

NO. 78

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



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015**

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**WEDNESDAY, JUNE 17, 2015**  
**(STATEWIDE SESSION)**

**Wednesday, June 17, 2015**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 28:8: “The Lord is the strength of his people; He is saving refuge of His anointed.”

Let us pray: We give You thanks, Heavenly Father, for the wonderful and gracious blessings You bestow upon us each day. Guide these Representatives as they work through the agenda of this day. Give them the determination to do the very best which is expected of them. Watch over them in times of need. Bless our leaders of our Nation; our President, our State; Governor, Speaker, staff, and all who contribute to the success of this Assembly. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen

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

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

**MOTION ADOPTED**

Rep. JOHNSON moved that when the House adjourns, it adjourn in memory of his grandmother, Josephine Johnson Bounds of Conway, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Representative Hamilton's son, Greyson, and the entire Hamilton family.

**SILENT PRAYER**

The House stood in silent prayer in memory of Dusty Rhodes.

[HJ]

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**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 8, 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. RIDGEWAY the invitation was accepted.

**RATIFICATION OF ACTS**

At 3:00 p.m., on June 8, 2015, the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 116, S. 379) -- Senator Courson: AN ACT TO AMEND SECTION 12-4-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY TAX OFFICIALS, SO AS TO REDUCE THE OBLIGATION THAT THE DEPARTMENT OF REVENUE ANNUALLY SHALL 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, SO AS 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, SO AS TO CHANGE THE DESIGNATION OF STATE TAXES TO COUNTY TAXES; TO AMEND SECTION 12-37-266, RELATING TO THE HOMESTEAD EXEMPTION FOR DWELLINGS HELD IN TRUST, SO AS TO REQUIRE A COPY OF THE TRUST AGREEMENT BE PROVIDED; TO AMEND SECTION 12-37-290, RELATING TO THE GENERAL HOMESTEAD EXEMPTION, SO AS TO CHANGE THE HOMESTEAD EXEMPTION FROM PROPERTY TAXES FROM

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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 DEPARTMENT OF REVENUE THE AUTHORITY TO PROMULGATE RULES AND FORMS, AND THE OBLIGATION TO REIMBURSE THE VOCATIONAL REHABILITATION DEPARTMENT 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, SO AS 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 DELETE 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, SO AS TO DELETE "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, SO AS 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, SO AS 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

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RETURNS, TAX EVASION, OR FRAUD; TO AMEND SECTION 12-37-890, RELATING TO PERSONAL PROPERTY RETURNS FOR TAXATION PURPOSES, SO AS TO DELETE LANGUAGE LISTING ANIMALS AND VEHICLES AND REPLACE WITH DESIGNATION OF PROPERTY USED IN ANY BUSINESS TO BE RETURNED TO THE COUNTY IN WHICH 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, SO AS TO MAKE TECHNICAL CHANGES AND TO DELETE THE AUTHORITY OF THE COUNTY LEGISLATIVE DELEGATION TO WAIVE THE PENALTIES OF FAILURE TO MAKE A REQUIRED STATEMENT; TO AMEND SECTION 12-37-940, RELATING TO VALUATION OF ARTICLES OF PERSONAL PROPERTY, SO AS TO DELETE 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, SO AS 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, SO AS TO CHANGE THE DATE OF FILING FROM APRIL FIFTEENTH TO APRIL THIRTIETH, AND TO DELETE LANGUAGE DESIGNATING THE FILING DEADLINES FOR AIRLINES IN YEAR 1976; TO AMEND SECTION 12-37-2610, RELATING TO THE TAX YEAR OF MOTOR VEHICLES, SO AS 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

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VEHICLES RATHER THAN THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-37-2630, RELATING TO MOTOR VEHICLE TAXES, SO AS TO REQUIRE THAT AN OWNER OF A VEHICLE SHALL MAKE A PROPERTY TAX RETURN TO THE AUDITOR WITHIN FORTY-FIVE DAYS OF THE VEHICLE BECOMING TAXABLE IN A COUNTY; TO AMEND SECTION 12-37-2660, RELATING TO MOTOR VEHICLE LICENSE REGISTRATIONS, SO AS 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, SO AS 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, SO AS 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, SO AS 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, SO AS 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, SO AS TO CHANGE THE REQUIREMENT THAT THE COUNTY AUDITOR REPORT THE AMOUNT OF PROPERTIES SUBJECT TO SPECIAL LEVIES TO THE COUNTY

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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 TAXES ON THE DUPLICATE, SO AS TO ELIMINATE THE REQUIREMENT THAT THE REPORTING BE IN A NUMBER OF COLUMNS SPECIFIED BY THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-39-200, RELATING TO FORMS FOR THE COUNTY DUPLICATE, SO AS 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, SO AS TO REQUIRE THE COUNTY AUDITOR TO IMMEDIATELY APPRAISE THE PROPERTY AND NOTIFY THE COUNTY ASSESSOR, TO DELETE THE SPECIFICATION OF A TWENTY PERCENT PENALTY FOR UNPAID TAXES AND TO REPLACE THE TWENTY PERCENT PENALTY WITH ALL APPLICABLE PENALTIES, TO ELIMINATE DUPLICATE LANGUAGE IN THE CODE AND TO PROVIDE THAT ADJUSTMENTS DETERMINED BY THE ASSESSOR MAY NOT EXTEND BACK MORE THAN THREE YEARS; TO AMEND SECTION 12-39-260, RELATING TO THE COUNTY AUDITOR'S RECORDS, SO AS 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, SO AS 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, AS AMENDED, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS 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, SO AS TO CHANGE THE

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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, SO AS 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 AMEND SECTION 12-45-90, RELATING TO THE FORMS OF PAYMENT FOR TAXES, SO AS TO DELETE 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, SO AS 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, SO AS 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, SO AS TO ALLOW THE COUNTY TREASURER TO NOTIFY THE COUNTY AUDITOR OF SUCH WAIVERS; TO AMEND SECTION 12-45-260, RELATING TO THE MONTHLY FINANCIAL REPORTS OF THE COUNTY TREASURER TO THE COUNTY SUPERVISOR, SO AS 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, SO AS TO DELETE 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, SO AS TO REQUIRE

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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, SO AS 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, SO AS 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, SO AS TO CHANGE THE AUTHORITY FROM THE COUNTY AUDITOR TO THE COUNTY ASSESSOR, TO DETERMINE THE REMOVAL AND DISPOSAL OF A MOBILE HOME, 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, SO AS 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, SO AS 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, SO AS 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, SO AS 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, SO AS 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, SO AS TO REMOVE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-1110,

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RELATING TO THE RIGHTS OF REAL PROPERTY MORTGAGES, SO AS 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 MORTGAGEE OF A TAX SALE, SO AS TO INCLUDE THE TAX MAP NUMBER OF THE PROPERTY IN THE INFORMATION PROVIDED; TO AMEND SECTION 12-49-1220, RELATING TO THE PROCEDURES FOR PROVIDING NOTICE OF TAX SALE OF MOBILE OR MANUFACTURED HOMES, SO AS TO SPECIFY THE FORMS OF LIENHOLDERS 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, SO AS 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, SO AS TO REMOVE THE REQUIREMENT OF WRITTEN NOTICE OF THE HOMES ANNEXATION TO THE LAND BY THE HOMEOWNER TO THE AUDITOR AND INSTEAD REQUIRE COMPLIANCE WITH DETITLING 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 BEHALF OF THE FORFEITED LAND COMMISSION PROPERTY SOLD FOR AD VALOREM TAXES, SO AS TO REMOVE THE PROVISIONS FOR THE APPLICATIONS OF THE FUNDS WHEN THE PROPERTY IS NOT REDEEMED; TO AMEND SECTION 12-51-80, RELATING TO THE SETTLEMENT BY THE TREASURER, SO AS 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, SO AS TO INCLUDE LANDS FORFEITED TO

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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, SO AS TO REMOVE THE REFERENCE TO DELINQUENT STATE TAXES SUBJECT TO THESE PROVISIONS; TO AMEND SECTION 12-59-70, RELATING TO FORFEITED LAND COMMISSION SALES, SO AS 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, SO AS TO DESIGNATE A PROCEDURE FOR ACCEPTING BIDS FOR THE SALE OF FORFEITED PROPERTY; TO AMEND SECTION 12-59-90, RELATING TO FORFEITED LANDS TAX SALES, SO AS 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 LAND COMMISSION TO THE COUNTY TREASURER AND THE TREASURER TO DEPOSITING THESE FUNDS INTO THE COUNTY GENERAL FUND, SO AS TO DELETE THE PROVISION THAT THE TREASURER DO SO AT THE CLOSE OF THE FISCAL YEAR AND TO DELETE 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 LAND COMMISSION IN REGARD TO DELINQUENT TAX SEIZURES; TO AMEND SECTION 12-59-120, RELATING TO THE FORFEITED LAND COMMISSION, SO AS TO REPLACE REFERENCE TO THE COUNTY SHERIFF 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 ACTIONS AGAINST COUNTY OFFICIALS, SO AS TO REPLACE THE COUNTY AUDITOR WITH THE COUNTY IN REGARD TO WHO IS OBLIGATED TO RATABLY APPORTION FEES, EXPENSES, DAMAGES, AND COSTS RESULTING IN

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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.

