**Wednesday, April 1, 2015**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

As we are reminded in the book of Hebrews:

“Therefore, since we are surrounded by such a great cloud of witnesses, let us throw off everything that hinders and the sin that so easily entangles, and let us run with perseverance that race marked out for us.” (Hebrews 12:1)

Let us pray:

Holy God, it is impossible here in this Senate Chamber not to be aware of those leaders who have served here with distinction. All around us are portraits of many of those individuals who dedicated themselves to bettering the lives of our citizens, who labored faithfully to strengthen South Carolina in significant and positive ways. May Your grace and loving Spirit guide and bless the work of these current Senators also, Lord, enabling them to continue charging forward as they, too, draw strength from You. In Your glorious name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Local Appointments**

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Gordon B. Johnson, Sr., 384 Holly Point Lane, Prosperity, SC 29127

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ronald C. Halfacre, 1810 Harper Street, Newberry, SC 29108

Initial Appointment, Cherokee County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

John B. Cook, 247 Goucher Green Bethel Road, Gaffney, SC 29340

**Doctor of the Day**

Senators NICHOLSON and O’DELL introduced Dr. Robert Tiller of Greenwood, S.C., Doctor of the Day.

**Leave of Absence**

At 2:54 P.M., Senator GROOMS requested a leave of absence for Senator CAMPSEN for the day.

**Leave of Absence**

At 2:58 P.M., Senator SHANE MARTIN requested a leave of absence for Senator BRYANT for the day.

**Leave of Absence**

At 2:58 P.M., Senator YOUNG requested a leave of absence for Senator THURMOND for the day.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:

S. 105 Sen. Corbin

S. 117 Sen. Corbin

S. 125 Sen. Corbin

S. 358 Sen. McElveen

**RECALLED**

H. 3443 -- Reps. Long, Erickson, Daning, Atwater, Bradley, Hixon, Newton, Ridgeway, Simrill, Spires, G.M. Smith, Weeks and Johnson: A BILL TO AMEND SECTION 40‑37‑290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, POSSESSING, ADMINISTERING, SUPPLYING, AND PRESCRIBING OF CERTAIN PHARMACEUTICAL AGENTS BY OPTOMETRISTS AND THE PROHIBITION ON SCHEDULE I AND II CONTROLLED SUBSTANCES, SO AS TO CLARIFY THAT SCHEDULE II CONTROLLED SUBSTANCES THAT HAVE BEEN RECLASSIFIED FROM SCHEDULE III TO SCHEDULE II ON OR AFTER OCTOBER 6, 2014, MAY CONTINUE TO BE PURCHASED, POSSESSED, ADMINISTERED, SUPPLIED, AND PRESCRIBED BY AN OPTOMETRIST.

Senator CLEARY asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

The Bill was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**OBJECTION**

H. 3204 -- Reps. Bernstein, J.E. Smith, Cobb‑Hunter, M.S. McLeod, Jefferson, Horne and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑185 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”, TO PROVIDE THAT BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

Senator CLEARY asked unanimous consent to make a motion to recall H. 3204 from the Committee on Medical Affairs and place it on the Calendar.

Senator BRIGHT objected.

**RECALLED AND COMMITTED**

S. 210 -- Senators Campsen, Bryant, Hembree and Gregory: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO FREEDOM OF RELIGION FOR STUDENT ASSOCIATIONS, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING SHALL TAKE ANY ACTION OR ENFORCE ANY POLICY THAT DENIES A RELIGIOUS STUDENT ASSOCIATION ANY BENEFIT AVAILABLE TO ANY OTHER STUDENT ASSOCIATION BASED ON THE RELIGIOUS STUDENT ASSOCIATION’S REQUIREMENT THAT ITS LEADERS OR MEMBERS ADHERE TO ITS SINCERELY HELD RELIGIOUS BELIEFS OR STANDARDS OF CONDUCT; AND TO DEFINE NECESSARY TERMS.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

There was no objection and the Bill was recalled from the Committee on Education.

On motion of Senator LARRY MARTIN, with unanimous consent, the Bill was committed to the Committee on Judiciary.

