

NO. 20

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

FRIDAY, FEBRUARY 12, 2016
(LOCAL SESSION)

Friday, February 12, 2016
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 19:9: "The fear of the Lord is pure, enduring forever; the ordinances of the Lord are true and righteous altogether."

Let us pray. Thank You, dear Lord, for Your faithfulness to us. We are sometimes too weak to come to You with our problems and concerns. You know what they are and You are the one who keeps us forever. Provide Your righteousness to each of us. Keep our defenders of freedom in Your protection. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor for this State. 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.

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

SENT TO THE SENATE

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

H. 4679 -- Reps. Forrester, Huggins, Clemmons, Burns, Sandifer, Gambrell, Cobb-Hunter, Sottile, Collins, McCoy, Allison, Clary, D. C. Moss, Brannon, Williams, Crosby, Loftis, Atwater, Jordan, Hardee, Jefferson, Erickson, McEachern, George, Newton, Willis, Ballentine, Bedingfield, Bingham, Cole, Duckworth, Gagnon, Goldfinch, Hamilton, Hayes, Lucas, V. S. Moss, Pope, Simrill, G. R. Smith, Stringer, Tallon, Thayer, Weeks, G. A. Brown, Anderson, Hicks, Yow, Alexander, Hiott, Lowe, Finlay, Pitts, Horne, Rutherford, Bannister, Anthony, J. E. Smith, Kennedy, Howard, H. A. Crawford, Mack, Ott, Ryhal, Funderburk, Hodges, White, Knight and Henegan: A BILL TO AMEND SECTION 58-9-576, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION BY AND DUTIES OF THE LOCAL EXCHANGE CARRIER AND

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ALTERNATIVE FORMS OF REGULATION, SO AS TO PROHIBIT CERTAIN ACTIONS BY THE PUBLIC SERVICE COMMISSION AND PROVIDE EXCEPTIONS, AND TO DEFINE THE TERM "VOICE SERVICE"; TO ALLOW THE PUBLIC SERVICE COMMISSION TO CONDUCT AN INVESTIGATION IN CERTAIN CIRCUMSTANCES WHEN A CUSTOMER FILES A REQUEST FOR VOICE SERVICE WITH THE COMMISSION; AND TO DELINEATE THE COMMISSION'S ACTIONS UPON CONCLUSION OF THE INVESTIGATION.

H. 4141 -- Reps. Gambrell, Sandifer and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "LIMITED LINES TRAVEL INSURANCE ACT" BY ADDING ARTICLE 6 TO CHAPTER 43, TITLE 38 SO AS TO PROVIDE A CITATION, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS ONLY UNDER WHICH TRAVEL RETAILERS MAY OFFER AND DISSEMINATE TRAVEL INSURANCE UNDER A LIMITED LINES TRAVEL INSURANCE PRODUCER BUSINESS ENTITY LICENSE FOR COMPENSATION, TO PROVIDE THAT TRAVEL INSURANCE MAY BE PROVIDED UNDER AN INDIVIDUAL POLICY OR UNDER A GROUP OR MASTER POLICY, TO PROVIDE THAT LIMITED LINES TRAVEL INSURANCE PRODUCERS ACTING AS AN INSURANCE DESIGNEE ARE RESPONSIBLE FOR THE ACTS OF THE TRAVEL RETAILER AND SHALL USE REASONABLE MEANS TO ENSURE COMPLIANCE BY THE TRAVEL RETAILER WITH THIS ARTICLE, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

H. 4507 -- Rep. Tallon: A BILL TO AMEND SECTION 23-25-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, PURPOSE, AND MEMBERSHIP OF THE SOUTH CAROLINA LAW ENFORCEMENT OFFICERS HALL OF FAME ADVISORY COMMITTEE, SO AS TO INCREASE THE MEMBERSHIP TO INCLUDE THE PRESIDENT OF THE SOUTH CAROLINA FRATERNAL ORDER OF POLICE, OR HIS DESIGNEE.

