

NO. 14

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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WEDNESDAY, FEBRUARY 3, 2016  
(STATEWIDE SESSION)

**Wednesday, February 3, 2016**  
**(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 Exodus 34:10B: "For it is an awesome thing that I do with you."

Let us pray. Mighty Lord, You have provided for us such a wonderful source of love and forgiveness. We offer You our thanks for what You have given to us. Give these Representatives and staff the courage, wisdom, and integrity to carry out good things with the gifts You have so freely given to us. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all who labor for the good of all. 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. DANING moved that when the House adjourns, it adjourn in memory of Vietnam Veteran John W. Greenhill, Jr., of Goose Creek, which was agreed to.

**REPORTS OF STANDING COMMITTEE**

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

H. 3685 -- Reps. D. C. Moss and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-219 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE IS IMPOSED UPON ALL MONETARY PENALTIES

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IMPOSED BY CERTAIN COURTS FOR OFFENSES IN WHICH AN ELECTRONIC TICKET OR CITATION WAS ISSUED, AND TO PROVIDE FOR THE DISTRIBUTION OF THE SURCHARGE.

Ordered for consideration tomorrow.

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

H. 3041 -- Reps. Delleney, Allison, Atwater, Ballentine, Bannister, Bedingfield, Bingham, Bradley, Brannon, Burns, Clary, Clemmons, Collins, H. A. Crawford, Daning, Duckworth, Erickson, Forrester, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Herbkersman, Hicks, Hill, Hiott, Hixon, Horne, Huggins, Kennedy, Limehouse, Loftis, Long, Lowe, Lucas, McCoy, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Newton, Pitts, Pope, Putnam, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stringer, Tallon, Taylor, Thayer, Wells, White, Whitmire, Willis, Yow, Funderburk and Corley: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

Ordered for consideration tomorrow.

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

H. 4703 -- Reps. Delleney, D. C. Moss, Simrill, G. R. Smith, Finlay, McCoy, Bannister, Lucas, Pope, Bedingfield and Pitts: A BILL TO AMEND SECTION 16-11-450, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IMMUNITY FROM CRIMINAL PROSECUTION AND CIVIL ACTIONS UNDER CERTAIN CIRCUMSTANCES FOR THE USE OF DEADLY FORCE AGAINST ANOTHER PERSON WHO ENTERS A DWELLING, RESIDENCE, OR OCCUPIED VEHICLE, SO AS TO PROVIDE A PROCEDURE FOR AN EVIDENTIARY HEARING ON A PRETRIAL MOTION TO DISMISS BASED ON THE JUSTIFIABLE USE OF DEADLY FORCE AND TO PROVIDE THAT A COURT JUDGMENT, ORDER, OR DECREE DENYING IMMUNITY IS IMMEDIATELY APPEALABLE; AND TO AMEND SECTION 14-3-330, AS AMENDED, RELATING TO THE APPELLATE JURISDICTION OF THE SUPREME COURT, SO AS TO INCLUDE THE REVIEW UPON APPEAL OF ANY JUDGMENT, ORDER, OR DECREE DENYING IMMUNITY FROM CRIMINAL PROSECUTION OR CIVIL ACTION PURSUANT TO THE PROTECTION OF PERSONS AND PROPERTY ACT THAT IS NOT OTHERWISE A FINAL JUDGMENT THAT DETERMINES THE ACTION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4818 -- Rep. Norrell: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF THE HONORABLE JOE M. SHAW, SR., MAYOR OF LANCASTER, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4825 -- Reps. Clyburn, 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, Cobb-Hunter, Cole, Collins, Corley, H.A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF ALVIN LARKE, SR., OF JACKSON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4823 -- Rep. Hiott: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE MEMBERS OF SOUTH CAROLINA'S FFA, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION, AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 20 - 27, 2016.

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

[HJ]

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**CONCURRENT RESOLUTION**

The following was introduced:

H. 4824 -- Rep. Delleney: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE COSTA PLEICONES, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 24, 2016.

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

That the Chief Justice of the South Carolina Supreme Court, the Honorable Costa Pleicones, is invited to address the General Assembly in Joint Session on the State of the Judiciary in the Hall of the House of Representatives at 12:00 noon on Wednesday, February 24, 2016.

Be it further resolved that a copy of this resolution be forwarded to Chief Justice Pleicones.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1009 -- Senators Grooms, Fair, L. Martin and Bright: A CONCURRENT RESOLUTION TO RESPECTFULLY AND HUMBLY ISSUE A "CALL TO PRAYER" FOR THE STATE OF SOUTH CAROLINA AND INVITE HER CITIZENS EVERYWHERE TO PRAY THAT GOD WILL CONTINUE TO BLESS THIS COUNTRY, OUR NOBLE STATE AND THE FREEDOMS FOR WHICH THEY STAND.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1048 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE THE PIEDMONT AMERICAN INDIAN

[HJ]

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ASSOCIATION/LOWER EASTERN CHEROKEE NATION OF SOUTH CAROLINA ON THE OUTSTANDING HONOR OF BEING RECOGNIZED AS A TRIBE BY THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS.

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

**INTRODUCTION OF BILLS**

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

H. 4819 -- Reps. Ryhal and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 32 TO TITLE 37 SO AS TO CREATE THE OFFICE OF HOMEOWNERS ASSOCIATION OMBUDSMAN IN THE DEPARTMENT OF CONSUMER AFFAIRS; TO PROVIDE QUALIFICATIONS, POWERS, AND DUTIES OF THE OMBUDSMAN; TO REQUIRE THE DEPARTMENT TO FACILITATE AND MAINTAIN A REGISTRY OF HOMEOWNERS ASSOCIATIONS; TO ESTABLISH PROCEDURES FOR FILING AND RESOLVING COMPLAINTS CONCERNING HOMEOWNERS ASSOCIATIONS; TO PROVIDE CERTAIN DEFINITIONS; AND TO PROVIDE FOR THE COLLECTION AND USE OF CERTAIN FEES.

Referred to Committee on Labor, Commerce and Industry

H. 4820 -- Rep. Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-31-60 SO AS TO REQUIRE THAT ON THE EFFECTIVE DATE OF THIS ACT RECOGNIZED NATIVE AMERICAN INDIAN GROUPS CONTINUE TO BE RECOGNIZED AND ELIGIBLE TO EXERCISE PRIVILEGES AND OBLIGATIONS AUTHORIZED BY THAT DESIGNATION, THAT THE COMMISSION FOR MINORITY AFFAIRS CEASE TO RECOGNIZE ADDITIONAL NATIVE AMERICAN INDIAN GROUPS, THAT ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP ARE REPEALED, AND THAT THE COMMISSION REVISE ITS REGULATIONS TO PROVIDE FOR THE PRIVILEGES AND OBLIGATIONS OF NATIVE AMERICAN INDIAN GROUPS THAT CONTINUE TO BE RECOGNIZED.

Referred to Committee on Judiciary

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H. 4821 -- Reps. Ott, Cobb-Hunter, Yow, Kirby, Riley, H. A. Crawford, W. J. McLeod, Knight, Bamberg, Jefferson, Gagnon, Herbkersman, Newton and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-235 SO AS TO PROVIDE THAT IF AGRICULTURAL REAL PROPERTY IS TRANSFERRED TO ANOTHER PERSON, AND THE NEW OWNER CERTIFIES THAT THE USE OF THE PROPERTY WILL NOT CHANGE, THEN THE PROPERTY MUST CONTINUE TO BE ASSESSED AS AGRICULTURAL PROPERTY, TO PROVIDE FOR A CERTIFICATION FORM AND INSTANCES IN WHICH IT MUST BE ACKNOWLEDGED, AND TO PROVIDE NOTIFICATION REQUIREMENTS.

