976 Code is amended to read:

“Section 56-10-520. (A) A person who owns an uninsured motor vehicle:

- ~~(1) licensed in the State; or~~
- ~~(2) subject to registration in the State;~~

that is licensed in the state or subject to registration in the state, who operates or permits the operation of that motor vehicle without first having paid to the director the uninsured motor vehicle fee required by Section 56-10-510, to be disposed of as provided by Section 56-10-550, is guilty of a misdemeanor.

(B)(1) A person who is the operator of an uninsured motor vehicle and not the titled owner, or in the case of a moped is not the registered owner, who knows that the required fee has not been paid to the director, is guilty of a misdemeanor and, upon conviction, must: for a:

- (a) first offense be fined no less than one hundred dollars and not more than two hundred dollars or imprisoned for thirty days; ~~for a~~
- (b) second offense be fined two hundred dollars or imprisoned for thirty days, or both; or for a third or subsequent offense must be imprisoned for not less than forty-five days nor more than six months.

(2) Only convictions which occurred within five years, including and immediately preceding the date of the last conviction, constitute prior convictions within the meaning of this section.

(C) The director or his designee, having reason to believe that a motor vehicle is being operated or has been operated on any specified date, may require the owner of such motor vehicle to submit the certificate of insurance provided for by Section 56-10-510. The refusal or neglect of the owner who has not, before the date of operation, paid the uninsured motor vehicle fee required by Section 56-10-510 as to such motor vehicle, to furnish such certificate must be prima facie evidence that the motor vehicle was an uninsured motor vehicle at the time of such operation. A person who presents or causes to be presented to the director a false certificate that a motor vehicle is an insured motor vehicle or false evidence that a motor vehicle sought to be registered is an insured motor vehicle, is guilty of a misdemeanor and, upon conviction, must be fined pursuant to Section 56-10-260.

(D) Abstracts of records of conviction, as defined in this title, of any violation of any of the provisions of this section must be forwarded to the director as prescribed by Section 56-9-330. The director shall suspend the driver's license and all registration certificates and license

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plates of any titled owner of an uninsured motor vehicle upon receiving notice of a violation of any provisions of this section, and the director shall not thereafter reissue the driver's license and the registration certificates and license plates issued in the name of such person until such person pays the fee applicable to the registration of an uninsured motor vehicle as prescribed in Section 56-10-510 and furnishes proof of future financial responsibility as prescribed by this section. Notice of such suspension shall be made in the form provided for in Section 56-1-465. However, when three years have elapsed from the date proof was required, the director may relieve the person of the requirement of furnishing proof of future financial responsibility. When the suspension results from a conviction for presenting or causing to be presented to the director a false certificate as to whether a motor vehicle is an insured motor vehicle or false evidence that any motor vehicle sought to be registered is insured, then the director shall not thereafter reissue the driver's license and the registration certificates and license plates issued in the name of the person so convicted for a period of one hundred eighty days from the date of the order of suspension, and only then when all other provisions of law have been complied with by the person. The director shall suspend the driver's license of any person who is the operator but not the titled owner of a motor vehicle upon receiving notice of a violation of any provisions of this section, and he shall not thereafter reissue the driver's license until thirty days from the date of the order of suspension."

SECTION 33. Section 56-10-535 of the 1976 Code is amended to read:

"Section 56-10-535. The director, upon receiving notice at the time of application or at any time during participation in the fund that a titled owner of a motor vehicle, or the registered owner of a moped has been convicted of one of the following violations: disobedience of any official traffic device; failure to stop for law enforcement officer when signaled; disobedience to any officer directing traffic; failure to stop for a school bus; leaving the scene of an accident where injury to a person or damage to property results; theft or unlawful taking of a vehicle; racing on public highways; driving under the influence of intoxicating liquor or narcotic drugs or where injury to a person of over six hundred dollars per person or damage to property of the insured or other person of over one thousand dollars results; reckless driving where injury to a person of over six hundred dollars per person or damage to property of the insured or other person of over one thousand dollars results, homicide or assault arising out of the operation of a motor vehicle; any

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felony involving the use of a motor vehicle; the transporting of illegal whiskey or unlawful drugs or other controlled or narcotic substances; reckless homicide; wilful making of false statements in the application for license or registration; impersonating an applicant for license or registration or procuring a license or registration through impersonation whether for himself or another; any three or more moving traffic convictions; any two or more accidents for which the owner is responsible and where injury to a person of over six hundred dollars per person or damage to property of the insured or other persons of over one thousand dollars results, or if any household driver has been licensed for less than three years; then the director shall require the owner to furnish proof of financial responsibility in the manner prescribed by the director.

However, when three years have elapsed from the effective date of any conviction for the above offenses, the director may relieve such person of the requirement of furnishing proof of future financial responsibility.”

SECTION 34. Section 56-15-10(a) of the 1976 Code is amended to read:

“(a) ‘Motor vehicle’, any motor driven vehicle required to be registered under Section 56-3-110. ~~This~~ For purposes of this chapter, this definition does not include motorcycles or mopeds.”

SECTION 35. Section 56-16-10(a) of the 1976 Code is amended to read:

“(a) ‘Motorcycle’ ~~means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than two wheels in contact with the ground~~ is defined in Section 56-1-10. This section shall chapter does not apply to bicycles with helper motors or vehicles defined in Section 56-1-1710.”

SECTION 36. Section 56-19-10 of the 1976 Code, as last amended by Act 317 of 2008, is further amended to read:

“Section 56-19-10. For the purposes of this chapter and Chapter 21 of Title 16, the following terms are defined as follows:

(1) ‘Authorized emergency vehicle’ means vehicles of the fire department, police vehicles, and the ambulances and emergency vehicles of municipal departments or public service corporations designated or authorized by the chief of police or governing body of a municipality.

(2) ‘Bicycle’ means a device propelled solely by pedals, operated by one or more persons, and having two or more wheels, except childrens’ tricycles.

(3) ‘Bus’ means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every

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motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(4) 'Dealer' or 'motor vehicle dealer' means both 'dealer' and 'wholesaler', as defined in Chapter 15 of this title.

(5) ~~'Driver' means every person who drives or is in actual physical control of a vehicle.~~ Reserved.

(6) 'Essential parts' means all integral and body parts of a vehicle of a type required to be registered under this title, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.

(7) ~~[Deleted]~~ Reserved.

(8) 'Farm tractor' means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(9) 'Foreign vehicle' means every vehicle of a type required to be registered under this title brought into this State from another state, territory, or country, other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this State.

(10) 'House trailer' means:

(a) a trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets and highways; or

(b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in subitem (a) of this item, but which is used instead permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services or for another commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(11) 'Identifying number' means the numbers and letters, if any, on a vehicle designated by the Department of Motor Vehicles for the purpose of identifying the vehicle.

(12) 'Implement of husbandry' means every vehicle, including mobile barns, designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(13) 'Lienholder' means a person holding a security interest in a vehicle.

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(14) 'Mail' means to deposit in the United States mail, properly addressed and with postage prepaid.

(15) 'Manufacturer' means every person engaged in the business of constructing or assembling vehicles of a type required to be registered under this title at an established place of business in this State.

~~(16) 'Motor vehicle' means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.~~
Reserved.

~~(17) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor.~~
Reserved.

~~(18) 'Motor driven cycle' means every motorcycle, including every motor scooter with a motor which produces not to exceed five horsepower.~~
Reserved.

~~(19) 'Nonresident' means every person who is not a resident of this State.~~
Reserved.

~~(20) 'Operator' means every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.~~
Reserved.

~~(21) 'Owner' means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security.~~
Reserved.

(22) 'Pole trailer' means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(23) 'Previously registered vehicle' means a vehicle registered in this State on January 1, 1958, or a vehicle whose last registration before that date was in this State.

(24) 'Reconstructed vehicle' means every vehicle of a type required to be registered under this title materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

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(25) 'Registration' means the registration certificate or certificates and registration plates issued under the laws of this State pertaining to the registration of vehicles.

(26) 'Road tractor' means every motor vehicle designed and used for drawing other vehicles and not constructed to carry any load on it, either independently or any part of the weight of a vehicle or load drawn.

(27) 'School bus' means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school.

(28) 'Security agreement' means a written agreement which reserves or creates a security interest.

(29) 'Security interest' means an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation, conditional sale contract, conditional lease, chattel mortgage, or other lien or encumbrance, except taxes or attachment liens provided for in Section 29-15-20. The term includes the interest of a lessor under a lease intended as security. A security interest is 'perfected' when it is valid against third parties generally, subject only to specific statutory exceptions.

(30) 'Semitrailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(31) 'Special mobile equipment' means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway including, but not limited to: ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes, or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(32) 'Specifically constructed vehicle' means every vehicle of a type required to be registered under this title not originally constructed under a distinctive name, make, model, or type by a generally recognized

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manufacturer of vehicles and not materially altered from its original construction.

(33) 'Trackless trolley coach' means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

(34) 'Trailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(35) 'Transporter' means every person engaged in the business of delivering vehicles of a type required to be registered under this title from a manufacturing, assembling, or distributing plant to dealers or sales agents of a manufacturer.

(36) 'Truck' means every motor vehicle designed, used, or maintained primarily for the transportation of property.

(37) 'Truck tractor' means every motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

(38) ~~'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.~~ Reserved.

(39) 'Mobile home' means every vehicle which is designed, constructed, and equipped principally as a permanent dwelling place and is equipped to be moved on streets and highways, but which exceeds the size limitations prescribed in Section 56-3-710 and which cannot be licensed and registered by the Department of Motor Vehicles as a 'house trailer'.

(40) 'Odometer' means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; it does not include an auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(41) 'Odometer reading' means actual cumulative distance traveled disclosed on the odometer.

(42) 'Odometer disclosure statement' means a statement, as prescribed by item (d) of subsection (1) of Section 56-19-240, certified by the owner of the motor vehicle to the transferee or to the Department of Motor Vehicles as to the odometer reading.

(43) ~~'Moped' means, notwithstanding item (2), every cycle with pedals to permit propulsion by human power or without pedals and with~~

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~~a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. Reserved.~~

~~(44) 'Automotive three wheel vehicle' means a motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor and a motoreycle three wheel vehicle. Reserved.~~

~~(45) 'Motoreycle three wheel vehicle' means a motor vehicle having no more than three permanent functional wheels in contact with the ground to include motoreycles with detachable side cars, having a saddle type seat for the operator, and handlebars or a motoreycle type steering device, but excluding a tractor or automotive three wheel vehicle. Reserved."~~

SECTION 37. Section 56-19-220 of the 1976 Code is amended to read:

"Section 56-19-220. No certificate of title need be obtained for:

- (1) A vehicle owned by the United States unless it is registered in this State;
- (2) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, or a vehicle used by the manufacturer solely for testing;
- (3) A vehicle owned by a nonresident of this State and not required by law to be registered in this State;
- (4) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;
- (5) A vehicle moved solely by animal power;
- (6) An implement of husbandry;
- (7) Special mobile equipment not required to be registered and licensed in this State;
- (8) A pole trailer; ~~and~~
- (9) ~~Vehicles~~ A vehicle not required to be licensed and registered in this State, except mobile homes;
- (10) A vehicle used by its manufacturer in a benefit program for the manufacturer's employees;

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(11) A vehicle used by its manufacturer for testing, distribution, evaluation, and promotion, subject to the limitation in Section 56-3-2332(B)(2); or

(12) A moped.”

SECTION 38. Section 38-77-30(5.5)(d) of the 1976 Code is amended to read:

“(d) Individual private passenger automobile does not include:

(i) motor vehicles that are used for public or livery conveyance or rented to others without a driver;

(ii) fire department vehicles, police vehicles, ambulances, and rescue squad vehicles which are publicly owned;

(iii) ~~motor driven cycles, motor scooters, and mopeds;~~

~~(iv)~~ dune buggies, all-terrain vehicles, go carts, and snowmobiles;

~~(v)~~(iv) golf carts; and

~~(vi)~~(v) small commercial risks.

SECTION 39. Article 30, Chapter 5, Title 56 of the 1976 Code is repealed.

SECTION 40. 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 41. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

Reps. BRANNON, DANING, MCEACHERN, DOUGLAS, WILLIAMS, JEFFERSON, PITTS, GAGNON, J. E. SMITH, THAYER, HILL, W. J. MCLEOD, GEORGE, KIRBY, COLE, HENEGAN, HICKS and HIOTT requested debate on the Bill.

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H. 4230--DEBATE ADJOURNED

Rep. PITTS moved to adjourn debate upon the following Bill until Thursday, June 4, which was adopted:

H. 4230 -- Rep. White: A BILL TO AMEND H. 3701 OF 2015, THE ANNUAL GENERAL APPROPRIATIONS BILL FOR FISCAL YEAR 2015-2016, SO AS TO MAKE SUPPLEMENTAL APPROPRIATIONS BY PROVIDING TARGETED INCREASES IN GENERAL FUND APPROPRIATIONS AND TO MAKE NECESSARY CONFORMING PROVISIO AMENDMENTS AND PROVIDE FOR OTHER RELATED MATTERS.

S. 379--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 379 -- Senator Courson: A BILL TO AMEND SECTION 12-4-520 OF THE 1976 CODE, RELATING TO COUNTY TAX OFFICIALS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT OF REVENUE SHALL ANNUALLY EXAMINE RECORDS OF ASSESSORS, AUDITORS, TREASURERS, AND TAX COLLECTORS TO A PERMISSIVE AUTHORITY TO ANNUALLY EXAMINE THESE RECORDS; TO AMEND SECTION 12-4-530, RELATING TO INVESTIGATION AND PROSECUTION OF VIOLATIONS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT SHALL INITIATE COMPLAINTS, INVESTIGATIONS, AND PROSECUTIONS OF VIOLATIONS TO A PERMISSIVE AUTHORITY; TO AMEND SECTION 12-37-30, RELATING TO THE ASSESSMENT OF MULTIPLE TAXES TO BE LEVIED ON THE SAME ASSESSMENT, TO CHANGE THE DESIGNATION OF STATE TAXES TO COUNTY TAXES; TO AMEND SECTION 21-37-266, RELATING TO THE HOMESTEAD EXEMPTION FOR DWELLINGS HELD IN TRUST, TO REQUIRE A COPY OF THE TRUST AGREEMENT BE PROVIDED; TO AMEND SECTION 12-37-290, RELATING TO THE GENERAL HOMESTEAD EXEMPTION, TO CHANGE THE HOMESTEAD EXEMPTION FROM PROPERTY TAXES FROM THE FIRST TEN THOUSAND DOLLARS TO THE FIRST FIFTY THOUSAND DOLLARS OF THE VALUE OF THE PRIMARY RESIDENCE OF A HOMEOWNER WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER TO CONFORM WITH OTHER SECTIONS OF THE CODE, AND TO TRANSFER FROM THE COMPTROLLER GENERAL TO THE

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DEPARTMENT OF REVENUE THE AUTHORITY TO PROMULGATE RULES AND FORMS, AND THE OBLIGATION TO REIMBURSE THE STATE AGENCY OF VOCATIONAL REHABILITATION FOR EXPENSES INCURRED IN EVALUATING DISABILITY UNDER THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 12-37-450, RELATING TO THE BUSINESS INVENTORY TAX EXEMPTION, TO REMOVE THE REQUIREMENT THAT THE AMOUNT OF REIMBURSEMENT ATTRIBUTED TO DEBT SERVICE BE REDISTRIBUTED TO OTHER SEPARATE MILLAGES ONCE THE DEBT IS PAID, TO REQUIRE THE REIMBURSEMENT BE REDISTRIBUTED PROPORTIONATELY TO THE SEPARATE MILLAGES LEVIED BY THE POLITICAL SUBDIVISIONS, TO STRIKE THE REQUIREMENT THAT THE REDISTRIBUTION BE ATTRIBUTED TO THE MILLAGE RATES IN THE YEAR 1987, AND TO REQUIRE THE ATTRIBUTION OF THE CURRENT TAX YEAR MILLAGE RATES; TO AMEND SECTION 12-37-710, RELATING TO THE RETURN AND ASSESSMENT OF PERSONAL PROPERTY, TO STRIKE "OF FULL AGE AND OF SOUND MIND" AS A QUALIFIER FOR EVERY PERSON WHO MUST LIST PERSONAL PROPERTY FOR TAXATION; TO AMEND SECTION 12-37-715, RELATING TO THE FREQUENCY OF AD VALOREM TAXATION ON PERSONAL PROPERTY, TO ALLOW NEWLY ACQUIRED VEHICLES TO BE TAXED MORE THAN ONCE IN A TAX YEAR; TO AMEND SECTION 12-37-760, RELATING TO STATEMENTS OF PERSONAL PROPERTY FOR TAXATION WHERE A PERSON REFUSES OR NEGLECTS TO DELIVER A STATEMENT OF PERSONAL PROPERTY, TO ELIMINATE THE OBLIGATION AND TO ALLOW THE PERMISSIVE AUTHORITY FOR THE COUNTY AUDITOR TO ASCERTAIN AND RETURN A LIST OF THAT PERSON'S PERSONAL PROPERTY AND TO ALLOW THAT HE MAY DENOTE REASONS FOR THE REFUSAL; TO REPEAL SECTION 12-37-850, RELATING TO THE REMOVAL OF THE JURISDICTION OF THE COURTS TO HEAR MATTERS ORIGINATED FROM THE TAXPAYER CONCERNING ALLEGATIONS OF FALSE RETURNS, TAX EVASION, OR FRAUD; TO AMEND SECTION 12-37-890, RELATING TO PERSONAL PROPERTY RETURNS FOR TAXATION PURPOSES, TO STRIKE LANGUAGE LISTING ANIMALS AND VEHICLES AND REPLACE WITH DESIGNATION OF PROPERTY USED IN ANY BUSINESS TO BE RETURNED TO THE COUNTY IN WHICH

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IT IS SITUATED FOR TAXATION PURPOSES, AND TO REMOVE THE REQUIREMENT THAT ALL BANKERS' CAPITAL OR PERSONAL ASSETS RELATED TO THE BANKING BUSINESS BE RETURNED TO THE COUNTY WHERE THE BANKING HOUSE IS LOCATED FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-900, RELATING TO PERSONAL PROPERTY TAX RETURNS, TO STRIKE THE DESIGNATED DATES OF THE REQUIRED ANNUAL RETURNS OF PERSONAL AND REAL PROPERTY TO THE COUNTY AUDITOR AND TO STRIKE THE AUTHORITY OF THE COUNTY LEGISLATIVE DELEGATION TO WAIVE THE PENALTIES OF FAILURE TO MAKE THIS STATEMENT; TO AMEND SECTION 12-37-940, RELATING TO VALUATION OF ARTICLES OF PERSONAL PROPERTY, TO STRIKE THE REQUIREMENT THAT MONEY AND BANK BILLS BE VALUED AT PAR VALUE AND THAT CREDITS BE VALUED AT THE FACE VALUE OF THE CONTRACT UNLESS THE PRINCIPAL BE PAYABLE AT A FUTURE TIME WITHOUT INTEREST AND CONTRACTS FOR THE DELIVERY OF SPECIFIC ARTICLES BE VALUED AT THE USUAL SELLING PRICE OF SUCH ITEMS; TO AMEND SECTION 12-37-970, RELATING TO THE ASSESSMENT AND RETURN OF MERCHANTS' INVENTORIES, TO REMOVE MERCHANTS' INVENTORIES FROM THE REQUIRED ASSESSMENT OF PERSONAL PROPERTY FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-2420, RELATING TO PROPERTY TAX RETURNS FOR AIRLINE COMPANIES, TO CHANGE THE DATE OF FILING FROM APRIL FIFTEENTH TO APRIL THIRTIETH, AND TO STRIKE LANGUAGE DESIGNATING THE FILING DEADLINES FOR AIRLINES IN YEAR 1976; TO AMEND SECTION 12-37-2610, RELATING TO TAX YEAR OF MOTOR VEHICLES, TO REMOVE REFERENCES TO VEHICLE LICENSE AND REPLACE WITH VEHICLE REGISTRATIONS, TO REMOVE REFERENCES AND PROCEDURES FOR TWO-YEAR VEHICLE LICENSES, TO PROVIDE AN EXCEPTION FOR TRANSFER OF THE LICENSE FROM ONE VEHICLE TO ANOTHER, AND TO PROVIDE THAT NOTICES OF SALES BY DEALERS MUST BE MADE TO THE DEPARTMENT OF MOTOR VEHICLES RATHER THAN THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-37-2630, RELATING TO MOTOR VEHICLE TAXES, TO REQUIRE THAT AN OWNER OF A VEHICLE SHALL MAKE A PROPERTY TAX RETURN TO THE AUDITOR WITHIN FORTY-FIVE DAYS OF THE

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VEHICLE BECOMING TAXABLE IN A COUNTY; TO AMEND SECTION 12-37-2660, RELATING TO MOTOR VEHICLE LICENSE REGISTRATIONS, TO REDUCE THE TIME THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A LIST OF LICENSE REGISTRATION APPLICATIONS TO THE COUNTY AUDITOR FROM NINETY TO SIXTY DAYS AND TO UPDATE THE REQUIRED FORM OF THE LISTINGS; TO AMEND SECTION 12-37-2725, RELATING TO THE TRANSFER OF THE TITLE OF A VEHICLE TO ANOTHER STATE, TO CHANGE THE LOCATION OF THE RETURN OF THE LICENSE PLATE AND VEHICLE REGISTRATION FROM THE COUNTY AUDITOR TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO DELINEATE THE PROCESS FOR OBTAINING A TAX REFUND FOR THE PORTION OF THE TAX YEAR REMAINING; TO REPEAL SECTION 12-37-2735, RELATING TO THE ESTABLISHMENT OF THE PERSONAL PROPERTY TAX RELIEF FUND; TO REPEAL SECTION 12-39-10, RELATING TO THE APPOINTMENT OF THE COUNTY AUDITOR; TO AMEND SECTION 12-39-40, RELATING TO THE APPOINTMENT OF A DEPUTY AUDITOR, TO REQUIRE THE APPOINTMENT TO BE FILED WITH THE STATE TREASURER INSTEAD OF THE COMPTROLLER GENERAL; TO AMEND SECTION 12-39-60, RELATING TO THE COUNTY AUDITOR, TO CHANGE THE DEADLINE FOR RECEIVING TAX RETURNS FROM APRIL FIFTEENTH TO APRIL THIRTIETH AND TO REDUCE THE REQUIREMENT OF PUBLIC NOTICE FOR A LOCATION TO RECEIVE RETURNS TO A PERMISSIVE AUTHORITY FOR THE PROVIDING OF THIS NOTICE; TO AMEND SECTION 12-39-120, RELATING TO THE POWER OF THE COUNTY AUDITOR TO ENTER INTO BUILDINGS THAT ARE NOT DWELLINGS TO DETERMINE VALUE, TO CHANGE THE DETERMINATION FROM THE VALUE OF ANY BUILDING TO THE VALUE OF ANY TAXABLE PERSONAL PROPERTY; TO AMEND SECTION 12-39-160, RELATING TO SPECIAL LEVIES, TO CHANGE THE REQUIREMENT THAT THE COUNTY AUDITOR REPORT THE AMOUNT OF PROPERTIES SUBJECT TO SPECIAL LEVIES TO THE COUNTY SUPERINTENDENT, BOARDS OF EDUCATION, AND BOARDS OF TRUSTEES, TO A PERMISSIVE AUTHORITY TO PROVIDE THE INFORMATION; TO AMEND SECTION 12-39-190, RELATING TO THE REPORTING OF REAL AND PERSONAL PROPERTY TAXES, TO ELIMINATE THE REQUIREMENT THAT THE REPORTING BE IN