H. 4090 -- Reps. Bedingfield, Sandifer, G. A. Brown, Ballentine and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-29-25 SO AS TO PROVIDE ACTIONS THAT REQUIRE A CERTIFICATE OF

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AUTHORITY AS A PAWN BROKER; BY ADDING SECTION 40-29-55 SO AS TO PROVIDE FOR THE PERIODIC ADJUSTMENT OF CERTAIN MONETARY REQUIREMENTS IN A CERTAIN MANNER; BY ADDING SECTION 40-29-145 SO AS TO HOLD ORDERS ON PROPERTY IN THE POSSESSION OF A PAWNBROKER SUSPECTED TO HAVE BEEN MISAPPROPRIATED OR STOLEN; BY ADDING SECTION 40-29-155 SO AS TO PROVIDE A PERSON AGGRIEVED BY THE FINAL ADMINISTRATIVE ORDER OF THE DEPARTMENT OF CONSUMER AFFAIRS MAY REQUEST A CONTESTED CASE HEARING BEFORE THE ADMINISTRATIVE LAW COURT, AND TO PROVIDE THE DEPARTMENT MAY BRING AN ACTION TO ENFORCE ITS ORDER IF THE PERSON FAILS TO TIMELY REQUEST A CONTESTED CASE HEARING; TO AMEND SECTION 40-39-10, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PAWNBROKERS BY THE DEPARTMENT, SO AS TO REVISE THE DEFINITION OF "PLEGGED GOODS" SPECIFICALLY TO EXCLUDE CERTAIN VEHICLES; TO AMEND SECTION 40-39-20, RELATING TO REGULATIONS OF PAWN BROKERS, SO AS TO REVISE REQUIREMENTS CONCERNING BACKGROUND CHECKS AND TO PROHIBIT THE EMPLOYMENT OF A PERSON CONVICTED OF A FELONY TO ENGAGE IN THE WORK OF A PAWNBROKER, SUBJECT TO CERTAIN EXCEPTIONS; TO AMEND SECTION 40-39-30, RELATING TO THE REQUIREMENT OF A CERTIFICATE OF AUTHORITY FOR EACH BUSINESS LOCATION OF A PAWNBROKER, SO AS TO PROVIDE A PAWNBROKER MAY RETAIN NO PLEDGED GOODS IN A LOCATION OTHER THAN THE LOCATION DESIGNATED IN THE CERTIFICATE OF AUTHORITY WITHOUT FIRST FILING A NOTIFICATION WITH THE DEPARTMENT ON A FORM PRESCRIBED BY THE DEPARTMENT, AND TO PROVIDE A PAWNBROKER CONSPICUOUSLY SHALL POST THE HOURS OF OPERATION AND ANY CLOSURE AT EACH LOCATION; TO AMEND SECTION 40-39-40, RELATING TO THE PROHIBITION ON UNAUTHORIZED FEES, SO AS TO PROVIDE A PAWNBROKER THAT COLLECTS SUCH UNAUTHORIZED FEES MAY NOT COLLECT, RECEIVE, OR RETAIN ANY INTEREST OR CHARGES ON THE LOAN IN VIOLATION OF THIS CHAPTER AND HAS NO RIGHT TO POSSESS THE PLEDGED GOODS; TO AMEND SECTION 40-39-50, RELATING TO BONDS AND OTHER