Referred to Committee on Ways and Means

H. 4822 -- Rep. Norrell: A BILL TO AMEND SECTION 56-5-3890, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON'S UNLAWFUL USE OF A WIRELESS COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO PROVIDE THAT THE TERM "HANDS-FREE WIRELESS COMMUNICATION DEVICE" MEANS A DEVICE THAT DOES NOT REQUIRE THE USE OF EITHER HAND TO ACTIVATE OR DEACTIVATE AN INTERNAL FEATURE OR FUNCTION OF THE DEVICE, AND TO PROVIDE THAT THE OPERATOR OF A MOTOR VEHICLE MAY USE A HANDS-FREE WIRELESS ELECTRONIC COMMUNICATION DEVICE IN VOICE-ACTIVATED MODE ONLY.

Referred to Committee on Education and Public Works

H. 4826 -- Rep. Ryhal: A BILL TO AMEND SECTION 50-11-515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF WILD TURKEY FEATHERS IN ART, SO AS TO PROVIDE THAT THIS PROVISION ALLOWS ANY AMERICAN INDIAN ARTIST WHO IS IN COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAW TO SELL CRAFTS BASED UPON THE USE OF WASTE PARTS OF CERTAIN GAME ANIMALS IF THE ARTIST POSSESSES AN IDENTIFICATION CARD THAT PROVES THAT HE IS IN COMPLIANCE WITH THIS SECTION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

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H. 4827 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO TITLE 62 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM POWER OF ATTORNEY ACT"; TO DEFINE APPLICABLE TERMS; TO OUTLINE THE ARTICLE'S REQUIREMENTS AND APPLICABILITY, AND TO PROVIDE EXCEPTIONS; TO AMEND PART 5, ARTICLE 5, TITLE 62, RELATING TO POWERS OF ATTORNEY, SO AS TO ENACT THE "SOUTH CAROLINA STATUTORY HEALTH CARE POWER OF ATTORNEY ACT"; TO DEFINE APPLICABLE TERMS; TO OUTLINE THE PART'S REQUIREMENTS AND APPLICABILITY; TO PROVIDE EXECUTION AND WITNESS REQUIREMENTS; AND TO SPECIFY THE PROPER FORM OF A HEALTH CARE POWER OF ATTORNEY.

Referred to Committee on Judiciary

H. 4828 -- Reps. Robinson-Simpson, McCoy, Bernstein, Dillard, Govan, Gilliard, Mack, Allison, R. L. Brown, Burns, G. R. Smith and Weeks: A JOINT RESOLUTION TO CREATE THE "SCHOOL HOUSE TO JAIL HOUSE STUDY COMMITTEE" TO REVIEW THE JUVENILE JUSTICE LAWS, ZERO-TOLERANCE POLICIES, AND THE PRACTICE OF PROSECUTING STUDENTS FOR NONSERIOUS OFFENSES COMMITTED IN PUBLIC SCHOOLS, AND POLICING IN PUBLIC SCHOOLS, AND TO MAKE CERTAIN RELATED RECOMMENDATIONS TO THE GENERAL ASSEMBLY, TO PROVIDE FOR THE COMPOSITION OF THE COMMITTEE, TO PROVIDE FOR THE FILLING OF VACANCIES ON THE COMMITTEE, TO PROVIDE STAFFING BY THE GENERAL ASSEMBLY, AND TO PROVIDE THE STUDY COMMITTEE SHALL MAKE A REPORT OF ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY FEBRUARY 1, 2017, AT WHICH TIME THE STUDY COMMITTEE MUST BE DISSOLVED.

Referred to Committee on Judiciary

H. 4829 -- Reps. Ott, Williams, Jefferson, Hardee, Corley, Dillard, Duckworth, Hodges and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-1-120 SO AS TO PROHIBIT A PERSON FROM INTENTIONALLY POINTING A LASER DEVICE AT THE DRIVER

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OF A MOTOR VEHICLE, TO PROVIDE REMEDIES, AND TO  
DEFINE "LASER".

Referred to Committee on Judiciary

**ROLL CALL**

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	Brannon	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clemmons	Cobb-Hunter
Collins	H. A. Crawford	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Fry	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Hart	Henderson	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Horne	Hosey	Jefferson
Johnson	Jordan	Kennedy
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Nanney	Newton
Norrell	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	Riley	Rivers
Robinson-Simpson	Ryhal	Sandifer
Simrill	G. M. Smith	J. E. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Taylor
Thayer	Tinkler	Weeks

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Wells                      Whipper                      Williams  
Willis                      Yow

**STATEMENT OF ATTENDANCE**

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

J. Bamberg	William Clyburn
Derham Cole, Jr.	Christopher A. Corley
Jackie Hayes	Chip Huggins
H. B. "Chip" Limehouse	W. J. McLeod
Chis Murphy	Joseph Neal
Richard "Rick" Quinn	Todd Rutherford
G. R. Smith	Brian White
William R. "Bill" Whitmire	Edward Tallon

**Total Present--120**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Gary R. Culbertson of Sumter was the Doctor of the Day for the General Assembly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPECIAL PRESENTATION**

Rep. HENDERSON presented to the House the Southside Christian School Football Team, coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. FINLAY and BERNSTEIN presented to the House the Hammond School Varsity Football Team, coaches and other school officials.

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**SPEAKER IN CHAIR**

**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. 4093  
Date: ADD:  
02/03/16 SANDIFER

**CO-SPONSORS ADDED**

Bill Number: H. 4548  
Date: ADD:  
02/03/16 LOFTIS and KING

**CO-SPONSOR ADDED**

Bill Number: H. 4743  
Date: ADD:  
02/03/16 ROBINSON-SIMPSON

**CO-SPONSOR REMOVED**

Bill Number: H. 4717  
Date: REMOVE:  
02/03/16 HUGGINS

**LEAVE OF ABSENCE**

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

[HJ]

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**SENT TO THE SENATE**

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

H. 4332 -- Reps. Murphy, Johnson, Jefferson and Knight: A BILL TO CHANGE THE METHOD OF ELECTING THE SEVEN MEMBERS OF THE SUMMERVILLE SCHOOL DISTRICT 2 BOARD OF TRUSTEES FROM AT-LARGE TO SINGLE-MEMBER DISTRICTS; TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED; TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS; AND TO ESTABLISH LIMITED FISCAL AUTONOMY FOR SUMMERVILLE SCHOOL DISTRICT 2 AND DORCHESTER COUNTY SCHOOL DISTRICT 4 BY PROVIDING FOR THE MANNER IN WHICH THE ANNUAL BUDGET AND TAX MILLAGE FOR SUMMERVILLE SCHOOL DISTRICT 2 AND DORCHESTER COUNTY SCHOOL DISTRICT 4 MUST BE DETERMINED.

H. 4579 -- Reps. Pope, Lucas, Delleney, Simrill, Bales, Clyburn, Hosey, Tallon, Henderson, Felder and W. J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125 SO AS TO PROVIDE THAT IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR TO FILL THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION THE LIEUTENANT GOVERNOR AND GOVERNOR MUST BE JOINTLY ELECTED AND TO DELINEATE JOINT CANDIDACY PROCEDURES; TO AMEND SECTION 1-3-120, RELATING TO A VACANCY IN THE OFFICE OF BOTH GOVERNOR AND LIEUTENANT GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE; TO AMEND SECTION 1-3-620, RELATING TO THE OFFICE OF THE GOVERNOR TO BE PART TIME, SO AS TO PROVIDE THAT BEGINNING WITH THE LIEUTENANT GOVERNOR ELECTED IN THE 2018 GENERAL ELECTION, THE LIEUTENANT GOVERNOR SHALL PERFORM THE DUTIES PERTAINING TO THE OFFICE OF THE GOVERNOR WHICH ARE