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A NUMBER OF COLUMNS SPECIFIED BY THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-39-200, RELATING TO FORMS THE DEPARTMENT OF REVENUE MAY PRESCRIBE, TO ALLOW THE DEPARTMENT TO DETERMINE THE TYPES OF ACCEPTABLE FORMAT REQUIRED; TO AMEND SECTION 12-39-220, RELATING TO OMISSION OF NEW PROPERTY FROM THE COUNTY DUPLICATE, TO REQUIRE THE COUNTY AUDITOR TO IMMEDIATELY NOTIFY THE COUNTY ASSESSOR, TO ELIMINATE THE SPECIFICATION OF A TWENTY PERCENT PENALTY FOR UNPAID TAXES TO REPLACE WITH ALL APPLICABLE PENALTIES, AND TO ELIMINATE DUPLICATE LANGUAGE IN THE CODE; TO AMEND SECTION 12-39-260, RELATING TO THE COUNTY AUDITOR'S RECORDS, TO REDUCE THE REQUIREMENT THAT AUDITORS KEEP RECORDS OF ALL SALES OR CONVEYANCES OF REAL PROPERTY TO A PERMISSIVE AUTHORITY TO KEEP THESE RECORDS; TO AMEND SECTION 12-39-270, RELATING TO THE COUNTY AUDITOR'S ABATEMENT BOOK, TO REMOVE THE PROVISION THAT REQUIRES THE ABATEMENT ALLOWED IN ANNUAL SETTLEMENTS BETWEEN THE AUDITOR AND THE TREASURER TO BE ACCORDING TO THE RECORD IN THE ABATEMENT BOOK; TO AMEND SECTION 12-43-220, RELATING TO COUNTY EQUALIZATION AND REASSESSMENT, TO REQUIRE THAT IN ORDER TO PROVE ELIGIBILITY FOR THE FOUR PERCENT HOME ASSESSMENT RATIO, THE OWNER-OCCUPANT MUST PROVIDE PROOF THAT ALL MOTOR VEHICLES REGISTERED IN HIS NAME WERE REGISTERED AT THAT SAME ADDRESS; TO REPEAL SECTION 12-45-10, RELATING TO THE APPOINTMENT OF COUNTY TREASURERS; TO AMEND SECTION 12-45-35, RELATING TO THE APPOINTMENT OF DEPUTY COUNTY TREASURERS, TO CHANGE THE REQUIREMENT OF THE FILING OF THE APPOINTMENT WITH THE DEPARTMENT OF REVENUE TO THE FILING WITH THE STATE TREASURER; TO AMEND SECTION 12-45-70, RELATING TO COLLECTION OF TAXES, TO CHANGE THE REQUIREMENT THAT THE OFFICIAL CHARGED WITH COLLECTING TAXES SHALL SEND A LIST OF TAXES PAID TO THE DEPARTMENT OF MOTOR VEHICLES INSTEAD OF THE DEPARTMENT OF PUBLIC SAFETY AND THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ACCEPT THIS CERTIFICATION INSTEAD OF A TAX RECEIPT; TO

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AMEND SECTION 12-45-90, RELATING TO THE FORMS OF PAYMENT FOR TAXES, TO STRIKE FROM THE ACCEPTABLE FORMS OF PAYMENT, JURY CERTIFICATES, CIRCUIT COURT WITNESS PER DIEMS, AND COUNTY CLAIMS; TO AMEND SECTION 12-45-120, RELATING TO DELINQUENT TAXATION, TO REPLACE THE DESIGNATION OF CHATTEL TAX WITH THE TERM PERSONAL TAX; TO AMEND SECTION 12-45-180, RELATING TO THE COLLECTION OF DELINQUENT TAXES, TO ADD THE OFFICE AUTHORIZED TO COLLECT DELINQUENT TAXES AS AN OFFICE AUTHORIZED TO WAIVE PENALTIES IN CASES OF IMPROPER MAILING OR ERROR; TO AMEND SECTION 12-45-185, RELATING TO THE WAIVER OF PENALTIES FOR DELINQUENT TAXES, TO ALLOW THE COUNTY TREASURER TO NOTIFY THE COUNTY AUDITOR OF SUCH WAIVERS; TO AMEND SECTION 12-45-260, RELATING TO THE MONTHLY FINANCIAL REPORT OF THE COUNTY TREASURER TO THE COUNTY SUPERVISOR, TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST REPORT TO THE COUNTY SUPERVISOR ON THE FIFTEENTH OF EACH MONTH AND TO ALLOW THE TREASURER TO REPORT MONTHLY; TO AMEND SECTION 12-45-300, RELATING TO THE AUDITOR'S LIST OF DELINQUENT TAXES, TO STRIKE THE REQUIREMENT THAT THE AUDITOR MUST MAKE MARGINAL NOTATIONS AS TO THE REASONS THE TAXES WERE NOT COLLECTABLE, AND TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST SIGN AND SWEAR TO THE LIST BEFORE THE AUDITOR; TO AMEND SECTION 12-45-420, RELATING TO THE WAIVER OF PENALTIES DUE TO ERRORS BY THE COUNTY BY A COMMITTEE MADE UP OF THE COUNTY AUDITOR, TREASURER, AND ASSESSOR, TO REQUIRE THAT THE WAIVER MUST BE BY MAJORITY VOTE OF THE COMMITTEE; TO AMEND SECTION 12-49-10, RELATING TO LIENS AND SUITS FOR THE COLLECTION OF TAXES, TO CHANGE THE DESIGNATION OF DEBTS PAYABLE TO THE STATE TO DEBTS PAYABLE TO THE COUNTY; TO AMEND SECTION 12-49-20, RELATING TO LIENS IN THE COLLECTION OF DELINQUENT TAXES, TO MOVE THE AUTHORITY OF THE COUNTY SHERIFF TO COLLECT DELINQUENT TAXES TO THE COUNTY TAX COLLECTOR; TO AMEND SECTION 12-49-85, RELATING TO UNCOLLECTABLE PROPERTY TAX FOR DERELICT MOBILE HOMES, TO CHANGE

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THE AUTHORITY FROM THE COUNTY AUDITOR TO THE COUNTY ASSESSOR TO DETERMINE THE REMOVAL AND DISPOSAL OF A MOBILE HOME AND TO INCLUDE THE REQUIREMENT THAT THE ASSESSOR REMOVE THE DERELICT HOME FROM HIS RECORDS AND THE AUDITOR TO REMOVE THE DERELICT HOME FROM THE DUPLICATE LIST; TO AMEND SECTION 12-49-910, RELATING TO THE SEIZURE OF PROPERTY SUBJECT TO A TAX LIEN BY THE SHERIFF OR COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO LEVY AND SEIZE PROPERTY OF A DEFAULTING TAXPAYER; TO AMEND SECTION 12-49-920, RELATING TO THE SEIZURE OF PROPERTY FOR TAX DEFAULT BY THE COUNTY SHERIFF OR THE COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO POSSESS THE SEIZED PROPERTY; TO AMEND SECTION 12-49-930, RELATING TO THE REMOVAL OR DESTRUCTION OF PERSONAL PROPERTY SUBJECT TO A TAX LIEN, TO REMOVE THE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-940, RELATING TO THE DISPOSAL OF PERSONAL PROPERTY SEIZED DUE TO A TAX LIEN BY THE COUNTY SHERIFF OR TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO ADVERTISE FOR THE SALE OF THE PROPERTY; TO AMEND SECTION 12-49-950, RELATING TO BIDDING ON PERSONAL PROPERTY SUBJECT TO A TAX LIEN BY THE FORFEITED LAND COMMISSION, TO ALLOW BIDS TO BE MADE ON BEHALF OF THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-49-960, RELATING TO THE SALE OF PROPERTY SUBJECT TO A TAX SALE, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF; TO AMEND SECTION 12-49-1110, RELATING TO THE RIGHTS OF REAL PROPERTY MORTGAGES, TO CHANGE THE DEFINITION OF "TAX TITLE" FROM "A DEED FOR REAL PROPERTY AND A BILL OF SALE FOR PERSONAL PROPERTY" TO "A DEED FOR REAL PROPERTY OR A BILL OF SALE FOR PERSONAL PROPERTY"; TO AMEND SECTION 12-49-1150, RELATING TO THE NOTICE TO A MORTGAGEE OF A TAX SALE, TO INCLUDE IN THE INFORMATION PROVIDED THE TAX MAP NUMBER OF THE PROPERTY; TO AMEND SECTION 12-49-1220, RELATING TO THE PROCEDURES FOR PROVIDING NOTICE OF TAX SALE OF MOBILE OR MANUFACTURED HOMES, TO SPECIFY THE FORMS OF LIENHOLDERS

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PROVIDED TO TAX COLLECTORS FOR NOTICE TO BE THOSE PROVIDED BY THE DEPARTMENT RESPONSIBLE FOR THE REGISTRATION OF MANUFACTURED HOMES; TO AMEND SECTION 12-49-1270, RELATING TO THE RIGHTS OF THE LIENHOLDER IN A TAX SALE AND THE RIGHTS AND REMEDIES THAT ARE NOT AFFECTED BY COMPLIANCE OF THE INFORMATION PROVISIONS, TO CHANGE THE INFORMATION PROVIDED FROM THE AUDITOR TO THE ASSESSOR; TO AMEND SECTION 12-51-40, RELATING TO PROPERTY TAXES AND THE TREATMENT OF MOBILE HOMES AS PERSONAL PROPERTY, TO REMOVE THE REQUIREMENT OF WRITTEN NOTICE OF THE HOMES ANNEXATION TO THE LAND BY THE HOMEOWNER TO THE AUDITOR TO REQUIRE COMPLIANCE WITH DE-TITLING PROVISIONS OF THE MANUFACTURED HOUSING LAW AND TO ALLOW A COUNTY TO CONTRACT IN THE COLLECTION OF DELINQUENT TAXES; TO AMEND SECTION 12-51-55, RELATING TO THE BID ON PROPERTY SOLD FOR AD VALOREM TAXES, TO REMOVE THE PROVISIONS FOR THE APPLICATIONS OF THE FUNDS FOR WHEN THE PROPERTY IS NOT REDEEMED; TO AMEND SECTION 12-51-80, RELATING TO THE SETTLEMENT BY THE TREASURER, TO INCREASE THE TIME OF SETTLEMENT TO THE POLITICAL SUBDIVISIONS FROM THIRTY DAYS TO FORTY-FIVE DAYS AFTER THE TAX SALE; TO REPEAL SECTION 12-59-30, RELATING TO THE SUFFICIENCY OF DEEDS OF LANDS FORFEITED TO THE STATE COMMISSIONS IN YEAR 1939; TO AMEND SECTION 12-59-40, RELATING TO FORFEITED LAND COMMISSIONS, TO INCLUDE LANDS FORFEITED TO COUNTY TAX COLLECTORS IN LANDS AUTHORIZED FOR SALE AND TO REMOVE THE STATE AS HOLDER OF PROPERTY HELD AND SOLD BY THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-59-50, RELATING TO THE FORFEITED LAND COMMISSION, TO REMOVE THE REFERENCE TO DELINQUENT STATE TAXES SUBJECT TO THESE PROVISIONS; TO AMEND SECTION 12-59-70, RELATING TO FORFEITED LAND COMMISSION SALES, TO REMOVE REFERENCE TO THE SHERIFF SUBMITTING TITLE TO THE COMMISSION AND TO REFERENCE THE COUNTY TAX COLLECTOR SUBMITTING TITLE TO THE COMMISSION; TO AMEND SECTION 12-59-80, RELATING TO THE FORFEITED LAND COMMISSION, TO DESIGNATE THE PROCEDURE FOR ACCEPTING BIDS FOR THE

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SALE OF FORFEITED PROPERTY; TO AMEND SECTION 12-59-90, RELATING TO FORFEITED LANDS TAX SALES, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO EXECUTE DEEDS AND CONVEYANCES FOR FORFEITED LANDS AND TO AUTHORIZE THE COUNTY TAX COLLECTOR TO EXECUTE THE DEEDS AND CONVEYANCES; TO AMEND SECTION 12-59-100, RELATING TO THE TURNING OVER OF PROCEEDS OF A DELINQUENT TAX SALE BY THE FORFEITED LANDS COMMISSION TO THE COUNTY TREASURER AND THE TREASURER TO DEPOSIT THESE FUNDS INTO THE COUNTY GENERAL FUND, TO DELETE THE PROVISION THAT THE TREASURER DO SO AT THE CLOSE OF THE FISCAL YEAR AND TO STRIKE REFERENCES TO THE STATE INTERESTS IN THESE PROCEEDS; TO REPEAL SECTION 12-59-110, RELATING TO FEES AND COSTS OF THE SHERIFF FOR SERVICES PROVIDED TO THE FORFEITED LANDS COMMISSION IN REGARD TO DELINQUENT TAX SEIZURES; TO AMEND SECTION 12-59-120, RELATING TO THE FORFEITED LANDS COMMISSION, TO REPLACE REFERENCE TO THE COUNTY SHERIFFS WITH THE COUNTY TAX COLLECTOR REGARDING THE ALLOWING OF AGENTS OF THE COMMISSION ACCESS TO EXECUTIONS ISSUED FOR THE COLLECTION OF TAXES; AND TO AMEND SECTION 12-60-1760, RELATING TO PROPERTY TAX PROTESTS, TO REPLACE THE COUNTY AUDITOR WITH THE COUNTY IN REGARD TO WHO IS OBLIGATED TO RATABLY APPORTION FEES, EXPENSES, DAMAGES, AND COSTS RESULTING IN DEFENDING A COURT ACTION, AND TO REPLACE THE COUNTY AUDITOR OR TREASURER WITH THE COUNTY AS TO WHO MAY CAUSE A MUNICIPALITY TO BE MADE A PARTY TO ANY ACTION INVOLVING A MUNICIPAL LEVY.

Reps. G. R. SMITH and CLEMMONS proposed the following Amendment No. 1 to S. 379 (COUNCIL\NL\379C002.NL.SD15):

Amend the bill, as and if amended, page 21, SECTION 28, by striking Section 12-39-220 and inserting:

/ “Section 12-39-220. If the county ~~auditor~~ assessor shall at any time discover that any real estate or new structure, addition, or improvement duly returned and appraised for taxation, has been omitted from the duplicate, he shall immediately appraise it and notify the auditor. Upon receiving notification from the assessor, the auditor shall

[HJ]

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charge it on the duplicate with the taxes of the current year and the simple taxes of each preceding year it may have escaped taxation subject to the limitations contained in this section. And if the owner of any real estate or new structure, addition, or improvement thereon, subject to taxation, has not returned or reported it for taxation, according to the requirements of this chapter, and it has not been appraised for taxation, the ~~auditor~~ assessor shall, upon discovery thereof, appraise it and, upon ~~making return of such appraisement,~~ notification from the assessor, the auditor shall charge it upon the duplicate, with the taxes of the then current year and the taxes of each preceding year it may have escaped taxation, ~~with twenty per cent penalty~~ and all applicable penalties upon such taxes of preceding years subject to the limitations contained in this section. ~~And if any real estate shall have been omitted in any return, the auditor of the county shall appraise it immediately for taxation, file such appraisement in his office and charge it with the taxes of the current year and the simple taxes of preceding years it may have escaped taxation. The adjustments determined by the assessor may not extend back more than three prior years from the year the adjustments are determined but in no event back to a prior year before the year the addition on improvement was made. The term 'improvement' for purposes of this section means a change to any real estate or structure which betters the value thereof while not constituting regular maintenance."~~ /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

POINT OF ORDER

Rep. THAYER made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

RULE 5.10 WAIVED

Rep. G .R. SMITH moved to waive Rule 5.10, pursuant to Rule 5.15.

The yeas and nays were taken resulting as follows:

Yeas 76; Nays 17

[HJ]

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Those who voted in the affirmative are:

Anthony	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bowers	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clyburn	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Goldfinch
Govan	Hamilton	Hardee
Hart	Henderson	Henegan
Hicks	Hiott	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Kennedy
King	Kirby	Loftis
Lucas	McCoy	McKnight
W. J. McLeod	D. C. Moss	Murphy
Nanney	Norrell	Ott
Pitts	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Ryhal	Simrill	G. R. Smith
J. E. Smith	Sottile	Spires
Stringer	Tinkler	Weeks
Wells	Whipper	Willis
Yow		

Total--76

Those who voted in the negative are:

Allison	Atwater	Bradley
Felder	Hill	Jordan
Long	Lowe	Merrill
Newton	Norman	Putnam
Sandifer	Taylor	Thayer
Toole	Whitmire	

Total--17

So, Rule 5.10 was waived, pursuant to Rule 5.15.

[HJ]

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Rep. G. R. SMITH spoke in favor of the amendment.

Reps. HILL, WEEKS, QUINN, TOOLE, ATWATER, LONG, FINLAY, NEWTON, OTT, JEFFERSON, THAYER, SANDIFER, R. L. BROWN, G. R. SMITH and HUGGINS requested debate on the Bill.

OBJECTION TO RECALL

Rep. LOFTIS asked unanimous consent to recall S. 667 from the Committee on Judiciary.

Rep. QUINN objected.

H. 3114--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

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

[HJ]

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THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO PROVIDE FOR A CIVIL RIGHT OF ACTION FOR CERTAIN INDIVIDUALS AGAINST A PHYSICIAN PERFORMING AN ABORTION IN VIOLATION OF THE ACT AND FOR INJUNCTIVE RELIEF, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

Rep. J. E. SMITH proposed the following Amendment No. 3A to H. 3114 (COUNCIL\BH\3114C004.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(10) and inserting the following:

/ (10) The position, asserted by some medical experts, that the unborn child remains in a coma-like sleep state that precludes the unborn child experiencing pain. For fetal surgery any analgesia or anesthesia given to the fetus is not used to prevent the experience of pain. Rather analgesia or anesthesia is used to relax the uterus to prevent premature contractions, immobilize the fetus, and prevent possible adverse surgical outcomes. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 79; Nays 14

Those who voted in the affirmative are:

Allison	Anthony	Ballentine
Bannister	Bedingfield	Bingham
Bowers	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Finlay
Forrester	Funderburk	Gagnon

[HJ]

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Gambrell	George	Goldfinch
Hamilton	Hardee	Henderson
Hicks	Hill	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
Kirby	Limehouse	Loftis
Long	Lowe	Lucas
McCoy	McEachern	Merrill
D. C. Moss	Murphy	Nanney
Newton	Norrell	Ott
Pitts	Putnam	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Southard	Spires
Stringer	Taylor	Thayer
Toole	Whitmire	Willis
Yow		

Total--79

Those who voted in the negative are:

Bales	Bamberg	Dillard
Govan	Hart	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
Rutherford	J. E. Smith	Tinkler
Weeks	Williams	

Total--14

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 4A to H. 3114 (COUNCIL\BH\3114C005.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(6) and inserting:

/ (6) A response to noxious events is not the same as pain without consciousness there can be nociception, but this is not pain. Consciousness is necessary to experience pain. /

Renumber sections to conform.

Amend title to conform.

[HJ]

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Rep. J. E. SMITH spoke in favor of the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 77; Nays 17

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bowers	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hardee	Hart	Hayes
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Huggins	Johnson	Jordan
Kennedy	Knight	Long
Lowe	Lucas	McCoy
McEachern	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norrell
Ott	Pitts	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
Sottile	Spires	Stringer
Taylor	Thayer	Wells
Willis	Yow	

Total--77

Those who voted in the negative are:

Bales	Bamberg	Clyburn
Cobb-Hunter	Dillard	Henegan

[HJ]

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Hosey	Jefferson	King
McKnight	M. S. McLeod	Rutherford
J. E. Smith	Tinkler	Weeks
Whipper	Williams	

Total--17

So, the amendment was tabled.

RECORD FOR VOTING

I was temporarily out of the Chamber meeting with a conference committee and missed the votes on tabling the amendments to H. 3114. If I had been present, I would have voted to table Amendment No. 3A and Amendment No. 4A.

Rep. Eddie Tallon

LEAVE OF ABSENCE

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

Rep. J. E. SMITH proposed the following Amendment No. 5A to H. 3114 (COUNCIL\BH\3114C006.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(9) and inserting the following:

/ (9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing. However, neural circuits necessary to differentiate pain from sensation are not developed in an unborn child until thirty-five weeks of age. /

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 88; Nays 19

[HJ]

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Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bowers	Bradley
Brannon	G. A. Brown	R. L. Brown
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	Goldfinch	Govan
Hamilton	Hardee	Hart
Hayes	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Jordan	Kennedy	Knight
Limehouse	Loftis	Long
Lowe	Lucas	McCoy
McEachern	Merrill	D. C. Moss
V. S. Moss	Murphy	Nanney
Newton	Norman	Norrell
Ott	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Toole
Wells	White	Willis
Yow		

Total--88

Those who voted in the negative are:

Alexander	Anderson	Bales
Bamberg	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hosey	Jefferson	McKnight
M. S. McLeod	W. J. McLeod	Rutherford

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Tinkler Weeks Whipper
Williams

Total--19

So, the amendment was tabled.

**AMENDMENT NO. 5A--MOTION TO
RECONSIDER TABLED**

Rep. J. E. SMITH moved to reconsider the vote whereby Amendment 5A was tabled.

Rep. DELLENEY moved to table the motion to reconsider.

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

Yeas 83; Nays 27

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
George	Goldfinch	Hamilton
Hardee	Hayes	Henderson
Herbkersman	Hicks	Hill
Hiott	Hixon	Huggins
Johnson	Kennedy	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
Merrill	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson

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Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Toole
Wells	White	Whitmire
Willis	Yow	

Total--83

Those who voted in the negative are:

Alexander	Anderson	Bales
Bamberg	Bowers	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Gilliard	Govan	Hart
Henegan	Hodges	Hosey
Jefferson	Kirby	Knight
M. S. McLeod	W. J. McLeod	Ott
Rutherford	J. E. Smith	Tinkler
Weeks	Whipper	Williams

Total--27

So, the motion to reconsider was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 6A to H. 3114 (COUNCIL\BH\3114C007.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(11) and inserting the following:

/ (11) Consequently, recent and rigorous scientific reviews have concluded that there is no evidence of fetal perception of pain until twenty-nine weeks at the earliest. /

Re-number sections to conform.

Amend title to conform.

Rep. MCKNIGHT spoke against the amendment.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 70; Nays 21

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Cole	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Finlay	Forrester
Funderburk	Gagnon	Goldfinch
Hardee	Hart	Hayes
Henderson	Herbkersman	Hicks
Hiott	Hixon	Huggins
Johnson	Kennedy	Limehouse
Loftis	Long	Lucas
McCoy	McEachern	McKnight
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norrell	Putnam	Quinn
Ridgeway	Riley	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Tallon
Taylor	Thayer	Toole
Wells	White	Whitmire
Yow		

Total--70

Those who voted in the negative are:

Alexander	Bales	Bamberg
Bowers	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Gilliard
Henegan	Hosey	Jefferson
M. S. McLeod	W. J. McLeod	Mitchell

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Rutherford	J. E. Smith	Tinkler
Weeks	Whipper	Williams

Total--21

So, the amendment was tabled.

**AMENDMENT NO. 6A--MOTION TO
RECONSIDER TABLED**

Rep. MCKNIGHT moved to reconsider the vote whereby Amendment 6A was tabled.

Rep. HART moved to table the motion to reconsider.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 84; Nays 22

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bernstein	Bingham	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	Goldfinch	Hamilton
Hardee	Hart	Hayes
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Huggins	Johnson	Jordan
Kennedy	Knight	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
D. C. Moss	V. S. Moss	Murphy
Nanney	Norman	Norrell
Pitts	Pope	Putnam
Quinn	Ridgeway	Riley

[HJ]

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Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Toole	Wells	White
Whitmire	Willis	Yow

Total--84

Those who voted in the negative are:

Alexander	Anderson	Bales
Bamberg	Bowers	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Gilliard	Govan	Henegan
Jefferson	McKnight	M. S. McLeod
Mitchell	Rutherford	J. E. Smith
Tinkler	Weeks	Whipper
Williams		

Total--22

So, the motion to reconsider was tabled.

Rep. BAMBERG moved that the House recede until 2:00 p.m.

Rep. DELLENEY moved to table the motion.

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

Yeas 76; Nays 23

Those who voted in the affirmative are:

Allison	Atwater	Ballentine
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
Brannon	Burns	Chumley
Clary	Clemmons	Cobb-Hunter
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Erickson	Finlay
Forrester	Gagnon	Gambrell

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Gilliard	Goldfinch	Hamilton
Hart	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Jordan
Kennedy	Limehouse	Loftis
Long	Lucas	McCoy
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Pitts
Pope	Putnam	Quinn
Riley	Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
Sottile	Southard	Spires
Stringer	Tallon	Taylor
Thayer	Tinkler	Toole
Wells	White	Whitmire
Willis		

Total--76

Those who voted in the negative are:

Anthony	Bales	Bamberg
G. A. Brown	Dillard	Douglas
Govan	Hayes	Hodges
Hosey	Kirby	Knight
McEachern	McKnight	W. J. McLeod
Mitchell	Ridgeway	Robinson-Simpson
Rutherford	J. E. Smith	Weeks
Whipper	Williams	

Total--23

So, the motion to recede was tabled.

Rep. HART moved to reconsider whereby the motion to recede was tabled.

Rep. DELLENEY moved to table the motion to reconsider.