(R. 117, H. 3154) -- Reps. J.E. Smith, G.M. Smith, Cobb-Hunter, M.S. McLeod, Toole, Weeks, Whipper, Robinson-Simpson, Quinn and Bales: AN ACT TO AMEND SECTION 7-13-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO REVISE THE DATES BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED; TO AMEND SECTION 7-15-10, AS AMENDED, RELATING TO THE DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 7-15-20, AS AMENDED, RELATING TO THE LIBERAL CONSTRUCTION OF CHAPTER 15, TITLE 7, SO AS TO INCLUDE THE NEW ARTICLE 9; TO AMEND SECTION 7-15-310, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO ARTICLE 5, CHAPTER 15, TITLE 7, SO AS TO MAKE TECHNICAL CORRECTIONS; BY ADDING ARTICLE 9 TO CHAPTER 15, TITLE 7 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE REGISTRATION AND ABSENTEE VOTING ALTERNATIVES FOR CERTAIN MILITARY AND OVERSEAS VOTERS; AND TO REPEAL SECTIONS 7-15-400, 7-15-405, 7-15-406, AND 7-15-460 ALL RELATING TO ABSENTEE REGISTRATION AND VOTING.

(R. 118, H. 3305) -- Reps. Lowe, Bingham, Horne, Weeks and Bradley: AN ACT TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DENIAL OF UNEMPLOYMENT BENEFITS FOR AN EMPLOYEE WHO TESTS POSITIVE FOR ILLEGAL DRUG USE OR THE UNLAWFUL USE OF LEGAL DRUGS, SO AS TO EXPAND THE RANGE OF SPECIMENS FROM AN EMPLOYEE THAT MAY BE TESTED TO INCLUDE ORAL FLUIDS, AND TO CHANGE CERTIFICATION REQUIREMENTS OF LABORATORIES THAT MAY PERFORM THESE TESTS.

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(R. 119, H. 3670) -- Reps. Lowe, Williams and Kirby: AN ACT TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES; AND TO PROVIDE FOR THE DURATION OF THE PROVISIONS OF THIS ACT.

(R. 120, H. 3852) -- Reps. Tallon, Bannister, Loftis, Burns, Brannon, Allison, Ballentine, Bamberg, Bedingfield, Bingham, Clary, Clemmons, Cole, Collins, Delleney, Duckworth, Finlay, Forrester, Gagnon, Gambrell, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Hicks, Hiott, Horne, Huggins, Kennedy, Kirby, Long, McCoy, Merrill, D.C. Moss, V.S. Moss, Newton, Norman, Norrell, Pope, Quinn, Rutherford, Ryhal, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Taylor, Thayer, Willis, Yow, Bradley and

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Anthony: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-18-75 SO AS TO PROVIDE FOR ESCHEATMENT TO THE STATE OF UNCLAIMED UNITED STATES SAVINGS BONDS, TO PROVIDE FOR JUDICIAL DETERMINATION OF ESCHEATMENT, TO PROVIDE FOR PROCEDURES FOR CHALLENGING ESCHEATMENT, TO PROVIDE FOR DEPOSIT OF THE PROCEEDS OF ESCHEATMENT AND REIMBURSEMENT TO THE ADMINISTRATION FOR THE COSTS OF ESCHEATMENT; AND BY ADDING SECTION 27-18-76 SO AS TO PROVIDE THAT A PERSON CLAIMING AN INTEREST IN A UNITED STATES SAVINGS BOND MAY FILE A CLAIM WITH THE ADMINISTRATOR ADMINISTERING THE UNIFORM UNCLAIMED PROPERTY ACT AND TO PROVIDE FOR LIMITATIONS ON SUCH CLAIMS.

(R. 121, H. 4005) -- Reps. Southard, Merrill, Daning, Jefferson and Rivers: AN ACT TO AMEND SECTION 7-7-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE THE PRECINCTS AND THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

(R. 122, H. 4084) -- Rep. Stringer: AN ACT TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS OF CHARTER SCHOOLS FROM CERTAIN PROVISIONS APPLICABLE TO PUBLIC SCHOOLS, THE POWERS AND DUTIES OF CHARTER SCHOOLS, AND ADMISSIONS TO CHARTER SCHOOLS, SO AS TO AUTHORIZE SCHOOL LEADERS TO BE HIRED TO ASSIST WITH THE DAILY OPERATIONS OF CHARTER SCHOOLS, TO PROVIDE THAT EMPLOYEES, BOARD MEMBERS, AND STAFF OF CHARTER SCHOOLS ARE SUBJECT TO THE ETHICS AND GOVERNMENT ACCOUNTABILITY REQUIREMENTS APPLICABLE TO PUBLIC MEMBERS AND PUBLIC EMPLOYEES, AND TO PROVIDE CHARTER CONTRACTS MUST CONTAIN STATEMENTS OF ASSURANCE OF ETHICAL COMPLIANCE ON BEHALF OF THE SCHOOLS.

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(R. 123, H. 4142) -- Rep. Ballentine: AN ACT TO AMEND SECTION 7-7-465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN RICHLAND COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

(R. 124, H. 4225) -- Rep. Bedingfield: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERMS AND CONDITIONS FOR THE PUBLIC'S USE OF STATE LAKES AND PONDS OWNED OR LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4547, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 125, H. 4231) -- Rep. Bedingfield: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPECIES OR SUBSPECIES OF NONGAME WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4560, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**ROLL CALL**

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Bamberg	Bannister	Bedingfield
Bingham	Bowers	Bradley
Brannon	G. A. Brown	R. L. Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cole
Collins	Corley	Crosby
Daning	Dillard	Douglas
Duckworth	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hardee

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Hayes	Henderson	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Hosey	Huggins	Jefferson
Johnson	Jordan	Kennedy
Kirby	Limehouse	Loftis
Lucas	Mack	McCoy
McEachern	W. J. McLeod	Merrill
D. C. Moss	Nanney	Newton
Norman	Norrell	Ott
Pitts	Putnam	Ridgeway
Riley	Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
Whipper	White	Whitmire
Williams	Willis	Yow

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, June 17.

Beth Bernstein	Gilda Cobb-Hunter
Heather Crawford	Greg Delleney
Chris Hart	Leon Howard
Cezar McKnight	M.S. McLeod
Harold Mitchell	Joseph Neal
Anne Parks	Richard "Rick" Quinn

**Total Present--111**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. POPE a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. SMITH a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KNIGHT a leave of absence for the day due to a family emergency.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. H. A. CRAWFORD a temporary leave of absence.

**WEDNESDAY, JUNE 17, 2015**

**RECORD FOR VOTING**

I was temporarily out of the Chamber and was unable to vote on the Governor's veto of H. 3670. If I had been present, I would have voted to override the veto.

Rep. N. Douglas Brannon

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

Bill Number: H. 3521  
Date: ADD:  
06/17/15 CHUMLEY

**CO-SPONSOR ADDED**

Bill Number: H. 4145  
Date: ADD:  
06/17/15 WHIPPER

**CO-SPONSOR REMOVED**

Bill Number: H. 4351  
Date: REMOVE:  
06/17/15 BURNS

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NANNEY a temporary leave of absence to attend a conference committee meeting.

[HJ]

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**H. 4230--SENT TO THE SENATE**

The following Bill was taken up:

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.