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ASSIGNED BY THE GOVERNOR, EXCEPT WHEN OTHERWISE PROVIDED BY LAW; TO AMEND SECTION 1-9-30, RELATING TO EMERGENCY INTERIM SUCCESSORS TO THE OFFICE OF THE GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE; TO AMEND SECTION 1-17-20, RELATING TO THE COMMITTEE ON INTERSTATE COOPERATION OF THE SENATE, SO AS TO PROVIDE THAT BEGINNING WITH THE CONVENING OF THE GENERAL ASSEMBLY IN 2019, THE PRESIDENT OF THE SENATE MAY SERVE ON THE COMMITTEE EX OFFICIO; TO AMEND SECTION 1-23-125, AS AMENDED, RELATING TO THE APPROVAL, DISAPPROVAL, AND MODIFICATION OF REGULATIONS, SO AS TO REPLACE THE TERM "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE"; TO AMEND SECTION 2-3-30, RELATING TO SUBSISTENCE EXPENSES FOR MEMBERS AND THE LIEUTENANT GOVERNOR ON LEGISLATIVE DAYS, SO AS TO ELIMINATE THE LIEUTENANT GOVERNOR'S ELIGIBILITY FOR A SUBSISTENCE ALLOWANCE; TO AMEND SECTION 2-3-90, RELATING TO THE ELECTION OF READING CLERKS, SERGEANTS AT ARMS, AND ASSISTANT SERGEANTS AT ARMS, SO AS TO REPLACE THE TERM "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE"; TO AMEND SECTION 7-11-30, AS AMENDED, RELATING TO CONVENTION NOMINATION OF CANDIDATES, SO AS TO REMOVE A REFERENCE TO "LIEUTENANT GOVERNOR"; TO AMEND SECTION 7-17-10, AS AMENDED, RELATING TO THE MEETING AND ORGANIZATION OF COUNTY BOARDS OF CANVASSERS, SO AS TO REMOVE A REFERENCE TO THE "LIEUTENANT GOVERNOR"; TO AMEND SECTION 10-1-40, RELATING TO THE STATE HOUSE COMMITTEE, SO AS TO REPLACE THE "LIEUTENANT GOVERNOR" AS THE APPOINTING AUTHORITY FOR THE SENATE WITH THE "PRESIDENT OF THE SENATE"; TO AMEND SECTIONS 14-27-20, 14-27-30, AND 14-27-40, ALL AS AMENDED, ALL RELATING TO THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO REPLACE REFERENCES TO THE "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE"; AND TO AMEND SECTION 14-27-80, RELATING TO THE DUTIES OF CERTAIN MEMBERS OF THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO

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REPLACE THE TERM "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE".

H. 4785 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, RELATING TO BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4562, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 4786 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO LOCAL EMERGENCY PREPAREDNESS STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4563, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 4787 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HORSE MEAT AND KANGAROO MEAT; FAIRS, CAMP MEETINGS, AND OTHER GATHERINGS; CAMPS; MOBILE/MANUFACTURED HOME PARKS; SANITATION OF SCHOOLS; AND NUISANCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4552, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 4788 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING NURSING HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4543, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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**H. 4458--RECOMMITTED**

The following Bill was taken up:

H. 4458 -- Reps. Huggins, Hodges and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE THE ZONE IN WHICH A PERSON MAY NOT OPERATE A PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSEL IN EXCESS OF IDLE SPEED ADJACENT OF A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR A PERSON UPON THE WATERS OF THIS STATE.

Rep. HIOTT moved to recommit the Bill to the Committee on Agriculture, Natural Resources and Environmental Affairs, which was agreed to.

**H. 3878--DEBATE ADJOURNED**

The following Bill was taken up:

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

Rep. FINLAY moved to adjourn debate on the Bill until Thursday, February 4, which was agreed to.

**H. 4708--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4708 -- Reps. Hixon, Hodges, Corley, Burns, Hiott, V. S. Moss and Kirby: A BILL TO AMEND SECTION 50-13-1630, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE AND TRAFFICKING IN FISH, SO AS TO MAKE

[HJ]

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TECHNICAL CHANGES, TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE RELEASE OR STOCKING OF STERILE WHITE AMUR, GRASS CARP, OR GRASS CARP HYBRIDS IN THIS STATE, AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE PERMITS FOR THE IMPORTATION, BREEDING, AND POSSESSION OF GRASS CARP.

Rep. HIXON proposed the following Amendment No. 1 to H. 4708 (COUNCIL\GT\4708C001.GT.CM16), which was adopted:

Amend the bill, as and if amended, Section 50-13-1630(D), as contained in Section 1, page 2, by deleting line 30, and inserting:

/ subsection may be stocked in ~~the waters of~~ this State except as /

Amend the bill further by adding the following appropriately numbered SECTION:

/ SECTION (.). Section 50-13-1630(F) of the 1976 Code, as last amended by Act 114 of 2012, is further amended to read:

/ (F) The department shall prescribe the qualifications, methods, controls, and restrictions required of a person or his agent to whom a permit is issued. The department shall condition all permits issued under this section to safeguard public safety and welfare and prevent the introduction into the wild or release of nonnative species of fish or other organisms into ~~the waters of~~ this State. The department may promulgate regulations necessary to effectuate this section and specifically to prohibit additional species of fish from being imported, possessed, or sold in this State when the department determines the species of fish are potentially dangerous. A violation of the terms of the permit may result in revocation and a civil penalty of up to five thousand dollars. An appeal is pursuant to the provisions of Article 2, Chapter 23, Title 1 (the Administrative Procedures Act). /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

Rep. HIXON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

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Those who voted in the affirmative are:

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

**Total--106**

Those who voted in the negative are:

[HJ]

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**Total--0**

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

**H. 4709--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4709 -- Reps. Hixon, Hodges, Corley, Burns, Hiott, V. S. Moss, Kirby and Newton: A BILL TO AMEND SECTION 50-5-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS CONTAINED IN THE SOUTH CAROLINA MARINE RESOURCES ACT OF 2000, SO AS TO PROVIDE A DEFINITION FOR THE TERM "SOUTHERN COBIA MANAGEMENT ZONE"; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO CERTAIN FEDERAL FISHING REGULATIONS, SO AS TO PROVIDE THAT THESE REGULATIONS DO NOT APPLY TO COBIA LOCATED IN THE SOUTHERN COBIA MANAGEMENT ZONE.

Rep. HIXON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atwater	Bales	Ballentine
Bannister	Bedingfield	Bernstein
Bingham	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clary	Clemmons
Cobb-Hunter	Cole	Collins
Corley	H. A. Crawford	Crosby
Delleney	Dillard	Douglas
Duckworth	Erickson	Finlay
Forrester	Fry	Funderburk
Gagnon	George	Gilliard
Goldfinch	Govan	Hamilton
Hardee	Hart	Henderson
Henegan	Hicks	Hill

[HJ]

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Hiott	Hixon	Horne
Hosey	Huggins	Jefferson
Johnson	Jordan	Kennedy
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Murphy	Nanney
Newton	Norrell	Ott
Parks	Pitts	Pope
Putnam	Ridgeway	Riley
Rivers	Ryhal	Sandifer
Simrill	G. M. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Stringer	Taylor	Thayer
Tinkler	Weeks	Wells
White	Whitmire	Williams
Willis	Yow	

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**H. 4816--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4816 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-205 SO AS TO DESIGNATE JUNE TWENTY-SEVENTH OF EACH YEAR AS SOUTH CAROLINA POST-TRAUMATIC STRESS INJURY (PTSI) AWARENESS DAY.

Rep. J. E. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

[HJ]

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Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bradley
Brannon	G. A. Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Erickson	Finlay	Forrester
Fry	Funderburk	Gagnon
George	Gilliard	Goldfinch
Govan	Hamilton	Hardee
Henderson	Henegan	Hicks
Hill	Hiott	Hixon
Hodges	Horne	Hosey
Huggins	Jefferson	Johnson
Jordan	Kennedy	King
Kirby	Knight	Long
Lowe	Lucas	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Mitchell	D. C. Moss
V. S. Moss	Nanney	Neal
Newton	Norrell	Ott
Parks	Pope	Putnam
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Stringer	Taylor	Thayer
Tinkler	Weeks	Wells
Whitmire	Williams	Willis
Yow		

**Total--103**

Those who voted in the negative are:

[HJ]

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**Total--0**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., January 28, 2016

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 Allen, Hembree and Thurmond of the Committee of Free Conference on the part of the Senate on S. 255:

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., January 28, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on S. 255:

[HJ]

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S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

Very respectfully,  
President

**S. 255--FREE CONFERENCE REPORT ADOPTED**

**S. 255--Free Conference Report**

The General Assembly, Columbia, S.C., January 21, 2016

The COMMITTEE OF CONFERENCE, to whom was referred (L:/S-Jud/Amend/FCRJUD0255.Docx):

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

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

That the same do pass with the following amendments:

[HJ]

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

/ SECTION 1. Section 17-1-40 of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“Section 17-1-40. (A) For purposes of this section, ‘under seal’ means not subject to disclosure other than to a law enforcement or prosecution agency, and attorneys representing a law enforcement or prosecution agency, unless disclosure is allowed by court order.