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

Yeas 79; Nays 25

Those who voted in the affirmative are:

Alexander	Allison	Atwater
Ballentine	Bannister	Bedingfield
Bernstein	Bingham	G. A. Brown
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Duckworth
Erickson	Finlay	Forrester
Gagnon	Gambrell	Goldfinch
Hamilton	Hardee	Hart
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Huggins	Jordan	Kennedy
Limehouse	Loftis	Long
Lowe	Lucas	McCoy
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Pitts
Pope	Putnam	Quinn
Riley	Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Southard
Spires	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Wells	White
Whitmire	Williams	Willis
Yow		

Total--79

Those who voted in the negative are:

Anderson	Bales	Bamberg
Bowers	Clyburn	Cobb-Hunter
Dillard	Douglas	Gilliard
Govan	Henegan	Hosey
Jefferson	Knight	McEachern

[HJ]

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McKnight	M. S. McLeod	W. J. McLeod
Mitchell	Ridgeway	Robinson-Simpson
Rutherford	J. E. Smith	Weeks
Whipper		

Total--25

So, the motion to reconsider was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 7A to H. 3114 (COUNCIL\BH\3114C008.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(8) and inserting:

/ (8) The connection between the spinal cord and the thalamus starts to develop after fourteen weeks. The thalamocortical connections grow into the cortex after twenty-four weeks of gestation. This means that the first time that pain impulses may reach the central cortex is after twenty-six weeks. /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIAMS spoke in favor of the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. BEDINGFIELD moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 88; Nays 13

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bradley	G. A. Brown	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch

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Hamilton	Hardee	Hart
Hayes	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Jordan	Kennedy	Kirby
Knight	Limehouse	Loftis
Long	Lowe	Lucas
McCoy	McEachern	W. J. McLeod
Merrill	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Pope	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Toole
Weeks	Wells	White
Whitmire	Williams	Willis
Yow		

Total--88

Those who voted in the negative are:

Anderson	Bowers	Cobb-Hunter
Dillard	Gilliard	Henegan
Hosey	Jefferson	M. S. McLeod
Mitchell	Rutherford	Tinkler
Whipper		

Total--13

So, the amendment was tabled.

**AMENDMENT NO. 7A--MOTION TO
RECONSIDER TABLED**

Rep. HART moved to reconsider the vote whereby Amendment 7A was tabled.

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

[HJ]

WEDNESDAY, JUNE 3, 2015

Rep. J. E. SMITH proposed the following Amendment No. 8A to H. 3114 (COUNCIL\BH\3114C009.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(9) and inserting:

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

Re-number sections to conform.

Amend title to conform.

Rep. BAMBERG spoke against the amendment.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 76; Nays 17

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bingham	Bradley	Brannon
Chumley	Clary	Clemmons
Cole	Collins	Crosby
Daning	Delleney	Duckworth
Erickson	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Govan	Hamilton
Hart	Henderson	Hicks
Hill	Hiott	Hixon
Huggins	Johnson	Jordan
Kennedy	Kirby	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
W. J. McLeod	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Pope	Putnam
Quinn	Riley	Rivers

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Robinson-Simpson	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stringer
Tallon	Taylor	Thayer
Toole	Wells	White
Whitmire	Williams	Willis
Yow		

Total--76

Those who voted in the negative are:

Anderson	Bales	Bernstein
R. L. Brown	Cobb-Hunter	Dillard
Gilliard	Henegan	Hodges
Hosey	Jefferson	McKnight
M. S. McLeod	J. E. Smith	Tinkler
Weeks	Whipper	

Total--17

So, the amendment was tabled.

**AMENDMENT NO. 8A--MOTION TO
RECONSIDER TABLED**

Rep. WILLIAMS moved to reconsider the vote whereby Amendment 8A was tabled.

Rep. COBB-HUNTER moved to table the motion to reconsider.

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

Yeas 80; Nays 10

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning

[HJ]

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Delleney	Duckworth	Erickson
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Hart	Henderson
Hicks	Hill	Hiott
Hixon	Huggins	Jefferson
Jordan	Kennedy	Kirby
Limehouse	Loftis	Long
Lowe	McCoy	McEachern
M. S. McLeod	Merrill	D. C. Moss
V. S. Moss	Nanney	Newton
Norman	Norrell	Pope
Putnam	Quinn	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stringer	Tallon	Taylor
Thayer	Tinkler	Toole
Weeks	Wells	Whitmire
Williams	Willis	

Total--80

Those who voted in the negative are:

Bernstein	Bowers	R. L. Brown
Dillard	Gilliard	Hodges
W. J. McLeod	Rutherford	J. E. Smith
Whipper		

Total--10

So, the motion to reconsider was tabled.

SPEAKER PRO TEMPORE IN CHAIR

Rep. MCKNIGHT moved that the House recede until 3:00 p.m.

Rep. DELLENEY moved to table the motion.

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

Yeas 72; Nays 27

Those who voted in the affirmative are:

Allison	Atwater	Ballentine
Bannister	Bedingfield	Bingham
Bradley	Brannon	Burns
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Henderson	Hicks
Hill	Hiott	Hixon
Huggins	Jordan	Kennedy
Limehouse	Loftis	Long
Lowe	Lucas	McCoy
Merrill	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Pope	Putnam	Quinn
Riley	Rivers	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. M. Smith	Sottile	Southard
Spires	Stringer	Tallon
Thayer	Tinkler	Toole
Wells	White	Whitmire
Williams	Willis	Yow

Total--72

Those who voted in the negative are:

Anthony	Bales	Bamberg
Bernstein	Bowers	G. A. Brown
R. L. Brown	Cobb-Hunter	Dillard
Douglas	Gilliard	Govan
Hart	Henegan	Hodges
Hosey	Jefferson	Knight
McEachern	McKnight	M. S. McLeod

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W. J. McLeod	Mitchell	Rutherford
J. E. Smith	Weeks	Whipper

Total--27

So, the motion to recede was tabled.

Rep. RUTHERFORD moved to commit the Bill to the Committee on Medical, Military, Public and Municipal Affairs.

Rep. BRANNON moved to table the motion.

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

Yeas 79; Nays 24

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Hardee	Henderson
Herbkersman	Hicks	Hill
Hiott	Hixon	Huggins
Johnson	Jordan	Kennedy
Limehouse	Loftis	Long
Lowe	Lucas	McCoy
McEachern	Merrill	D. C. Moss
V. S. Moss	Nanney	Norman
Norrell	Pope	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
Sottile	Southard	Spires
Stringer	Tallon	Thayer

[HJ]

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Toole	Wells	White
Whitmire	Williams	Willis
Yow		

Total--79

Those who voted in the negative are:

Anderson	Bales	Bamberg
Bernstein	Bowers	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Gilliard	Hart	Henegan
Hodges	Hosey	Jefferson
McKnight	M. S. McLeod	W. J. McLeod
Mitchell	Rutherford	J. E. Smith
Tinkler	Weeks	Whipper

Total--24

So, the motion to commit the Bill was tabled.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. HARDEE a leave of absence for the remainder of the day.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. SPIRES a temporary leave of absence.

Rep. J. E. SMITH proposed the following Amendment No. 9A to H. 3114 (COUNCIL\BH\3114C010.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(6) and inserting the following:

/ (6) The Royal Congress of Obstetricians and Gynecologists reviewed the research on fetal pain in 2010 and reaffirmed that although the cortex can process sensory input from twenty-four weeks, it does not mean that the fetus is aware of pain. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain./

Re-number sections to conform.

Amend title to conform.

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Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 77; Nays 22

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Hart	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Jordan	Kennedy	Knight
Limehouse	Loftis	Long
Lowe	McCoy	McEachern
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Norman
Norrell	Putnam	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Stringer	Tallon
Taylor	Thayer	Toole
Wells	White	Whitmire
Willis	Yow	

Total--77

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Those who voted in the negative are:

Alexander	Anderson	Bales
Bernstein	Bowers	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Gilliard	Henegan	Hodges
Hosey	Jefferson	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
Rutherford	J. E. Smith	Tinkler
Weeks		

Total--22

So, the amendment was tabled.

SPEAKER IN CHAIR

Rep. J. E. SMITH proposed the following Amendment No. 10A to H. 3114 (COUNCIL\BH\3114C011.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(8) and inserting:

/ (8) The introduction of painful stimuli to a fetus does not equate to a fetus being able to perceive pain. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 77; Nays 19

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford

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Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Hamilton	Henderson
Herbkersman	Hicks	Hiott
Hixon	Huggins	Johnson
Kennedy	Limehouse	Loftis
Long	Lucas	McCoy
McEachern	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pope	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Stringer	Tallon
Taylor	Thayer	Weeks
Wells	White	Whitmire
Willis	Yow	

Total--77

Those who voted in the negative are:

Alexander	Bales	Bernstein
Bowers	Clyburn	Cobb-Hunter
Dillard	Gilliard	Hart
Henegan	Hodges	Hosey
Jefferson	M. S. McLeod	Mitchell
Rutherford	J. E. Smith	Tinkler
Whipper		

Total--19

So, the amendment was tabled.

LEAVE OF ABSENCE

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

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Rep. J. E. SMITH proposed the following Amendment No. 11A to H. 3114 (COUNCIL\BH\3114C012.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-450 and inserting:

/ Section 44-41-450. (A) No person shall perform or induce or attempt to perform or induce an abortion upon a woman when it has been determined, by the physician performing or inducing or attempting to perform or induce the abortion or by another physician upon whose determination that physician relies, that the probable post-fertilization age of the woman's unborn child is twenty or more weeks, except in the case of a medical emergency, rape, incest or severe fetal anomaly or if it is necessary to preserve the woman's life or health.

(B) When an abortion upon a woman whose unborn child has been determined to have a probable post-fertilization age of twenty or more weeks is not prohibited by subsection (A), the physician shall terminate the pregnancy in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or pose a risk to her health. No such greater risk must be considered to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function. /

Amend the bill further, as and if amended, by striking Section 44-41-460(A)(5) and (A)(6) and inserting:

/ (5) If the probable post fertilization age was determined to be twenty or more weeks, whether the reason for the abortion was a medical emergency, rape, incest, severe fetal anomaly, or risk to the women's life or health, and if the reason was a medical emergency or risk to her life or health, the basis of the determination that the pregnant woman had a condition which would risk her life or health.

(6) If the probable post fertilization age was determined to be twenty or more weeks, whether or not the method of abortion used was one that, in reasonable medical judgment, provided the best opportunity for the unborn child to survive and, if such a method was not used, the basis of the determination that termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or pose a risk to her health. /

Renumber sections to conform.

Amend title to conform.

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Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 77; Nays 18

Those who voted in the affirmative are:

Allison	Atwater	Ballentine
Bamberg	Bannister	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Hamilton	Henderson
Hicks	Hill	Hiott
Hixon	Hodges	Huggins
Johnson	Jordan	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
McKnight	Merrill	D. C. Moss
V. S. Moss	Murphy	Nanney
Newton	Norman	Norrell
Pope	Quinn	Ridgeway
Riley	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Stringer
Tallon	Taylor	Thayer
Wells	White	Whitmire
Williams	Willis	

Total--77

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Those who voted in the negative are:

Bales	Bernstein	Clyburn
Cobb-Hunter	Dillard	Gilliard
Hart	Henegan	Hosey
Jefferson	M. S. McLeod	W. J. McLeod
Mitchell	Rutherford	J. E. Smith
Tinkler	Weeks	Whipper

Total--18

So, the amendment was tabled.

Rep. J. E. SMITH moved to commit the Bill to the Committee on Medical, Military, Public and Municipal Affairs.

Rep. FINLAY moved to table the motion.

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

Yeas 74; Nays 22

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Douglas
Duckworth	Erickson	Finlay
Forrester	Funderburk	Gagnon
Gambrell	Hamilton	Hart
Henderson	Hicks	Hill
Hiott	Hixon	Huggins
Jordan	Knight	Limehouse
Long	Lowe	Lucas
McCoy	McEachern	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pitts	Pope
Quinn	Ridgeway	Riley

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Rivers	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Stringer	Tallon
Taylor	Thayer	Wells
White	Whitmire	Williams
Willis	Yow	

Total--74

Those who voted in the negative are:

Bales	Bamberg	Bernstein
Bowers	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hodges	Hosey	Jefferson
Kirby	McKnight	M. S. McLeod
W. J. McLeod	Ott	Rutherford
J. E. Smith	Tinkler	Weeks
Whipper		

Total--22

So, the motion to commit the Bill was tabled.

Rep. MCKNIGHT moved that the House recede until 3:30 p.m.

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

Yeas 24; Nays 67

Those who voted in the affirmative are:

Anthony	Bales	Bamberg
Bowers	G. A. Brown	Clyburn
Cobb-Hunter	Dillard	Gilliard
Hart	Henegan	Hodges
Hosey	Jefferson	Kirby
McKnight	W. J. McLeod	Mitchell
Ott	Rutherford	J. E. Smith
Weeks	Whipper	Williams

Total--24

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Those who voted in the negative are:

Allison	Atwater	Ballentine
Bannister	Bedingfield	Bingham
Bradley	Brannon	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Finlay	Funderburk	Gagnon
Gambrell	Goldfinch	Hamilton
Henderson	Hicks	Hill
Hiott	Hixon	Huggins
Johnson	Jordan	Limehouse
Loftis	Lowe	Lucas
McCoy	M. S. McLeod	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pitts	Pope
Quinn	Riley	Rivers
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Stringer	Tallon	Taylor
Thayer	Tinkler	Wells
Willis		

Total--67

So, the House refused to recede.

LEAVE OF ABSENCE

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

Rep. J. E. SMITH proposed the following Amendment No. 12A to H. 3114 (COUNCIL\BH\3114C013.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-430(5) and inserting:

/ (5) 'Medical emergency' means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman that it necessitates the immediate abortion of her pregnancy without first determining post fertilization age to avert her death or for which the delay necessary to determine post fertilization age will create

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serious risk of substantial and irreversible physical impairment of a major bodily function. /

Amend the bill further, as and if amended, by striking Section 44-41-450(B) and inserting:

/ (B) When an abortion upon a woman whose unborn child has been determined to have a probable post fertilization age of twenty or more weeks is not prohibited by subsection (A), the physician shall terminate the pregnancy in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a major bodily function of the woman than would other available methods./

Amend the bill further, as and if amended, by striking Section 44-41-460(A)(5) and (A)(6) and inserting:

/ (5) If the probable post-fertilization age was determined to be twenty or more weeks, the basis of the determination that the pregnant woman had a condition which so complicated her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function.

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

Re-number sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

So, the amendment was tabled by a division vote of 47 to 12.

[HJ]

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SPEAKER *PRO TEMPORE* IN CHAIR

Rep. J. E. SMITH proposed the following Amendment No. 13A to H. 3114 (COUNCIL\BH\3114C014.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41- 450(B).

Amend the bill further, as and if amended, by striking Section 44-41-460(A)(6).

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. J. E. SMITH moved to adjourn debate on the amendment.

Rep. DELLENEY moved to table the motion.

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

Yeas 66; Nays 17

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bingham
Bradley	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Hart	Henderson
Herbkersman	Hicks	Hill
Hixon	Huggins	Johnson
Jordan	Loftis	Long
Lowe	Lucas	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pitts	Pope
Quinn	Riley	Rivers
Ryhal	Sandifer	Simrill

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G. R. Smith	Stringer	Tallon
Taylor	Thayer	Toole
Wells	Whitmire	Willis

Total--66

Those who voted in the negative are:

Bales	Bamberg	Bernstein
Clyburn	Cobb-Hunter	Dillard
Gilliard	Henegan	Hodges
Hosey	Jefferson	M. S. McLeod
W. J. McLeod	Mitchell	Ott
J. E. Smith	Whipper	

Total--17

So, the House tabled the motion adjourn debate.

The question then recurred to the adoption of the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 66; Nays 13

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	Burns	Chumley
Clary	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Duckworth
Erickson	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Hamilton	Hart	Henderson
Herbkersman	Hicks	Hill
Huggins	Johnson	Jordan
Loftis	Long	Lowe
Lucas	McEachern	W. J. McLeod

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Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Pope
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	G. R. Smith
Stringer	Tallon	Taylor
Thayer	Toole	Wells
White	Willis	Yow

Total--66

Those who voted in the negative are:

Bales	Bernstein	Clyburn
Cobb-Hunter	Dillard	Gilliard
Henegan	Hosey	Jefferson
M. S. McLeod	Mitchell	J. E. Smith
Whipper		

Total--13

So, the amendment was tabled.

SPEAKER IN CHAIR

Rep. J. E. SMITH proposed the following Amendment No. 14A to H. 3114 (COUNCIL\BH\3114C015.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(13) and inserting:

/ (13) It is the legislative intent to affirm that a pregnant woman maintains the right to make a choice regarding the termination of her pregnancy if a severe fetal anomaly exists. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 64; Nays 19

Those who voted in the affirmative are:

Allison	Atwater	Ballentine
Bamberg	Bannister	Bedingfield
Bingham	Bradley	Brannon
Clary	Clemmons	Cole
Collins	Crosby	Daning
Delleney	Duckworth	Erickson
Finlay	Forrester	Gagnon
Gambrell	Goldfinch	Hamilton
Hart	Henderson	Hicks
Hill	Hiott	Huggins
Johnson	Jordan	Loftis
Long	Lowe	Lucas
McEachern	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Pope	Putnam	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	G. R. Smith
Sottile	Stringer	Tallon
Taylor	Thayer	Toole
Wells	Whitmire	Willis
Yow		

Total--64

Those who voted in the negative are:

Bales	Bernstein	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Henegan
Hosey	Jefferson	McKnight
M. S. McLeod	Mitchell	Norrell
Ott	J. E. Smith	Whipper
Williams		

Total--19

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So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 15A to H. 3114 (COUNCIL\BH\3114C016.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(12) and inserting the following:

/ (12) There is a constitutional right of the woman to choose to have an abortion before viability and to obtain it without undue interference from the State. /

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

POINT OF ORDER

Rep. BAMBERG raised the Point of Order that under Rule 9.3 that Amendment No. 15A to H. 3114 was out of order in that it was not germane to the Bill.

The SPEAKER overruled the Point of Order and ruled the amendment was germane.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 67; Nays 15

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Bamberg	Bannister	Bedingfield
Bingham	Bradley	Brannon
Burns	Chumley	Clary
Cole	Collins	Corley
H. A. Crawford	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Hamilton	Henderson
Hill	Hodges	Huggins

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Jordan	Long	Lowe
Lucas	McCoy	McEachern
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Ryhal	Sandifer	G. R. Smith
Stringer	Tallon	Taylor
Thayer	Toole	Wells
White	Whitmire	Willis
Yow		

Total--67

Those who voted in the negative are:

Alexander	Anderson	Bernstein
Cobb-Hunter	Dillard	Gilliard
Henegan	Hosey	Jefferson
M. S. McLeod	W. J. McLeod	Mitchell
J. E. Smith	Whipper	Williams

Total--15

So, the amendment was tabled.

Rep. M. S. MCLEOD moved to adjourn debate on the Bill.

Rep. BRANNON moved to table the motion.

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

Yeas 61; Nays 18

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Bannister	Bedingfield	Bingham
Bradley	Brannon	Burns
Chumley	Clary	Cole
Collins	Corley	H. A. Crawford
Crosby	Delleney	Douglas

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Duckworth	Erickson	Felder
Finlay	Gagnon	Gambrell
Goldfinch	Hamilton	Henderson
Herbkersman	Hicks	Hill
Hixon	Huggins	Loftis
Long	Lucas	McCoy
Merrill	D. C. Moss	V. S. Moss
Nanney	Norman	Norrell
Pope	Putnam	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	G. R. Smith
Stringer	Tallon	Taylor
Thayer	Toole	Wells
White	Whitmire	Willis
Yow		

Total--61

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Bernstein	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hodges	Hosey	Jefferson
Kirby	M. S. McLeod	Mitchell
J. E. Smith	Whipper	Williams

Total--18

So, the motion to adjourn debate was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 16A to H. 3114 (COUNCIL\BH\3114C017.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-480.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

[HJ]

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Rep. J. E. SMITH demanded the yeas and nays which were taken,
resulting as follows:

Yeas 64; Nays 15

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bradley	Brannon	G. A. Brown
Burns	Chumley	Clary
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Goldfinch	Hamilton	Henderson
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Loftis	Long	Lucas
McCoy	McEachern	Merrill
D. C. Moss	Nanney	Newton
Norman	Norrell	Pope
Putnam	Ridgeway	Riley
Rivers	Ryhal	Sandifer
G. R. Smith	Stringer	Tallon
Taylor	Toole	Wells
White	Whitmire	Willis
Yow		

Total--64

Those who voted in the negative are:

Alexander	Anderson	Bernstein
Clyburn	Cobb-Hunter	Dillard
Gilliard	Henegan	Hodges
Hosey	Jefferson	W. J. McLeod
J. E. Smith	Whipper	Williams

Total--15

So, the amendment was tabled.

[HJ]

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Rep. J. E. SMITH proposed the following Amendment No. 17A to H. 3114 (COUNCIL\BH\3114C018.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(12) and inserting:

/ (12) There is no substantial medical evidence of fetal pain to justify the State to assert a compelling state interest. /

Renumber sections to conform.

Amend title to conform.

Rep. MCKNIGHT spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 77; Nays 15

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Hamilton	Henderson
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Jordan	Kirby	Knight
Loftis	Long	Lowe
Lucas	McCoy	McEachern
Merrill	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Pope	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	G. R. Smith	Sottile

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Spires	Stringer	Tallon
Taylor	Toole	Wells
White	Whitmire	Williams
Willis	Yow	

Total--77

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Bernstein	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hosey	Jefferson	McKnight
M. S. McLeod	J. E. Smith	Whipper

Total--15

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 18A to H. 3114 (COUNCIL\BH\3114C019.BH.VR15), which was tabled:

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

/ The State of South Carolina recognizes that Under the Patient Protection Act if, according to a health care provider's professional medical judgment, a law or regulation is medically inaccurate, is not evidence based, or is inappropriate for the patient, the provider does not have to follow that law or regulation and cannot be held liable under the law. /

Re-number sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

POINT OF ORDER

Rep. WILLIAMS raised the Point of Order that under Rule 9.3 that Amendment No. 18A to H. 3114 was out of order in that it was not germane to the Bill.

Rep. J. E. SMITH spoke against the Point.

The SPEAKER overruled the Point of Order and ruled the amendment was germane.

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Rep. BAMBERG spoke against the amendment.

Rep. HODGES moved that Rule 3.9 be invoked. It was deemed that a quorum was present and Rule 3.9 was not invoked.

Rep. DELLENEY moved to table the amendment.

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

Yeas 76; Nays 7

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bowers
Bradley	Brannon	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Hart	Henderson
Hicks	Hiott	Hixon
Hodges	Hosey	Huggins
Johnson	Jordan	Kirby
Loftis	Long	Lowe
Lucas	McEachern	Merrill
D. C. Moss	Murphy	Nanney
Newton	Norman	Norrell
Pope	Putnam	Quinn
Riley	Rivers	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Stringer	Tallon	Taylor
Thayer	Toole	Wells
Whitmire	Williams	Willis
Yow		

Total--76

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Those who voted in the negative are:

Cobb-Hunter	Dillard	Henegan
W. J. McLeod	Mitchell	J. E. Smith
Whipper		

Total--7

So, the amendment was tabled.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. J. E. SMITH proposed the following Amendment No. 19A to H. 3114 (COUNCIL\BH\3114C020.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(12) and inserting the following:

/ (12) It is the purpose of the State to assert a compelling state interest in protecting the health of women that reside in the State. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

POINT OF ORDER

Rep. HENEGAN raised the Point of Order that under Rule 9.3 Amendment No. 19A to H. 3114 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 19a was germane.

Rep. DELLENEY moved to table the amendment, which was agreed to by a division vote of 63 to 11.

Rep. J. E. SMITH proposed the following Amendment No. 20A to H. 3114 (COUNCIL\BH\3114C021.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(13) and inserting the following:

/ (13) South Carolina's compelling state interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of South Carolina's compelling state

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interest in protecting the lives of unborn children from the stage of viability. However, before viability, the state's interests are not strong enough to support a prohibition of abortion or the imposition of a substantial obstacle. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

POINT OF ORDER

Rep. LOWE raised the Point of Order that under Rule 8.3 the actions of Rep. Bamberg in speaking against the amendments were dilatory and should not be entertained by the Speaker.

Rep. J. SMITH spoke against the Point.

The SPEAKER *PRO TEMPORE* overruled the Point.

Rep. DELLENEY moved to table the amendment, which was agreed to by a division vote of 64-10.

Rep. J. E. SMITH proposed the following Amendment No. 21A to H. 3114 (COUNCIL\BH\3114C022.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-430(10) and inserting:

/ (10) 'Embryo' means an individual organism of the species homo sapiens from the second to eighth week. 'Fetus' means an individual organism of the species homo sapiens from nine weeks until birth. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. LOWE spoke against the amendment.

Rep. DELLENEY moved to table the amendment, which was agreed to by a division vote of 64 to 14.

Rep. J. E. SMITH proposed the following Amendment No. 22A to H. 3114 (COUNCIL\BH\3114C023.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-430(6) and inserting:

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/ (6) 'Physician' means any person licensed to practice medicine in this State. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 69; Nays 13

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Delleney	Douglas
Duckworth	Erickson	Funderburk
Gagnon	Gambrell	George
Goldfinch	Hamilton	Henderson
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Limehouse	Lowe	Lucas
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Pitts
Pope	Putnam	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stringer	Taylor
Thayer	Toole	Wells
Whitmire	Willis	Yow

Total--69

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Those who voted in the negative are:

Bernstein	Clyburn	Cobb-Hunter
Dillard	Henegan	Hodges
Hosey	Jefferson	M. S. McLeod
W. J. McLeod	Mitchell	J. E. Smith
Whipper		

Total--13

So, the amendment was tabled.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. BRADLEY a temporary leave of absence.