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

Yeas 94; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	Brannon	G. A. Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cole
Collins	Corley	Crosby
Daning	Dillard	Douglas
Duckworth	Finlay	Forrester
Funderburk	Gagnon	Gambrell
George	Gilliard	Goldfinch
Govan	Hardee	Hayes
Henderson	Henegan	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Hosey
Huggins	Jefferson	Johnson
Kennedy	Kirby	Limehouse
Loftis	Lucas	Mack
McCoy	McEachern	W. J. McLeod
Merrill	D. C. Moss	Newton
Norman	Norrell	Ott
Pitts	Putnam	Riley
Rivers	Robinson-Simpson	Rutherford

[HJ]

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

**Total--94**

Those who voted in the negative are:

**Total--0**

The Bill was read the third time and ordered sent to the Senate.

**H. 4351--ADOPTED AND SENT TO SENATE**

The following was taken up for immediate consideration:

H. 4351 -- Reps. Simrill, Lucas, Bannister, Rutherford, J. E. Smith, Alexander, Allison, Anderson, Anthony, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cole, H. A. Crawford, Delleney, Dillard, Douglas, Duckworth, Felder, Finlay, Funderburk, Gambrell, George, Goldfinch, Govan, Hardee, Hayes, Henderson, Henegan, Hicks, Hiott, Hixon, Hodges, Hosey, Howard, Huggins, Jefferson, Jordan, Kennedy, Kirby, Knight, Limehouse, Loftis, Lowe, Mack, McCoy, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Robinson-Simpson, Ryhal, Sandifer, G. M. Smith, Sottile, Spires, Stavrinakis, Tallon, Taylor, Tinkler, Weeks, White, Whitmire, Whipper and Williams: A CONCURRENT RESOLUTION TO PROVIDE THAT IN ADDITION TO THE MATTERS WHICH MAY BE CONSIDERED BY THE GENERAL ASSEMBLY AFTER JUNE 4, 2015, PURSUANT TO H. 4274 OF 2015, H. 3579 ALSO MAY BE RECEIVED AND CONSIDERED BY EACH BODY OF THE GENERAL ASSEMBLY PRIOR TO SINE DIE ADJOURNMENT.

Be it resolved by the House of Representatives, the Senate concurring:

[HJ]

**WEDNESDAY, JUNE 17, 2015**

That in addition to the matters which may be considered by the General Assembly after June 4, 2015, pursuant to H. 4274 of 2015, H. 3579 also may be received and considered by each body of the General Assembly prior to *sine die* adjournment including, but not limited to, receipt, consideration, and disposition of conference and free conference reports, appointment of conference and free conference committees, messages pertaining to such reports, and any amendments to this bill.

Rep. SIMRILL explained the Concurrent Resolution.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 9

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Bales	Bamberg
Bannister	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	Clary	Clemmons
Clyburn	Cole	Collins
Corley	Crosby	Daning
Dillard	Douglas	Duckworth
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
George	Gilliard	Goldfinch
Govan	Hardee	Hayes
Henderson	Henegan	Herbkersman
Hiott	Hixon	Hodges
Hosey	Huggins	Jefferson
Johnson	Jordan	Kennedy
Kirby	Limehouse	Loftis
Lucas	Mack	McCoy
McEachern	W. J. McLeod	Merrill
Mitchell	D. C. Moss	Newton
Norman	Norrell	Ott
Pitts	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor

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Tinkler	Wells	White
Whitmire	Williams	Yow

**Total--84**

Those who voted in the negative are:

Bedingfield	Burns	Chumley
Hicks	Hill	G. R. Smith
Southard	Toole	Willis

**Total--9**

The Concurrent Resolution was adopted and sent to the Senate.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**HOUSE STANDS AT EASE**

The House stood at ease subject to the call of the Chair.

**THE HOUSE RESUMES**

At 12:00 noon the House resumed, the SPEAKER in the Chair.

**H. 3702--DEBATE INTERRUPTED**

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

H. 3702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Rep. WHITE explained the Senate Amendments.

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Rep. CLARY moved that the House recede until 1:45 p.m., which was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of the Joint Resolution.

**THE HOUSE RESUMES**

At 1:45 p.m. the House resumed, ACTING SPEAKER HIOTT in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**H. 3702--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

Debate was resumed on the following Joint Resolution, the pending question being the consideration of the Joint Resolution:

H. 3702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Rep. WHITE proposed the following Amendment No. 1A (Doc Name COUNCIL\BBM\3702C003.BBM.DG15.DOCX), which was adopted:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2014-2015 the following amounts:

- (1) H51 - Medical University of South Carolina Children's Hospital \$ 25,000,000
- (2) H63 - Department of Education

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	School Bus Lease or Purchase	\$ 12,600,000
(3)	H63 - Department of Education Integrated Teacher Certification and Compensation System	\$ 1,600,000
(4)	R44 - Department of Revenue Integrated Tax System Implementation	\$ 6,000,000
(5)	D10 - State Law Enforcement Division New Laboratory Facility	\$ 5,000,000
(6)	K05 - Department of Public Safety Body Armor Replacement	\$ 800,000
(7)	K05 - Department of Public Safety Law Enforcement Vehicles	\$ 2,000,000
(8)	B04 - Judicial Department Disaster Recovery Plan	\$ 2,500,000
(9)	H59 - State Board For Technical and Comprehensive Education Trident Technical College Workforce Training Equipment	\$ 1,000,000
(10)	H59 - State Board for Technical and Comprehensive Education Workforce Pathways Instructional Materials	\$ 5,000,000
(11)	H59 - State Board for Technical and Comprehensive Education Tri-County Technical College Engineering and Industrial Technology Program	\$ 1,500,000
(12)	H59 - State Board for Technical and Comprehensive Education Central Carolina Technical	

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	College Workforce Center	\$ 1,500,000
(13)	H59 - State Board for Technical and Comprehensive Education Orangeburg Calhoun Technical College Upgrade Technology Infrastructure and Security Systems	\$ 1,000,000
(14)	H09 - The Citadel Deas Hall and Equipment	\$ 966,484
(15)	H27 - University of South Carolina - Columbia Campus Honors College Technology Equipment	\$ 500,000
(16)	H27 - University of South Carolina - Columbia Campus Honors College Laboratory Equipment	\$ 430,000
(17)	H47 - Winthrop University Withers Roof	\$ 2,000,000
(18)	P28 - Department of Parks, Recreation and Tourism State Aquarium Renovation	\$ 1,000,000
(19)	E28 - Election Commission Presidential Preference Primaries	\$ 2,200,000
(20)	H59 - State Board for Technical and Comprehensive Education Northeastern Technical College - Industrial Training Center Renovations	\$ 2,000,000
(21)	H59 - State Board for Technical and Comprehensive Education York Technical College - Loop Road Completion	\$ 1,400,000

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- (22) H59 - State Board for Technical and  
Comprehensive Education  
Horry-Georgetown Technical  
College - Advanced  
Manufacturing Center \$ 1,500,000
- (23) H59 - State Board for Technical and  
Comprehensive Education  
Aeronautical Training Center \$ 20,000,000
- (24) H59 - State Board for Technical and  
Comprehensive Education  
Piedmont Technical College -  
Phase III Center for  
Advanced Manufacturing \$ 1,500,000
- (25) H59 - State Board for Technical and  
Comprehensive Education  
Central Carolina Technical  
College - Kershaw Campus \$ 1,500,000
- (26) H59 - State Board for Technical and  
Comprehensive Education  
Denmark Technical College -  
Building #200 and #300  
Renovations \$ 1,400,000
- (27) H59 - State Board for Technical and  
Comprehensive Education  
Technical College of the  
Lowcountry - New River  
Campus Road Improvements \$ 500,000
- (28) H09 - The Citadel  
Byrd Hall Organic Chemistry Lab  
Renovation \$ 1,355,300
- (29) H12 - Clemson University - Education  
and General  
Business and Behavioral Science  
Building \$ 5,000,000

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- (30) H15 - University of Charleston  
Stern Center Repurposing \$ 2,500,000
- (31) H21 - Lander University  
Montessori Education Building \$ 1,000,000
- (32) H27 - University of South Carolina -  
Columbia Campus  
Old Law School Renovation \$ 3,500,000
- (33) H27 - University of South Carolina -  
Columbia Campus  
South Caroliniana Library \$ 5,000,000
- (34) P28 - Department of Parks,  
Recreation and Tourism  
State Welcome Centers  
Renovations \$ 1,000,000
- (35) J02 - Department of Health and  
Human Services  
MMIS Replacement \$ 5,039,189
- (36) J02 - Department of Health and  
Human Services  
Statewide Telemedicine  
Infrastructure \$ 1
- (37) H67 - Educational Television  
Commission  
Capital Needs \$ 1
- (38) H03 - Commission on Higher  
Education  
Out-of-State Veteran Tuition  
Reimbursement-Colleges \$ 1
- (39) H59 - State Board for Technical and  
Comprehensive Education  
Aiken Technical College STEM,  
Manufacturing and Allied  
Health Programs and Critical  
Equipment \$ 1
- (40) H59 - State Board for Technical and