(B)(1) If a person’s record is expunged pursuant to Article 9, Title 17, Chapter 22, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may be retained by any municipal, county, or state agency. Provided, however, that:

(a) Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, administrative hearings, and to defend the agency and the agency’s employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order.

(b) Detention and correctional facilities shall retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years and one hundred twenty days from the date of the expungement order to manage the facilities’ statistical and professional information needs, and to defend the facilities and the facilities’ employees during litigation proceedings, except that when an action, complaint, or inquiry has been initiated, the records, documentation and materials, and other reports and files may be retained as needed to address the action, complaint, or inquiry. The information is not a public document and is exempt from disclosure, except by court order. At the end of the three years and one hundred twenty days from the date of the expungement order, the records

must be destroyed unless they are being retained to address an action, complaint, or inquiry that has been initiated.

(2) A municipal, county, or state agency, or an employee of a municipal, county, or state agency that intentionally violates this subsection is guilty of contempt of court.

(3) Nothing in this subsection requires the South Carolina Department of Probation, Parole and Pardon Services to expunge the probation records of persons whose charges were dismissed by conditional discharge pursuant to Section 44-53-450.

(4) If a person pleads guilty to a lesser-included offense and the solicitor deems it appropriate, the solicitor shall notify the State Law Enforcement Division (SLED) and SLED shall request that the person's record contained in the National Crime Information Center (NCIC) database or other similar database reflects the lesser-included offense rather than the offense originally charged.

(C)(1) If a person's record is expunged pursuant to Article 9, Title 17, Chapter 22, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then law enforcement and prosecution agencies shall retain the ~~evidence gathered~~, unredacted incident and supplemental reports, and investigative files under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations, other law enforcement or prosecution purposes, administrative hearings, and to defend the agency and the agency's employees during litigation proceedings. The information must remain under seal. The information is not a public document, is exempt from disclosure, except by court order, and is not subject to an order for destruction of arrest records.

(2) If a request is made to inspect or obtain the incident reports pursuant to the South Carolina Freedom of Information Act, the law enforcement agency shall redact the name of the person whose record is expunged and other information which specifically identifies the person from copies of the reports provided to the person or entity making the request.

(3) If a person other than the person whose record is expunged is charged with the offense, a prosecution agency may provide the attorney representing the other person with unredacted incident and supplemental reports. The attorney shall not provide copies of the reports to a person

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or entity nor share the contents of the reports with a person or entity, except during judicial proceedings or as allowed by court order.

(4) A person who intentionally violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

(5) Nothing in this subsection prohibits evidence gathered or information contained in incident reports or investigation and prosecution files from being used for the investigation and prosecution of a criminal case or for the defense of a law enforcement or prosecution agency or agency employee.

(D) A municipal, county, or state agency may not collect a fee for the destruction of records pursuant to this section.

~~(E)(1) This section does not apply to a person who is charged with a violation of Title 50, Title 56, or an enactment pursuant to the authority of counties and municipalities provided in Titles 4 and 5.~~

~~(2) If a charge enumerated in item (1) is discharged, proceedings against the person are dismissed, the person is found not guilty of the charge, or the person's record is expunged pursuant to Article 9, Title 17, Chapter 22, the charge must be removed from any Internet-based public record no later than thirty days from the disposition date.~~

~~(F)(E)~~ The State Law Enforcement Division is authorized to promulgate regulations that allow for the electronic transmission of information pursuant to this section.

~~(G)(F)~~ Unless there is an act of gross negligence or intentional misconduct, nothing in this section gives rise to a claim for damages against the State, a state employee, a political subdivision of the State, an employee of a political subdivision of the State, a public officer, or other persons.”

SECTION 2. Chapter 1, Title 17 of the 1976 Code is amended by adding:

“Section 17-1-60. (A) For purposes of this section, a person or entity who publishes on the person or entity's website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina is deemed to be transacting business in South Carolina.

(B) It is unlawful for a person or entity to obtain, or attempt to obtain, the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina knowing:

(1) the arrest and booking records will be published on a website or any other publication; and

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(2) removal or revision of the arrest or booking records requires the payment of a fee or other consideration.

(C) It is unlawful for a person or entity to require the payment of a fee or other consideration to remove, revise, or refrain from posting to a website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina.

(D)(1) A person or entity who publishes on the person or entity's website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina shall remove the arrest and booking records from the person or entity's website or any other publication without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records, if the request:

(a) is made in writing via certified mail, return receipt requested, to the registered agent, principal place of business, or primary residence of the person or entity who publishes the website or any other publication;

(b) includes the person's name, date of arrest, and the name of the arresting law enforcement agency;

(c) contains certified documentation that the original charges stemming from the arrest were discharged, dismissed, expunged, or the person was found not guilty; and

(d) includes a complete and accurate description of where the arrest and booking records are located, including, but not limited to, the uniform resource locator (URL) and e-edition, if applicable.

(2) If the original charges stemming from the arrest were discharged or dismissed as a result of the person pleading to a lesser included offense, or a different offense, the person or entity who publishes the website or any other publication is not required to remove the arrest and booking records from the person or entity's website or any other publication; however, the person or entity shall revise the arrest and booking records published on the person or entity's website or any other publication to reflect the lesser included offense, or different offense, instead of the original charges, without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records pursuant to item (1).

(3) This subsection does not apply to the following:

(a) motion picture producers and distributors, and their products as released in theaters, to DVD, pay-per-view, broadcast, cable and satellite television, as well as Internet services;

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(b) acts done by the publisher, owner, agent, employee, or retailer of a newspaper, periodical, books, radio station, radio network, television station, television broadcast network, or cable television network in the publication or dissemination in print or electronically of:

(i) news, history, entertainment, or commentary; or

(ii) an advertisement of or for another person, when the publisher, owner, agent, or employee did not have actual knowledge of the false, misleading, or deceptive character of the advertisement, did not prepare the advertisement, or did not have a direct financial interest in the sale or distribution of the advertised product or service.

(4) A person or entity who violates this subsection is not subject to the criminal penalty provided in subsection (F); however, the person or entity is subject to a civil cause of action as provided in subsection (G).

(E)(1) This section does not apply to a state or local government agency.

(2) Except as otherwise provided by state law, it is unlawful for an employee of a state or local government agency to provide the arrest or booking records, including booking photographs, of a person who is arrested and booked in South Carolina knowing:

(a) the arrest and booking records will be published on a nongovernmental website or any other publication; and

(b) removal or revision of the arrest or booking records requires the payment of a fee or other consideration.

(F)(1) A person or entity who violates this section, except for subsection (D), is guilty of a misdemeanor, and, upon conviction, must be fined not more than one thousand dollars or be imprisoned not more than sixty days, or both.

(2) Each arrest and booking record obtained, attempted to obtain, or provided, and each payment solicited or accepted in violation of this section constitutes a separate violation.

(G)(1) Except as provided in item (2), a person who suffers a loss or harm as a result of a violation of this section may file a civil cause of action against a person or entity who violates this section for damages suffered, along with costs, attorney's fees, and any other legal or equitable relief.

(2) A person who suffers a loss or harm as a result of a violation of this section may not file a civil cause of action against a state or local government agency pursuant to this section; however, the person may file a civil cause of action against an employee of a state or local government agency who violates subsection (E)(2) pursuant to the South

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Carolina Tort Claims Act. A state or local government agency may not be substituted for an employee of the state or local government agency in a civil cause of action against the employee.”