**RECALLED AND ADOPTED**

H. 3925 -- Reps. V.S. Moss, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G.A. Brown, R.L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb‑Hunter, Cole, Collins, Corley, H.A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 2015 AS “HOMESCHOOL RECOGNITION MONTH” IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOMESCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL‑BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

Senator COURSON asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Education.

Senator COURSON asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator COURSON, the Concurrent Resolution was adopted.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 636 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE CLEMSON ANDERSON SOCCER ALLIANCE'S U16 GIRLS SOCCER TEAM ON AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE SOUTH CAROLINA YOUTH SOCCER STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 637 -- Senator Alexander: A BILL TO AMEND CHAPTER 29, TITLE 40 OF THE 1976 CODE, RELATING TO THE UNIFORM STANDARDS CODE FOR MANUFACTURED HOUSING, BY ADDING SECTION 40-29-327 TO PROVIDE THAT EACH LICENSED MANUFACTURING HOUSING RETAIL DEALER LOCATION MUST HAVE ONE AUTHORIZED OFFICIAL REPRESENTING THE DEALERSHIP, TO PROVIDE AN AUTHORIZED OFFICIAL WHO IS NOT THE DEALER MUST HOLD A MANUFACTURED HOME RETAIL SALESPERSON OR RETAIL DEALER LICENSE, AND TO PROVIDE THE MANUFACTURED HOUSING BOARD MUST BE NOTIFIED IN WRITING WITHIN TWENTY DAYS IF THE AUTHORIZED OFFICIAL CHANGES.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 638 -- Senator Cromer: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO THE "EQUAL ACCESS TO INTERSCHOLASTIC ACTIVITIES ACT", SO AS TO INCLUDE PRIVATE SCHOOL STUDENTS WITHIN THE PURVIEW OF THE ACT IF THE PRIVATE SCHOOL THEY ATTEND DOES NOT OFFER THE SAME ACTIVITY, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Education.

S. 639 -- Senators Hutto, Kimpson, Matthews and Cleary: A BILL TO ENACT THE "UNIFORM ANTI-DISCRIMINATION ACT"; TO AMEND SECTION 1-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLICY OF THE STATE HUMAN AFFAIRS COMMISSION, SO AS TO EXPAND THE DEFINITION OF DISCRIMINATION TO INCLUDE DISCRIMINATION BASED ON SEXUAL ORIENTATION; TO AMEND SECTION 1-13-80, AS AMENDED, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES, SO AS TO ESTABLISH THAT IT IS UNLAWFUL FOR AN EMPLOYER TO DISCRIMINATE AGAINST AN INDIVIDUAL BECAUSE OF THE INDIVIDUAL'S SEXUAL ORIENTATION; TO AMEND SECTION 31-21-40, RELATING TO FAIR HOUSING, SO AS TO MAKE IT UNLAWFUL FOR A PERSON TO DISCRIMINATE AGAINST AN INDIVIDUAL BASED ON THEIR SEXUAL ORIENTATION WHEN SELLING OR RENTING PROPERTY; TO AMEND SECTION 31-21-50, RELATING TO FAIR HOUSING, SO AS TO PROHIBIT THE DENIAL OF ACCESS TO, OR MEMBERSHIP OR PARTICIPATION IN, A MULTIPLE-LISTING SERVICE OR SIMILAR SERVICE OR ORGANIZATION BASED ON THE PERSON'S SEXUAL ORIENTATION; TO AMEND SECTION 31-21-60, RELATING TO FAIR HOUSING, SO AS TO PROHIBIT DISCRIMINATION IN RELATION TO RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS BASED ON A PERSON'S SEXUAL ORIENTATION; TO AMEND SECTION 44-69-80, RELATING TO HOME HEALTH AGENCIES, SO AS TO PROHIBIT A HOME HEALTH AGENCY FROM DISCRIMINATING AGAINST A PATIENT OR POTENTIAL PATIENT ON THE BASIS OF SEXUAL ORIENTATION; TO AMEND SECTION 44-71-90, RELATING TO HOSPICE PROGRAMS, SO AS TO PROHIBIT A HOSPICE PROGRAM FROM DISCRIMINATING AGAINST A POTENTIAL PATIENT ON THE BASIS OF SEXUAL ORIENTATION; AND TO AMEND SECTION 45-9-10, RELATING TO HOTELS, MOTELS, RESTAURANTS, AND BOARDINGHOUSES, SO AS TO PROHIBIT THE DISCRIMINATION AGAINST A PERSON OR SEGREGATION FROM A PLACE OF PUBLIC ACCOMMODATION ON THE BASIS OF SEX OR SEXUAL ORIENTATION.