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- Comprehensive Education  
Central Carolina Technical  
College STEM, Manufacturing  
and Allied Health Programs and  
Critical Equipment \$ 1
- (41) H59 - State Board for Technical and  
Comprehensive Education  
Denmark Technical College STEM,  
Manufacturing and Allied Health  
Programs and Critical  
Equipment \$ 1
- (42) H59 - State Board for Technical and  
Comprehensive Education  
Florence-Darlington Technical  
College STEM, Manufacturing  
and Allied Health Programs and  
Critical Equipment \$ 1
- (43) H59 - State Board for Technical and  
Comprehensive Education  
Greenville Technical College STEM,  
Manufacturing and Allied Health  
Programs and Critical  
Equipment \$ 1
- (44) H59 - State Board for Technical and  
Comprehensive Education  
Horry-Georgetown Technical  
College STEM, Manufacturing and  
Allied Health Programs and  
Critical Equipment \$ 1
- (45) H59 - State Board for Technical and  
Comprehensive Education  
Midlands Technical College STEM,  
Manufacturing and Allied Health  
Programs and Critical  
Equipment \$ 1
- (46) H59 - State Board for Technical and  
Comprehensive Education  
Northeastern Technical College  
STEM, Manufacturing and  
Allied Health Programs and  
Critical Equipment \$ 1

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- (47) H59 - State Board for Technical and Comprehensive Education  
Orangeburg-Calhoun Technical College STEM, Manufacturing and Allied Health Programs and Critical Equipment \$ 1
- (48) H59 - State Board for Technical and Comprehensive Education  
Piedmont Technical College STEM, Manufacturing and Allied Health Programs and Critical Equipment \$ 1
- (49) H59 - State Board for Technical and Comprehensive Education  
Spartanburg Community College STEM, Manufacturing and Allied Health Programs and Critical Equipment \$ 1
- (50) H59 - State Board for Technical and Comprehensive Education  
Technical College of the Lowcountry STEM, Manufacturing and Allied Health Programs and Critical Equipment \$ 1
- (51) H59 - State Board for Technical and Comprehensive Education  
Tri-County Technical College STEM, Manufacturing and Allied Health Programs and Critical Equipment \$ 1
- (52) H59 - State Board for Technical and Comprehensive Education  
Trident Technical College STEM, Manufacturing and Allied Health Programs and Critical Equipment \$ 1
- (53) H59 - State Board for Technical and Comprehensive Education  
Williamsburg Technical College STEM, Manufacturing and Allied Health Programs and Critical

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- Equipment \$ 1  
(54) H59 - State Board for Technical and  
Comprehensive Education  
York Technical College STEM,  
Manufacturing and Allied  
Health Programs and Critical  
Equipment \$ 1  
(55) P16 - Department of Agriculture  
Consumer Protection Equipment  
\$ 1,000,000  
(56) U12 - Department of Transportation  
Facility Maintenance and  
Renovation \$ 1  
(57) P20 - Clemson University - PSA  
Agriculture and Natural Resources  
Field Facilities \$ 1  
(58) H18 - Francis Marion University  
Student Academic System  
Computer Software \$ 1  
\$127,790,995

SECTION 2. Of the items contained within this joint resolution, any item funded in the total amount of \$1 shall lapse to the general fund on the effective date of this act.

SECTION 3. Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 4. This joint resolution takes effect thirty days after the completion of the 2014-2015 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code./

Re-number items and sections to conform.  
Amend totals and titles to conform.

Rep. WHITE explained the amendment.  
Rep. WHITE spoke in favor of the amendment.

The yeas and nays were taken resulting as follows:  
Yeas 85; Nays 7

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bales	Bedingfield	Bernstein
Bingham	Bowers	Bradley
G. A. Brown	R. L. Brown	Burns
Clemmons	Clyburn	Cobb-Hunter
Cole	Corley	H. A. Crawford
Crosby	Dillard	Douglas
Felder	Finlay	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hardee
Hayes	Henderson	Henegan
Herbkersman	Hicks	Hiott
Hixon	Hodges	Hosey
Huggins	Jefferson	Johnson
Jordan	Kennedy	Kirby
Limehouse	Loftis	Mack
McCoy	McEachern	M. S. McLeod
W. J. McLeod	Merrill	Neal
Newton	Norrell	Ott
Parks	Pitts	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Tinkler	Toole
Weeks	Wells	Whipper
White	Whitmire	Williams
Yow		

**Total--85**

Those who voted in the negative are:

Brannon	Chumley	Clary
Hill	Nanney	Norman
Southard		

**Total--7**

The amendment was then adopted.

[HJ]

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

**RECORD FOR VOTING**

In error, I voted in favor of adopting Amendment No. 1A to H. 3702. I meant to vote against the adoption of the amendment, but I inadvertently selected the wrong voting button on my desk.

Rep. Eric Bedingfield

**RECORD FOR VOTING**

I had a leave of absence today and missed the vote on adopting the Free Conference Report on H. 3702, the Capital Reserve Fund Bill. If I had been present, I would have voted in favor of the Bill.

Rep. Nathan Ballentine

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3702--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 17, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3702:

H. 3702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,

President

On motion of Rep. WELLS, the House insisted upon its amendments.

[HJ]

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Whereupon, the Chair appointed Reps. WHITE, PITTS and CLYBURN to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**HOUSE RESOLUTION**

The following was introduced:

H. 4352 -- Reps. Huggins, Ballentine, 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, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE AND HONOR TIFFANY BOYCE HEITZMAN OF LEXINGTON FOR HER YEARS OF OUTSTANDING AND DEDICATED SERVICE AS PRESIDENT AND CEO OF THE GREATER IRMO CHAMBER OF COMMERCE AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4353 -- Reps. Johnson, 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,

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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, 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 CONGRATULATE THE AYNOR HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR WINNING THE 2015 CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4354 -- Rep. W. J. McLeod: A HOUSE RESOLUTION TO CONGRATULATE THE PINNER CLINIC IN THE TOWN OF PEAK FOR A CENTURY OF OUTSTANDING MEDICAL SERVICE AND WISH THE STAFF CONTINUED SUCCESS IN THE YEARS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4355 -- Reprs. Weeks, G. M. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan,

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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. 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF DEACON REGINALD D. ENGLISH OF SUMTER AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**H. 4266--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4266 -- Reps. Lucas and White: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2015-2016 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT.

Rep. WHITE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 89; Nays 10

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atwater	Bales	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
R. L. Brown	Burns	Chumley
Clary	Clemmons	Clyburn

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Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Dillard	Duckworth
Felder	Finlay	Forrester
Funderburk	Gagnon	Gambrell
Goldfinch	Govan	Hayes
Henderson	Henegan	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Hosey
Jefferson	Johnson	Jordan
Kirby	Limehouse	Loftis
Lucas	McCoy	M. S. McLeod
W. J. McLeod	Merrill	Nanney
Newton	Norman	Norrell
Ott	Parks	Putnam
Quinn	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
Whipper	White	Whitmire
Williams	Yow	

**Total--89**

Those who voted in the negative are:

G. A. Brown	Cobb-Hunter	Douglas
George	Gilliard	Hardee
Mack	McEachern	Neal
Ridgeway		

**Total--10**

The Senate Amendments were agreed to, and the Joint Resolution 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.

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**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4266. If I had been present, I would have voted in favor of concurring in the Senate's amendments to H. 4266.

Rep. Chip Huggins

**RECORD FOR VOTING**

I had a leave of absence today and missed the vote on H. 4266, the *Sine Die* Resolution. If I had been present, I would have voted in favor of concurring in the Senate's amendments.

Rep. Nathan Ballentine

**RECORD FOR VOTING**

I was working on a local school tax issue when the vote was taken on H. 4266, the *Sine Die* Resolution. The vote closed before I had the opportunity to record my vote, but I would have voted against concurring in the Senate's amendments.