SECTION 3. Section 17-22-950 of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“Section 17-22-950. (A)(1) ~~When~~ If criminal charges are brought in a summary court, ~~and~~ the accused person is found not guilty or if the charges are dismissed or nolle prossed, ~~pursuant to Section 17-1-40, the presiding judge of and the accused person was fingerprinted for the charges,~~ the summary court, at no cost to the accused person, immediately shall issue an order to expunge the criminal records, including any associated bench warrants, of the accused person unless the dismissal of the charges occurs at a preliminary hearing or ~~unless~~ the accused person has charges pending in summary court and a court of general sessions and ~~such~~ the charges arise out of the same course of events. ~~This expungement must occur no sooner than the appeal expiration date and no later than thirty days after the appeal expiration date. Except as provided in item (2), upon~~ Upon issuance of the order, the judge of the summary court or a member of the summary court staff ~~must coordinate with SLED to confirm that the criminal charge is statutorily appropriate for expungement;~~ shall obtain and verify the presence of all necessary signatures; ~~file the completed expungement order with the clerk of court;~~ and provide copies of the completed expungement order to all governmental agencies which must receive the order, including, but not limited to, the arresting law enforcement agency; the detention facility or jail; the solicitor’s office; the clerk of court, but only in cases in which the charges were appealed to the circuit court or remanded to the summary court from general sessions court; the magistrates or municipal summary court where the arrest or bench warrant warrants originated; the magistrates or municipal summary court that was involved in any way in the criminal process of the ~~charge charges~~ or bench warrant warrants sought to be expunged; and SLED. ~~The judge of the summary court or a member of the summary court staff also must provide a copy of the completed expungement order to the applicant or his retained counsel. The prosecuting agency or appropriate law enforcement agency may file an objection to a summary court expungement. If an objection is filed by the prosecuting agency or law enforcement agency, that expungement then must be heard by the judge of a general sessions court. The prosecuting agency’s or the appropriate law enforcement agency’s reason for objecting must be that the:~~

- (a) ~~accused person has other charges pending;~~

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~~(b) prosecuting agency or the appropriate law enforcement agency believes that the evidence in the case needs to be preserved; or~~

~~(c) accused person's charges were dismissed as a part of a plea agreement.~~

~~(2)(B) If criminal charges are brought in a summary court, and the accused person is found not guilty, or the charges are dismissed or nolle prossed, pursuant to Section 17-1-40, and the person was not fingerprinted for the violation charges, then, upon issuance of the order, the summary court shall coordinate with the arresting law enforcement agency to confirm that the person was not fingerprinted for the violation; the accused person may apply to the summary court, at no cost to the accused person, for an order to expunge the criminal records, including any associated bench warrants, of the accused person unless the dismissal of the charges occurs at a preliminary hearing or the accused person has charges pending in summary court and a court of general sessions and the charges arise out of the same course of events. Upon application, and after verification that the charges are appropriate for expungement, the summary court shall issue an order to expunge the criminal records, obtain and verify all necessary signatures, and provide copies of the completed expungement order to the arresting law enforcement agency and all summary courts that were involved in the criminal process of the charges. The summary court is not required to provide copies of the completed expungement order to SLED. All summary courts that were involved in the criminal process of the charges shall destroy all documentation related to the charges, including, but not limited to, removing the charges from Internet-based public records. All other provisions of subsection (A)(1) apply.~~

~~(C) An expungement pursuant to this section must occur no sooner than the appeal expiration date and no later than thirty days after the appeal expiration date.~~

~~(D) A summary court shall provide a copy of a completed expungement order issued pursuant to this section to the applicant or the applicant's counsel of record. The copy must be certified or marked with the court's raised seal.~~

~~(E) Criminal charges must be removed pursuant to this section from all Internet-based public records no later than thirty days from the disposition date, regardless of whether the accused person applies to the summary court for expungement pursuant to subsection (B). All other criminal records must be destroyed or retained pursuant to the provisions of Section 17-1-40.~~

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~~(B)(F)~~ A prosecution or law enforcement agency may file an objection to a summary court expungement. If an objection is filed, the expungement must be heard by the judge of a general sessions court. The prosecution or law enforcement agency's reason for objecting must be that the accused person has other charges pending or the charges are not eligible for expungement. If the prosecuting agency or the appropriate law enforcement agency objects to an expungement order being issued pursuant to subsection (A)(1)(b), the prosecuting agency or appropriate law enforcement agency must shall notify the accused person of the objection. This The notice must be given in writing at the most current address listed on the accused person's bond form on file with the summary court, or through his the accused person's attorney, no later than thirty days after the accused person is found not guilty or his the accused person's charges are dismissed or nolle prossed.

(G) The Office of Court Administration shall provide uniform application forms to be used for expungements pursuant to this section."

SECTION 4. Section 22-5-910(A) of the 1976 Code, as last amended by Act 58 of 2015, is further amended to read:

“(A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to:

- ~~(1) an offense involving the operation of a motor vehicle; or~~
- ~~(2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized.”~~

SECTION 5. Section 22-5-920(B) of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“(B)(1) Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the defendant, after five years from the date of completion of his the defendant's sentence, including probation and parole, may apply, or cause someone acting on his the defendant's behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

- (2) However, this section does not apply to:

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(a) an offense involving the operation of a motor vehicle;

~~(b) to a violation of Title 50 or the regulations promulgated under it for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses authorized, to an offense classified as a violent crime in Section 16-1-60; or~~

(c) ~~to~~ an offense contained in Chapter 25, Title 16, except as otherwise provided in Section 16-25-30.

(3) If the defendant has had no other conviction during the five-year period following completion of ~~his~~ the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have ~~his~~ the person's records expunged under this section more than once. A person may have ~~his~~ the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have ~~his~~ the person's record expunged pursuant to the provisions of this section."

SECTION 6. This act takes effect ninety days after approval by the Governor. This act applies retroactively to allow for the expungement of offenses charged, discharged, dismissed, or nolle prossed prior to the effective date of this act, and persons convicted or found not guilty prior to the effective date of this act. /

Amend title to conform.

/s/Sen. Karl B. Allen

/s/Sen. Greg Hembree

/s/Sen. Paul Thurmond

On Part of the Senate.

/s/Rep. Kirkman Finlay III

Rep. J. Todd Rutherford

/s/Rep. Edward R. Tallon, Sr.

On Part of the House.

Rep. WEEKS explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander

Anthony

Ballentine

Allison

Atwater

Bamberg

Anderson

Bales

Bannister

[HJ]

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Bedingfield	Bernstein	Bingham
Bradley	G. A. Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cole	Collins
Corley	H. A. Crawford	Crosby
Delleney	Dillard	Douglas
Duckworth	Erickson	Finlay
Forrester	Fry	Funderburk
Gagnon	George	Gilliard
Goldfinch	Govan	Hamilton
Hardee	Hart	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Horne	Hosey
Huggins	Jefferson	Johnson
Jordan	Kennedy	King
Kirby	Knight	Loftis
Long	Lowe	Lucas
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Murphy	Nanney	Neal
Newton	Norrell	Ott
Parks	Pope	Putnam
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thayer	Tinkler
Weeks	Wells	Whipper
White	Whitmire	Williams
Willis	Yow	

**Total--107**

Those who voted in the negative are:

**Total--0**

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

**H. 3795--RECALLED AND REFERRED TO COMMITTEE  
ON WAYS AND MEANS**

On motion of Rep. BEDINGFIELD, with unanimous consent, the following Bill was ordered recalled from the Committee on Labor, Commerce and Industry and was referred to the Committee on Ways and Means:

H. 3795 -- Rep. Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-68-65 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO PROVIDE BY REGULATION FOR THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO DELETE THE REQUIREMENT THAT TERMS MUST BE ESTABLISHED BY WRITTEN CONTRACT, AND INSTEAD TO PROVIDE ORGANIZATIONS ONLY SHALL PROVIDE ASSIGNED EMPLOYEES WITH WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO CLARIFY THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; TO AMEND SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE

**WEDNESDAY, FEBRUARY 3, 2016**

SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE; AND TO REPEAL SECTION 40-68-45 RELATING TO CONTINUING PROFESSIONAL EDUCATION.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. D. C. MOSS.