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Senator HUTTO spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 640 -- Senators Lourie, O'Dell, Setzler, Courson, Shealy, McElveen, Johnson, Jackson, Hayes, Williams, Matthews, Cleary, Leatherman, Young, Thurmond, Bennett, Alexander, Pinckney, Gregory, Fair, Sheheen, Rankin, Hutto, Campbell, Hembree, Cromer and Sabb: A JOINT RESOLUTION TO CREATE THE HIGHER EDUCATION SAFE CAMPUS AND COLLEGE EXPERIENCE TASK FORCE, TO PROVIDE THE PURPOSES AND COMPOSITION OF THE TASK FORCE, AND TO PROVIDE FOR THE TERMINATION OF THE TASK FORCE UPON REPORTING ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2016.

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Read the first time and referred to the Committee on Education.

**Motion to Ratify Adopted**

At 2:15 P.M., Senator LEATHERMAN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

**REPORTS OF STANDING COMMITTEES**

Senator BRYANT from the Committee on Invitations polled out S. 40 favorable:

S. 40 -- Senators Bryant, Grooms, Davis, Campsen, Cleary, Alexander and Kimpson: A CONCURRENT RESOLUTION TO JOIN THE SOUTH CAROLINA AND GEORGIA JOINT WATER CAUCUS TO ENCOURAGE STATE AGENCIES, IN CONJUNCTION WITH THE U.S. ARMY CORPS OF ENGINEERS, TO IMPLEMENT A WATER MANAGEMENT PROGRAM FOR THE SAVANNAH RIVER BASIN TO ENSURE CONTINUOUS OPTIMIZATION OF WATER QUALITY AND QUANTITY MANAGEMENT OF THE WATER RESOURCES SHARED BY SOUTH CAROLINA AND GEORGIA THROUGHOUT THE SAVANNAH RIVER BASIN.

**Poll of the Invitations Committee**

**Polled 11; Ayes 11; Nays 0; Not Voting 0**

**AYES**

Bryant Alexander Reese

Verdin Campsen Cromer

Malloy Cleary Johnson

Kimpson McElveen

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator CORBIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 133 -- Senators Davis and Kimpson: A BILL TO AMEND SECTION 63‑19‑2050 OF THE 1976 CODE, RELATING TO RECORD DESTRUCTION OF JUVENILE RECORDS, TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF JUVENILE RECORDS FOR NON‑VIOLENT CRIMES THAT OCCUR BEFORE THE AGE OF SIXTEEN YEARS OLD, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH THE AUTOMATIC EXPUNGEMENT MAY OCCUR, AND TO PROVIDE FOR AN EXPUNGEMENT PROCESS FOR JUVENILE RECORDS RELATED TO CERTAIN CRIMES THAT OCCUR AT THE AGE OF SIXTEEN OR SEVENTEEN YEARS OLD.

Ordered for consideration tomorrow.

Senator COLEMAN from the Committee on Judiciary submitted a favorable report on:

S. 500 -- Senator Hayes: A BILL TO AMEND ARTICLE 23, CHAPTER 17, TITLE 63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT, SO AS TO ENACT AMENDMENTS TO THAT ACT ADOPTED BY THE NATIONAL CONFERENCE OF COMMISSIONERS FOR UNIFORM STATE LAWS IN 2008, AS REQUIRED BY THE FEDERAL “PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT” INCLUDING, BUT NOT LIMITED TO, AMENDMENTS ADDRESSING INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FAMILY MAINTENANCE AND DETERMINATION OF PARENTAGE.

Ordered for consideration tomorrow.