Rep. Anne Thayer

**RECORD FOR VOTING**

The vote on H. 4266, the *Sine Die* Resolution, was closed before I was able to record my vote. I had intended to vote against concurring in the Senate's amendments.

Rep. Joshua Putnam

**HOUSE STANDS AT EASE**

The House stood at ease subject to the call of the Chair.

**THE HOUSE RESUMES**

At 3:30 p.m. the House resumed, the SPEAKER in the Chair.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**ACTING SPEAKER ALLISON IN CHAIR**

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SPEAKER IN CHAIR

**H. 3525--FREE CONFERENCE POWERS GRANTED**

Rep. SANDIFER 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:

H. 3525 -- Reps. Sandifer, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58-4-60, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58-23-50, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 0

Those who voted in the affirmative are:

Allison	Atwater	Bales
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
Brannon	G. A. Brown	R. L. Brown
Burns	Chumley	Clary
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	Henderson	Henegan
Hicks	Hill	Hiott
Hixon	Hodges	Hosey

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Howard	Huggins	Jefferson
Johnson	Kennedy	Kirby
Limehouse	Loftis	Lucas
Mack	McCoy	McEachern
M. S. McLeod	W. J. McLeod	Merrill
D. C. Moss	Nanney	Newton
Norrell	Ott	Parks
Pitts	Putnam	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Weeks	Wells	White
Whitmire	Williams	Yow

**Total--93**

Those who voted in the negative are:

**Total--0**

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. SANDIFER, FORRESTER and STAVRINAKIS to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**ACTING SPEAKER DELLENEY IN CHAIR**

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**H. 3525--FREE CONFERENCE REPORT ADOPTED**

**FREE CONFERENCE REPORT**

H. 3525

The General Assembly, Columbia, S.C., June 17, 2015

The COMMITTEE OF CONFERENCE, to whom was referred (Doc. No. H:\LEGWORK\CONFREPORTS\AGM\3525C001.AGM.AB15.DOCX):

H. 3525 -- Reps. Sandifer, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58-4-60, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58-23-50, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 06/03/15.)

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

/ SECTION 1. Chapter 23, Title 58 of the 1976 Code is amended by adding:

“Article 16

Transportation Network Company Act

Section 58-23-1610. For purposes of this article:

(1) ‘Transportation Network Company’ or ‘TNC’ means a person, corporation, partnership, sole proprietorship, or other entity operating in this State that uses a digital network, platform, or internet-enabled application to connect a passenger to a transportation network driver for

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the purpose of providing transportation for compensation using a vehicle. A transportation network company does not include transportation services provided pursuant to Articles 1 through 15 of Chapter 23, Title 58, or arranging non-emergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the State or a managed care organization.

(2) ‘Personal vehicle’ means a vehicle that is used by a transportation network company driver in connection with providing a prearranged ride and is:

(a) owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) not a taxi, charter bus, charter limousine, or for-hire vehicle.

(3) ‘Digital network’ means any online-enabled application, software, website, or system offered or used by a TNC that enables the prearrangement of rides with transportation network company drivers.

(4) ‘Transportation Network Company driver’ or ‘TNC driver’ means a person who uses a vehicle to provide transportation service for passengers matched through a transportation network company’s digital network.

(5) ‘Transportation Network Company insurance’ or ‘TNC insurance’ means an insurance policy that specifically covers a driver’s use of a vehicle in connection with a transportation network company’s digital network, platform, or internet-enabled application.

(6) ‘Transportation Network Company passenger’ or ‘TNC passenger’ means a person for whom transportation is provided through a transportation network company’s digital network. This includes a person for whom arrangements for transportation services using the transportation network company’s digital network was arranged by someone other than the passenger.

(7) ‘Transportation Network Company service’ or ‘TNC service’ means a period of time when a transportation network company driver accepts a request arranged through the transportation network company’s digital network and proceeds to the passenger location, continues while the transportation network company driver transports a requesting passenger in the transportation network company vehicle, and ends when the last requesting passenger exits the transportation network company vehicle.

(8) ‘Transportation Network Company vehicle’ or ‘TNC vehicle’ means a vehicle that is used by a TNC driver that has met the requirements of this article and has been approved by the TNC to provide transportation service arranged through a transportation network

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company digital platform. It must not have a manufacturer's rated seating capacity of more than eight passengers, including the driver.

(9) 'Prearranged ride' means the provision of transportation by a transportation network company driver to a transportation network company rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include shared expense carpool or vanpool arrangements, or transportation provided using a taxi, limousine, or other for-hire vehicle pursuant to a Class C certificate issued by the South Carolina Public Service Commission or pursuant to a license issued by the governing body of a county or city. A prearranged ride does not include services provided pursuant to articles 1 through 15 of Chapter 23, Title 58 or arranging non-emergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the State or a managed care organization.

(10) 'Transportation Network Company rider' or 'rider' means an individual or individuals who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

Section 58-23-1620. (A) Before a person, corporation, partnership, sole proprietorship, or other entity that uses a digital network, platform or internet-enable application to provide transportation for compensation using a personal vehicle commences to advertise or operate in South Carolina as a TNC, that entity shall comply with the requirements set forth within this article and hold a valid TNC permit issued by the Office of Regulatory Staff.

(B) That entity shall submit an application to the Office of Regulatory Staff and provide information that the Office of Regulatory Staff requires.

(C) In performing its responsibilities under this article, the Office of Regulatory Staff must balance the interest of the State in promoting innovative, safe, and cost-effective transportation services with an appropriate level of safety protections for TNC passengers and the general public.

(D) An application must be accompanied by information required by the Office of Regulatory Staff, which may condition its approval on

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terms that it determines to be just and reasonable to advance the goals of this article.

(E) Upon review of the application and a finding that the applicant is fit, willing, and able to conduct business pursuant to the provisions of this article, the Office of Regulatory Staff shall approve the application and issue the entity a TNC permit. A person or entity operating a TNC in South Carolina as of the effective date of this article may continue to operate for a period of sixty days following the effective date of this article so as to permit the person or entity to obtain a permit from the Office of Regulatory Staff pursuant to this section.

(F) An aggrieved person with standing may file a request for a contested case of a decision of the Office of Regulatory Staff with the Public Service Commission within thirty days of the decision.

Section 58-23-1625. (A) Insurers that write automobile insurance in the State may exclude any and all coverage afforded under the owner's insurance policy for any loss or injury that occurs while a TNC driver is logged on a TNC's digital network or while the driver provides a prearranged ride. This right to exclude all coverage may apply to any coverage included in an automobile insurance policy including, but not limited to:

- (1) liability coverage for bodily injury and property damage;
- (2) uninsured and underinsured motorist coverage;
- (3) medical payments coverage;
- (4) comprehensive physical damage coverage; and
- (5) collision physical damage coverage.

(B) The exclusions apply notwithstanding any requirement under Sections 56-9-10 through 56-9-630. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the transportation network driver is logged on the TNC's digital network, while the driver is engaged in a prearranged ride or while the driver otherwise uses a personal vehicle to transport passengers for compensation. Nothing may be considered to preclude an automobile insurer from providing coverage for the TNC driver's personal vehicle, if it chooses to do so by contract or endorsement.

(C) Automobile insurers that exclude coverage as permitted in subsections (A) and (B) have no duty to defend or indemnify any claim expressly excluded by those subsections. Nothing in this article may be considered to invalidate or limit an exclusion contained in a policy. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy as permitted in subsections

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(A) and (B) has a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of Section 58-23-1630 at the time of loss.

(D) In a claims coverage investigation, TNC's and any automobile insurer potentially providing coverage under Section 58-23-1630 shall cooperate to facilitate the exchange of relevant information with directly involved parties and any automobile insurer of the TNC driver if applicable, including the precise times that a driver logged on and off of the TNC's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under Section 58-23-1630.

Section 58-23-1630. (A) A TNC driver or TNC on the driver's behalf shall maintain primary automobile insurance that recognizes that the driver is a TNC driver or otherwise uses a personal vehicle to transport riders for compensation and covers the driver:

- (1) while the driver is logged on the TNC's digital network; or
- (2) while the driver is engaged in a prearranged ride.

(B) The following automobile insurance requirements apply while a participating TNC driver is logged on the TNC's digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

(1) primary automobile liability insurance in the amount of at least fifty thousand dollars for death and bodily injury per person, at least one hundred thousand dollars for death and bodily injury per incident, and at least fifty thousand dollars for property damage;

(2) uninsured motorist coverage as required by Section 38-77-150;  
and

(3) the coverage requirements of this subsection may be satisfied by automobile insurance maintained by the TNC driver, automobile insurance maintained by the TNC, or both.