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EVIDENCE OF FINANCIAL RESPONSIBILITY REQUIRED FOR A CERTIFICATE OF AUTHORITY, SO AS TO REVISE AND DELETE SOME EXISTING REQUIREMENTS AND TO PROVIDE WITHIN TWENTY-ONE CALENDAR DAYS AFTER THE OCCURRENCE OF AN EVENT THAT MAY AFFECT PLEDGED GOODS, A PAWNBROKER SHALL FILE A WRITTEN NOTICE ON A FORM PRESCRIBED BY THE DEPARTMENT DESCRIBING THE EVENT AND ITS EXPECTED IMPACT UPON THE BUSINESS; TO AMEND SECTION 40-39-70, RELATING TO RECORD KEEPING REQUIREMENTS, SO AS TO INCLUDE SALES AMONG THE AFFECTED TRANSACTIONS, TO REQUIRE VERIFICATION OF THE IDENTITY OF A PLEDGOR OR SELLER IN A CERTAIN MANNER, AND TO PROVIDE A PAWN OR PURCHASE TRANSACTION MUST BE PERFORMED BY THE OWNER OF THE PROPERTY, OR HIS AUTHORIZED AGENT, WHOSE IDENTITY AND AGENCY RELATIONSHIP MUST BE VERIFIED BY THE PAWNBROKER; TO AMEND SECTION 40-39-80, RELATING TO THE ISSUANCE OF A MEMORANDUM OR NOTE AT THE TIME OF PAWNING OR PLEDGING, SO AS TO CHARACTERIZE THE MEMORANDUM OR NOTE AS A "PAWN TICKET" AND TO PROVIDE DETAILED, RELATED REQUIREMENTS; TO AMEND SECTION 40-39-100, RELATING TO PERMISSIBLE CHARGES ON LOANS BY PAWNBROKERS, SO AS TO REVISE THE MAXIMUM PERMISSIBLE AMOUNT; TO AMEND SECTION 40-39-120, RELATING TO THE RENEWAL OF A CERTIFICATE OF AUTHORITY, SO AS TO PROVIDE PENALTIES FOR FAILING TO TIMELY RENEW, AND TO PROVIDE REQUIREMENTS FOR A PAWN SHOP THAT MUST CLOSE BECAUSE OF A SURRENDER OR REVOCATION OF ITS CERTIFICATE OF AUTHORITY; TO AMEND SECTION 40-39-140, RELATING TO THE ACCEPTANCE OF PROPERTY OWNED BY A THIRD PARTY, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PAWNBROKER MUST RETURN PLEDGED PROPERTY THAT HAD BEEN LEASED BY A SELLER OR PLEDGOR TO THE LESSOR OF THE PROPERTY, AND TO PROVIDE A PAWNBROKER IS NOT LIABLE TO THE PLEDGOR OR SELLER OF PROPERTY THAT IS RECOVERED BY A LESSOR FOR RETURNING THE PROPERTY TO A LESSOR; AND TO AMEND SECTION 40-39-150, RELATING TO FINES AND PENALTIES FOR VIOLATIONS, SO AS TO TRANSFER CERTAIN AUTHORITY

[HJ]

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CONCERNING THESE FINES AND PENALTIES FROM THE ADMINISTRATIVE LAW COURT TO THE DEPARTMENT.

H. 3166 -- Reps. Tallon, Long, Thayer, Felder and Gagnon: A BILL TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO REVISE THE METHOD OF DETERMINING THE BENEFITS OF A PERSON DISCHARGED FROM EMPLOYMENT FOR ILLEGAL DRUG USE, GROSS MISCONDUCT, AND FAILURE TO ACCEPT WORK, TO DEFINE CERTAIN TERMS, TO SPECIFY CRITERIA FOR A LABORATORY QUALIFIED TO PERFORM A TEST FOR ILLEGAL DRUG USE BY A PERSON SEEKING OR RECEIVING UNEMPLOYMENT BENEFITS, TO LIMIT THE LIABILITY OF AN EMPLOYER FOR ACTS OR OMISSIONS IN THE DISCLOSURE OF A DRUG TEST PERFORMED UNDER THIS SECTION, AND TO PROVIDE THE MISUSE OF BIOLOGICAL MATERIAL OBTAINED IN THE COURSE OF THIS DRUG TESTING IS A MISDEMEANOR SUBJECT TO CERTAIN MONETARY PENALTIES.