Senator SCOTT from the Committee on Judiciary submitted a favorable with amendment report on:

S. 590 -- Senators L. Martin and Hutto: A BILL TO AMEND SECTIONS 56‑1‑400(B) AND 56‑5‑2941(L), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO PROVIDE THAT THE EMPLOYER’S VEHICLE WAIVER DOES NOT APPLY TO A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, 56‑5‑2945, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, UNLESS THE PERSON’S DRIVING PRIVILEGES HAVE BEEN SUSPENDED FOR NOT LESS THAN ONE YEAR OR THE PERSON HAS HAD AN IGNITION INTERLOCK DEVICE INSTALLED FOR NOT LESS THAN ONE YEAR ON EACH OF THE MOTOR VEHICLES OWNED OR OPERATED, OR BOTH, BY THE PERSON; AND TO AMEND SECTION 29‑5‑2990(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, SO AS TO PROVIDE THAT ENTRY INTO AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM’S SERVICES, IF THE SERVICES ARE NECESSARY, IS A MANDATORY REQUIREMENT FOR THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE.

Ordered for consideration tomorrow.

Senator MASSEY from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3266 -- Reps. Hiott, Bannister, Brannon, Erickson, Henderson, Collins, Sandifer, Corley, Tallon, Taylor, Thayer, Wells, Felder, Kirby, Hixon, Hodges, Riley, Ott, Goldfinch, Hardee, Gagnon, Pitts, Finlay, Southard, D.C. Moss, Chumley, Yow, Huggins, Kennedy, Rivers and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE “TRESPASSER RESPONSIBILITY ACT” WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3662 -- Rep. Atwater: A BILL TO AMEND SECTION 6‑9‑55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT DATE OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, SO AS TO CHANGE THE ENFORCEMENT DATE FROM JULY 1, 2015 TO JULY 1, 2016.

Ordered for consideration tomorrow.

**Invitations Accepted**

On motion of Senator BRYANT, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

**Tuesday, April 14, 2015 - 5:30-7:30 P.M.**

Members of the Senate and Staff, Reception, the Palmetto Club, by **WOMEN IN GOVERNMENT**

**Tuesday, April 14, 2015 - 6:00-8:00 P. M.**

Members of the Senate, Reception, Seawell’s, by the **SC HOME** **BUILDERS ASSOCIATION “BIRD SUPPER”**

**Wednesday, April 15, 2015 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by **ABSOLUTE TOTAL CARE**

**Wednesday, April 15, 2015 - 12:00-2:00 P.M.**

Members of the Senate, Luncheon, Room 112, Blatt Building, by **RECYCLONOMICS SC**

**Wednesday, April 15, 2015 - 6:00-8:00 P.M.**

Members of the Senate, Reception, State House Grounds, by the **CONSERVATION VOTERS OF SC**

**Wednesday, April 15, 2015 - 7:00-9:00 P.M.**

Members of the Senate, Reception, The Marriott, by the **SC** **ASSOCIATION OF MUNICIPAL POWER SYSTEMS “SCAMPS”**

**Thursday, April 16, 2015 - 8:00-9:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC** **HOME EDUCATORS ASSOCIATION**

**Tuesday, April 21, 2015 - 6:30-10:00 P.M.**

Members of the Senate, Reception, Cantey Building, State Fairgrounds, by the **CITADEL ALUMNI ASSOCIATION**

**Tuesday, April 21, 2015 - 5:00-6:00 P.M.**

Members of the Senate, Reception, Capital City Club, by the **SC BIO**

**Wednesday, April 22, 2015 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by **PIEDMONT NATURAL GAS**

**Wednesday, April 22, 2015 - 12:00-2:00 P.M.**

Members of the Senate and Staff, Luncheon, State House Grounds, by the **JASPER COUNTY DAY LOW COUNTRY BOIL**

**Wednesday, April 22, 2015 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, The Palmetto Club, by the **SC HOSPITAL ASSOCIATION**

**Wednesday, April 22, 2015 - 7:00-9:00 P.M.**

Members of the Senate, Reception, Columbia Convention Center, by the **SC FUTURE MINDS TEACHER OF THE YEAR**