(C) The following automobile insurance requirements apply while a TNC driver is engaged in a prearranged ride:

(1) primary automobile liability insurance that provides at least one million dollars for death, bodily injury, and property damage;

(2) uninsured motorist coverage as required by Section 38-77-150;  
and

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(3) the coverage requirements of this subsection may be satisfied by automobile insurance maintained by the TNC driver, automobile insurance maintained by the TNC, or both;

(D) If insurance maintained by the TNC driver in subsections (B) or (C) has lapsed or does not provide the required coverage, insurance maintained by a TNC must provide the coverage required by this section beginning with the first dollar of a claim and has the duty to defend such claim.

(E) Coverage under an automobile insurance policy maintained by the TNC may not be dependent upon a personal automobile insurer first denying a claim nor may a personal automobile insurer be required to first deny the claim.

(F) Insurance required by this section may be placed with an authorized insurer or with an eligible surplus lines insurer pursuant to Section 38-45-90.

(G) Insurance satisfying the requirements of this section may be considered to satisfy the financial responsibility requirements for a motor vehicle pursuant to Sections 56-9-10 through 56-9-630.

(H) A TNC driver shall carry proof of coverage satisfying subsections (B) and (C) at all times during use of a vehicle in connection with a TNC's digital network. In the event of an accident, a TNC driver shall provide this insurance coverage to the directly interested parties, automobile insurers, and the investigating police officers, upon request, pursuant to Section 56-10-225. Upon such request, a TNC driver shall also disclose to directly interested parties, automobile insurers, and the investigating police officers, whether he was logged on the TNC's digital network or on a prearranged ride at the time of an accident.

(I) If a TNC's insurer pays a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the vehicle or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle. The Office of Regulatory Staff shall not assess any fines as a result of a violation of this subsection.

Section 58-23-1635. (A) Before TNC drivers are allowed to accept a request for a prearranged ride on the TNC's digital network, the TNC shall disclose to the drivers, in writing, the following information:

(1) the insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network;

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(2) depending on its terms, that the TNC driver's personal automobile insurance policy may not provide any coverage while the driver is logged onto the TNC's digital network and is available to receive a transportation request or is engaged in a prearranged ride; and

(3) if the vehicle to be used to provide TNC services has a lien against it, the driver has a duty to notify the lienholder that the driver will be using the vehicle for transportation services that may violate the terms of the contract with the lienholder. The driver must disclose to the lender all insurance coverage information provided to the driver by the TNC pursuant to Section 58-23-1635. The TNC must provide a standardized form for TNC drivers to use for such notice to the lienholder. The form may be provided to the driver by the TNC in a digital format. The TNC driver must maintain evidence that notice has been sent to the lien holder as well as wait seven days prior to commencing driving in connection with a TNC.

(B) Nothing in this chapter limits the right of a lender or secured party on a driver's vehicle to require a driver to maintain comprehensive and collision damage coverage for a driver's vehicle or to show evidence of that coverage to the lender or secured party that would cover the period when the driver is logged on to the transportation network carrier's digital network regardless of whether the driver is engaged in a prearranged ride. If the driver fails to maintain the required comprehensive and collision coverage or to show evidence to the lender or secured party of the coverage upon reasonable request by the lender or secured party, the lender or secured party may fully enforce all provisions contained in the loan agreement with the borrower.

Section 58-23-1640. (A) The TNC driver shall have a certified mechanic licensed in South Carolina conduct a safety inspection of a TNC vehicle within thirty days of the vehicle first providing TNC services.

(B) The TNC shall not permit a TNC driver to provide TNC services if the TNC vehicle does not pass a certified mechanics inspection as identified in this article.

(C) The TNC driver shall have periodic safety inspections of the TNC vehicle performed at intervals of at least once each year.

(D) The TNC shall maintain documentation of a TNC vehicle inspection for a period of three years.

(E) The vehicle inspection shall include an inspection of:

- (1) foot brakes;
- (2) emergency brakes;

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- (3) steering mechanism;
- (4) windshield;
- (5) rear window and other glass;
- (6) windshield wipers;
- (7) headlights;
- (8) tail lights;
- (9) turn indicator lights;
- (10) stop lights;
- (11) front seat adjustment mechanism;
- (12) door capability to open, close, lock, and unlock;
- (13) horn;
- (14) speedometer;
- (15) bumpers;
- (16) muffler and exhaust system;
- (17) tire condition including tread depth;
- (18) interior and exterior rearview mirrors; and
- (19) safety belts.

(F) A TNC vehicle must display a consistent and distinctive signage or emblem, which must be known as a trade dress, at all times when the TNC driver is active on the TNC digital platform or providing TNC service. The trade dress used by the TNC must be approved by the Office of Regulatory Staff before its use and:

- (1) must be readable during daylight hours at a distance of fifty feet;
- (2) must be reflective, illuminated, or otherwise patently visible so as to be seen in darkness; and
- (3) may be magnetic or removable in nature.

(H) The Office of Regulatory Staff may conduct inspections of TNC vehicles.

(I) The vehicle inspection records must be provided to the Office of Regulatory Staff by the TNC upon request.

Section 58-23-1650. (A) The TNC shall obtain certain background and qualification information from a TNC driver before the TNC driver is approved by the TNC to provide TNC services.

(B) The TNC driver qualification information shall include:

- (1) a valid driver's license issued by the South Carolina Department of Motor Vehicles or the current state of residence for the driver;
- (2) verification that the driver is twenty-one years of age or older;

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(3) a certified copy of the driver's ten year driving record issued by the South Carolina Department of Motor Vehicles and a record from the department of motor vehicles or equivalent agency of the state where the driver has been domiciled for that period;

(4) conduct, or have a third party conduct, a local and national criminal background check for each applicant that must include:

(a) a multi-state and multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation (primary source search); and

(b) national sex offender registry database search; and

(5) proof of automobile liability insurance in the name of the TNC driver which meets the requirements of Section 38-77-140.

(C) The TNC shall verify the TNC driver meets all of the driver qualification requirements in this section at intervals of at least one each year.

(D) The TNC shall maintain documentation of initial and annual verification of TNC driver qualifications for a period of three years.

(E) The Office of Regulatory Staff may conduct inspections of TNC driver qualification records.

(F) The TNC shall not permit a TNC driver to provide TNC services who:

(1) does not meet the TNC driver qualifications listed in Section 58-23-1650(B) and (C);

(2) is registered or required to be registered as a sex offender with the South Carolina Law Enforcement Division or the National Sex Offender Registry;

(3) has been convicted within the past ten years of driving under the influence of drugs or alcohol, driving with an unlawful alcohol concentration, fraud, use of a motor vehicle to commit a felony, a felony crime involving property damage, theft and crimes as defined as violent pursuant to Section 16-1-60; or

(4) is under the influence of drugs or alcohol. Nothing in this section may be construed to require drug testing by a TNC of a TNC driver.

(G) Before a TNC driver is allowed to provide a TNC service, the TNC must disclose to the TNC driver that the:

(1) automobile liability insurance that the TNC provides while the TNC driver is engaged in TNC service or logged into the TNC digital network;

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(2) TNC driver's automobile liability insurance may not provide coverage while the TNC driver is engaged in TNC service or logged into the TNC digital network;

(3) provision of TNC services may violate the terms of a contract or financing agreement with a lienholder; and

(4) provision of TNC services may have financial consequences related to personal income tax and personal property tax liabilities.

Section 58-23-1660. (A) A TNC operating in this State shall comply with the following standards:

(1) A TNC driver shall not provide TNC services or otherwise operate as a passenger vehicle for hire unless a TNC has matched the TNC driver to the TNC passenger through the digital network. A TNC driver shall not solicit or accept passenger rides on-demand or through a 'street hail.' All payment for TNC services must be made through the digital network and the TNC driver shall not accept cash payments.

(2) A TNC shall make available to prospective TNC passengers and TNC drivers the method by which the TNC calculates fares or the applicable rates being charged and an option to receive an estimated fare. If the rates vary from those identified in the application to the Office of Regulatory Staff, the TNC must provide the revised rates to the passenger on the digital network.