SPEAKER IN CHAIR

Rep. J. E. SMITH proposed the following Amendment No. 23A to H. 3114 (COUNCIL\BH\3114C024.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-430(11) and inserting:

/ (11) 'Woman' means a female human being whether or not she is a minor as defined in Section 44-41-10(m). /

Renumber sections to conform.

Amend title to conform.

Rep. GOLDFINCH spoke in favor of the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. LOWE spoke against the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 79; Nays 19

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Brannon	G. A. Brown

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Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Goldfinch
Hamilton	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Jordan	Limehouse	Loftis
Long	Lowe	Lucas
McCoy	McEachern	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stringer	Tallon	Taylor
Thayer	Toole	Wells
White	Whitmire	Willis
Yow		

Total--79

Those who voted in the negative are:

Alexander	Bales	Bamberg
Bernstein	Clyburn	Cobb-Hunter
Dillard	Henegan	Hodges
Hosey	Jefferson	Kirby
McKnight	M. S. McLeod	W. J. McLeod
Mitchell	J. E. Smith	Whipper
Williams		

Total--19

So, the amendment was tabled.

[HJ]

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Rep. J. E. SMITH proposed the following Amendment No. 24A to H. 3114 (COUNCIL\BH\3114C025.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-430(10) and inserting:

/ (10) 'Fetus' means an individual organism of the species homo sapiens from fertilization after implantation until live birth. /

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. GOLDFINCH spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 82; Nays 16

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Brannon	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Goldfinch
Hamilton	Henderson	Herbkersman
Hicks	Hill	Hixon
Huggins	Johnson	Jordan
Kirby	Knight	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
W. J. McLeod	Merrill	D. C. Moss
V. S. Moss	Murphy	Nanney
Newton	Norman	Norrell
Ott	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson

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Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Toole
Wells	Whitmire	Willis
Yow		

Total--82

Those who voted in the negative are:

Alexander	Bales	Bernstein
Clyburn	Cobb-Hunter	Dillard
Henegan	Hodges	Hosey
Jefferson	McKnight	M. S. McLeod
Mitchell	J. E. Smith	Whipper
Williams		

Total--16

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 25A to H. 3114 (COUNCIL\BH\3114C026.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420(10) and inserting the following:

/ (10) The position of many medical experts is that the unborn child remains in a coma-like sleep state that precludes the unborn child experiencing pain. /

Re-number sections to conform.

Amend title to conform.

Rep. JEFFERSON spoke in favor of the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 68; Nays 17

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Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Brannon	G. A. Brown
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Gagnon	Gambrell
Goldfinch	Hamilton	Henderson
Herbkersman	Hicks	Hill
Hiott	Hixon	Huggins
Jordan	Limehouse	Loftis
Long	Lowe	Lucas
McEachern	W. J. McLeod	Merrill
D. C. Moss	Nanney	Norman
Norrell	Pitts	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	G. M. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Whitmire
Willis	Yow	

Total--68

Those who voted in the negative are:

Alexander	Bamberg	Bernstein
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hodges	Hosey	Jefferson
M. S. McLeod	Mitchell	Rutherford
J. E. Smith	Whipper	

Total--17

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 26A to H. 3114 (COUNCIL\BH\3114C027.BH.VR15), which was tabled:

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Amend the bill, as and if amended, by striking Section 44-41-430(10) and inserting:

/ (10) 'Unborn child' or 'fetus' each means an individual organism of the species homo sapiens from fertilization after implantation until live birth. /

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. NANNEY spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 82; Nays 21

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Goldfinch
Hamilton	Hayes	Henderson
Hicks	Hill	Hiott
Hixon	Huggins	Johnson
Jordan	Knight	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	McEachern
W. J. McLeod	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Ryhal	Sandifer	G. M. Smith

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G. R. Smith	Sottile	Spires
Stringer	Tallon	Taylor
Thayer	Toole	Wells
White	Whitmire	Willis
Yow		

Total--82

Those who voted in the negative are:

Alexander	Anderson	Bales
Bamberg	Bernstein	R. L. Brown
Clyburn	Cobb-Hunter	Gilliard
Henegan	Hodges	Hosey
Jefferson	McKnight	M. S. McLeod
Mitchell	Rutherford	J. E. Smith
Weeks	Whipper	Williams

Total--21

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 27A to H. 3114 (COUNCIL\BH\3114C028.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-460 and inserting:

/ Section 44-41-460. Any abortion performed in this State must be reported pursuant to Section 44-41-60. /

Re-number sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. RUTHERFORD spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 77; Nays 23

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Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
George	Goldfinch	Hamilton
Hayes	Henderson	Hicks
Hill	Hixon	Huggins
Johnson	Jordan	Kirby
Knight	Limehouse	Loftis
Lowe	Lucas	McCoy
McEachern	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Norrell	Ott
Pope	Putnam	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Ryhal	Sandifer
G. M. Smith	G. R. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Toole
Wells	White	Whitmire
Willis	Yow	

Total--77

Those who voted in the negative are:

Alexander	Anderson	Bales
Bamberg	Bernstein	Bowers
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hosey	Jefferson	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
Rutherford	J. E. Smith	Weeks
Whipper	Williams	

Total--23

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So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 28A to H. 3114 (COUNCIL\BH\3114C029.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-410 and inserting: :

/ Section 44-41-410. This article may be cited as the ‘South Carolina Abortion Ban After Twenty Weeks Act’. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

POINT OF ORDER

Rep. GOLDFINCH raised the Point of Order that under Rule 8.3 Amendment No. 28A to H. 3114 was dilatory and should not be entertained by the SPEAKER.

The SPEAKER overruled the Point of Order.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 73; Nays 23

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Chumley
Clary	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Goldfinch	Hamilton	Henderson
Hicks	Hill	Hixon
Huggins	Johnson	Jordan
Knight	Limehouse	Loftis

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Long	Lowe	Lucas
McCoy	McEachern	D. C. Moss
V. S. Moss	Nanney	Newton
Norman	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stringer	Tallon	Taylor
Thayer	Toole	Wells
White	Whitmire	Willis
Yow		

Total--73

Those who voted in the negative are:

Alexander	Bales	Bernstein
Bowers	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Gilliard
Henegan	Hodges	Hosey
Jefferson	Kirby	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
Rutherford	J. E. Smith	Weeks
Whipper	Williams	

Total--23

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 29A to H. 3114 (COUNCIL\BH\3114C030.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-420 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. DELLENEY spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 74; Nays 18

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bedingfield	Bingham
Bradley	Brannon	G. A. Brown
Burns	Chumley	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Douglas
Duckworth	Erickson	Finlay
Forrester	Funderburk	Gagnon
Goldfinch	Hamilton	Hayes
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Huggins	Johnson	Kirby
Long	Lowe	Lucas
McCoy	McEachern	W. J. McLeod
Merrill	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Pitts	Pope
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	G. M. Smith	G. R. Smith
Sottile	Spires	Tallon
Taylor	Thayer	Toole
Wells	White	Whitmire
Willis	Yow	

Total--74

Those who voted in the negative are:

Alexander	Bamberg	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Gilliard	Henegan	Hodges
Hosey	Jefferson	M. S. McLeod

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Mitchell
Weeks

Rutherford
Whipper

J. E. Smith
Williams

Total--18

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 30A to H. 3114 (COUNCIL\BH\3114C031.BH.VR15), which was tabled:
Amend the bill, as and if amended, by striking Section 44-41-420(14).
Re-number sections to conform.
Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.
Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 75; Nays 21

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	George
Goldfinch	Hamilton	Hayes
Henderson	Herbkersman	Hill
Hiott	Huggins	Johnson
Jordan	Kirby	Loftis
Long	Lowe	Lucas
McCoy	McEachern	Merrill
D. C. Moss	V. S. Moss	Nanney
Newton	Norman	Norrell

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Pope	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Tallon	Taylor
Thayer	Toole	White
Whitmire	Willis	Yow

Total--75

Those who voted in the negative are:

Alexander	Bales	Bernstein
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Gilliard	Henegan
Hodges	Hosey	Jefferson
McKnight	M. S. McLeod	W. J. McLeod
Mitchell	Rutherford	J. E. Smith
Weeks	Whipper	Williams

Total--21

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 31A to H. 3114 (COUNCIL\BH\3114C032.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-450(A) and inserting:

/(A) No person shall perform or induce or attempt to perform or induce an abortion upon a woman when it has been determined, by the physician performing or inducing or attempting to perform or induce the abortion or by another physician upon whose determination that physician relies, that the probable post-fertilization age of the woman's unborn child is twenty or more weeks, except in the case of rape, incest, severe fetal anomaly, or in reasonable medical judgment, she has a condition which so complicates her medical condition as to necessitate the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

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Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 72; Nays 23

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bingham	Bradley	Brannon
G. A. Brown	Burns	Clary
Clemmons	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Gagnon
George	Goldfinch	Hamilton
Hayes	Henderson	Herbkersman
Hicks	Hill	Hiott
Huggins	Johnson	Jordan
Kirby	Loftis	Long
Lowe	Lucas	McCoy
McEachern	Merrill	D. C. Moss
V. S. Moss	Nanney	Newton
Norman	Pope	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Toole	Wells	White
Whitmire	Willis	Yow

Total--72

Those who voted in the negative are:

Alexander	Bales	Bamberg
Bernstein	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Hodges	Hosey

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Jefferson	M. S. McLeod	W. J. McLeod
Mitchell	Norrell	Robinson-Simpson
J. E. Smith	Southard	Weeks
Whipper	Williams	

Total--23

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 32A to H. 3114 (COUNCIL\BH\3114C033.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-460(A) and inserting:

/ (A) Any abortion performed in this State must be reported by the licensed facility on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of the patient and physician may not be reported on the form or otherwise disclosed to the state registrar.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 72; Nays 23

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	G. A. Brown	Burns
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Duckworth	Erickson	Felder
Finlay	Forrester	Gagnon

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Goldfinch	Hamilton	Hayes
Henderson	Hicks	Hill
Hiott	Hixon	Hodges
Huggins	Johnson	Jordan
Kennedy	Long	Lowe
Lucas	McCoy	W. J. McLeod
Merrill	D. C. Moss	V. S. Moss
Murphy	Nanney	Newton
Norman	Pope	Quinn
Riley	Rivers	Ryhal
Sandifer	Simrill	G. R. Smith
Sottile	Spires	Tallon
Taylor	Thayer	Toole
Wells	White	Whitmire
Williams	Willis	Yow

Total--72

Those who voted in the negative are:

Alexander	Bales	Bernstein
Clyburn	Cobb-Hunter	Dillard
Douglas	Funderburk	George
Gilliard	Henegan	Hosey
Jefferson	McKnight	M. S. McLeod
Mitchell	Norrell	Ridgeway
Robinson-Simpson	Rutherford	J. E. Smith
Weeks	Whipper	

Total--23

So, the amendment was tabled.

LEAVE OF ABSENCE

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

Rep. J. E. SMITH proposed the following Amendment No. 33A to H. 3114 (COUNCIL\BH\3114C034.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-470 and inserting:

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/ Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended./

Re-number sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 72; Nays 19

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Goldfinch
Hamilton	Henderson	Hicks
Hill	Hiott	Hixon
Hodges	Huggins	Johnson
Jordan	Kennedy	Loftis
Long	Lowe	Lucas
McCoy	McEachern	W. J. McLeod
Merrill	D. C. Moss	V. S. Moss
Murphy	Norman	Norrell
Pope	Quinn	Riley

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Rivers	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Toole	Wells	White
Whitmire	Willis	Yow

Total--72

Those who voted in the negative are:

Bernstein	Clyburn	Cobb-Hunter
Dillard	Douglas	George
Gilliard	Henegan	Hosey
Knight	M. S. McLeod	Mitchell
Ridgeway	Robinson-Simpson	Rutherford
J. E. Smith	Weeks	Whipper
Williams		

Total--19

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 34A to H. 3114 (COUNCIL\BH\3114C035.BH.VR15), which was ruled out of order:

Amend the bill, as and if amended, by striking Section 44-41-470 and inserting:

/ Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than five thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended./

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. DELLENEY raised the Point of Order that under Rule 8.3 Amendment No. 34A to H. 3114 was dilatory as it was substantially the

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same as Amendment No. 33A, and should not be entertained by the Speaker.

Rep. J. SMITH spoke against the Point.

Rep. RUTHERFORD spoke against the Point.

Rep. DELLENEY spoke to the Point.

The SPEAKER sustained the Point and ruled Amendment No. 34A to be dilatory as it was substantially the same as Amendment No. 33A. The SPEAKER cited prior precedents from March 5, 2010, and March 16, 2005. He sustained the point of order and Ruled Amendment No. 34A to be out of order.

Rep. J. E. SMITH proposed the following Amendment No. 35A to H. 3114 (COUNCIL\BH\3114C036.BH.VR15), which was ruled out of order:

Amend the bill, as and if amended, by striking Section 44-41-470 and inserting:

/ Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars or imprisoned for not more than one year, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than three years, no part of which may be suspended./

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. DELLENEY raised the Point of Order that under Rule 8.3 Amendment No. 35A was dilatory as it was substantially the same as Amendment No. 33A, and should not be entertained by the Speaker.

Rep. J. SMITH spoke against the Point.

Rep. RUTHERFORD spoke against the Point.

Rep. DELLENEY spoke to the Point.

The SPEAKER sustained the Point and ruled Amendment No. 35A to be dilatory as it was substantially the same asA amendment No. 33A. The Speaker cited prior precedents from March 5, 2010, and March 16, 2005. He sustained the point of order and Ruled Amendment No. 35A to be out of order.

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Rep. J. E. SMITH proposed the following Amendment No. 36A to H. 3114 (COUNCIL\BH\3114C037.BH.VR15), which was ruled out of order:

Amend the bill, as and if amended, by striking Section 44-41-470 and inserting:

/ Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or subsequent offense, the sentence must be imprisonment for not less than thirty days nor more than three years, no part of which may be suspended. /

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. DELLENEY raised the Point of Order that under Rule 8.3 Amendment No. 36A was dilatory as it was substantially the same as Amendment No. 33A, and should not be entertained by the Speaker.

Rep. J. SMITH spoke against the Point.

Rep. RUTHERFORD spoke against the Point.

Rep. DELLENEY spoke to the Point.

The SPEAKER sustained the Point and ruled Amendment No. 36A to be dilatory as it was substantially the same as Amendment No. 33A. The Speaker cited prior precedents from March 5, 2010, and March 16, 2005. He sustained the point of order and Ruled Amendment No. 36A to be out of order.

Rep. J. E. SMITH proposed the following Amendment No. 37A to H. 3114 (COUNCIL\BH\3114C038.BH.VR15), which was ruled out of order:

Amend the bill, as and if amended, by striking Section 44-41-470 and inserting:

/ Section 44-41-470. Any physician who intentionally or knowingly fails to conform to any requirement in Section 44-41-440 and Section 44-41-450 is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars or imprisoned for not more than three years, or both. No part of the minimum fine may be suspended. For conviction of a third or

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subsequent offense, the sentence must be imprisonment for not less than sixty days nor more than two years, no part of which may be suspended./

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. DELLENEY raised the Point of Order that under Rule 8.3 Amendment No. 37A was dilatory as it was substantially the same as Amendment No. 33A, and should not be entertained by the Speaker.

Rep. J. SMITH spoke against the Point.

Rep. RUTHERFORD spoke against the Point.

Rep. DELLENEY spoke to the Point.

The SPEAKER sustained the Point and ruled Amendment No. 37A to be dilatory as it was substantially the same as Amendment No. 33A. The Speaker cited prior precedents from March 5, 2010, and March 16, 2005. He sustained the point of order and Ruled Amendment No. 37A to be out of order.

Rep. J. E. SMITH proposed the following Amendment No. 38A to H. 3114 (COUNCIL\BH\3114C039.BH.VR15), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-480 in its entirety.

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. DELLENEY raised the Point of Order that under Rule 8.3 Amendment No. 38A was dilatory as it was similar to Amendment 16 and should not be entertained by the Speaker.

Rep. J. E. SMITH spoke against the Point.

The SPEAKER overruled the Point and ruled Amendment No. 38A to be non dilatory.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 75; Nays 23

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Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bamberg	Bannister
Bedingfield	Bingham	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Hamilton	Hayes
Henderson	Hicks	Hill
Hiott	Hixon	Huggins
Johnson	Jordan	Kennedy
Knight	Loftis	Long
Lowe	Lucas	McCoy
McEachern	Merrill	D. C. Moss
V. S. Moss	Newton	Norman
Norrell	Pope	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Toole	Wells	Whitmire
Williams	Willis	Yow

Total--75

Those who voted in the negative are:

Alexander	Anderson	Bales
Bernstein	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Gilliard
Henegan	Hodges	Hosey
Howard	Jefferson	Mack
McKnight	M. S. McLeod	W. J. McLeod
Robinson-Simpson	Rutherford	J. E. Smith
Weeks	Whipper	

Total--23

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So, the amendment was tabled.

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

**H. 3568--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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.

Rep. G. R. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson

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Finlay	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Henegan	Hicks	Hiott
Hixon	Hodges	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	Kennedy
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	D. C. Moss	V. S. Moss
Newton	Norrell	Ott
Pope	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Tallon
Taylor	Thayer	Toole
Wells	Whipper	Whitmire
Williams	Willis	Yow

Total--99

Those who voted in the negative are:
Norman

Total--1

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3568. If I had been present, I would have voted in favor of concurring with the Senate's Amendments to H. 3568.

Rep. Brian White

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S. 11--FREE CONFERENCE POWERS GRANTED

Rep. NEWTON moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

S. 11 -- Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen: A BILL TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
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
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	Kennedy	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight

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M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Newton	Norman	Norrell
Ott	Pope	Quinn
Ridgeway	Riley	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Wells	Whipper
Whitmire	Williams	Willis
Yow		

Total--100

Those who voted in the negative are:

Atwater

Total--1

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. NEWTON, TAYLOR and NORRELL to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

S. 11--FREE CONFERENCE REPORT ADOPTED

S. 11--Free Conference Report

The General Assembly, Columbia, S.C., May 26, 2015

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

S. 11 -- Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen: A BILL TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED

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MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 30-4-80 of the 1976 Code is amended to read:

“Section 30-4-80. ~~(a)~~(A) All public bodies, except as provided in subsections ~~(b)~~(B) and ~~(c)~~(C) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. ~~Agenda, if any,~~ An agenda for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the body, if any, at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board or website, if any, public notice for any called, special, or rescheduled meetings. Such notice must include the agenda, date, time, and place of the meeting, and must be posted as early as is practicable but not later than twenty-four hours before the meeting. ~~The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies. This requirement does not apply to emergency meetings of public bodies. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda. Nothing herein relieves a public body of any notice requirement with regard to any statutorily required public hearing.~~”

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~~(b)~~(B) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

~~(c)~~(C) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection ~~(a)~~(A), must make reasonable and timely efforts to give notice of their meetings.

~~(d)~~(D) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

~~(e)~~(E) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.”

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

Sen. George E. Campsen III	Rep. William Weston J. Newton
Sen. Kevin L. Johnson	Rep. Mandy Powers Norrell
Sen. Chauncey K. Gregory	Rep. Bill Taylor
On Part of the Senate.	On Part of the House.

Rep. NEWTON explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

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
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning

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Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
Kennedy	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	Newton	Norman
Norrell	Ott	Pope
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Southard
Spires	Stavrinakis	Tallon
Taylor	Thayer	Toole
Weeks	Wells	Whipper
Whitmire	Williams	Willis
Yow		

Total--103

Those who voted in the negative are:

Total--0

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 11--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. G. M. SMITH a temporary leave of absence.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

**H. 4079--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 4079 -- Reps. Pitts and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REAPPORTION THE

[HJ]

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SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 55 MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

The yeas and nays were taken resulting as follows:

Yeas 87; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Bales	Ballentine	Bannister
Bedingfield	Bowers	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clyburn	Cole
Corley	H. A. Crawford	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	George	Gilliard
Goldfinch	Govan	Hamilton
Hayes	Henegan	Hicks
Hill	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
Kirby	Loftis	Long
Lowe	Lucas	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Newton
Norman	Ott	Pitts
Pope	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Toole

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Wells
Williams

White
Willis

Whitmire
Yow

Total--87

Those who voted in the negative are:

Total--0

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 4079. If I had been present, I would have voted to concur in the Senate's Amendments.

Rep. Patsy G. Knight

MOTION PERIOD

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

H. 3868--DEBATE ADJOURNED

Rep. PITTS moved to adjourn debate upon the following Bill until Thursday, June 4, which was adopted:

H. 3868 -- Reps. Pitts, White, Goldfinch and Hardee: 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

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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 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.

S. 255--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY

[HJ]

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WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

Rep. RUTHERFORD proposed the following Amendment No. 2 to S. 255 (COUNCIL\MS\255C002.MS.AHB15), which was tabled:

Amend the bill, as and if amended, SECTION 1, Page 2, Section 17-1-40(B), immediately after line 25, by adding an appropriately numbered item to read:

/ () The Department of Probation, Parole and Pardon Services shall notify the State Law Enforcement Division when a person receives a pardon for a criminal offense in this State, and five years from the date of the pardon, SLED shall cause all records, as delineated in this subsection, of the offense to be destroyed or expunged in their entirety. Such expungement is automatic, not requiring action by the person pardoned and the person pardoned may not be required to pay a fee for the expungement. SLED shall notify all appropriate law enforcement or other agencies which may have any of the records and ensure that the provisions of this item are complied with in full. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. KENNEDY a leave of absence for the remainder of the day due to a prior commitment.

Rep. RUTHERFORD proposed the following Amendment No. 3 to S. 255 (COUNCIL\BH\255C001.BH.AHB15), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 17-1-40(B), page 2, immediately after line 29, by inserting an appropriately numbered item to read:

/ () If a person pleads guilty to a lesser-included offense and the solicitor deems it appropriate, the solicitor shall notify the State Law Enforcement Division (SLED) and SLED shall ensure the person's record contained in the National Crime Information Center (NCIC) database or other similar database reflects the lesser-included offense rather than the offense originally charged. /

Renumber sections to conform.

[HJ]

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Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. WILLIAMS proposed the following Amendment No. 4 to S. 255 (COUNCIL\MS\255C003.MS.AHB15), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 2 in its entirety and inserting:

/ SECTION 2. Chapter 1, Title 17 of the 1976 Code is amended by adding:

“Section 17-1-60. (A) For purposes of this section, a person or entity who publishes on the person or entity’s website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina is deemed to be transacting business in South Carolina.

(B) It is unlawful for a person or entity to obtain, or attempt to obtain, the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina knowing:

(1) the arrest and booking records will be published on a website or any other publication; and

(2) removal or revision of the arrest or booking records requires the payment of a fee or other consideration.

(C) It is unlawful for a person or entity to require the payment of a fee or other consideration to remove, revise, or refrain from posting to a website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina.

(D)(1) A person or entity who publishes on the person or entity’s website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina shall remove the arrest and booking records from the person or entity’s website or any other publication without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records, if the request:

(a) is made in writing via certified mail, return receipt requested, to the registered agent, principal place of business, or primary residence of the person or entity who publishes the website or any other publication;

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(b) includes the person's name, date of arrest, and the name of the arresting law enforcement agency;

(c) contains certified documentation that the original charges stemming from the arrest were discharged, dismissed, expunged, or the person was found not guilty; and

(d) includes a complete and accurate description of where the arrest and booking records are located, including, but not limited to, the uniform resource locator (URL) and e-edition, if applicable.

(2) If the original charges stemming from the arrest were discharged or dismissed as a result of the person pleading to a lesser included offense, or a different offense, the person or entity who publishes the website or any other publication is not required to remove the arrest and booking records from the person or entity's website or any other publication; however, the person or entity shall revise the arrest and booking records published on the person or entity's website or any other publication to reflect the lesser included offense, or different offense, instead of the original charges, without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records pursuant to item (D)(1).

(3) This subsection does not apply to the following:

(a) motion picture producers and distributors, and their products as released in theaters, to DVD, pay-per-view, broadcast, cable and satellite television, as well as Internet services;

(b) acts done by the publisher, owner, agent, employee, or retailer of a newspaper, periodical, books, radio station, radio network, television station, television broadcast network, or cable television network in the publication or dissemination in print or electronically of:

(i) news, history, entertainment, or commentary; or

(ii) an advertisement of or for another person, when the publisher, owner, agent, or employee did not have actual knowledge of the false, misleading, or deceptive character of the advertisement, did not prepare the advertisement, or did not have a direct financial interest in the sale or distribution of the advertised product or service.

(4) A person or entity who violates this subsection is not subject to the criminal penalty provided in subsection (F); however, the person or entity is subject to a civil cause of action as provided in subsection (G).

(E)(1) This section does not apply to a state or local government agency.