**Thursday, April 23, 2015 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC ASSOCIATION OF CONVENIENCE STORES**

**Tuesday, April 28, 2015 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, Darla Moore School of Business, by the **UNIVERSITY OF SOUTH CAROLINA**

**Wednesday, April 29, 2015 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC ASSOCIATION OF HEATING & AIR CONDITIONING CONTRACTORS**

**Wednesday, April 29, 2015 - 11:30-2:00 P.M.**

Members of the Senate and Staff, Luncheon, State House Grounds, by the **SC RESTAURANT AND LODGING ASSOCIATION**

**Wednesday, April 29, 2015 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, 701 Whaley, by the **CITY OF COLUMBIA**

**Wednesday, April 29, 2015 - 7:00-9:00 P.M.**

Members of the Senate and Staff, Reception, The Palmetto Club, by the **COLLEGE OF CHARLESTON**

**Thursday, April 30, 2015 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC BIRTH COALITION**

**Poll of the Invitations Committee**

**Polled 10; Ayes 10; Nays 0; Not Voting 1**

**AYES**

Bryant Alexander Reese

Verdin Cromer Johnson

Malloy Cleary Kimpson

McElveen

**Total--10**

**NAYS**

**Total--0**

**NOT VOTING**

Campsen

**Total--1**

Ordered for consideration tomorrow.

**Appointments Reported**

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina State Ethics Commission, with the term to commence June 30, 2010, and to expire June 30, 2015

At-Large:

Brian M. Barnwell, 1992 Congaree Road, Eastover, SC 29044 *VICE* Mr. Thomas Galardi

Received as information.

Reappointment, South Carolina State Ethics Commission, with the term to commence June 30, 2015, and to expire June 30, 2020

At-Large:

Brian M. Barnwell, 1992 Congaree Road, Eastover, SC 29044

Received as information.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 1, 2015, at 2:30 P.M. and the following Acts and Joint Resolutions were ratified:

(R16, S. 196) -- Senators Hutto, L. Martin, Bryant, Campsen, S. Martin and Lourie: AN ACT TO AMEND SECTION 14‑7‑1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM AND LEGISLATIVE FINDINGS AND APPLICABILITY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 14‑7‑1630, AS AMENDED, RELATING TO JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16‑3‑2010, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE DEFINITION OF “SEX TRAFFICKING”; BY ADDING SECTION 16‑3‑2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE LANGUAGE FOR THE POSTING, AND PROVIDE FOR A FINE FOR THE FAILURE TO POST THE INFORMATION AS REQUIRED; TO AMEND SECTION 16‑3‑2050, RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE; AND TO AMEND SECTION 8‑30‑10, RELATING TO RECORDING AND REPORTING ALLEGATIONS OF FEDERAL IMMIGRATION LAW VIOLATIONS, SECTION 16‑1‑60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SECTION 17‑25‑45, AS AMENDED, RELATING TO CRIMES DEFINED AS MOST SERIOUS AND SERIOUS FOR PURPOSES OF TWO STRIKES AND THREE STRIKES PROVISIONS, SECTIONS 23‑3‑430, 23‑3‑490, AND 23‑3‑540, ALL AS AMENDED, RELATING TO THE SEX OFFENDER REGISTRY, AND SECTION 44‑53‑370, AS AMENDED, RELATING TO THE ILLEGAL POSSESSION, MANUFACTURE, AND DISTRIBUTION OF CERTAIN CONTROLLED SUBSTANCES, ALL SO AS TO CORRECT CODE SECTION REFERENCES TO TRAFFICKING IN PERSONS OFFENSES TO REFLECT THE CODE SECTION OF 16‑3‑2020.