(3) A TNC shall provide the TNC passenger with an electronic receipt upon completion of the TNC service. The receipt must document the:

(a) point of origin;

(b) point of destination;

(c) total duration and distance;

(d) total fare/rate paid, including base fare and additional charges incurred for distance or duration; and

(e) TNC driver's first name.

(4) A TNC driver shall display an identification badge including his photograph, first name, personal vehicle make and model, and personal vehicle license plate number. This information may be displayed to the TNC passenger through the TNC digital network.

(5) A TNC driver shall at all times carry in the TNC vehicle proof of the automobile liability insurance required of this article.

(6) A TNC shall provide customer support on its digital network, website, or both, for TNC passenger inquiries or complaints and shall respond promptly to all TNC passenger inquiries or complaints.

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(7) A TNC shall not discriminate against TNC passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, or age.

(8) A TNC shall provide TNC services in compliance with all applicable laws for providing services to persons with physical and mental disabilities. Service animals and mobility equipment must be permitted to accompany a TNC passenger.

(9) A TNC shall provide TNC passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC service in any instance, it shall direct the TNC passenger to an alternate provider of wheelchair-accessible service, if available.

(10) A TNC driver shall take the most direct route to the destination unless the TNC passenger has consented to an alternate route.

(11) A TNC driver may refuse to transport a TNC passenger if the TNC passenger is acting in an unlawful, disorderly or endangering manner.

Section 58-23-1670. (A) A TNC shall maintain a record of all TNC services provided in South Carolina for a period of three years from the date of the TNC service. The records shall include:

- (1) the time at which a TNC driver logs into the digital network;
- (2) the time and place of commencement of TNC service;
- (3) the address of delivery of the TNC passenger;
- (4) the amount of fare charged to the TNC passengers; and
- (5) any inquiry or complaint of the TNC passenger, the date of the inquiry or complaint, and the resolution of the inquiry or complaint.

(B) A TNC shall maintain documentation of each TNC vehicle inspection for a period of three years.

(C) The TNC shall maintain documentation of initial and annual verification of TNC driver qualifications for a period of three years.

(D) The TNC shall provide, upon the request of the Office of Regulatory Staff, any factual information regarding TNC drivers, TNC passengers, and TNC services so as to investigate complaints arising under this article. This information must be provided to the Office of Regulatory Staff within a reasonable time period.

(E) A TNC shall not disclose a TNC driver or passenger's personally identifiable information to a third party unless the:

- (1) TNC driver or TNC passenger consents;
- (2) disclosure is required by legal obligation; or

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(3) disclosure is required to investigate violations of the TNC driver or TNC passenger terms of use.

Section 58-23-1680. (A) A certified South Carolina law enforcement officer is authorized to enforce the requirements of this article.

(B) An officer, agent, or employee of a TNC or TNC driver who fails to comply with any requirement contained in this article must be assessed a civil penalty of not less than one hundred dollars for a first violation, not less than five hundred dollars for a second violation, and not less than one thousand dollars for a third violation and subsequent violations. Seventy-five percent of the penalties collected under this section must be remitted to the Office of Regulatory Staff to be used for enforcement operations. Magistrates have jurisdiction over contested violations of this section and are prohibited from suspending or reducing the penalties.

(C) The Office of Regulatory Staff may revoke a TNC permit if the TNC has made misrepresentation of a material fact in obtaining the TNC permit or, in the opinion of the Office of Regulatory Staff, has failed to comply with the requirements in this article.

(D) An aggrieved person with standing may file a request for a contested case of a decision of the Office of Regulatory Staff with the Public Service Commission of South Carolina within thirty days of the decision.

(E) Concerning potential violations of this article, TNC's and their officers, agents, employees, or customers is subject to the investigatory powers provided in Sections 58-4-50 and 58-4-55 to the Office of Regulatory Staff.

(F) The Office of Regulatory Staff is authorized to require regular updating of information required from a TNC under this article.

Section 58-23-1690. (A) The Office of Regulatory Staff may assess each TNC an annual fee in an amount necessary to permit the Office of Regulatory Staff to carry out the requirements of this article.

(B) The annual assessment of fees will be pursuant to Section 58-4-60(B).

Section 58-23-1700. (A) For the purposes of this section:

(1) 'Gross trip fare' means the sum of the base fare charge, distance charge, and time charge for the complete trip at rates published on the TNC's website.

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(2) ‘Local assessment fee’ means one percent of the gross trip fare.

(3) ‘Municipality’ means a city or town issued a certificate of incorporation, or township created by act of the General Assembly.

(B) A TNC shall collect a local assessment fee on behalf of a TNC driver who accepts a request for a prearranged ride made through the TNC’s digital network for all prearranged rides that originate in the state.

(C) Using the Geographic Information System (GIS) data made available by the Revenue and Fiscal Affairs Office pursuant to subsection (I), a TNC shall determine whether each prearranged trip occurred within the incorporated boundaries of a municipality, or outside of the incorporated boundaries of a municipality and within the boundaries of a county of this state.

(D) No later than thirty days after the end of a calendar quarter, a TNC shall submit to the Office of Regulatory Staff:

(1) the total local assessment fees collected by a TNC on behalf of the TNC drivers;

(2) for trips that originated in a municipality, a report listing the percentage of the gross trip fare that originated in each municipality during the reporting period; and

(3) for trips that originated outside a municipality, a report listing the percentage of the gross trip fare that originated outside a municipality during the reporting period.

(E) The funds collected pursuant to this section are not general fund revenue of the State and must be kept by the State Treasurer in a distinct and separate unbudgeted Trust & Agency fund and apart from the general fund. These funds are to be administered by the Office of Regulatory Staff pursuant to this section and expended only for the purposes provided in this chapter.

(F)(1) The Office of Regulatory Staff shall retain an amount of one percent of the local assessment fee collected under subsection (D)(1) to cover the expenses borne by the Office of Regulatory Staff derived from:

(a) regulation of TNCs; and

(b) collection, remittance, and distribution of local assessment fees pursuant to this section.

(2) Within sixty days of the end of the calendar quarter, the Office of Regulatory Staff shall distribute the remaining portion of the total local assessment fees collected under subsection (D)(1), minus the amount retained pursuant to subsection (F)(1), to each municipality where a trip originated during the reporting period and, for trips that originated outside a municipality, to each county where a trip originated during the reporting period. The distribution to each municipality or

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county must be proportionate to the percentage of the gross trip fare that originated in each municipality or county.

(G)(1) To ensure that the TNC has remitted the correct local assessment fee and has accurately reported the percentages attributable to municipalities and counties pursuant to subsection (D), upon request of the municipality, the Office of Regulatory Staff may inspect the necessary records at a TNC's place of business or a mutually agreed upon location. This inspection may not be conducted more than once a year.

(2) At least forty-five days before the Office of Regulatory Staff conducts an inspection of records pursuant to subsection (G)(1), the Office of Regulatory Staff shall notify the Municipal Association of South Carolina (MASC) or its successor organization of its intent to conduct an inspection and the date of the planned inspection.

(3) MASC may request that a TNC that is subject to inspection under subsection (G)(1) engage an independent third party auditor to verify that the local assessment to municipalities has been properly accounted for and distributed. At least thirty days before the scheduled audit, MASC must submit this request in writing to the Office of Regulatory Staff and the TNC subject to the audit.

(a) The TNC that is subject to the audit shall engage the independent third party auditor, which must be selected at the sole discretion of the TNC, and bear all costs associated with the third party audit. The independent third party auditor must be:

- (i) a certified public accounting firm licensed in the State;
- and
- (ii) qualified to perform engagements in accordance with Generally Accepted Government Auditing Standards (GAGAS).

(b) The TNC shall provide MASC with a copy of the third party audit report within fifteen days of completion, which shall in no event, occur later than ninety days after receipt of MASC's written request. The audit report must disclose the amount of any underpayments or overpayments to municipalities and counties.

(c) A person employed by or formerly employed by MASC who discloses to a third party any information that the TNC marked in the audit report as confidential must be assessed civil penalties as contained in Section 58-23-1680 unless the individual obtained the TNC's written consent prior to disclosure. Nothing in this section must be construed to restrict MASC from disclosing any overpayment or underpayment with the impacted municipalities or counties.