(2) Except as otherwise provided by state law, it is unlawful for an employee of a state or local government agency to provide the arrest

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or booking records, including booking photographs, of a person who is arrested and booked in South Carolina knowing:

(a) the arrest and booking records will be published on a non-governmental website or any other publication; and

(b) removal or revision of the arrest or booking records requires the payment of a fee or other consideration.

(F)(1) A person or entity who violates this section, except for subsection (D), is guilty of a misdemeanor, and, upon conviction, must be fined not more than one thousand dollars or be imprisoned not more than 60 days, or both.

(2) Each arrest and booking record obtained, attempted to obtain, or provided, and each payment solicited or accepted in violation of this section constitutes a separate violation.

(G)(1) Except as provided in item (G)(2), a person who suffers a loss or harm as a result of a violation of this section may file a civil cause of action against a person or entity who violates this section for damages suffered, along with costs, attorney's fees, and any other legal or equitable relief.

(2) A person who suffers a loss or harm as a result of a violation of this section may not file a civil cause of action against a state or local government agency pursuant to this section; however, the person may file a civil cause of action against an employee of a state or local government agency who violates item (E)(2) pursuant to the South Carolina Tort Claims Act. A state or local government agency may not be substituted for an employee of the state or local government agency in a civil cause of action against the employee." /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIAMS explained the amendment.

Rep. HOWARD spoke in favor of the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. ATWATER moved to table the amendment, which was not agreed to.

The amendment was then adopted.

Reps. HARDEE and PITTS proposed the following Amendment No. 5 to S. 255 (COUNCIL\AGM\255C001.AGM.AB15), which was adopted:

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Amend the bill, as and if amended, by adding a penultimate SECTION to read:

/ SECTION ___. Section 22-5-910(A) of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“(A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to:

(1) an offense involving the operation of a motor vehicle; or
(2) ~~a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized; or~~

(3) an offense contained in Chapter 25, Title 16, except first offense criminal domestic violence as contained in Section 16-25-20, which may be expunged five years from the date of the conviction.” /

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

The amendment was then adopted.

Rep. HARDEE proposed the following Amendment No. 6 to S. 255 (COUNCIL\NL\255C001.NL.SD15), which was adopted:

Amend the bill, as and if amended, by adding a new section appropriately numbered to read:

/ Section ___. Section 22-5-920(B) of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“(B)~~(1)~~ Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of chapter 19, Title 24, Youthful Offender Act, the defendant, after five years from the date of completion of ~~his~~ the defendant’s sentence, including probation and parole, may apply, or cause someone acting on ~~his~~ the defendant’s behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

(2) However, this section does not apply to:

(a) an offense involving the operation of a motor vehicle;

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~~(b) to a violation of Title 50 or the regulations promulgated under it for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses authorized, to an offense classified as a violent crime in Section 16-1-60₂; or~~

~~(c) to an offense contained in Chapter 25, Title 16, except as otherwise provided in Section 16-25-30.~~

(3) If the defendant has had no other conviction during the five-year period following completion of ~~his~~ the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have ~~his~~ the person's records expunged under this section more than once. A person may have ~~his~~ the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have ~~his~~ the person's record expunged pursuant to the provisions of this section." /

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

POINT OF ORDER

Rep. TALLON raised the Point of Order that under Rule 9.3 Amendment No. 6 to S. 255 was out of order in that it was not germane to the Bill.

The SPEAKER *PRO TEMPORE* overruled the Point of Order. The Speaker stated that Amendment No. 6 was germane because the prior adoption of Amendment No. 5 made it germane to the Bill, as amended.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 9 to S. 255 (COUNCIL\NL\255C002.NL.SD15), which was adopted:

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

/ SECTION __. Article 9, Chapter 22, Title 17 of the 1976 Code is amended by adding:

[HJ]

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“Section 17-22-960. (A)(1) A person who is applying for an order of pardon for an offense pursuant to Article 11, Chapter 9, Title 24 may request that the South Carolina Board of Pardons and Paroles recommend the expungement of records related to the offense.

(2) A person who has received an order of pardon for an offense as provided by law prior to the effective date of this section may apply to the South Carolina Board of Pardons and Paroles to request that the board recommend the expungement of records related to the offense.

(B) This section does not apply to a person who is applying for an order of pardon or has received an order of pardon for a crime of violence as provided in Section 16-23-10 or for breach of trust as provided in Sections 16-13-230(B) and (C).

(C) The applicant shall pay a recommendation of expungement application fee of one hundred-fifty dollars, which must be retained by the South Carolina Department of Probation, Parole and Pardon Services and used to defray the costs associated with the expungement process. The fee is nonrefundable, regardless of whether the offense is later determined to be ineligible for expungement. If the applicant is applying for an order of pardon and a recommendation of expungement at the same time, the applicant shall pay both the order of pardon application fee and the recommendation of expungement application fee.

(D) The South Carolina Department of Probation, Parole and Pardon Services shall implement policies and procedures consistent with this section to ensure that the recommendation of expungement process is properly conducted. Such policies and procedures must include, but are not limited to:

(1) assisting the applicant in completing the recommendation of expungement application;

(2) collecting from the applicant and distributing to the appropriate agencies separate certified checks or money orders for charges prescribed by this section;

(3) notifying the appropriate victim of the application pursuant to Section 16-3-1560, and the appropriate prosecuting or law enforcement agency;

(4) coordinating with the South Carolina Law Enforcement Division to confirm that the offense is statutorily appropriate for expungement;

(5) obtaining and verifying the presence of all necessary signatures; and

(6) providing copies of the completed recommendation of expungement to the applicant.

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(E) The South Carolina Law Enforcement Division shall verify and document that the offense sought to be expunged is appropriate for expungement. The South Carolina Law Enforcement Division and the appropriate solicitor's office with jurisdiction over the offense shall each receive a twenty-five dollar certified check or money order from the South Carolina Department of Probation, Parole and Pardon Services on behalf of the applicant made payable to the South Carolina Law Enforcement Division and to the appropriate solicitor's office with jurisdiction over the offense. The South Carolina Law Enforcement Division shall forward the necessary documentation back to the South Carolina Department of Probation, Parole and Pardon Services. Neither the South Carolina Department of Probation, Parole and Pardon Services nor the South Carolina Law Enforcement Division shall allow the applicant to take possession of the application during the recommendation of expungement application process.

(F)(1) The appropriate prosecuting or law enforcement agency may file an objection to the recommendation of expungement with the South Carolina Board of Pardons and Paroles within sixty days of receiving notice of the application. The prosecuting or law enforcement agency's reason for objecting must be that the:

- (a) applicant has other charges pending;
- (b) prosecuting or law enforcement agency believes that the evidence in the case needs to be preserved; or
- (c) applicant's charges were dismissed as a part of a plea agreement.

(2) The prosecuting or law enforcement agency must notify the applicant of the objection in writing at the address listed on the application.

(G) The appropriate victim may file an objection to the recommendation of expungement with the Board of Pardons and Pardon within one year of receiving notice of the application.

(H) If an objection is filed by the prosecuting agency, law enforcement agency, or the victim, the objection must be heard by the South Carolina Board of Pardons and Paroles, acting in a three-member panel or meeting as a full board, and taken into consideration when the board is making a determination as to whether to recommend expungement of the applicant's records.

(I) If no objection is filed by the prosecuting agency, law enforcement agency, or the victim, an administrative hearing officer, appointed by the Director of the South Carolina Department of Probation, Parole and Pardon Services, may review the application and

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submit to the South Carolina Board of Pardons and Paroles written findings of fact and recommendations which must be taken into consideration when the board is making a determination as to whether to recommend expungement of the applicant's records.

(J) If the South Carolina Board of Pardons and Paroles, acting in a three-member panel or meeting as a full board, recommends expungement of the applicant's records, five years have passed since the completion of all terms and conditions of the person's sentence, including payment of restitution, and the person has had no other convictions other than minor traffic offenses during the five-year period, the person may apply to the appropriate solicitor's office for expungement pursuant to this article.

(K)(1) No person may have the person's records expunged pursuant to this section more than once.

(2) After the expungement, the South Carolina Department of Probation, Parole and Pardon Services and the South Carolina Law Enforcement Division shall keep a nonpublic record of the offense and the order of expungement to ensure that no person takes advantage of the rights of this section more than once. The nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know the information in order to prevent the rights afforded by this section from being taken advantage of more than once." /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. TALLON spoke against the amendment.

Rep. TALLON moved to table the amendment.

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

Yeas 6; Nays 89

Those who voted in the affirmative are:

Allison	Forrester	Hamilton
Riley	Tallon	Taylor

[HJ]

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Total--6

Those who voted in the negative are:

Alexander	Anthony	Atwater
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bowers
Bradley	Brannon	R. L. Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Corley
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Finlay	Funderburk	Gagnon
George	Gilliard	Goldfinch
Govan	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Hosey	Howard
Huggins	Johnson	Jordan
Kirby	Knight	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Newton	Norman	Norrell
Ott	Pope	Quinn
Ridgeway	Rivers	Robinson-Simpson
Rutherford	Ryhal	Simrill
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Thayer
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 amendment was then adopted.

The question then recurred to the passage of the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 95; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Bales	Ballentine	Bamberg
Bedingfield	Bowers	Bradley
Brannon	R. L. Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Funderburk	Gagnon	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Hosey	Howard
Huggins	Johnson	Jordan
Kirby	Knight	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Newton	Norman	Norrell
Ott	Pope	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. R. Smith
J. E. Smith	Sottile	Southard
Spires	Taylor	Thayer
Toole	Wells	Whipper
White	Whitmire	Williams
Willis	Yow	

Total--95

Those who voted in the negative are:

[HJ]

163

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Tallon

Total--1

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

H. 3521--DEBATE ADJOURNED

Rep. BRANNON moved to adjourn debate upon the following Bill until Thursday, June 4, which was adopted:

H. 3521 -- Reps. Limehouse, Putnam, Clemmons, Rivers, Yow, Burns and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-250 SO AS TO PREVENT A COURT OR OTHER ENFORCEMENT AUTHORITY FROM ENFORCING FOREIGN LAW INCLUDING, BUT NOT LIMITED TO, SHARIA LAW IN THIS STATE FROM A FORUM OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES UNDER CERTAIN CIRCUMSTANCES.

S. 179--ORDERED TO THIRD READING

The following Bill was taken up:

S. 179 -- Senators L. Martin and Hembree: A BILL TO AMEND SECTION 61-6-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF ALCOHOLIC LIQUORS, SO AS TO INCLUDE POWDERED OR CRYSTALLINE ALCOHOLS WHEN HYDROLYZED IN THE DEFINITION OF ALCOHOLIC LIQUORS AND TO AMEND SECTION 61-6-4157, RELATING TO THE PROHIBITION TO POSSESS, USE, SELL, OR PURCHASE POWDERED ALCOHOL, SO AS TO INCLUDE BOTH POWDERED AND CRYSTALLINE ALCOHOL WHEN HYDROLYZED.

Rep. DELLENEY moved cloture on the entire matter.

Cloture was ordered by a division vote of 53-24.

Reps. HILL and RUTHERFORD proposed the following Amendment No. 1 to S. 179 (COUNCIL\NBD\179C005.NBD.CZ15), which was tabled:

[HJ]

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Amend the bill, as and if amended, SECTION 2, page 2, by striking Section 61-6-4157(B)(1) and inserting:

/ (B)(1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered or crystalline alcohol for the purpose of consumption in a manner prohibited for alcoholic beverages by law including, but not limited to, on school grounds or by persons under the age of twenty-one. /

Renumber sections to conform.

Amend title to conform.

Rep. HILL spoke in favor of the amendment.

Rep. MCCOY moved to table the amendment.

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

Yeas 68; Nays 26

Those who voted in the affirmative are:

Allison	Anthony	Atwater
Ballentine	Bannister	Bedingfield
Bradley	Brannon	Burns
Clary	Clemmons	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	George	Goldfinch
Hamilton	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hiott	Hixon	Huggins
Johnson	Jordan	Kirby
Loftis	Long	Lowe
Lucas	McCoy	Merrill
D. C. Moss	V. S. Moss	Newton
Norman	Norrell	Pope
Quinn	Riley	Rivers
Simrill	G. R. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer

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Toole	Wells	White
Willis	Yow	

Total--68

Those who voted in the negative are:

Alexander	Bales	Bamberg
Bowers	R. L. Brown	Chumley
Clyburn	Cobb-Hunter	Douglas
Gilliard	Govan	Hill
Hodges	Hosey	Mack
M. S. McLeod	W. J. McLeod	Mitchell
Ott	Ridgeway	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Whitmire	Williams	

Total--26

So, the amendment was tabled.

Reps. HILL and RUTHERFORD proposed the following Amendment No. 6 to S. 179 (COUNCIL\NBD\179C002.NBD.CZ15), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 3 in its entirety and inserting:

/ SECTION 3. This act takes effect upon approval by the Governor, and the provisions of this act are repealed one year from the effective date of this act, unless reenacted or otherwise extended by the General Assembly. /

Re-number sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. MCCOY spoke against the amendment.

Rep. NORRELL spoke against the amendment.

Rep. MCCOY moved to table the amendment.

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

Yeas 91; Nays 9

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Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atwater	Bales	Ballentine
Bannister	Bedingfield	Bingham
Bowers	Bradley	Brannon
R. L. Brown	Burns	Chumley
Clary	Clemmons	Cobb-Hunter
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Finlay	Forrester
Funderburk	Gagnon	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hiott	Hixon	Hodges
Huggins	Johnson	Jordan
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Newton
Norman	Norrell	Ott
Pope	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Wells	White
Whitmire	Williams	Willis
Yow		

Total--91

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Those who voted in the negative are:

Bamberg	Hill	Hosey
Howard	McKnight	M. S. McLeod
Rutherford	J. E. Smith	Whipper

Total--9

So, the amendment was tabled.

Rep. HERBKERSMAN proposed the following Amendment No. 8 to S. 179 (COUNCIL\MS\179C001.MS.AHB15), which was tabled:

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

/ SECTION 1. Section 61-6-20(1) of the 1976 Code is amended to read:

“Section 61-6-20. As used in the ABC Act, unless the context clearly requires otherwise:

(1)(a) ‘Alcoholic liquors’ or ‘alcoholic beverages’ means any spirituous malt, vinous, fermented, brewed (whether lager or rice beer), or other liquors or a compound or mixture of them, including but not limited to, a powdered or crystalline alcohol, by whatever name called or known, which contains alcohol and is used as a beverage for human consumption, but does not include:

(i) wine when manufactured or made for home consumption and which is not sold by the maker of the wine or by another person; or

(ii) a beverage declared by statute to be nonalcoholic or nonintoxicating; or

(iii) wine produced from fruits, berries, or other agricultural products.

(b) ‘Alcoholic liquor by the drink’ or ‘alcoholic beverage by the drink’ means a drink poured from a container of alcoholic liquor, without regard to the size of the container for consumption on the premises of a business licensed pursuant to Article 5 of this chapter.

(c) ‘Powdered or crystalline alcohol’ means a powdered or crystalline product prepared or sold for either direct use or reconstitution for human consumption that contains any amount of alcohol when hydrolyzed.” /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION __.A. Section 12-21-1010 of the 1976 Code is amended to read:

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“Section 12-21-1010. When used in this article ~~the following words and terms shall have the following meanings:~~

(1) ~~The word~~ ‘Wholesaler’ means ~~any~~ a person who makes the first sale within this State or who sells or distributes any quantity of beer or wine to ~~any other~~ another person for resale, but the term ~~shall~~ does not include ~~any~~ a person who produces wine in the State from fruits, berries, or other agricultural products grown within the State by or for the manufacturer; and

(2) ~~The word~~ ‘Retailer’ means ~~any~~ a person who sells or distributes any quantity of beer or wine to a consumer; and

(3) ~~The word~~ ‘Beer’ has the meanings provided pursuant to Section 61-4-10(1) and (2); and

(4) ~~The word~~ ‘Wine’ means all wines containing not more than twenty-one percent of alcohol by volume; ~~and~~

(5) ~~(Reserved);~~

~~(6) The word~~ ‘Producer’ means a brewery or winery or a manufacturer or bottler or an importer into the United States of beer or wine, or both.”

B. Section 61-4-730 of the 1976 Code, as last amended by Act 121 of 2012, is further amended to read:

“Section 61-4-730. (A) Permitted wineries that produce and sell wine produced on its premises with at least sixty percent of the juice from ~~fruit~~ fruits, and berries, or other agricultural products that are grown in this State may sell the wine at retail, wholesale, or both, and deliver or ship the wine to licensed retailers in this State or to consumer homes in and outside the State. Wine must be delivered between 7:00 a.m. and 7:00 p.m.

(B) Permitted wineries that produce and sell wine produced on their premises with less than sixty percent of the juice from ~~fruit~~ fruits, and berries, or other agricultural products that are grown in this State may retail from the winery and ship the wine directly to consumer homes in and outside the State, but these wineries are not wholesalers of the wine. These wineries shall use a licensed South Carolina wholesaler to deliver or ship the wine to licensed retailers in this State.

(C) The South Carolina Department of Agriculture shall periodically inspect the records of permitted wineries for verification of the percentage of juice from ~~fruit~~ fruits, and berries, or other agricultural products grown in this State used in the manufacturing of the wineries’ products. Within ten days of conducting an inspection, the South Carolina Department of Agriculture shall report its findings to the South Carolina Department of Revenue. If a winery is found to be in violation

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of this statute, the owner of the winery is subject to penalties pursuant to Section 61-4-780.”

C. Section 61-4-750 of the 1976 Code is amended to read:

“Section 61-4-750. The importation into, offering for sale, or sale in this State of a product as ‘wine’ to which any substance has been added, except as authorized by federal law and regulations and except pure ~~fruit~~ fruits, or vegetable berries, or other agricultural products derived from the same kind of ~~fruit~~ fruits, or vegetable berries, or other agricultural products from the ~~juice~~ of which the wine was fermented, is prohibited and is a misdemeanor.” /

Re-number sections to conform.

Amend title to conform.

Rep. HERBKERSMAN spoke in favor of the amendment.

Rep. MCCOY spoke against the amendment.

Rep. HILL spoke against the amendment.

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

Reps. HILL and RUTHERFORD proposed the following Amendment No. 2 to S. 179 (COUNCIL\NBD\179C006.NBD.CZ15), which was tabled:

Amend the bill, as and if amended, SECTION 2, page 2, by striking Section 61-6-4157(B)(2) and inserting:

/ (2) It is unlawful for a holder of a license pursuant to the provisions of this chapter for on-premises or off-premises consumption of alcoholic liquors to ~~use~~ mix powdered or crystalline alcohol as an with another alcoholic beverage. /

Re-number sections to conform.

Amend title to conform.

Rep. HILL spoke in favor of the amendment.

Rep. FINLAY spoke against the amendment.

Rep. CLARY moved to table the amendment, which was agreed to, by a division vote of 97 to 2.

Reps. HILL and RUTHERFORD proposed the following Amendment No. 3 to S. 179 (COUNCIL\NBD\179C004.NBD.CZ15), which was ruled out of order:

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Amend the bill, as and if amended, SECTION 1, page 1, by striking Section 61-6-20(A)(1)(a)(i) and inserting:

/ (i) wine or beer when manufactured or made for home consumption and which is not sold by the maker of the wine or beer or by another person; or /

Re-number sections to conform.

Amend title to conform.

Rep. HILL spoke in favor of the amendment.

POINT OF ORDER

Rep. DOUGLAS raised the Point of Order that under Rule 9.3 Amendment No. 3 to S. 179 was out of order in that it was not germane to the Bill.

Rep. HILL spoke against the Point.

The SPEAKER *PRO TEMPORE* sustained the Point of Order. The SPEAKER *PRO TEMPORE* stated that Amendment No. 3 was not germane.

Reps. HILL and RUTHERFORD proposed the following Amendment No. 4 to S. 179 (COUNCIL\NBD\179C007.NBD.CZ15), which was tabled:

Amend the bill, as and if amended, SECTION 2, page 2, by striking Section 61-6-4157(B)(3) and inserting:

/ (3) Any person or license holder that violates this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(a) for a first offense, by a fine of not more than ~~three~~ one hundred dollars ~~or imprisonment for not more than thirty days, or both;~~

(b) for a second offense, by a fine of not more than ~~seven hundred fifty~~ five hundred dollars ~~or imprisonment for not more than six months, or both;~~

(c) for a third or subsequent offense, by a fine of not more than ~~three~~ one thousand dollars or imprisonment for not more than ~~two years~~ thirty days, or both. /

Re-number sections to conform.

Amend title to conform.

Rep. HILL spoke in favor of the amendment.

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

[HJ]

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Reps. HILL and RUTHERFORD proposed the following Amendment No. 5 to S. 179 (COUNCIL\NBD\179C003.NBD.CZ15), which was tabled:

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

Renumber sections to conform.

Amend title to conform.

Rep. HILL spoke in favor of the amendment.

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

Reps. HILL and RUTHERFORD proposed the following Amendment No. 7 to S. 179 (COUNCIL\NBD\179C001.NBD.CZ15), which was tabled:

Amend the bill, as and if amended, by inserting a new SECTION before Section 1 to read:

/ SECTION __. This act may be cited as “The Powdered Alcohol Prohibition Act of 2015”. /

Renumber sections to conform.

Amend title to conform.

Rep. HILL spoke in favor of the amendment.

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

Rep. HERBKERSMAN spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	Brannon	R. L. Brown
Burns	Chumley	Clary

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Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Gilliard
Goldfinch	Govan	Hamilton
Hayes	Henderson	Herbkersman
Hicks	Hiott	Hixon
Hodges	Hosey	Huggins
Johnson	Jordan	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Newton	Norman	Norrell
Ott	Pitts	Pope
Quinn	Ridgeway	Riley
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Southard	Spires
Stavrinakis	Tallon	Taylor
Thayer	Toole	Weeks
Wells	White	Whitmire
Williams	Willis	Yow

Total--99

Those who voted in the negative are:

Hill Rutherford

Total--2

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

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S. 211--ORDERED TO THIRD READING

The following Bill was taken up:

S. 211 -- Senator Campsen: A BILL TO AMEND SECTION 56-2-105(E) OF THE 1976 CODE, SO AS TO ALLOW POLITICAL SUBDIVISIONS TO CREATE SEPARATE GOLF CART PATHS ON STREETS AND ROADS WITHIN THE JURISDICTION OF THE POLITICAL SUBDIVISION.

Rep. CLEMMONS proposed the following Amendment No. 2 to S. 211 (COUNCIL\AGM\211C001.AGM.AB15), which was tabled:

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

/ SECTION 1. Section 56-2-105(E) of the 1976 Code is amended to read:

~~“(E)(1) A political subdivision may, on designated streets or roads within the political subdivision’s jurisdiction, reduce the area in which a permitted golf cart may operate from four miles to no less than two miles. However, a political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.~~

(2) A political subdivision may, on primary highways, secondary highways, streets, and roads within the political subdivision’s jurisdiction, permit the operation of golf carts on existing bicycle paths along its primary highways, secondary highways, streets, and roads if:

(a) the political subdivision obtains the necessary approvals, if any, to create the golf cart paths;

(b) the golf cart path is:

(i) separated from the traffic lanes by a concrete median or grass median;

(ii) separated from the traffic lanes by parking spaces; or

(iii) separated from the traffic lanes by a distance of four feet or more; and

(c) the political subdivision erects signage or modifies existing signage indication to uses of the path that the path may be used both by bicycles and golf carts.

(3) A political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.

(4) To the extent the provisions of this section conflict with federal law, the provisions of federal law prevail.”

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

Rep. CLEMMONS explained the amendment.

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

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 72; Nays 25

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Bales	Ballentine
Bamberg	Bannister	Bernstein
Bingham	Bowers	Bradley
R. L. Brown	Clary	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Daning
Delleney	Dillard	Duckworth
Erickson	Felder	Finlay
Funderburk	Gilliard	Govan
Hamilton	Hayes	Henderson
Herbkersman	Hiott	Hixon
Hodges	Hosey	Huggins
Kirby	Knight	Lucas
Mack	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
D. C. Moss	V. S. Moss	Newton
Norman	Norrell	Ott
Pope	Quinn	Ridgeway
Rivers	Robinson-Simpson	Rutherford
Sandifer	Simrill	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Weeks
Wells	Williams	Yow

Total--72

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Those who voted in the negative are:

Atwater	Bedingfield	Brannon
Burns	Chumley	H. A. Crawford
Douglas	Gagnon	Goldfinch
Hicks	Hill	Jordan
Loftis	Lowe	Merrill
Pitts	Riley	Ryhal
G. M. Smith	G. R. Smith	Thayer
Toole	White	Whitmire
Willis		

Total--25

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

H. 3008--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3008 -- Rep. Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-100 SO AS TO PROVIDE THAT A STATE STATUTE THAT REGULATES HIGHWAY TRAFFIC PREEMPTS A LOCAL ORDINANCE, RULE OR REGULATION THAT CONFLICTS WITH THE STATUTE, AND THAT A LOCAL GOVERNMENTAL BODY MAY NOT ENACT A PROVISION THAT CONFLICTS WITH A STATE STATUTE THAT REGULATES HIGHWAY TRAFFIC; AND TO AMEND SECTION 56-5-30, RELATING TO THE APPLICABILITY OF THE STATE'S UNIFORM TRAFFIC LAWS UPON THE STATE'S POLITICAL SUBDIVISIONS, SO AS TO DELETE THE PROVISION THAT ALLOWS A POLITICAL SUBDIVISION OF THE STATE TO ADOPT TRAFFIC REGULATIONS WHICH ARE NOT IN CONFLICT WITH THE STATUTES THAT REGULATE HIGHWAY TRAFFIC.