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(R17, S. 382) -- Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson: A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO TWENTY DAYS IN FISCAL YEARS 2014‑2015 AND 2015‑2016, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

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(R18, H. 3035) -- Reps. Cobb‑Hunter, Long, Burns, Chumley, Kirby, Hixon, Toole, Corley, Gagnon, Duckworth, Hardee, Johnson, Clemmons, Douglas, Ballentine, Tallon, Hodges, Henegan, Hiott, V.S. Moss, Dillard, Knight, Jefferson, Gilliard, Erickson and Riley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 48 SO AS TO ENACT THE “TAKE PALMETTO PRIDE WHERE YOU LIVE ACT”, TO CREATE THE TAKE PALMETTO PRIDE WHERE YOU LIVE ACT COMMISSION UNDER THE AUSPICES OF, AND STAFFED BY, THE DEPARTMENT OF NATURAL RESOURCES AND TO PROVIDE FOR ITS MEMBERS, POWERS, AND DUTIES; TO PROVIDE THAT THE COMMISSION SHALL DEVELOP A STRATEGIC STATE PLAN FOR LITTER REMOVAL, REDUCTION AND PREVENTION, AND LITTER LAW ENFORCEMENT THROUGH THE COORDINATION AND COOPERATION OF STATE AGENCIES, LOCAL GOVERNMENTS, PRIVATE PROFIT AND NONPROFIT ORGANIZATIONS, BUSINESS, AND INDUSTRY TO PROVIDE FOR THE COMPONENTS OF THE PLAN; TO AMEND SECTION 24‑23‑115, RELATING TO PUBLIC SERVICE WORK AS A CONDITION OF PROBATION OR SUSPENSION OF A SENTENCE, SO AS TO DEFINE “PUBLIC SERVICE WORK” AS PARTICIPATING IN A LITTER REMOVAL PROGRAM OR ANOTHER LITTER PROGRAM UNDER THE COMMISSION UNLESS THE COURT FINDS THAT PARTICIPATION IN SUCH A PROGRAM IS NOT APPROPRIATE FOR THE OFFENDER; AND TO REPEAL CHAPTER 67, TITLE 44 RELATING TO THE “LITTER CONTROL ACT OF 1978” UNDER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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(R19, H. 3345) -- Reps. Lucas and Delleney: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 13 AND 15 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2015.

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**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 444 -- Senators Gregory, Hayes and Campbell: A BILL TO AMEND SECTION 12‑6‑3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE JOB TAX CREDIT, SO AS TO ADD CERTAIN ESTABLISHMENTS TO THE DEFINITION OF “QUALIFYING SERVICE‑RELATED FACILITY” IF THE ESTABLISHMENT HAS A NET INCREASE OF AT LEAST ONE THOUSAND NEW FULL‑TIME JOBS AT A SINGLE CORPORATE CAMPUS IN THIS STATE, WITH AN AVERAGE CASH COMPENSATION LEVEL OF AT LEAST ONE AND ONE‑HALF TIMES EITHER THE STATE OR COUNTY PER CAPITA INCOME.

S. 320 -- Senators Malloy, Hutto, Hayes, L. Martin, Shealy, Turner and Alexander: A BILL TO AMEND CHAPTER 32, TITLE 59 OF THE 1976 CODE, RELATING TO THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, BY AMENDING SECTION 59‑32‑30 TO REQUIRE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR TO ALL STUDENTS ENROLLED IN THE SCHOOL DISTRICT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL.

S. 427 -- Senators Hutto, Rankin, O’Dell and Williams: A BILL TO AMEND SECTION 12‑6‑3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOBS TAX CREDIT, SO AS TO ALLOW A TAXPAYER OPERATING AN AGRICULTURAL PACKAGING OPERATION TO CLAIM THE CREDIT, TO ALLOW CERTAIN AGRICULTURAL OPERATIONS TO CLAIM SEASONAL WORKERS AS A CERTAIN FRACTION OF A FULL‑TIME JOB, AND TO DEFINE AGRICULTURAL PACKAGING; TO AMEND SECTION 12‑36‑2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT MACHINES USED IN AGRICULTURAL PACKAGING; AND BY ADDING SECTION 13‑1‑780 SO AS TO REQUIRE THE DEPARTMENT OF COMMERCE AND THE COORDINATING COUNCIL TO CONSIDER AGRICULTURAL BUSINESSES IN AWARDING ECONOMIC DEVELOPMENT BENEFITS.