**H. 3868--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3868 -- Reps. Pitts, White, Goldfinch, Hardee and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WETLANDS CONSERVATION ACT"; TO AMEND SECTION 12-24-95, RELATING TO DEED RECORDING FEES, SO AS TO INCREASE THE PORTION OF A STATE DEED RECORDING FEE THAT MUST BE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND FROM TWENTY-FIVE CENTS TO THIRTY CENTS; TO AMEND SECTION 48-59-60, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, SO AS TO REQUIRE THAT ANY FUNDS COLLECTED BY THE SOUTH CAROLINA CONSERVATION BANK IN EXCESS OF THE AMOUNT AUTHORIZED IN THE ANNUAL APPROPRIATIONS BILL MUST BE TRANSFERRED TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-59-70, RELATING TO TRUST FUND GRANTS AND CONSERVATION CRITERIA, SO AS TO ADD ISOLATED WETLANDS AND CAROLINA BAYS TO THE CONSERVATION CRITERIA, TO ADD THE VALUE OF A PROPOSAL ON WILDLIFE MANAGEMENT AREAS OWNED AND MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES TO THE CONSERVATION CRITERIA, AND TO ALLOW THE BOARD TO AUTHORIZE UP TO EIGHT AND THIRTY-THREE ONE HUNDREDTHS PERCENT OF THE MONIES CREDITED TO THE TRUST FUND TO APPLICATIONS THAT SOLELY MEET THE NEW CONSERVATION CRITERIA AND LIMIT THE AWARD OF MONEY TO APPLICATIONS FOR ACQUISITION OF INTERESTS IN LAND SOLELY FOR THE SITES OF HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE; TO

[HJ]

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AMEND SECTION 48-59-75, RELATING TO RESTRICTIONS ON THE TRANSFER OF DEED RECORDING FEES TO THE TRUST FUND, SO AS TO PROVIDE THE TRANSFER OF RECORDING FEES AND OTHER APPROPRIATED FUNDS TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND MUST BE DECREASED BY TWICE THE AVERAGE PERCENTAGE REDUCTION OF APPROPRIATIONS TO EACH AGENCY AND DEPARTMENT IN A FISCAL YEAR WHEN THE GENERAL ASSEMBLY PROVIDES LESS APPROPRIATIONS THAN WHAT WAS PROVIDED FOR IN THE PREVIOUS YEAR TO AT LEAST ONE-HALF OF ALL STATE AGENCIES OR DEPARTMENTS.

Rep. PITTS moved to adjourn debate on the Bill until Tuesday, February 9, which was agreed to.

**H. 4665--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4665 -- Reps. Tallon, Bannister, Bingham, Burns, Cole, Delleney, Erickson, Felder, Gagnon, Hamilton, Huggins, Kennedy, Lowe, Norrell, Rivers, G. M. Smith, G. R. Smith, Southard, Spires, Newton, W. J. McLeod and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-19-115 SO AS TO REQUIRE CANDIDATES FOR MAGISTRATES COURT TO BE SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION BEFORE THEY MAY BE APPOINTED BY THE GOVERNOR BY AND WITH THE CONSENT OF THE SENATE; AND TO AMEND SECTION 22-1-10, AS AMENDED, RELATING TO THE APPOINTMENT AND JURISDICTION OF MAGISTRATES, SO AS TO PROVIDE MAGISTRATES MUST BE SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION AND DELETE LANGUAGE ALLOWING MAGISTRATES' TERMS TO CONTINUE UNTIL SUCCESSORS ARE APPOINTED AND QUALIFIED.

Rep. BANNISTER spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 82; Nays 24

Those who voted in the affirmative are:

[HJ]

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Allison	Anthony	Atwater
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
Brannon	Burns	Clary
Clemmons	Cobb-Hunter	Cole
Collins	H. A. Crawford	Delleney
Duckworth	Erickson	Finlay
Forrester	Fry	Funderburk
Gagnon	Gambrell	George
Goldfinch	Govan	Hamilton
Hardee	Hart	Henegan
Herbkersman	Hicks	Hixon
Hodges	Horne	Huggins
Johnson	Jordan	Kennedy
King	Kirby	Knight
Limehouse	Loftis	Long
Lowe	Lucas	McKnight
M. S. McLeod	W. J. McLeod	Mitchell
Murphy	Nanney	Newton
Norrell	Ott	Pope
Ridgeway	Rivers	Rutherford
Ryhal	Sandifer	G. R. Smith
J. E. Smith	Sottile	Southard
Spires	Stavrinakis	Stringer
Taylor	Thayer	Tinkler
Whipper	Whitmire	Willis
Yow		

**Total--82**

Those who voted in the negative are:

Anderson	R. L. Brown	Chumley
Corley	Crosby	Daning
Douglas	Gilliard	Hill
Hosey	Howard	Jefferson
Mack	McCoy	D. C. Moss
V. S. Moss	Neal	Pitts
Putnam	Robinson-Simpson	Simrill
G. M. Smith	Weeks	Williams

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**Total--24**

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

**RECURRENCE TO THE MORNING HOUR**

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

**REPORT OF STANDING COMMITTEE**

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

H. 4447 -- Reps. Henegan and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4830 -- Reps. Taylor, Clyburn, Hixon and Wells: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR TIMOTHY E. "TIM" O'BRIANT, ONE OF THE MOST PRODUCTIVE, RESPECTED, AND VERSATILE JOURNALISTS IN SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS AS HE EMBARKS ON A NEW PHASE OF HIS CAREER.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

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

H. 4831 -- Reps. Hicks, Atwater, Dillard, Gagnon, Loftis, D. C. Moss, V. S. Moss, Sandifer, G. R. Smith and Thayer: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PROSTITUTION, SO AS TO INCREASE THE PENALTIES FOR SOLICITATION OF

[HJ]

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PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH AN AFFIRMATIVE DEFENSE FOR A VICTIM OF HUMAN TRAFFICKING; AND TO FURTHER INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY; AND TO REPEAL SECTION 16-15-110 RELATING TO PENALTIES FOR VIOLATIONS OF PROSTITUTION OFFENSES.

Referred to Committee on Judiciary

H. 4832 -- Reps. Hicks, Brannon, Kirby, Whipper, Yow, Ridgeway, McEachern, Douglas, Jefferson, Jordan, Burns, Gagnon, D. C. Moss, Sandifer and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3790 SO AS TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A COMMUNITY-BASED PRECEPTOR FOR CERTAIN PROGRAMS.

Referred to Committee on Ways and Means

H. 4833 -- Reps. Taylor, Bradley, R. L. Brown, Clary, Felder, George, Johnson and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA HIGHER EDUCATION GOVERNANCE ACT"; TO AMEND CHAPTER 103, TITLE 59, RELATING TO THE STATE COMMISSION ON HIGHER EDUCATION, SO AS TO REVISE MISCELLANEOUS PROVISIONS CONCERNING THE COMMISSION AND HIGHER EDUCATION GOVERNANCE, AMONG OTHER THINGS.

Referred to Committee on Education and Public Works

H. 4834 -- Reps. Tinkler, Spires, Norrell, Brannon, Collins, W. J. McLeod, Crosby, Daning, George, McCoy and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-3-105 SO AS TO ENACT THE "LOCAL GOVERNMENT EFFICIENCY ACT" TO AUTHORIZE THE GOVERNING BODY OF A MUNICIPALITY TO ANNEX AN AREA BY ORDINANCE IF THE AREA DOES NOT EXCEED TWENTY-FIVE ACRES AND IS COMPLETELY SURROUNDED

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BY THE MUNICIPALITY, AND TO PROVIDE EXCEPTIONS AND PROCEDURES.