Rep. TALLON proposed the following Amendment No. 3 to H. 3008 (COUNCIL\NL\3008C002.NL.SD15), which was adopted:

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

/SECTION 1. Section 56-5-30 of the 1976 Code is amended to read:

“Section 56-5-30. The provisions of this chapter shall be applicable and uniform throughout this State and in all political

[HJ]

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subdivisions and municipalities therein, and no local authority shall enact or enforce any ordinance, rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may, however, subject to the limitations prescribed in Section 56-5-930, adopt additional traffic regulations which are not in conflict with the provisions of this chapter and do not impose a fine that is in excess of two hundred dollars. All such fines imposed are subject to the set-aside distributions required by Sections 14-1-201 through 14-1-214 and the governing body of the political subdivision must ensure that the set-aside distributions are remitted in the manner required by law. Where an audit report confirms that on at least three or more occasions the set-aside distributions were not properly remitted during the audit period, the political subdivision concerned may not continue to send its officers to the Criminal Justice Academy for training and certification until a subsequent audit report confirms that there are not three or more set-aside distribution violations during that audit period.”

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

Amend title to conform.

Rep. TALLON explained the amendment.

The amendment was then adopted.

Reps. CLEMMONS and BALES proposed the following Amendment No. 1 to H. 3008 (COUNCIL\SWB\3008C001.SWB.CM15), which was tabled:

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

/SECTION 1. Section 56-5-30 of the 1976 Code is amended to read:

“Section 56-5-30. The provisions of this chapter shall be applicable and uniform throughout this State and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any ordinance, rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may, however, subject to the limitations prescribed in Section 56-5-930, adopt additional traffic regulations which are not in conflict with the provisions of this chapter and do not impose a fine for speeding that is in excess of a fine that may be reported for speeding on a uniform traffic ticket.”

[HJ]

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

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

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 95; Nays 6

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
R. L. Brown	Burns	Chumley
Clary	Clemmons	Cobb-Hunter
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Gilliard
Goldfinch	Govan	Hamilton
Hayes	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Hosey
Huggins	Jordan	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Newton
Norman	Norrell	Ott
Pitts	Pope	Quinn
Riley	Rivers	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Southard	Spires
Tallon	Taylor	Toole

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Weeks	Wells	Whipper
White	Whitmire	Williams
Willis	Yow	

Total--95

Those who voted in the negative are:

Dillard	Douglas	Felder
Johnson	Ridgeway	Robinson-Simpson

Total--6

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

H. 3450--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3450 -- Reps. Bannister, Tallon, Cobb-Hunter, D. C. Moss, Herbkersman, Murphy, Brannon, Bedingfield, Delleney, Finlay, Gambrell, Goldfinch, Hamilton, Henderson, Hicks, Horne, McCoy, Pitts, Quinn, G. M. Smith and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-360 SO AS TO PROHIBIT A BEER WHOLESALER FROM DELIVERING BEER TO A RETAIL BEER AND WINE PERMIT HOLDER UNLESS THE BEER HAS BEEN RECEIVED, UNLOADED, AND STORED OR WAREHOUSED AT ITS LICENSED PREMISES, AND TO PROVIDE PENALTIES; BY ADDING SECTION 61-4-370 SO AS TO PROHIBIT A WINE WHOLESALER FROM DELIVERING WINE TO A RETAIL BEER AND WINE PERMIT HOLDER UNLESS THE WINE HAS BEEN RECEIVED, UNLOADED, AND STORED OR WAREHOUSED AT ITS LICENSED PREMISES FOR A PERIOD OF NOT LESS THAN TWENTY-FOUR HOURS, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 61-6-1325 SO AS TO PROHIBIT A LIQUOR WHOLESALER FROM DELIVERING ALCOHOLIC LIQUORS TO A RETAIL LIQUOR LICENSE HOLDER UNLESS THE ALCOHOLIC LIQUORS HAVE BEEN RECEIVED, UNLOADED, AND STORED OR WAREHOUSED AT ITS LICENSED PREMISES FOR A PERIOD OF NOT LESS THAN TWENTY-FOUR HOURS, AND TO PROVIDE PENALTIES.

[HJ]

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Rep. NORMAN moved to adjourn debate on the Bill.

Rep. BANNISTER moved to table the motion.

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

Yeas 88; Nays 8

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	Brannon	R. L. Brown
Clary	Clemmons	Cobb-Hunter
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Funderburk	Gagnon
Gambrell	Gilliard	Goldfinch
Govan	Hamilton	Henderson
Herbkersman	Hicks	Hiott
Hodges	Hosey	Howard
Huggins	Johnson	Jordan
Kirby	Knight	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Newton
Norrell	Pitts	Pope
Quinn	Riley	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Toole	Weeks	Whipper
White	Whitmire	Williams
Yow		

Total--88

[HJ]

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Those who voted in the negative are:

Hill	Hixon	Norman
Ott	Rivers	Southard
Wells	Willis	

Total--8

So, the motion to adjourn debate was tabled.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3450 (COUNCIL\BBM\3450C001.BBM.DG15), which was adopted:

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

/ SECTION 1. Article 3, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-360. (A) A beer wholesaler shall not deliver beer to a retail beer and wine permit holder unless the beer has been received and unloaded at a licensed wholesaler’s licensed premises within this state.

(B) A beer wholesaler who violates the provisions of this section must:

(1) for a first offense, be fined not less than two hundred dollars nor more than five hundred dollars or have his license suspended for not more than thirty days, or both;

(2) for a second offense within one year of the first offense, be fined not less than two hundred dollars nor more than five hundred dollars and have his license suspended for not more than one hundred eighty days, or both;

(3) for a third offense within two years of the first offense, be fined not less than five hundred dollars and have his license revoked permanently.

Section 61-4-370. (A) A wine wholesaler shall not deliver wine to a retail beer and wine permit holder unless the wine has been received and unloaded at a licensed wholesaler’s licensed premises within this State for a period of not less than twenty-four hours.

(B) A wine wholesaler who violates the provisions of this section must:

(1) for a first offense, be fined not less than two hundred dollars nor more than five hundred dollars or have his license suspended for not more than thirty days, or both;

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(2) for a second offense within one year of the first offense, be fined not less than two hundred dollars nor more than five hundred dollars and have his license suspended for not more than one hundred eighty days;

(3) for a third offense within two years of the first offense, be fined not less than five hundred dollars and have his license revoked permanently.”

SECTION 2. Subarticle 13, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-1325. (A) A liquor wholesaler shall not deliver alcoholic liquors to a retail liquor license holder unless the alcoholic liquors have been received and unloaded at a licensed wholesaler’s licensed premises within this State for a period of not less than twenty-four hours.

(B) A liquor wholesaler who violates the provisions of this section must:

(1) for a first offense, be fined not less than two hundred dollars nor more than five hundred dollars or have his license suspended for not more than thirty days, or both;

(2) for a second offense within one year of the first offense, be fined not less than two hundred dollars nor more than five hundred dollars and have his license suspended for not more than one hundred eighty days;

(3) for a third offense within two years of the first offense, be fined not less than five hundred dollars and have his license revoked permanently.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. BANNISTER explained the amendment.
Rep. NORMAN spoke against the amendment.
Rep. NORMAN spoke against the amendment.
The amendment was then adopted.

Rep. OTT proposed the following Amendment No. 2 to H. 3450 (COUNCIL\GGS\3450C002.GGS.ZW15), which was tabled:

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

/ SECTION 1. Article 3, Chapter 4, Title 61 of the 1976 Code is amended by adding:

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“Section 61-4-360. (A) A beer wholesaler shall not deliver beer to a retail beer and wine permit holder unless the beer has been received and unloaded at a licensed wholesaler’s licensed premises within this State.

(B) A beer wholesaler who violates the provisions of this section must:

(1) for a first offense, be fined not less than two hundred dollars nor more than five hundred dollars or have his license suspended for not more than thirty days, or both;

(2) for a second offense within one year of the first offense, be fined not less than two hundred dollars nor more than five hundred dollars and have his license suspended for not more than one hundred eighty days, or both;

(3) for a third offense within two years of the first offense, be fined not less than five hundred dollars and have his license revoked permanently.

Section 61-4-370. (A) A wine wholesaler shall not deliver wine to a retail beer and wine permit holder unless the wine has been received and unloaded at a licensed wholesaler’s licensed premises within this State.

(B) A wine wholesaler who violates the provisions of this section must:

(1) for a first offense, be fined not less than two hundred dollars nor more than five hundred dollars or have his license suspended for not more than thirty days, or both;

(2) for a second offense within one year of the first offense, be fined not less than two hundred dollars nor more than five hundred dollars and have his license suspended for not more than one hundred eighty days;

(3) for a third offense within two years of the first offense, be fined not less than five hundred dollars and have his license revoked permanently.”

SECTION 2. Subarticle 13, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-1325. (A) A liquor wholesaler shall not deliver alcoholic liquors to a retail liquor license holder unless the alcoholic liquors have been received and unloaded at a licensed wholesaler’s licensed premises within this State.

(B) A liquor wholesaler who violates the provisions of this section must:

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(1) for a first offense, be fined not less than two hundred dollars nor more than five hundred dollars or have his license suspended for not more than thirty days, or both;

(2) for a second offense within one year of the first offense, be fined not less than two hundred dollars nor more than five hundred dollars and have his license suspended for not more than one hundred eighty days;

(3) for a third offense within two years of the first offense, be fined not less than five hundred dollars and have his license revoked permanently.”

SECTION 3. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

Rep. OTT spoke in favor of the amendment.

Rep. BRANNON moved to table the amendment.

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

Yeas 73; Nays 23

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Atwater	Ballentine	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Brannon	Burns
Chumley	Clary	Clemmons
Cobb-Hunter	Cole	Collins
Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Funderburk	Gagnon
Gambrell	Gilliard	Goldfinch
Hamilton	Henderson	Herbkersman
Hicks	Hiott	Hodges
Hosey	Huggins	Johnson
Jordan	Kirby	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	D. C. Moss

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Newton	Norrell	Pitts
Pope	Quinn	Riley
Rivers	Rutherford	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Weeks	Wells
Whipper		

Total--73

Those who voted in the negative are:

Allison	Bales	Bamberg
R. L. Brown	Dillard	Forrester
George	Hill	Hixon
Howard	Knight	Merrill
V. S. Moss	Norman	Ott
Robinson-Simpson	Ryhal	Sandifer
Southard	Whitmire	Williams
Willis	Yow	

Total--23

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 88; Nays 11

Those who voted in the affirmative are:

Alexander	Anthony	Atwater
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
Brannon	R. L. Brown	Burns
Clary	Clemmons	Cobb-Hunter
Cole	Collins	H. A. Crawford
Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Funderburk	Gagnon

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Gambrell	George	Gilliard
Goldfinch	Govan	Hamilton
Hayes	Henderson	Herbkersman
Hicks	Hiott	Hodges
Hosey	Howard	Huggins
Johnson	Jordan	Kirby
Knight	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Newton
Norrell	Ott	Pitts
Pope	Quinn	Ridgeway
Riley	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Toole
Weeks	Whitmire	Williams
Yow		

Total--88

Those who voted in the negative are:

Allison	Chumley	Forrester
Hill	Hixon	Norman
Rivers	Sottile	Southard
Wells	Willis	

Total--11

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

SPEAKER IN CHAIR

S. 526--ORDERED TO THIRD READING

The following Bill was taken up:

S. 526 -- Senator Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-4-

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Rep. ATWATER moved to adjourn debate on the Bill until Tuesday, January 19.

Rep. LOFTIS moved to table the motion.

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

Yeas 75; Nays 21

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Bales	Ballentine
Bamberg	Bannister	Bernstein
R. L. Brown	Burns	Clary
Clemmons	Cobb-Hunter	H. A. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Erickson	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hayes
Henderson	Herbkersman	Hicks
Hodges	Hosey	Johnson
Jordan	Kirby	Knight
Loftis	Lowe	Lucas
Mack	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Newton	Norrell
Ott	Pitts	Pope
Riley	Robinson-Simpson	Rutherford
Ryhal	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Southard

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Spires	Tallon	Taylor
Thayer	Weeks	Wells
Whipper	Williams	Yow

Total--75

Those who voted in the negative are:

Atwater	Bedingfield	Bradley
Brannon	Chumley	Collins
Felder	Hamilton	Hill
Hiott	Hixon	Huggins
Long	Norman	Quinn
Ridgeway	Rivers	Sandifer
Simrill	Toole	Willis

Total--21

So, the motion to adjourn debate was tabled.

Rep. LOFTIS explained the Bill.

Rep. BRANNON moved that the House do now adjourn.

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

Yeas 8; Nays 81

Those who voted in the affirmative are:

Alexander	Brannon	Chumley
McKnight	M. S. McLeod	Merrill
Norman	Robinson-Simpson	

Total--8

Those who voted in the negative are:

Allison	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bowers	Bradley
R. L. Brown	Burns	Clary
Clemmons	Cobb-Hunter	Cole
Collins	H. A. Crawford	Crosby

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Daning	Delleney	Douglas
Duckworth	Erickson	Felder
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hayes
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Hosey	Huggins
Johnson	Jordan	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
W. J. McLeod	D. C. Moss	Newton
Norrell	Pope	Quinn
Riley	Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Weeks	Wells
Williams	Willis	Yow

Total--81

So, the House refused to adjourn.

Rep. LOFTIS continued speaking.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 5

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bowers	Bradley
R. L. Brown	Burns	Chumley
Clary	Clemmons	Cobb-Hunter
Cole	Collins	H. A. Crawford
Crosby	Daning	Delleney

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Dillard	Douglas	Duckworth
Erickson	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Johnson	Jordan	Kirby
Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Newton	Norman
Norrell	Ott	Pitts
Pope	Quinn	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Weeks	Wells
Whipper	Whitmire	Williams
Yow		

Total--94

Those who voted in the negative are:

Atwater	Brannon	Felder
Ridgeway	Willis	

Total--5

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

H. 3440--DEBATE ADJOURNED

Rep. ALLISON moved to adjourn debate upon the following Bill until Thursday, June 4, which was adopted:

H. 3440 -- Reps. Crosby, Daning and George: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

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SECTIONS 56-3-115 AND 56-5-3715 SO AS TO PROVIDE THAT A MOPED MUST BE REGISTERED, CARRY LIABILITY INSURANCE, AND MAY NOT BE OPERATED ON A PUBLIC ROAD THAT HAS A SPEED LIMIT GREATER THAN THIRTY-FIVE MILES AN HOUR; TO AMEND SECTIONS 56-1-1720 AND 56-1-1730, RELATING TO THE OPERATION OF MOPEDS ALONG THE STATE'S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON WHOSE DRIVER'S LICENSE HAS BEEN SUSPENDED MAY NOT BE ISSUED A MOPED OPERATOR'S LICENSE OR ALLOWED TO OPERATE A MOPED DURING HIS PERIOD OF SUSPENSION.

S. 379--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 379 -- Senator Courson: A BILL TO AMEND SECTION 12-4-520 OF THE 1976 CODE, RELATING TO COUNTY TAX OFFICIALS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT OF REVENUE SHALL ANNUALLY EXAMINE RECORDS OF ASSESSORS, AUDITORS, TREASURERS, AND TAX COLLECTORS TO A PERMISSIVE AUTHORITY TO ANNUALLY EXAMINE THESE RECORDS; TO AMEND SECTION 12-4-530, RELATING TO INVESTIGATION AND PROSECUTION OF VIOLATIONS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT SHALL INITIATE COMPLAINTS, INVESTIGATIONS, AND PROSECUTIONS OF VIOLATIONS TO A PERMISSIVE AUTHORITY; TO AMEND SECTION 12-37-30, RELATING TO THE ASSESSMENT OF MULTIPLE TAXES TO BE LEVIED ON THE SAME ASSESSMENT, TO CHANGE THE DESIGNATION OF STATE TAXES TO COUNTY TAXES; TO AMEND SECTION 21-37-266, RELATING TO THE HOMESTEAD EXEMPTION FOR DWELLINGS HELD IN TRUST, TO REQUIRE A COPY OF THE TRUST AGREEMENT BE PROVIDED; TO AMEND SECTION 12-37-290, RELATING TO THE GENERAL HOMESTEAD EXEMPTION, TO CHANGE THE HOMESTEAD EXEMPTION FROM PROPERTY TAXES FROM THE FIRST TEN THOUSAND DOLLARS TO THE FIRST FIFTY THOUSAND DOLLARS OF THE VALUE OF THE PRIMARY RESIDENCE OF A HOMEOWNER WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER TO CONFORM WITH OTHER SECTIONS OF THE CODE, AND TO TRANSFER FROM THE COMPTROLLER GENERAL TO THE

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DEPARTMENT OF REVENUE THE AUTHORITY TO PROMULGATE RULES AND FORMS, AND THE OBLIGATION TO REIMBURSE THE STATE AGENCY OF VOCATIONAL REHABILITATION FOR EXPENSES INCURRED IN EVALUATING DISABILITY UNDER THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 12-37-450, RELATING TO THE BUSINESS INVENTORY TAX EXEMPTION, TO REMOVE THE REQUIREMENT THAT THE AMOUNT OF REIMBURSEMENT ATTRIBUTED TO DEBT SERVICE BE REDISTRIBUTED TO OTHER SEPARATE MILLAGES ONCE THE DEBT IS PAID, TO REQUIRE THE REIMBURSEMENT BE REDISTRIBUTED PROPORTIONATELY TO THE SEPARATE MILLAGES LEVIED BY THE POLITICAL SUBDIVISIONS, TO STRIKE THE REQUIREMENT THAT THE REDISTRIBUTION BE ATTRIBUTED TO THE MILLAGE RATES IN THE YEAR 1987, AND TO REQUIRE THE ATTRIBUTION OF THE CURRENT TAX YEAR MILLAGE RATES; TO AMEND SECTION 12-37-710, RELATING TO THE RETURN AND ASSESSMENT OF PERSONAL PROPERTY, TO STRIKE "OF FULL AGE AND OF SOUND MIND" AS A QUALIFIER FOR EVERY PERSON WHO MUST LIST PERSONAL PROPERTY FOR TAXATION; TO AMEND SECTION 12-37-715, RELATING TO THE FREQUENCY OF AD VALOREM TAXATION ON PERSONAL PROPERTY, TO ALLOW NEWLY ACQUIRED VEHICLES TO BE TAXED MORE THAN ONCE IN A TAX YEAR; TO AMEND SECTION 12-37-760, RELATING TO STATEMENTS OF PERSONAL PROPERTY FOR TAXATION WHERE A PERSON REFUSES OR NEGLECTS TO DELIVER A STATEMENT OF PERSONAL PROPERTY, TO ELIMINATE THE OBLIGATION AND TO ALLOW THE PERMISSIVE AUTHORITY FOR THE COUNTY AUDITOR TO ASCERTAIN AND RETURN A LIST OF THAT PERSON'S PERSONAL PROPERTY AND TO ALLOW THAT HE MAY DENOTE REASONS FOR THE REFUSAL; TO REPEAL SECTION 12-37-850, RELATING TO THE REMOVAL OF THE JURISDICTION OF THE COURTS TO HEAR MATTERS ORIGINATED FROM THE TAXPAYER CONCERNING ALLEGATIONS OF FALSE RETURNS, TAX EVASION, OR FRAUD; TO AMEND SECTION 12-37-890, RELATING TO PERSONAL PROPERTY RETURNS FOR TAXATION PURPOSES, TO STRIKE LANGUAGE LISTING ANIMALS AND VEHICLES AND REPLACE WITH DESIGNATION OF PROPERTY USED IN ANY BUSINESS TO BE RETURNED TO THE COUNTY IN WHICH

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IT IS SITUATED FOR TAXATION PURPOSES, AND TO REMOVE THE REQUIREMENT THAT ALL BANKERS' CAPITAL OR PERSONAL ASSETS RELATED TO THE BANKING BUSINESS BE RETURNED TO THE COUNTY WHERE THE BANKING HOUSE IS LOCATED FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-900, RELATING TO PERSONAL PROPERTY TAX RETURNS, TO STRIKE THE DESIGNATED DATES OF THE REQUIRED ANNUAL RETURNS OF PERSONAL AND REAL PROPERTY TO THE COUNTY AUDITOR AND TO STRIKE THE AUTHORITY OF THE COUNTY LEGISLATIVE DELEGATION TO WAIVE THE PENALTIES OF FAILURE TO MAKE THIS STATEMENT; TO AMEND SECTION 12-37-940, RELATING TO VALUATION OF ARTICLES OF PERSONAL PROPERTY, TO STRIKE THE REQUIREMENT THAT MONEY AND BANK BILLS BE VALUED AT PAR VALUE AND THAT CREDITS BE VALUED AT THE FACE VALUE OF THE CONTRACT UNLESS THE PRINCIPAL BE PAYABLE AT A FUTURE TIME WITHOUT INTEREST AND CONTRACTS FOR THE DELIVERY OF SPECIFIC ARTICLES BE VALUED AT THE USUAL SELLING PRICE OF SUCH ITEMS; TO AMEND SECTION 12-37-970, RELATING TO THE ASSESSMENT AND RETURN OF MERCHANTS' INVENTORIES, TO REMOVE MERCHANTS' INVENTORIES FROM THE REQUIRED ASSESSMENT OF PERSONAL PROPERTY FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-2420, RELATING TO PROPERTY TAX RETURNS FOR AIRLINE COMPANIES, TO CHANGE THE DATE OF FILING FROM APRIL FIFTEENTH TO APRIL THIRTIETH, AND TO STRIKE LANGUAGE DESIGNATING THE FILING DEADLINES FOR AIRLINES IN YEAR 1976; TO AMEND SECTION 12-37-2610, RELATING TO TAX YEAR OF MOTOR VEHICLES, TO REMOVE REFERENCES TO VEHICLE LICENSE AND REPLACE WITH VEHICLE REGISTRATIONS, TO REMOVE REFERENCES AND PROCEDURES FOR TWO-YEAR VEHICLE LICENSES, TO PROVIDE AN EXCEPTION FOR TRANSFER OF THE LICENSE FROM ONE VEHICLE TO ANOTHER, AND TO PROVIDE THAT NOTICES OF SALES BY DEALERS MUST BE MADE TO THE DEPARTMENT OF MOTOR VEHICLES RATHER THAN THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-37-2630, RELATING TO MOTOR VEHICLE TAXES, TO REQUIRE THAT AN OWNER OF A VEHICLE SHALL MAKE A PROPERTY TAX RETURN TO THE AUDITOR WITHIN FORTY-FIVE DAYS OF THE

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VEHICLE BECOMING TAXABLE IN A COUNTY; TO AMEND SECTION 12-37-2660, RELATING TO MOTOR VEHICLE LICENSE REGISTRATIONS, TO REDUCE THE TIME THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A LIST OF LICENSE REGISTRATION APPLICATIONS TO THE COUNTY AUDITOR FROM NINETY TO SIXTY DAYS AND TO UPDATE THE REQUIRED FORM OF THE LISTINGS; TO AMEND SECTION 12-37-2725, RELATING TO THE TRANSFER OF THE TITLE OF A VEHICLE TO ANOTHER STATE, TO CHANGE THE LOCATION OF THE RETURN OF THE LICENSE PLATE AND VEHICLE REGISTRATION FROM THE COUNTY AUDITOR TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO DELINEATE THE PROCESS FOR OBTAINING A TAX REFUND FOR THE PORTION OF THE TAX YEAR REMAINING; TO REPEAL SECTION 12-37-2735, RELATING TO THE ESTABLISHMENT OF THE PERSONAL PROPERTY TAX RELIEF FUND; TO REPEAL SECTION 12-39-10, RELATING TO THE APPOINTMENT OF THE COUNTY AUDITOR; TO AMEND SECTION 12-39-40, RELATING TO THE APPOINTMENT OF A DEPUTY AUDITOR, TO REQUIRE THE APPOINTMENT TO BE FILED WITH THE STATE TREASURER INSTEAD OF THE COMPTROLLER GENERAL; TO AMEND SECTION 12-39-60, RELATING TO THE COUNTY AUDITOR, TO CHANGE THE DEADLINE FOR RECEIVING TAX RETURNS FROM APRIL FIFTEENTH TO APRIL THIRTIETH AND TO REDUCE THE REQUIREMENT OF PUBLIC NOTICE FOR A LOCATION TO RECEIVE RETURNS TO A PERMISSIVE AUTHORITY FOR THE PROVIDING OF THIS NOTICE; TO AMEND SECTION 12-39-120, RELATING TO THE POWER OF THE COUNTY AUDITOR TO ENTER INTO BUILDINGS THAT ARE NOT DWELLINGS TO DETERMINE VALUE, TO CHANGE THE DETERMINATION FROM THE VALUE OF ANY BUILDING TO THE VALUE OF ANY TAXABLE PERSONAL PROPERTY; TO AMEND SECTION 12-39-160, RELATING TO SPECIAL LEVIES, TO CHANGE THE REQUIREMENT THAT THE COUNTY AUDITOR REPORT THE AMOUNT OF PROPERTIES SUBJECT TO SPECIAL LEVIES TO THE COUNTY SUPERINTENDENT, BOARDS OF EDUCATION, AND BOARDS OF TRUSTEES, TO A PERMISSIVE AUTHORITY TO PROVIDE THE INFORMATION; TO AMEND SECTION 12-39-190, RELATING TO THE REPORTING OF REAL AND PERSONAL PROPERTY TAXES, TO ELIMINATE THE REQUIREMENT THAT THE REPORTING BE IN