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(4) In the event that a TNC submits a report to the ORS that is subsequently determined to be inaccurate, thereby leading to an underpayment or overpayment of a municipality or county's local assessment fee, the Office of Regulatory Staff shall correct the underpayment and overpayment by offsetting the amount of the underpayment or overpayment in subsequent local assessment fee distributions. In the event a TNC remits an assessment fee to the Office of Regulatory Staff that is determined to constitute an underpayment of the total assessment fee required by this article, the transportation network company shall, within thirty days of receiving notification of the determination, remit the balance owed to the Office of Regulatory Staff. A TNC that submits a report containing an inaccuracy or remits an assessment fee that constitutes an underpayment that is determined by the Office of Regulatory Staff to be the result of an intentional misrepresentation must be assessed damages that are no less than three times the amount of the underpayment or resultant underpayment to the municipality or county impacted.

(H) Any records maintained by a TNC pursuant to this section that are obtained by the Office of Regulatory Staff, a public body as defined by Section 30-4-20(a), or any records that incorporate information from records maintained pursuant to this section, must not be subject to disclosure under the Freedom of Information Act as provided for in Chapter 4, Title 30, or any other provision of law.

(I) The Office of Regulatory Staff may not disclose records or information provided by a TNC unless disclosure is required by a subpoena or court order. If a disclosure is required, the Office of Regulatory Staff shall promptly notify the TNC prior to the disclosure. Nothing in this section may be construed to restrict the Office of Regulatory Staff from disclosing any overpayment or underpayment with the impacted municipalities or counties.

(J) To ensure proper distribution of the local assessment fee pursuant to subsection (D)(2), the Revenue and Fiscal Affairs Office shall prepare and make available for public use a GIS file showing the state's county and municipal boundaries. This file must be updated on a quarterly basis, and published on the Revenue and Fiscal Affairs Office's website. In addition to the requirements of Section 5-3-90, municipalities shall provide annexation information to the Revenue and Fiscal Affairs Office within thirty days after the annexation is complete. Such information shall include a written description of the boundary, along with a map or plat which clearly defines the new territory added.

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(K) This section takes effect ninety days after the effective date of this article.

Section 58-23-1710. (A) Except as otherwise provided in this chapter, TNCs and TNC drivers are governed exclusively by this article and by any regulations promulgated by the Office of Regulatory Staff consistent with this article. TNC drivers remain subject to all local ordinances outside the scope of this article, whether directly or indirectly impacting the delivery of TNC driver services, including but not limited to parking and traffic regulations that are not inconsistent with the provisions of this article.

(B) Political subdivisions are prohibited from imposing a tax on a TNC, a TNC driver, or a vehicle used by a TNC driver, including a business license tax, where the tax is assessed in connection with prearranged rides in the state. Nothing in this article may be construed to restrict a municipality from collecting a business license tax from a TNC located within its boundaries if the tax is limited to receipts or revenue that is not subject to a local assessment fee pursuant to Section 58-23-1700 or a business license tax.

(C) In order for a TNC and a TNC driver to provide prearranged rides on airport property, the TNC must comply with Federal Aviation Administration regulations and airport regulations relating to:

(1) payment of reasonable fee to operate at the airport, agreed to by the TNC and each individual airport, not based on a per-passenger, per-driver, or per-vehicle basis; and

(2) designating locations for staging, pick-ups, drop-offs, and other similar locations.

Section 58-23-1720. The provisions contained in this article do not preempt any federal regulation relating to the provision of transportation services at any facility regulated by the United States Federal Aviation Administration.”

SECTION 2. Section 58-4-60(B) of the 1976 Code is amended to read:

“(B)(1)The expenses of the Transportation Department of the Office of Regulatory Staff, with the exception of the expenses incurred in its railway jurisdiction, must be borne by the revenues from license fees derived pursuant to Sections 58-23-530 through 58-23-630, assessments to the Transportation Network Companies pursuant to Sections 58-23-1690 and 58-23-1700, and assessments to the carriers of household goods and hazardous waste for disposal carriers. The

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expenses of the railway section of the Office of Regulatory Staff must be borne by the railroad companies subject to the commission's jurisdiction according to their gross income from operations in this State.

(2) All other expenses of the Office of Regulatory Staff must be borne by the public utilities subject to the jurisdiction of the commission. On or before the first day of July in each year, the Department of Revenue must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State in the year ending on the thirtieth day of June preceding that on which the assessment is made which is due and payable on or before July fifteenth. The assessments must be charged against the companies by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the companies including the enforcement and collection provisions of Article 1, Chapter 54 of Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of administration into the state treasury as other taxes collected by the Department of Revenue for the State.”

SECTION 3. Section 58-23-50 of the 1976 Code is amended by adding a subsection at the end to read:

“(C) Articles 1 to 11 of this chapter also do not apply to Transportation Network Companies and Transportation Network Company Drivers.”

SECTION 4. Except as provided in Section 58-23-1700(K), as contained in Section 1, the provisions of this act take effect upon approval by the Governor. /

Amend title to conform.

/s/Senator Robert Wesley Hayes, Jr.	/s/Rep. Bill Sandifer
Senator C. Bradley Hutto	/s/Rep. Paul Michael Forrester
/s/Senator Sean M. Bennett	/s/Rep. Leonidas Stavrakis
On Part of the Senate.	On Part of the House.

Rep. SANDIFER explained the Free Conference Report.

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The yeas and nays were taken resulting as follows:

Yeas 96; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atwater	Bales	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
Finlay	Forrester	Funderburk
Gagnon	Gambrell	George
Goldfinch	Henderson	Henegan
Hicks	Hill	Hiott
Hixon	Hodges	Hosey
Howard	Huggins	Jefferson
Johnson	Kirby	Limehouse
Loftis	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
D. C. Moss	Nanney	Newton
Norrell	Ott	Parks
Pitts	Putnam	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Southard
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks
Wells	Whipper	White
Whitmire	Williams	Yow

**Total--96**

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Those who voted in the negative are:

Felder                      Gilliard

**Total--2**

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**RECORD FOR VOTING**

I had a leave of absence today and missed the vote on adopting the Free Conference Report on H. 3525, the Uber Bill. If I had been present, I would have voted in favor of adopting the report.

Rep. Nathan Ballentine

**MOTIONS ADOPTED**

Rep. BANNISTER moved that when the House adjourn that it adjourn pending receipt of Senate Amendments to H. 4230, the Supplemental Appropriation Bill, and non-concurrence in Senate Amendments to H. 4230. Furthermore, that if the Senate then insists upon its amendments and appoints conferees that the Speaker then appoint conferees to the Conference Committee on H. 4230.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
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	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Henderson
Henegan	Hicks	Hill

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Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Kennedy
Kirby	Limehouse	Loftis
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	D. C. Moss
Newton	Norrell	Ott
Parks	Pitts	Putnam
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Southard	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Tinkler	Toole
Weeks	Wells	Whipper
White	Whitmire	Williams
Yow		

**Total--100**

Those who voted in the negative are:

**Total--0**

The motions were adopted.

The Speaker announced that Reps. WHITE, PITTS and CLYBURN would be appointed to the conference committee on H. 4230.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, June 18, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Leatherman, Setzler and Peeler of the Committee of Free Conference on the part of the Senate on H. 3702:

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H. 3702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, June 18, 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 Hayes, Hutto and Bennett of the Committee of Free Conference on the part of the Senate on H. 3525:

H. 3525 -- Reps. Sandifer, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58-4-60, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58-23-50, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

Very respectfully,  
President  
Received as information.

[HJ]

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**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, June 18, 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 H. 3525:

H. 3525 -- Reps. Sandifer, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58-4-60, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58-23-50, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

Very respectfully,

President

Received as information.

**H. 3525--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.

**H. 4230--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were received:

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

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NECESSARY CONFORMING PROVISIO AMENDMENTS AND PROVIDE FOR OTHER RELATED MATTERS.

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

**H. 4230--COMMITTEE OF CONFERENCE APPOINTED**

The following was received:

Columbia, S.C., Friday, June 19, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4230:

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.

and asks for a Committee of Conference and has appointed Senators Leatherman, Setzler and Peeler to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. WHITE, PITTS and CLYBURN to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4349 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns,

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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, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE A. DAVID MASTERS OF LEXINGTON COUNTY, CPA, CEO-PARTNER OF DERRICK, STUBBS & STITH, L.L.P., ON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

**ADJOURNMENT**

At 4:32 p.m. the House, in accordance with the motion of Rep. JOHNSON, adjourned in memory of his grandmother, Josephine Johnson Bounds of Conway.

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