H. 3653 -- Reps. Pope, Quinn, Huggins, Allison, Spires, Hardee, Gagnon, Yow, Stavrinakis, H. A. Crawford, Kirby, McEachern, Anthony, Corley, Bales, Kennedy, Erickson, Hosey, Whitmire, Crosby, Southard, Tallon, McCoy, Burns, Atwater, Ballentine, Bannister, Bedingfield, Bernstein, R. L. Brown, Chumley, Clary, Collins, Felder, Finlay, Forrester, Funderburk, Gambrell, Hamilton, Herbkersman, Hicks, Hiott, Hixon, Hodges, Loftis, Long, V. S. Moss, Norman, Norrell, Pitts, Ridgeway, Riley, Sandifer, Simrill, G. R. Smith, Taylor, Thayer, Toole, Weeks, Wells, Willis, Mitchell, W. J. McLeod and Rivers: A BILL TO AMEND SECTION 23-1-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OF A LAW ENFORCEMENT OFFICER TO WORK IN A MULTIJURISDICTIONAL TASK FORCE, SO AS TO AUTHORIZE A LAW ENFORCEMENT AGENCY TO ENTER INTO MUTUAL AID AGREEMENTS OR MULTIJURISDICTIONAL TASK FORCE AGREEMENTS WITH OTHER LAW ENFORCEMENT PROVIDERS FOR ANY LENGTH OF TIME, TO PROVIDE THAT A SHERIFF MAY ENTER INTO AN AGREEMENT AS LONG AS THE AGREEMENT DOES NOT OBLIGATE HIS COUNTY'S GOVERNING BODY TO ANY

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ADDITIONAL RESOURCES BEYOND THOSE APPROVED WITHIN HIS ANNUAL BUDGET, TO PROVIDE THE CONDITIONS UPON WHICH AN AGREEMENT MAY BE TERMINATED, TO PROVIDE CERTAIN LIMITS PLACED UPON A LOCAL GOVERNING BODY WHEN IT ATTEMPTS TO PROHIBIT A LAW ENFORCEMENT AGENCY FROM TRANSFERRING OR ASSIGNING LAW ENFORCEMENT OFFICERS TO OTHER JURISDICTIONS, AND TO SPECIFY THE DIFFERENCES BETWEEN AGREEMENTS ENTERED INTO PURSUANT TO THIS SECTION AND UNDER THE LAW ENFORCEMENT ASSISTANCE SUPPORT ACT; AND TO REPEAL SECTION 23-1-215, AS AMENDED, RELATING TO AGREEMENTS THAT MAY BE ENTERED INTO BETWEEN MULTIPLE LAW ENFORCEMENT JURISDICTIONS FOR THE PURPOSE OF CRIMINAL INVESTIGATIONS.

H. 4666 -- Reps. Pope, Bales, Erickson, Clyburn, Hardee, Jefferson, M.S. McLeod, McKnight, Knight, Hicks, Bamberg, Hosey, Newton, Jordan, Tinkler, George, Gilliard, Mack, Limehouse, R.L. Brown, Hayes, Herbkersman, Norman, Ridgeway, Rivers, Whitmire, Henegan, Tallon, Mitchell, Whipper and W.J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 25, TITLE 16 SO AS TO ENTITLE THE ARTICLE THE "DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEES", ESTABLISH THE DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEES IN EACH CIRCUIT, PROVIDE APPROPRIATE PROTOCOLS WHICH MUST BE FOLLOWED BY THE COMMITTEES, PROVIDE FOR THE COMPOSITION OF THE COMMITTEES, PROVIDE FOR CONFIDENTIALITY OF CERTAIN INFORMATION BY THE COMMITTEES AND OTHER PERSONS, AND PROVIDE SUBPOENA AUTHORITY TO THE COMMITTEES UNDER CERTAIN CIRCUMSTANCES.

ADJOURNMENT

At 10:28 a.m. the House, in accordance with the ruling of the SPEAKER, adjourned to meet at 12:00 noon, on Tuesday, February 23, 2016.

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