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A NUMBER OF COLUMNS SPECIFIED BY THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-39-200, RELATING TO FORMS THE DEPARTMENT OF REVENUE MAY PRESCRIBE, TO ALLOW THE DEPARTMENT TO DETERMINE THE TYPES OF ACCEPTABLE FORMAT REQUIRED; TO AMEND SECTION 12-39-220, RELATING TO OMISSION OF NEW PROPERTY FROM THE COUNTY DUPLICATE, TO REQUIRE THE COUNTY AUDITOR TO IMMEDIATELY NOTIFY THE COUNTY ASSESSOR, TO ELIMINATE THE SPECIFICATION OF A TWENTY PERCENT PENALTY FOR UNPAID TAXES TO REPLACE WITH ALL APPLICABLE PENALTIES, AND TO ELIMINATE DUPLICATE LANGUAGE IN THE CODE; TO AMEND SECTION 12-39-260, RELATING TO THE COUNTY AUDITOR'S RECORDS, TO REDUCE THE REQUIREMENT THAT AUDITORS KEEP RECORDS OF ALL SALES OR CONVEYANCES OF REAL PROPERTY TO A PERMISSIVE AUTHORITY TO KEEP THESE RECORDS; TO AMEND SECTION 12-39-270, RELATING TO THE COUNTY AUDITOR'S ABATEMENT BOOK, TO REMOVE THE PROVISION THAT REQUIRES THE ABATEMENT ALLOWED IN ANNUAL SETTLEMENTS BETWEEN THE AUDITOR AND THE TREASURER TO BE ACCORDING TO THE RECORD IN THE ABATEMENT BOOK; TO AMEND SECTION 12-43-220, RELATING TO COUNTY EQUALIZATION AND REASSESSMENT, TO REQUIRE THAT IN ORDER TO PROVE ELIGIBILITY FOR THE FOUR PERCENT HOME ASSESSMENT RATIO, THE OWNER-OCCUPANT MUST PROVIDE PROOF THAT ALL MOTOR VEHICLES REGISTERED IN HIS NAME WERE REGISTERED AT THAT SAME ADDRESS; TO REPEAL SECTION 12-45-10, RELATING TO THE APPOINTMENT OF COUNTY TREASURERS; TO AMEND SECTION 12-45-35, RELATING TO THE APPOINTMENT OF DEPUTY COUNTY TREASURERS, TO CHANGE THE REQUIREMENT OF THE FILING OF THE APPOINTMENT WITH THE DEPARTMENT OF REVENUE TO THE FILING WITH THE STATE TREASURER; TO AMEND SECTION 12-45-70, RELATING TO COLLECTION OF TAXES, TO CHANGE THE REQUIREMENT THAT THE OFFICIAL CHARGED WITH COLLECTING TAXES SHALL SEND A LIST OF TAXES PAID TO THE DEPARTMENT OF MOTOR VEHICLES INSTEAD OF THE DEPARTMENT OF PUBLIC SAFETY AND THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ACCEPT THIS CERTIFICATION INSTEAD OF A TAX RECEIPT; TO

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AMEND SECTION 12-45-90, RELATING TO THE FORMS OF PAYMENT FOR TAXES, TO STRIKE FROM THE ACCEPTABLE FORMS OF PAYMENT, JURY CERTIFICATES, CIRCUIT COURT WITNESS PER DIEMS, AND COUNTY CLAIMS; TO AMEND SECTION 12-45-120, RELATING TO DELINQUENT TAXATION, TO REPLACE THE DESIGNATION OF CHATTEL TAX WITH THE TERM PERSONAL TAX; TO AMEND SECTION 12-45-180, RELATING TO THE COLLECTION OF DELINQUENT TAXES, TO ADD THE OFFICE AUTHORIZED TO COLLECT DELINQUENT TAXES AS AN OFFICE AUTHORIZED TO WAIVE PENALTIES IN CASES OF IMPROPER MAILING OR ERROR; TO AMEND SECTION 12-45-185, RELATING TO THE WAIVER OF PENALTIES FOR DELINQUENT TAXES, TO ALLOW THE COUNTY TREASURER TO NOTIFY THE COUNTY AUDITOR OF SUCH WAIVERS; TO AMEND SECTION 12-45-260, RELATING TO THE MONTHLY FINANCIAL REPORT OF THE COUNTY TREASURER TO THE COUNTY SUPERVISOR, TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST REPORT TO THE COUNTY SUPERVISOR ON THE FIFTEENTH OF EACH MONTH AND TO ALLOW THE TREASURER TO REPORT MONTHLY; TO AMEND SECTION 12-45-300, RELATING TO THE AUDITOR'S LIST OF DELINQUENT TAXES, TO STRIKE THE REQUIREMENT THAT THE AUDITOR MUST MAKE MARGINAL NOTATIONS AS TO THE REASONS THE TAXES WERE NOT COLLECTABLE, AND TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST SIGN AND SWEAR TO THE LIST BEFORE THE AUDITOR; TO AMEND SECTION 12-45-420, RELATING TO THE WAIVER OF PENALTIES DUE TO ERRORS BY THE COUNTY BY A COMMITTEE MADE UP OF THE COUNTY AUDITOR, TREASURER, AND ASSESSOR, TO REQUIRE THAT THE WAIVER MUST BE BY MAJORITY VOTE OF THE COMMITTEE; TO AMEND SECTION 12-49-10, RELATING TO LIENS AND SUITS FOR THE COLLECTION OF TAXES, TO CHANGE THE DESIGNATION OF DEBTS PAYABLE TO THE STATE TO DEBTS PAYABLE TO THE COUNTY; TO AMEND SECTION 12-49-20, RELATING TO LIENS IN THE COLLECTION OF DELINQUENT TAXES, TO MOVE THE AUTHORITY OF THE COUNTY SHERIFF TO COLLECT DELINQUENT TAXES TO THE COUNTY TAX COLLECTOR; TO AMEND SECTION 12-49-85, RELATING TO UNCOLLECTABLE PROPERTY TAX FOR DERELICT MOBILE HOMES, TO CHANGE

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THE AUTHORITY FROM THE COUNTY AUDITOR TO THE COUNTY ASSESSOR TO DETERMINE THE REMOVAL AND DISPOSAL OF A MOBILE HOME AND TO INCLUDE THE REQUIREMENT THAT THE ASSESSOR REMOVE THE DERELICT HOME FROM HIS RECORDS AND THE AUDITOR TO REMOVE THE DERELICT HOME FROM THE DUPLICATE LIST; TO AMEND SECTION 12-49-910, RELATING TO THE SEIZURE OF PROPERTY SUBJECT TO A TAX LIEN BY THE SHERIFF OR COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO LEVY AND SEIZE PROPERTY OF A DEFAULTING TAXPAYER; TO AMEND SECTION 12-49-920, RELATING TO THE SEIZURE OF PROPERTY FOR TAX DEFAULT BY THE COUNTY SHERIFF OR THE COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO POSSESS THE SEIZED PROPERTY; TO AMEND SECTION 12-49-930, RELATING TO THE REMOVAL OR DESTRUCTION OF PERSONAL PROPERTY SUBJECT TO A TAX LIEN, TO REMOVE THE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-940, RELATING TO THE DISPOSAL OF PERSONAL PROPERTY SEIZED DUE TO A TAX LIEN BY THE COUNTY SHERIFF OR TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO ADVERTISE FOR THE SALE OF THE PROPERTY; TO AMEND SECTION 12-49-950, RELATING TO BIDDING ON PERSONAL PROPERTY SUBJECT TO A TAX LIEN BY THE FORFEITED LAND COMMISSION, TO ALLOW BIDS TO BE MADE ON BEHALF OF THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-49-960, RELATING TO THE SALE OF PROPERTY SUBJECT TO A TAX SALE, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF; TO AMEND SECTION 12-49-1110, RELATING TO THE RIGHTS OF REAL PROPERTY MORTGAGES, TO CHANGE THE DEFINITION OF "TAX TITLE" FROM "A DEED FOR REAL PROPERTY AND A BILL OF SALE FOR PERSONAL PROPERTY" TO "A DEED FOR REAL PROPERTY OR A BILL OF SALE FOR PERSONAL PROPERTY"; TO AMEND SECTION 12-49-1150, RELATING TO THE NOTICE TO A MORTGAGEE OF A TAX SALE, TO INCLUDE IN THE INFORMATION PROVIDED THE TAX MAP NUMBER OF THE PROPERTY; TO AMEND SECTION 12-49-1220, RELATING TO THE PROCEDURES FOR PROVIDING NOTICE OF TAX SALE OF MOBILE OR MANUFACTURED HOMES, TO SPECIFY THE FORMS OF LIENHOLDERS

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PROVIDED TO TAX COLLECTORS FOR NOTICE TO BE THOSE PROVIDED BY THE DEPARTMENT RESPONSIBLE FOR THE REGISTRATION OF MANUFACTURED HOMES; TO AMEND SECTION 12-49-1270, RELATING TO THE RIGHTS OF THE LIENHOLDER IN A TAX SALE AND THE RIGHTS AND REMEDIES THAT ARE NOT AFFECTED BY COMPLIANCE OF THE INFORMATION PROVISIONS, TO CHANGE THE INFORMATION PROVIDED FROM THE AUDITOR TO THE ASSESSOR; TO AMEND SECTION 12-51-40, RELATING TO PROPERTY TAXES AND THE TREATMENT OF MOBILE HOMES AS PERSONAL PROPERTY, TO REMOVE THE REQUIREMENT OF WRITTEN NOTICE OF THE HOMES ANNEXATION TO THE LAND BY THE HOMEOWNER TO THE AUDITOR TO REQUIRE COMPLIANCE WITH DE-TITLING PROVISIONS OF THE MANUFACTURED HOUSING LAW AND TO ALLOW A COUNTY TO CONTRACT IN THE COLLECTION OF DELINQUENT TAXES; TO AMEND SECTION 12-51-55, RELATING TO THE BID ON PROPERTY SOLD FOR AD VALOREM TAXES, TO REMOVE THE PROVISIONS FOR THE APPLICATIONS OF THE FUNDS FOR WHEN THE PROPERTY IS NOT REDEEMED; TO AMEND SECTION 12-51-80, RELATING TO THE SETTLEMENT BY THE TREASURER, TO INCREASE THE TIME OF SETTLEMENT TO THE POLITICAL SUBDIVISIONS FROM THIRTY DAYS TO FORTY-FIVE DAYS AFTER THE TAX SALE; TO REPEAL SECTION 12-59-30, RELATING TO THE SUFFICIENCY OF DEEDS OF LANDS FORFEITED TO THE STATE COMMISSIONS IN YEAR 1939; TO AMEND SECTION 12-59-40, RELATING TO FORFEITED LAND COMMISSIONS, TO INCLUDE LANDS FORFEITED TO COUNTY TAX COLLECTORS IN LANDS AUTHORIZED FOR SALE AND TO REMOVE THE STATE AS HOLDER OF PROPERTY HELD AND SOLD BY THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-59-50, RELATING TO THE FORFEITED LAND COMMISSION, TO REMOVE THE REFERENCE TO DELINQUENT STATE TAXES SUBJECT TO THESE PROVISIONS; TO AMEND SECTION 12-59-70, RELATING TO FORFEITED LAND COMMISSION SALES, TO REMOVE REFERENCE TO THE SHERIFF SUBMITTING TITLE TO THE COMMISSION AND TO REFERENCE THE COUNTY TAX COLLECTOR SUBMITTING TITLE TO THE COMMISSION; TO AMEND SECTION 12-59-80, RELATING TO THE FORFEITED LAND COMMISSION, TO DESIGNATE THE PROCEDURE FOR ACCEPTING BIDS FOR THE

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SALE OF FORFEITED PROPERTY; TO AMEND SECTION 12-59-90, RELATING TO FORFEITED LANDS TAX SALES, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO EXECUTE DEEDS AND CONVEYANCES FOR FORFEITED LANDS AND TO AUTHORIZE THE COUNTY TAX COLLECTOR TO EXECUTE THE DEEDS AND CONVEYANCES; TO AMEND SECTION 12-59-100, RELATING TO THE TURNING OVER OF PROCEEDS OF A DELINQUENT TAX SALE BY THE FORFEITED LANDS COMMISSION TO THE COUNTY TREASURER AND THE TREASURER TO DEPOSIT THESE FUNDS INTO THE COUNTY GENERAL FUND, TO DELETE THE PROVISION THAT THE TREASURER DO SO AT THE CLOSE OF THE FISCAL YEAR AND TO STRIKE REFERENCES TO THE STATE INTERESTS IN THESE PROCEEDS; TO REPEAL SECTION 12-59-110, RELATING TO FEES AND COSTS OF THE SHERIFF FOR SERVICES PROVIDED TO THE FORFEITED LANDS COMMISSION IN REGARD TO DELINQUENT TAX SEIZURES; TO AMEND SECTION 12-59-120, RELATING TO THE FORFEITED LANDS COMMISSION, TO REPLACE REFERENCE TO THE COUNTY SHERIFFS WITH THE COUNTY TAX COLLECTOR REGARDING THE ALLOWING OF AGENTS OF THE COMMISSION ACCESS TO EXECUTIONS ISSUED FOR THE COLLECTION OF TAXES; AND TO AMEND SECTION 12-60-1760, RELATING TO PROPERTY TAX PROTESTS, TO REPLACE THE COUNTY AUDITOR WITH THE COUNTY IN REGARD TO WHO IS OBLIGATED TO RATABLY APPORTION FEES, EXPENSES, DAMAGES, AND COSTS RESULTING IN DEFENDING A COURT ACTION, AND TO REPLACE THE COUNTY AUDITOR OR TREASURER WITH THE COUNTY AS TO WHO MAY CAUSE A MUNICIPALITY TO BE MADE A PARTY TO ANY ACTION INVOLVING A MUNICIPAL LEVY.

Reps. G. R. SMITH and CLEMMONS proposed the following Amendment No. 1 to S. 379 (COUNCIL\NL\379C002.NL.SD15), which was adopted:

Amend the bill, as and if amended, page 21, SECTION 28, by striking Section 12-39-220 and inserting:

/ “Section 12-39-220. If the county ~~auditor~~ assessor shall at any time discover that any real estate or new structure, addition, or improvement duly returned and appraised for taxation, has been omitted from the duplicate, he shall immediately appraise it and notify the

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auditor. Upon receiving notification from the assessor, the auditor shall charge it on the duplicate with the taxes of the current year and the simple taxes of each preceding year it may have escaped taxation subject to the limitations contained in this section. And if the owner of any real estate or new structure, addition, or improvement thereon, subject to taxation, has not returned or reported it for taxation, according to the requirements of this chapter, and it has not been appraised for taxation, the auditor assessor shall, upon discovery thereof, appraise it and, upon making return of such appraisement, notification from the assessor, the auditor shall charge it upon the duplicate, with the taxes of the then current year and the taxes of each preceding year it may have escaped taxation, with twenty per cent penalty and all applicable penalties upon such taxes of preceding years subject to the limitations contained in this section. And if any real estate shall have been omitted in any return, the auditor of the county shall appraise it immediately for taxation, file such appraisement in his office and charge it with the taxes of the current year and the simple taxes of preceding years it may have escaped taxation. The adjustments determined by the assessor may not extend back more than three prior years from the year the adjustments are determined but in no event back to a prior year before the year the addition on improvement was made. The term 'improvement' for purposes of this section means a change to any real estate or structure which betters the value thereof while not constituting regular maintenance." /

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bowers	Bradley
Brannon	R. L. Brown	Burns
Clary	Clemmons	Cobb-Hunter
Cole	Collins	H. A. Crawford

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Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henderson
Herbkersman	Hiott	Hixon
Hodges	Hosey	Howard
Huggins	Johnson	Jordan
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
M. S. McLeod	W. J. McLeod	Mitchell
D. C. Moss	V. S. Moss	Newton
Norman	Norrell	Ott
Pope	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Weeks	Wells
Whipper	Whitmire	Williams
Willis	Yow	

Total--92

Those who voted in the negative are:

Crosby Hill

Total--2

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

S. 407--RECONSIDERED

Rep. SANDIFER moved to reconsider the vote whereby the following Bill was given second reading, which was agreed to:

S. 407 -- Senators Bryant and Young: A BILL TO AMEND SECTION 41-27-265(A) AND (B) OF THE 1976 CODE, RELATING

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TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE; TO AMEND CHAPTER 41, TITLE 41 TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN CHAPTERS 27 THROUGH 41 OF TITLE 41 AND TO DEFINE NECESSARY TERMS.

S. 407--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 407 -- Senators Bryant and Young: A BILL TO AMEND SECTION 41-27-265(A) AND (B) OF THE 1976 CODE, RELATING TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE; TO AMEND CHAPTER 41, TITLE 41 TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN

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CHAPTERS 27 THROUGH 41 OF TITLE 41 AND TO DEFINE NECESSARY TERMS.

Rep. SANDIFER proposed the following Amendment No. 2 to S. 407 (COUNCIL\AGM\407C002.AGM.AB15), which was adopted:

Amend the bill, as and if amended, Section 41-27-265(A)(1), as contained in SECTION 1, by deleting the item in its entirety and inserting:

/ (1) Solely for purposes of this ~~title~~ section, 'corporate officer' shall mean services performed by a person appointed or otherwise serving as an officer for a corporation pursuant to Article 4, Chapter 8, Title 33, a person who owns twenty-five percent or more of the shares of a corporation, or a person who otherwise exercises an ownership interest in a corporation. Solely for the purposes of this title, services performed by a corporate officer shall not be considered services in employment. However, unless a corporation ~~may elect~~ elects not to cover not less than all of its corporate officers under ~~subsection (B)~~ item (2). If an employer ~~does not elect~~ elects not to cover its corporate officers under ~~subsection (B)~~ item 2, the employer must notify its corporate officers in writing that they are ineligible for unemployment benefits. However, if the employer fails to provide notice, the individual's status as a corporate officer is unchanged and the person remains ineligible for unemployment benefits./

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bowers
Bradley	Brannon	R. L. Brown
Burns	Clary	Clemmons

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Cobb-Hunter	Cole	Collins
H. A. Crawford	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hamilton
Hayes	Henderson	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Hosey
Howard	Huggins	Johnson
Jordan	Kennedy	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Newton
Norman	Norrell	Ott
Pitts	Pope	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Southard	Spires
Stavrinakis	Tallon	Taylor
Thayer	Toole	Weeks
Wells	Whipper	Whitmire
Williams	Willis	Yow

Total--99

Those who voted in the negative are:

Total--0

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

RECURRENCE TO THE MORNING HOUR

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

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MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 3, 2015,

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time, for the purpose of ratifying Acts.

Very respectfully,
President

On motion of Rep. WILLIAMS the invitation was accepted.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 3, 2015

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

Master-in-Equity Reappointment
Greenville County Master-in Equity
Term Commencing: April 30, 2015
Term Expiring: April 30, 2021

The Honorable Charles B. Simmons, Jr.
305 East North Street, Suite 313
Greenville, South Carolina 29601

Very respectfully,
President of the Senate
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 3, 2015

Mr. Speaker and Members of the House:

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The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 183:

S. 183 -- Senators Hayes and Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16-3-2010, RELATING TO HUMAN TRAFFICKING DEFINITIONS, SO AS TO DEFINE "COERCION"; BY AMENDING SECTION 16-3-2020, RELATING TO HUMAN TRAFFICKING OFFENSES, SO AS TO PROVIDE THAT A PERSON IS CONSIDERED A TRAFFICKER IF THE PERSON SOLICITS OR PARTICIPATES IN PROSTITUTION WITH ANOTHER PERSON KNOWING THAT THE OTHER PERSON IS A HUMAN TRAFFICKING VICTIM, TO PROVIDE THAT A VICTIM CONVICTED OF A HUMAN TRAFFICKING VIOLATION OR PROSTITUTION MAY MOTION THE COURT TO VACATE THE CONVICTION, AND TO PROVIDE THAT A VICTIM IS NOT SUBJECT TO PROSECUTION FOR HUMAN TRAFFICKING OR PROSTITUTION IF THE VICTIM WAS A MINOR AT THE TIME OF THE OFFENSE, AND TO PROVIDE THAT A VICTIM'S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CRIMINAL ACTION; BY AMENDING SECTION 16-3-2030, RELATING TO BUSINESSES AND HUMAN TRAFFICKING, SO AS TO PROVIDE THAT A COURT MAY CONSIDER DISGORGEMENT OF PROFIT FROM A BUSINESS INVOLVED IN HUMAN TRAFFICKING AND DISBARMENT FROM GOVERNMENT CONTRACTS; BY AMENDING SECTION 16-3-2040, RELATING TO HUMAN TRAFFICKING RESTITUTION, SO AS TO PROVIDE THAT THE COURT MAY ORDER AN AMOUNT REPRESENTING THE VALUE OF THE VICTIM'S LABOR OR SERVICES; BY AMENDING SECTION 16-3-2050, RELATING TO THE HUMAN TRAFFICKING TASK FORCE, SO AS TO PROVIDE THAT THE TASK FORCE MAY MAKE GRANTS OR CONTRACTS TO DEVELOP OR EXPAND VICTIM SERVICE PROGRAMS; BY AMENDING SECTION 16-3-2060, RELATING TO HUMAN TRAFFICKING CIVIL ACTIONS, SO AS TO PROVIDE THAT A VICTIM'S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CIVIL ACTION; BY AMENDING SECTION 16-3-2070, RELATING TO VICTIMS' RIGHTS AND THE STATE CRIME VICTIM'S COMPENSATION FUND, SO AS TO PROVIDE THAT HUMAN TRAFFICKING VICTIMS ARE CONSIDERED VICTIMS REGARDLESS OF IMMIGRATION STATUS, TO

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PROVIDE THAT THE PICTURES AND IMAGES OF VICTIMS MUST BE KEPT CONFIDENTIAL, AND TO PROVIDE THE PROTOCOL A LAW ENFORCEMENT OFFICER SHALL FOLLOW WHEN INTERACTING WITH A VICTIM; AND BY ADDING SECTION 16-3-2100, SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESSES.

Very Respectfully,
President
Received as information.

S. 183--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**H. 3882--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

With unanimous consent, the Senate Amendments to the following Bill were taken up for consideration:

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.

Rep. DANING explained the Senate Amendments.

The yeas and nays were taken resulting as follows:
Yeas 93; Nays 0

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bradley
Brannon	R. L. Brown	Burns
Clary	Clemmons	Cobb-Hunter
Cole	Collins	H. A. Crawford
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Johnson	Jordan	Kennedy
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Norman
Norrell	Ott	Pitts
Pope	Quinn	Ridgeway
Riley	Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
J. E. Smith	Sottile	Southard
Spires	Stavrinakis	Tallon
Taylor	Thayer	Weeks
Wells	Whipper	Whitmire
Williams	Willis	Yow

Total--93

Those who voted in the negative are:

Total--0

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

**H. 3266--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

With unanimous consent, the Senate Amendments to the following Bill were taken up for consideration:

H. 3266 -- Reps. Hiott, Bannister, Brannon, Erickson, Henderson, Collins, Sandifer, Corley, Tallon, Taylor, Thayer, Wells, Felder, Kirby, Hixon, Hodges, Riley, Ott, Goldfinch, Hardee, Gagnon, Pitts, Finlay, Southard, D. C. Moss, Chumley, Yow, Huggins, Kennedy, Rivers and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

Rep. HIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bowers
Bradley	Brannon	R. L. Brown
Burns	Clary	Clemmons
Cobb-Hunter	Cole	Collins
H. A. Crawford	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Govan
Hamilton	Hayes	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges

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Hosey	Howard	Huggins
Johnson	Jordan	Kennedy
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Newton	Norman	Norrell
Ott	Pitts	Pope
Quinn	Ridgeway	Riley
Rivers	Ryhal	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Southard	Spires
Stavrinakis	Tallon	Taylor
Thayer	Weeks	Wells
Whipper	Williams	Willis
Yow		

Total--94

Those who voted in the negative are:

Total--0

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

RATIFICATION OF ACTS

At 3:00 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 90, S. 78) -- Senators Massey and Nicholson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "FORFEITED LANDS EMERGENCY DEVELOPMENT ACT" BY ADDING SECTION 12-59-140 SO AS TO AUTHORIZE THE COUNTY COUNCIL TO PETITION THE DEPARTMENT OF REVENUE TO ALLOW THE COUNTY'S FORFEITED LAND COMMISSION TO UTILIZE EMERGENCY PROCEDURES, TO SPECIFY THE PROCESS BY WHICH THE PETITION IS SUBMITTED, AND TO SPECIFY THE EMERGENCY

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PROCEDURES; AND BY ADDING SECTION 12-59-150 SO TO PROHIBIT AN IMMEDIATE FAMILY MEMBER OF A COUNTY FORFEITED LAND COMMISSION MEMBER FROM PURCHASING LAND FROM THE FORFEITED LAND COMMISSION ON WHICH THEIR RELATIVE SERVES, AND TO PROVIDE EXCEPTIONS.