Referred to Committee on Judiciary

H. 4835 -- Reps. Erickson, Johnson, Delleney, Loftis, Finlay, Brannon, M. S. McLeod, Pope, Thayer, Long, Atwater, Knight, McCoy, Henegan, Douglas, Horne, Allison, Goldfinch, Gambrell, Newton, Riley, Collins, Clemmons, Duckworth, Funderburk, Gagnon, Henderson, Hicks, D. C. Moss and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "SUPPORTING AND STRENGTHENING FAMILIES ACT" TO ALLOW PARENTS AND PERSONS WITH LEGAL CUSTODY OF A CHILD TO DELEGATE CAREGIVING AUTHORITY FOR THE CHILD TEMPORARILY TO AN ADULT BY EXECUTION OF A POWER OF ATTORNEY, TO PROVIDE FOR THE REQUIREMENTS AND LIMITATIONS OF THE DELEGATION OF CAREGIVING AUTHORITY AND THE RIGHT TO REVOKE THE POWER OF ATTORNEY, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-7-920, AS AMENDED, RELATING TO INVESTIGATIONS OF SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE CERTAIN INFORMATION ABOUT COMMUNITY SUPPORTIVE SERVICES TO A PARENT WHEN THE INVESTIGATION DOES NOT RESULT IN PLACEMENT OF THE CHILD OUTSIDE OF THE HOME; AND TO AMEND SECTION 63-13-20, RELATING TO THE DEFINITION OF A CHILDCARE FACILITY, SO AS TO EXCLUDE AN ADULT DESIGNATED AS AN ATTORNEY-IN-FACT FOR A CHILD IN A POWER OF ATTORNEY EXECUTED PURSUANT TO ARTICLE 7, CHAPTER 15, TITLE 63.

Referred to Committee on Judiciary

Further proceedings were interrupted by the Joint Assembly.

#### **JOINT ASSEMBLY**

At 12:00 noon the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

**WEDNESDAY, FEBRUARY 3, 2016**

**ELECTION OF A SUPREME COURT JUDGE,  
A COURT OF APPEALS JUDGE, CIRCUIT COURT JUDGES,  
FAMILY COURT JUDGES, AND AN ADMINISTRATIVE LAW  
COURT JUDGE**

The Reading Clerk of the Senate read the following Concurrent Resolution:

S. 990 -- Senators L. Martin, Malloy and Campsen: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 2, UPON HIS SWEARING IN AS CHIEF JUSTICE OF THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO CERTAIN

[HJ]

**WEDNESDAY, FEBRUARY 3, 2016**

JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2015, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 3 UPON HER RETIREMENT ON OR BEFORE JUNE 30, 2016, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH EXPIRES ON JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL

**WEDNESDAY, FEBRUARY 3, 2016**

CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016.

The PRESIDENT recognized Senator Larry Martin, of behalf of the Judicial Merit Selection Commission.

The PRESIDENT announced that nominations were in order for a Supreme Court Justice, Seat 2.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Ralph King Anderson III, the Honorable John Cannon Few, and the Honorable Harris Bruce Williams.

Senator Larry Martin stated that the Honorable Ralph King Anderson III had withdrawn from the race and placed the names of the two remaining candidates: the Honorable John Cannon Few and the Honorable Harris Bruce Williams, in nomination.

The Reading Clerk of the Senate called the roll of the Senate and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Hon. John Cannon Few:

Alexander	Allen	Bennett
Bright	Campbell	Campsen

[HJ]

**WEDNESDAY, FEBRUARY 3, 2016**

Corbin	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	Hutto
Leatherman	Malloy	<i>Martin, Larry</i>
Massey	Nicholson	Peeler
Turner		

**Total--22**

The following named Senators voted for Hon. Harris Bruce Williams:

Bryant	Cleary	Coleman
Courson	Jackson	Johnson
Kimpson	Lourie	Martin, Shane
Matthews, John	Matthews, Margie	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Thurmond	Verdin	Williams
Young		

**Total--22**

Rep. HIXON moved that with unanimous consent, the members of the House vote by electronic roll call.

Rep. BAMBERG objected.

The Reading Clerk of the House called the roll of the House and the Representatives voted *viva voce* as their names were called.

The following named Representatives voted for Hon. John Cannon

Few:

Allison	Bannister	Bedingfield
Bradley	R. L. Brown	Burns
Chumley	Clemmons	Collins
Corley	H. A. Crawford	Crosby
Daning	Dillard	Duckworth
Erickson	Felder	Forrester
Fry	Funderburk	Gagnon
Gambrell	Gilliard	Goldfinch
Hamilton	Hardee	Henderson
Hicks	Hill	Hixon
Johnson	Jordan	Kennedy

[HJ]

**WEDNESDAY, FEBRUARY 3, 2016**

Kirby	Limehouse	Loftis
Long	Lowe	Lucas
W. J. McLeod	Merrill	D. C. Moss
V. S. Moss	Nanney	Newton
Ott	Parks	Pitts
Pope	Putnam	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Southard
Stavrinakis	Stringer	Taylor
Thayer	Tinkler	Wells
White	Williams	Willis
Yow		

**Total--70**

The following named Representatives voted for Hon. Harris Bruce

Williams:

Alexander	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bernstein	Bingham
Bowers	Brannon	G. A. Brown
Clary	Clyburn	Cobb-Hunter
Cole	Delleney	Douglas
Finlay	George	Govan
Hart	Hayes	Henegan
Herbkersman	Hiott	Hodges
Horne	Hosey	Howard
Huggins	Jefferson	King
Knight	Mack	McCoy
McEachern	McKnight	M. S. McLeod
Mitchell	Murphy	Neal
Norrell	Quinn	Ridgeway
Rutherford	J. E. Smith	Spires
Weeks	Whipper	Whitmire

**Total--51**

**WEDNESDAY, FEBRUARY 3, 2016**

**RECAPITULATION**

Total number of Senators voting.....	44
Total number of Representatives voting.....	121
Grand Total.....	165
Necessary to a choice.....	83
Of which Few received .....	92
Of which Williams received .....	73

Whereupon, the Honorable John Cannon Few was duly elected for the term prescribed by law.

**ELECTION OF A COURT OF APPEALS JUDGE, SEAT 9**

The PRESIDENT announced that nominations were in order for a Court of Appeals Judge, Seat 9.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable James Edward Lockemy.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable James Edward Lockemy was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
FIRST JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, First Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Edgar Warren Dickson.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Edgar Warren Dickson was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
FIRST JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, First Judicial Circuit, Seat 2.

**WEDNESDAY, FEBRUARY 3, 2016**

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Diane Schafer Goodstein.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Diane Schafer Goodstein was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
SECOND JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Second Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Doyet A. Early III.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Doyet A. Early III was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
THIRD JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Third Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Ralph Ferrell Cothran, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Ralph Ferrell Cothran, Jr., was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
SIXTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Sixth Judicial Circuit, Seat 1.

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Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Brian M. Gibbons.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Brian M. Gibbons, was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
EIGHTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Eighth Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Frank Robert Addy, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Frank Robert Addy, Jr., was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
THIRTEENTH JUDICIAL CIRCUIT, SEAT 4**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Thirteenth Judicial Circuit, Seat 4.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable David Garrison Hill.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable David Garrison Hill was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
FIFTEENTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Fifteenth Judicial Circuit, Seat 1.

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Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Steven H. John.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Steven H. John was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
SIXTEENTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Sixteenth Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable John Calvin Hayes III.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable John Calvin Hayes III was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE,  
SIXTEENTH JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Sixteenth Judicial Circuit, Seat 2.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Daniel Dewitt Hall.

Senator Larry Martin moved that nominations be closed, and with unanimous consent, the nominee be elected by acclamation.

Senator Shane Martin objected.

Senator Shane Martin spoke against the election of the nominee and requested a roll call vote.

The Reading Clerk of the Senate called the roll of the Senate and the Senators voted *viva voce* as their names were called.

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The following named Senators voted Yea:

Alexander	Allen	Bennett
Campbell	Campsen	Coleman
Corbin	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	Hutto
Jackson	Johnson	Kimpson
Lourie	Malloy	Martin, Larry
Massey	Matthews, John	Matthews, Margie
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Setzler	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

**Total--37**

The following named Senators voted Nay:

Bright	Bryant	Courson
Martin, Shane	Shealy	

**Total--5**

On the motion of Rep. RUTHERFORD, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted Yea:

Alexander	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bannister	Bernstein
Bingham	Bowers	Bradley
Brannon	G. A. Brown	R. L. Brown
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	H. A. Crawford	Crosby
Daning	Delleney	Dillard
Douglas	Duckworth	Erickson
Felder	Finlay	Forrester
Fry	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hamilton

[HJ]

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Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hicks	Hiott	Hixon
Hodges	Horne	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	Kennedy
King	Kirby	Knight
Limehouse	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Mitchell	D. C. Moss
V. S. Moss	Murphy	Nanney
Neal	Newton	Norrell
Ott	Parks	Pope
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Taylor	Thayer	Tinkler
Weeks	Wells	Whipper
Whitmire	Williams	Willis
Yow		

**Total--109**

The following named Representatives voted nay:

Bedingfield	Burns	Chumley
Hill	Loftis	Pitts
G. R. Smith	Stringer	

**Total--8**

**RECAPITULATION**

Total number of Senators voting.....	42
Total number of Representatives voting.....	117
Grand Total.....	159
Necessary to a choice.....	80
Of which Yeas were received .....	146
Of which Nays were received .....	13

[HJ]

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Whereupon, the Honorable Daniel Dewitt Hall was duly elected for the term prescribed by law.

Senator Coleman requested unanimous consent to be heard.  
Rep. CROSBY objected.

**CIRCUIT COURT JUDGE, AT-LARGE, SEAT 10**

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, At-Large, Seat 10.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Jocelyn Newman, Grady L. Patterson III, and Robert L. Reibold.

Senator Larry Martin stated that Robert L. Reibold had withdrawn from the race and placed the names of the two remaining candidates, Jocelyn Newman and Grady L. Patterson III in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Jocelyn Newman:

Allen	Campbell	Cleary
Coleman	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Matthews, John	Matthews, Margie
Nicholson	Rankin	Reese
Sabb	Scott	Setzler
Sheheen	Thurmond	Williams

**Total--21**

The following named Senators voted for Grady L. Patterson III:

Alexander	Bennett	Bright
Bryant	Campsen	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	Lourie
Martin, Larry	Martin, Shane	Massey

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Peeler	Shealy	Turner
Verdin	Young	

**Total--23**

On the motion of Rep. CORLEY, with unanimous consent, the members of the House voted by electronic roll call:

The following named Representatives voted for Jocelyn Newman:

Alexander	Allison	Anderson
Bales	Bamberg	Bernstein
Bowers	G. A. Brown	R. L. Brown
Clemmons	Clyburn	Cobb-Hunter
Collins	H. A. Crawford	Crosby
Daning	Dillard	Douglas
Funderburk	George	Gilliard
Goldfinch	Govan	Hart
Hayes	Henegan	Hodges
Horne	Hosey	Howard
Jefferson	Johnson	Jordan
King	Kirby	Knight
Lowe	Mack	McCoy
McEachern	McKnight	M. S. McLeod
Merrill	Mitchell	Murphy
Neal	Newton	Norrell
Parks	Pitts	Ridgeway
Rivers	Robinson-Simpson	Rutherford
G. M. Smith	J. E. Smith	Sottile
Southard	Stavrinnakis	Tinkler
Weeks	Whipper	Williams
Willis		

**Total--64**

The following named Representatives voted for Grady L. Patterson

III:

Anthony	Atwater	Ballentine
Bannister	Bedingfield	Bingham
Bradley	Brannon	Burns
Chumley	Clary	Cole
Corley	Delleney	Duckworth

[HJ]

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Erickson	Felder	Finlay
Forrester	Fry	Gagnon
Gambrell	Hamilton	Hardee
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Huggins	Kennedy	Limehouse
Loftis	Long	Lucas
W. J. McLeod	D. C. Moss	V. S. Moss
Nanney	Ott	Pope
Putnam	Quinn	Riley
Ryhal	Sandifer	Simrill
G. R. Smith	Spires	Stringer
Taylor	Thayer	Wells
White	Whitmire	Yow

**Total--57**

**RECAPITULATION**

Total number of Senators voting.....	44
Total number of Representatives voting.....	121
Grand Total.....	165
Necessary to a choice.....	83
Of which Newman received .....	85
Of which Patterson received .....	80

Whereupon, the Honorable Jocelyn Newman was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIRST JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Family Court Judge, First Judicial Circuit, Seat 2.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable William J. Wylie, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable William J. Wylie, Jr., was duly elected for the term prescribed by law.

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**FAMILY COURT JUDGE, FIRST JUDICIAL CIRCUIT, SEAT 3**

The PRESIDENT announced that nominations were in order for a Family Court Judge, First Judicial Circuit, Seat 3.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Nancy Chapman McLin.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Nancy Chapman McLin was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
SECOND JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Second Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Vicki J. Snelgrove.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Vicki J. Snelgrove was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
THIRD JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Third Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable George Marion McFaddin, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable George Marion McFaddin, Jr., was duly elected for the term prescribed by law.

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**FAMILY COURT JUDGE,  
FOURTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Fourth Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Cely Anne Brigman.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Cely Anne Brigman was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIFTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Fifth Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Dorothy Mobley Jones.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Dorothy Mobley Jones was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIFTH JUDICIAL CIRCUIT, SEAT 4**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Fifth Judicial Circuit, Seat 4.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Gwendlyne Young Jones.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Gwendlyne Young Jones was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
SEVENTH JUDICIAL CIRCUIT, SEAT 3**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Seventh Judicial Circuit, Seat 3.

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Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Usha J. Bridges.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Usha J. Bridges was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
EIGHTH JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Eighth Judicial Circuit, Seat 2.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable John M. Rucker.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable John M. Rucker was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
NINTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Ninth Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Daniel E. Martin, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Daniel E. Martin, Jr., was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
NINTH JUDICIAL CIRCUIT, SEAT 3**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Ninth Judicial Circuit, Seat 3.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and

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found qualified: Spiros Stavros Ferderigos, Michele Patrao Forsythe, and Rita J. Roache.

Senator Larry Martin stated that Spiros Stavros Ferderigos and Rita J. Roache had withdrawn from the race and placed the name of the remaining candidate, Michele Patrao Forsythe, in nomination.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, Michele Patrao Forsythe was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
NINTH JUDICIAL CIRCUIT, SEAT 6**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Ninth Judicial Circuit, Seat 6.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Jack Alan Landis.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Jack Alan Landis was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
TENTH JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Tenth Judicial Circuit, Seat 2.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Karen F. Ballenger.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Karen F. Ballenger was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
ELEVENTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Eleventh Judicial Circuit, Seat 1.

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Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable William Gregory Seigler.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable William Gregory Seigler was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
TWELFTH JUDICIAL CIRCUIT, SEAT 3**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Twelfth Judicial Circuit, Seat 3.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Jerry Deese Vinson, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Jerry Deese Vinson, Jr., was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
THIRTEENTH JUDICIAL CIRCUIT, SEAT 6**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Thirteenth Judicial Circuit, Seat 6.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Alex Kinlaw, Jr.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Alex Kinlaw, Jr., was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
FOURTEENTH JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Fourteenth Judicial Circuit, Seat 2.

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Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Peter L. Fuge.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Peter L. Fuge was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
FIFTEENTH JUDICIAL CIRCUIT, SEAT 2**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Fifteenth Judicial Circuit, Seat 2.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Melissa Johnson Emery.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Melissa Johnson Emery was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE,  
SIXTEENTH JUDICIAL CIRCUIT, SEAT 1**

The PRESIDENT announced that nominations were in order for a Family Court Judge, Sixteenth Judicial Circuit, Seat 1.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Thomas H. White IV.

On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the Honorable Thomas H. White IV was duly elected for the term prescribed by law.

**ADMINISTRATIVE LAW JUDGE, SEAT 6**

The PRESIDENT announced that nominations were in order for an Administrative Law Judge, Seat 6.

Senator Larry Martin, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: Sebastian Phillip Lenski.

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On motion of Senator Larry Martin, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, Sebastian Phillip Lenski was duly elected for the term prescribed by law.

**JOINT ASSEMBLY RECEDES**

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 1:07 p.m. the House resumed, the SPEAKER in the Chair.

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

**ADJOURNMENT**

At 1:08 p.m. the House, in accordance with the motion of Rep. DANING, adjourned in memory of Vietnam Veteran John W. Greenhill, Jr., of Goose Creek, to meet at 10:00 a.m. tomorrow.

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