(R. 91, S. 810) -- Senator Leatherman: AN ACT TO AMEND ACT 250 OF 1991, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN FLORENCE COUNTY SCHOOL DISTRICT NUMBER FIVE, SO AS TO REAPPORTION THE FOUR SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH TRUSTEES ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

(R. 92, S. 389) -- Senator Lourie: AN ACT TO AMEND CHAPTER 37, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA BUSINESS DEVELOPMENT CORPORATIONS, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CORPORATIONS ARE ORGANIZED, REGULATED, AND PERMITTED TO OPERATE.

(R. 93, S. 809) -- Senator Leatherman: AN ACT TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THE FIVE SINGLE-MEMBER ELECTION DISTRICTS AND THE TWO MULTIMEMBER ELECTION DISTRICTS FROM WHICH THESE NINE MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER AND MULTIMEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

(R. 94, H. 3156) -- Reps. J.E. Smith, Cobb-Hunter, Whipper, Weeks and Yow: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 15,

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TITLE 63 ENACTING THE “UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT” SO AS TO ADDRESS ISSUES OF CUSTODIAL RESPONSIBILITY WHEN A PARENT IN THE UNIFORMED SERVICE IS BEING DEPLOYED; TO PROVIDE THAT A COURT MUST HAVE JURISDICTION PURSUANT TO THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT TO ISSUE AN ORDER UNDER THIS ARTICLE; TO REQUIRE PROMPT NOTICE OF DEPLOYMENT TO THE OTHER PARENT; TO PROVIDE THAT THE CUSTODIAL RESPONSIBILITIES OF A DEPLOYING PARENT MAY BE ASSIGNED FOR THE DURATION OF THE DEPLOYMENT BY A TEMPORARY AGREEMENT ENTERED INTO BY THE PARENTS OR WITH THE DEPLOYING PARENT’S CONSENT, BY A COURT ISSUING A TEMPORARY ORDER GRANTING CUSTODIAL RESPONSIBILITIES AND TO FURTHER PROVIDE CERTAIN REQUIREMENTS AND LIMITATIONS OF AN AGREEMENT OR COURT ORDER; TO PROVIDE FOR THE TERMINATION OF A TEMPORARY AGREEMENT OR A TEMPORARY ORDER; TO PROVIDE THAT THIS ARTICLE SUPERSEDES THE FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT, EXCEPT CERTAIN PROVISIONS IN THAT ACT; AND TO PROVIDE THAT THIS ARTICLE DOES NOT AFFECT THE VALIDITY OF A TEMPORARY COURT ORDER CONCERNING CUSTODIAL RESPONSIBILITY DURING DEPLOYMENT ENTERED BEFORE THIS ARTICLE’S EFFECTIVE DATE.

(R. 95, H. 3548) -- Reps. J.E. Smith, Yow and Weeks: AN ACT TO AMEND SECTION 63-7-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTIFICATION AND TRANSFER OF REPORTS OF CHILD ABUSE OR NEGLECT, SO AS TO PROVIDE THAT IF THE ALLEGED ABUSED OR NEGLECTED CHILD IS A MEMBER OF AN ACTIVE DUTY MILITARY FAMILY, THE COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOTIFY CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; TO AMEND SECTION 63-7-920, RELATING TO INVESTIGATIONS AND CASE DETERMINATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO PROVIDE THAT THE

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DEPARTMENT OR LAW ENFORCEMENT, OR BOTH, MAY COLLECT INFORMATION CONCERNING THE MILITARY AFFILIATION OF THE PERSON HAVING CUSTODY OR CONTROL OF THE CHILD SUBJECT TO AN INVESTIGATION AND MAY SHARE THIS INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO MAKE TECHNICAL CORRECTIONS AND TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO GRANT ACCESS TO THE RECORDS OF AN INDICATED CASE TO CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; AND TO AMEND SECTION 63-11-80, RELATING TO CONFIDENTIAL INFORMATION WITHIN CHILD WELFARE AGENCIES, SO AS TO PROVIDE THAT AN OFFICER, AGENT OR EMPLOYEE OF THE DEPARTMENT OR A CHILD WELFARE AGENCY SHALL NOT DISCLOSE, DIRECTLY OR INDIRECTLY, INFORMATION LEARNED ABOUT A CHILD, THE CHILD'S PARENTS OR RELATIVES, OR OTHER PERSONS HAVING CUSTODY OR CONTROL OF THE CHILD, EXCEPT IN CASES INVOLVING A CHILD IN THE CUSTODY OR CONTROL OF PERSONS WHO HAVE MILITARY AFFILIATION.

(R. 96, H. 3583) -- Reps. Clemmons, Simrill, McCoy, Loftis, Atwater, Kirby, Corley, Bernstein, McEachern, Weeks, Johnson, Goldfinch, Kennedy, H.A. Crawford, Rutherford, Whitmire, Douglas, Burns, Clyburn, Erickson, G.R. Smith, Yow, Spires, Chumley, Allison, Hardee, Anderson, Gagnon, Putnam, Nanney, Williams, Limehouse, Duckworth, Norrell, Anthony, Ballentine, Bannister, Bedingfield, Bingham, Clary, Delleney, Felder, Finlay, Funderburk, Gambrell, Hamilton, Hardwick, Hicks, Hiott, Hixon, Huggins, Long, Lowe, Lucas, V.S. Moss, Murphy, Norman, Pitts, Pope, Quinn, Riley, Rivers, Sandifer, G.M. Smith, Stringer, Tallon, Taylor, Thayer, Toole, Wells, Willis, Newton, Forrester, Hill and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 23 TO CHAPTER 35, TITLE 11 SO AS TO PROHIBIT THE STATE OR A POLITICAL SUBDIVISION OF THE STATE FROM ACCEPTING A PROPOSAL FROM OR PROCURING GOODS OR SERVICES FROM A BUSINESS WHICH ENGAGES IN THE

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BOYCOTT OF A PERSON OR AN ENTITY BASED ON RACE, COLOR, RELIGION, GENDER, OR NATIONAL ORIGIN; TO AMEND SECTION 11-57-320, RELATING TO THE EXCEPTION TO CONTRACT PROHIBITION ON A CASE-BY-CASE BASIS, SO AS TO REMOVE THE CASE-BY-CASE BASIS REQUIREMENT, AND TO PROVIDE THAT THIS SECTION APPLIES TO INVESTMENT ACTIVITIES MADE BEFORE JANUARY 1, 2015; TO AMEND SECTION 11-57-330, RELATING TO THE CERTIFICATION REQUIREMENT TO CONTRACT WITH THE STATE, SO AS TO PROVIDE THAT THE REQUIREMENT DOES NOT APPLY TO CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS, NOR CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS AND EXTERNAL PROCUREMENT ACTIVITIES; TO AMEND SECTION 11-57-510, RELATING TO THE CERTIFICATION REQUIREMENT IN THE BIDDING PROCESS, SO AS TO PROVIDE THAT THE REQUIREMENT DOES NOT APPLY TO CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS, NOR CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS AND EXTERNAL PROCUREMENT ACTIVITIES; BY ADDING SECTION 11-57-50 SO AS TO PROVIDE THAT FAILURE TO COMPLY WITH A PROVISION OF THIS CHAPTER IS NOT GROUNDS FOR CERTAIN PROTESTS; AND TO AMEND SECTION 11-57-40, RELATING TO CERTAIN CONTRACTS AND PROCUREMENTS TO WHICH THE IRAN DIVESTMENT ACT DOES NOT APPLY, SO AS TO PROVIDE THAT IT DOES NOT APPLY TO A PROCUREMENT OR CONTRACT VALUED AT TEN THOUSAND DOLLARS OR LESS.

(R. 97, H. 3725) -- Reps. J.E. Smith, Quinn, Lowe, Jordan and W.J. McLeod: AN ACT TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR CERTIFIED HISTORIC STRUCTURES, SO AS TO PROVIDE THAT A TAXPAYER MAY ELECT A TWENTY-FIVE PERCENT TAX CREDIT IN LIEU OF THE TEN PERCENT TAX CREDIT, NOT TO EXCEED ONE MILLION DOLLARS FOR EACH CERTIFIED HISTORIC STRUCTURE, TO PROVIDE FOR THE TIME PERIOD IN WHICH THE CREDIT MUST BE TAKEN, AND TO PROVIDE THAT THE TAX CREDIT MAY BE ASSIGNED; TO AMEND SECTION 12-67-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A

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DEFINITION FOR "STATE-OWNED ABANDONED BUILDING"; TO AMEND SECTION 12-67-140, RELATING TO ELIGIBILITY FOR THE ABANDONED BUILDING TAX CREDIT, SO AS TO INCLUDE INSURANCE PREMIUM TAXES AS ONE OF THE TAXES AGAINST WHICH A CREDIT CAN BE CLAIMED, TO PROVIDE FOR THE TIME PERIOD IN WHICH THE CREDIT MUST BE TAKEN, AND TO REMOVE A LIMITATION RELATED TO THE AMOUNT A TAXPAYER'S TAX LIABILITY MAY BE REDUCED; AND BY ADDING SECTION 12-67-160 SO AS TO PROVIDE FOR THE MANNER IN WHICH A TAXPAYER MAY APPLY TO OBTAIN CERTIFICATION OF THE ABANDONED BUILDING SITE.

(R. 98, H. 3772) -- Reps. Merrill and Delleney: AN ACT TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

REPORTS OF STANDING COMMITTEES

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

H. 4257 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES INTERSTATE HIGHWAY 95 ALONG CATFISH CHURCH ROAD IN DILLON COUNTY "LINDA MANNING HAYES BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

S. 805 -- Senator Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE HIGHWAY 49 BRIDGE OVER THE ENOREE RIVER

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"SGT. BRANDON F. EGGLESTON MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

H. 4310 -- Reps. McKnight, G. A. Brown and Anderson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 512 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 261 IN WILLIAMSBURG COUNTY TO THE WILLIAMSBURG COUNTY/GEORGETOWN COUNTY LINE AND THE PORTION OF COUNTY ROAD S-5-22-6 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 261 TO ROSE HILL CHURCH IN GEORGETOWN COUNTY "JOHN JAMES SNOW II AND JOHN JAMES SNOW III (BUBBER) HIGHWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

H. 4296 -- Rep. Hardee: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES GRIER SWAMP ALONG HIGHWAY S-26-65 IN HORRY COUNTY "OSCAR CAUSEY MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4313 -- Reps. D. C. Moss, V. S. Moss and Tallon: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LIMESTONE COLLEGE MEN'S LACROSSE TEAM AND COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR

[HJ]

WEDNESDAY, JUNE 3, 2015

WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4314 -- Reps. Weeks, 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, 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, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR JAMES E. MCKNIGHT, FORMER PRESIDING BISHOP OF THE CHURCH OF GOD BY FAITH, INC., FOR HIS MANY YEARS OF GOSPEL MINISTRY, TO CONGRATULATE HIM ON THE OCCASION OF HIS RECENT RETIREMENT, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4315 -- Reps. Norrell, 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,

[HJ]

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Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, 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, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HEATH SPRINGS BAPTIST CHURCH IN LANCASTER COUNTY UPON THE CELEBRATION OF THE CHURCH'S ONE HUNDRED TWENTY-SIXTH ANNIVERSARY AND TO CONGRATULATE THE CONGREGATION, PASTOR, AND CHURCH STAFF FOR MORE THAN A CENTURY AND A QUARTER OF SIGNIFICANT MINISTRY IN THEIR COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4316 -- Reps. Kirby, 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, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, 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,

[HJ]

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Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE LAKE CITY NATIVE LA TASHA MCCUTCHEN ON CAPTURING THE TOP TITLE OF HEAD CHEF ON THE POPULAR TELEVISED COOKING COMPETITION HELL'S KITCHEN AND TO WISH HER WELL IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4317 -- Reprs. Erickson, 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, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, 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, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE REVEREND BETTY SUSAN ULMER, PASTOR OF CARTERET STREET UNITED METHODIST CHURCH, UPON THE OCCASION OF HER RETIREMENT AFTER FORTY YEARS OF EXEMPLARY MINISTRY IN THE UNITED METHODIST CHURCH AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4318 -- Reps. Ballentine, Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, 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, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, 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, Stavrakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE REVIRA "REVA" BRENNAN, CAE, IOM, OF IRMO, UPON BEING CHOSEN AS THE 2015 ASSOCIATION EXECUTIVE OF THE YEAR BY THE SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4319 -- Reps. Erickson, 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, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, 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,

[HJ]

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Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JAMES W. PRUITT, THE OWNER OF PRUITT'S GROCERY, UPON THE OCCASION OF HIS RETIREMENT AFTER YEARS OF OUTSTANDING SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4320 -- Reps. Gilliard, Whipper, R. L. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. 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, Goldfinch, Govan, Hamilton, Hardee, 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, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE DARYL MILLIGAN, TRIDENT TECHNICAL COLLEGE BUSINESS, MANAGEMENT, AND FINANCE INSTRUCTOR, ON BEING NAMED THE 2015 SOUTH CAROLINA

WEDNESDAY, JUNE 3, 2015

TECHNICAL EDUCATION ASSOCIATION FACULTY MEMBER
OF THE YEAR.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4321 -- Reprs. R. L. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. 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, 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, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REVEREND ROBERT HEYWARD, SR., UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS OF EXEMPLARY SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4322 -- Rep. Anderson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SIMS STREET IN THE CITY OF GEORGETOWN FROM ITS INTERSECTION WITH NORTH CONGDON STREET TO ITS INTERSECTION WITH NORTH

[HJ]

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MERRIMAN ROAD "MARINE CORPORAL NATHANIEL JACKSON MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET THAT CONTAIN THIS DESIGNATION.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 4323 -- Reps. R. L. Brown, Whipper, Merrill, Gilliard, McCoy, Rivers, Sottile, Tinkler, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. 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, Goldfinch, Govan, Hamilton, Hardee, 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, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, Wells, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO ESTABLISH THE ST. PAUL'S PARISH ADVISORY COMMITTEE IN CHARLESTON COUNTY TO ACT AS A COMMUNITY FORUM FOR ADVICE AND DISCUSSION OF AND DIRECTION ON ISSUES AFFECTING THE PARISH, TO PROVIDE FOR THE MEMBERSHIP OF THE ADVISORY COMMITTEE, AND TO PROVIDE THAT THE ROLE OF THE ADVISORY COMMITTEE WILL BE TO ACT AS A SOUNDING BOARD FOR COMMUNITY ISSUES AND NOT TO EXERCISE ANY STATE OR LOCAL SOVEREIGNTY OR TO TAKE ANY TYPE OF EXECUTIVE ACTION.

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

[HJ]

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CONCURRENT RESOLUTION

The following was introduced:

H. 4324 -- Reps. Funderburk, Lucas, G. A. Brown, Bales, Alexander, Allison, Anderson, Anthony, Atwater, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, 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, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, 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, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HOPE HOWELL BOYKIN COOPER OF CAMDEN, THE LINCHPIN BETWEEN THE CAMDEN EQUINE AND BUSINESS COMMUNITIES, FOR HER MANY YEARS OF VARIED AND VALUABLE SERVICE TO HER CITY, COUNTY, AND STATE.

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

INTRODUCTION OF BILLS

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

H. 4325 -- Reps. Duckworth, Johnson, Hardee, Merrill, Putnam, Jordan, W. J. McLeod, Finlay, Norrell, Erickson, Clemmons, H. A. Crawford, Gagnon, Gambrell, Herbkersman, Hixon, Riley, Thayer, Tinkler, Whitmire and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-37-60 SO AS TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION TO ADOPT REGULATIONS

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THAT ENABLE AND ENCOURAGE ELECTRICAL UTILITIES SUBJECT TO THE COMMISSION'S JURISDICTION TO NEGOTIATE WITH OFFSHORE WIND ENERGY DEVELOPERS, FOR THE PURCHASE OF POWER AT FAIR RATES COMPARABLE AND SIMILAR TO CURRENT NEW CONSTRUCTION POWER PRODUCTION COST CONDITIONS, AND THESE NEGOTIATIONS TO RESULT IN PROVISIONAL AND CONDITIONAL POWER PURCHASE AGREEMENTS IN ORDER TO PROVIDE A PATH FORWARD TO CREATING A WIND ENERGY INDUSTRY IN SOUTH CAROLINA; AND TO REQUIRE THE PUBLIC SERVICE COMMISSION TO SCHEDULE BIENNIAL OPEN PROGRESS REPORT MEETINGS FOR A PERIOD OF TWO YEARS.

Referred to Committee on Labor, Commerce and Industry

H. 4326 -- Reps. Hixon, Corley, Taylor, Clyburn and Wells: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 58 SO AS TO PROVIDE PROCEDURES FOR THE EXERCISE OF EMINENT DOMAIN BY PIPELINE COMPANIES, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CERTAIN RELATED CERTIFICATION OR PERMITTING FUNCTIONS AT THE PUBLIC SERVICE COMMISSION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO PROVIDE PROPERTY OWNER RIGHTS AND A CAUSE OF ACTION FOR DAMAGES SUSTAINED BY CERTAIN ADJACENT PROPERTY OF THE OWNER OF PROPERTY CONDEMNED UNDER THE PROVISIONS OF THIS ACT; AND TO DESIGNATE THE EXISTING PROVISIONS IN THE CHAPTER AS ARTICLE 1 ENTITLED "GAS AND WATER COMPANIES".

Referred to Committee on Judiciary

H. 4327 -- Rep. G. M. Smith: A BILL TO AMEND CHAPTER 71, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOSPICE PROGRAMS, SO AS TO ADD DEFINITIONS; TO ESTABLISH CERTAIN LICENSING REQUIREMENTS; TO PROVIDE FOR THE REGISTRATION OF MULTIPLE OFFICE LOCATIONS OF LICENSED HOSPICES; TO PROVIDE FOR EXPANSION OF HOSPICE SERVICE AREAS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE APPLICATIONS

[HJ]

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FOR REGISTRATION OF MULTIPLE OFFICE LOCATIONS AND FOR EXPANSION OF HOSPICE SERVICE AREAS, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.

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

H. 4328 -- Rep. White: A BILL TO AMEND SECTION 12-8-1530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUARTERLY INCOME TAX WITHHOLDINGS, SO AS TO CHANGE THE DUE DATE OF THE FOURTH QUARTER RETURN FROM THE LAST DAY OF FEBRUARY TO THE LAST DAY OF JANUARY; AND TO AMEND SECTION 12-8-1550, RELATING TO THE DUE DATE FOR FILING STATEMENTS REGARDING INCOME TAX WITHHOLDINGS WITH THE DEPARTMENT OF REVENUE, SO AS TO CHANGE THE DUE DATE FROM THE LAST DAY OF FEBRUARY TO THE LAST DAY OF JANUARY.

Referred to Committee on Ways and Means

H. 4329 -- Reprs. Clemmons, Duckworth, Hardee, Ryhal, Johnson, Anderson, George, Goldfinch and H. A. Crawford: A BILL TO AMEND SECTION 6-1-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LOCAL ACCOMMODATIONS TAX, SO AS TO CLARIFY THE DEFINITION OF THE LOCAL ACCOMMODATIONS TAX; BY ADDING SECTION 6-1-580 SO AS TO PROVIDE THAT A THIRD PARTY WHO ACCEPTS AN ACCOMMODATION CHARGE IS LIABLE FOR ACCOMMODATIONS TAX; BY ADDING SECTION 6-1-590 SO AS TO PROVIDE THAT THE LOCAL ACCOMMODATIONS TAX DOES NOT APPLY TO CERTAIN RESIDENTIAL REAL PROPERTY; TO AMEND SECTION 12-36-920, RELATING TO THE TAX ON ACCOMMODATIONS FOR TRANSIENTS, SO AS TO CLARIFY WHICH PARTY IS RESPONSIBLE FOR THE ACCOMMODATIONS TAX, AND TO PROVIDE THAT A THIRD PARTY WHO ACCEPTS AN ACCOMMODATION CHARGE IS LIABLE FOR ACCOMMODATIONS TAX.

Referred to Committee on Ways and Means

H. 4330 -- Rep. Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PARENTAL RIGHT TO REFUSE ASSESSMENTS ACT" BY ADDING SECTION 59-18-335 SO AS TO PROVIDE LEGISLATIVE FINDINGS, TO

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PROVIDE THE PARENT OF A STUDENT MAY EXCUSE THE STUDENT FROM PARTICIPATING IN STANDARDIZED ASSESSMENTS THAT ARE PART OF A CERTAIN SYSTEM OF STATEWIDE ACADEMIC ASSESSMENTS, TO PROVIDE NO PENALTIES MAY BE IMPOSED FOR EXERCISING THIS RIGHT TO EXCUSE, TO REQUIRE ADOPTION AND IMPLEMENTATION OF RELATED POLICIES AND PROCEDURES BY LOCAL AND STATE-SPONSORED EDUCATION PROVIDERS, TO PROVIDE SPECIFIC REQUIREMENTS FOR THESE POLICIES AND REQUIREMENTS FOR MAKING THEM AVAILABLE TO PARENTS AND STUDENTS, AND TO DEFINE NECESSARY TERMINOLOGY.

Referred to Committee on Education and Public Works

H. 4331 -- Reps. Dillard and Mitchell: A BILL TO AMEND SECTION 31-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOUSING AND REDEVELOPMENT, SO AS TO CHANGE THE NAME OF THE "SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT AUTHORITY" TO THE "SOUTH CAROLINA HOUSING FINANCE AGENCY"; AND TO AMEND ARTICLE 4, CHAPTER 13, TITLE 31, RELATING TO THE HOUSING TRUST FUND, SO AS TO REVISE DEFINITIONS AND TO DEFINE "PROJECT", TO PROVIDE FOR THE BOARD TO SET POLICIES FOR PAYMENT OF REASONABLE FEES AND EXPENSES FOR SPONSORS, TO REMOVE THE SOUTH CAROLINA HOUSING PARTNERSHIP FROM THE ADVISORY COMMITTEE, TO ADD THE SOUTH CAROLINA MUNICIPAL ASSOCIATION TO THE ADVISORY COMMITTEE, TO PROVIDE THAT GRANTS MAY BE MADE TO CERTAIN HOUSING TRUST FUNDS, TO PROVIDE A CAP AT FIFTEEN PERCENT OF THE AMOUNT OF ANNUAL TRUST FUND DEPOSITS AWARDED TO UNITS OF STATE, REGIONAL, AND LOCAL GOVERNMENTS, AND TO MAKE TECHNICAL AND CONFORMING CHANGES.

Referred to Committee on Ways and Means

H. 4332 -- Reps. Murphy and Knight: A BILL TO CHANGE THE METHOD OF ELECTING THE SEVEN MEMBERS OF THE SUMMERVILLE SCHOOL DISTRICT 2 BOARD OF TRUSTEES FROM AT-LARGE TO SINGLE-MEMBER DISTRICTS; TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED; TO

[HJ]

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PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS; AND TO ESTABLISH LIMITED FISCAL AUTONOMY FOR SUMMERVILLE SCHOOL DISTRICT 2 AND DORCHESTER COUNTY SCHOOL DISTRICT 4 BY PROVIDING FOR THE MANNER IN WHICH THE ANNUAL BUDGET AND TAX MILLAGE FOR SUMMERVILLE SCHOOL DISTRICT 2 AND DORCHESTER COUNTY SCHOOL DISTRICT 4 MUST BE DETERMINED.

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

S. 505 -- Senators L. Martin, Hembree and Shealy: A BILL TO AMEND SECTION 24-21-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24-21-560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24-21-670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

Referred to Committee on Judiciary

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

ADJOURNMENT

At 8:44 p.m. the House, in accordance with the motion of Rep. GEORGE, adjourned in memory of William "Billy" L. Rogers, Jr., of Mullins, to meet at 10:00 a.m. tomorrow.

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