S. 183 -- Senators Hayes and Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16‑3‑2010, RELATING TO HUMAN TRAFFICKING DEFINITIONS, SO AS TO DEFINE “COERCION”; BY AMENDING SECTION 16‑3‑2020, RELATING TO HUMAN TRAFFICKING OFFENSES, SO AS TO PROVIDE THAT A PERSON IS CONSIDERED A TRAFFICKER IF THE PERSON SOLICITS OR PARTICIPATES IN PROSTITUTION WITH ANOTHER PERSON KNOWING THAT THE OTHER PERSON IS A HUMAN TRAFFICKING VICTIM, TO PROVIDE THAT A VICTIM CONVICTED OF A HUMAN TRAFFICKING VIOLATION OR PROSTITUTION MAY MOTION THE COURT TO VACATE THE CONVICTION, AND TO PROVIDE THAT A VICTIM IS NOT SUBJECT TO PROSECUTION FOR HUMAN TRAFFICKING OR PROSTITUTION IF THE VICTIM WAS A MINOR AT THE TIME OF THE OFFENSE, AND TO PROVIDE THAT A VICTIM’S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CRIMINAL ACTION; BY AMENDING SECTION 16‑3‑2030, RELATING TO BUSINESSES AND HUMAN TRAFFICKING, SO AS TO PROVIDE THAT A COURT MAY CONSIDER DISGORGEMENT OF PROFIT FROM A BUSINESS INVOLVED IN HUMAN TRAFFICKING AND DISBARMENT FROM GOVERNMENT CONTRACTS; BY AMENDING SECTION 16‑3‑2040, RELATING TO HUMAN TRAFFICKING RESTITUTION, SO AS TO PROVIDE THAT THE COURT MAY ORDER AN AMOUNT REPRESENTING THE VALUE OF THE VICTIM’S LABOR OR SERVICES; BY AMENDING SECTION 16‑3‑2050, RELATING TO THE HUMAN TRAFFICKING TASK FORCE, SO AS TO PROVIDE THAT THE TASK FORCE MAY MAKE GRANTS OR CONTRACTS TO DEVELOP OR EXPAND VICTIM SERVICE PROGRAMS; BY AMENDING SECTION 16‑3‑2060, RELATING TO HUMAN TRAFFICKING CIVIL ACTIONS, SO AS TO PROVIDE THAT A VICTIM’S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CIVIL ACTION; BY AMENDING SECTION 16‑3‑2070, RELATING TO VICTIMS’ RIGHTS AND THE STATE CRIME VICTIM’S COMPENSATION FUND, SO AS TO PROVIDE THAT HUMAN TRAFFICKING VICTIMS ARE CONSIDERED VICTIMS REGARDLESS OF IMMIGRATION STATUS, TO PROVIDE THAT THE PICTURES AND IMAGES OF VICTIMS MUST BE KEPT CONFIDENTIAL, AND TO PROVIDE THE PROTOCOL A LAW ENFORCEMENT OFFICER SHALL FOLLOW WHEN INTERACTING WITH A VICTIM; AND BY ADDING SECTION 16‑3‑2100, SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESSES.

**READ THE THIRD TIME**

S. 526 -- Senator Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑4‑397 SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO DESIGNATE A THREE‑MONTH AMNESTY PERIOD DURING WHICH THE DEPARTMENT SHALL WAIVE DELINQUENT TAX PENALTIES AND INTEREST AND SHALL NOT INITIATE A CRIMINAL INVESTIGATION, TO SPECIFY TAXPAYERS THAT MAY PARTICIPATE IN THE PROGRAM, AND TO SET FORTH THE MANNER IN WHICH THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

**Motion Under Rule 26B Failed**

Senator MASSEY moved to take up an amendment pursuant to the provisions of Rule 26B.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 22; Nays 19**

**AYES**

Alexander Bennett Bright

Campbell Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree *Martin, Larry Martin, Shane*

Massey O'Dell Peeler

Shealy Turner Verdin

Young

**Total--22**

**NAYS**

Allen Cleary Coleman

Hutto Jackson Johnson

Kimpson Lourie Malloy

Matthews McElveen Nicholson

Pinckney Reese Sabb

Scott Setzler Sheheen

Williams

**Total--19**

Having failed to receive the necessary vote, the amendment was not considered.

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

**OBJECTION**

S. 170 -- Senator Kimpson: A BILL TO AMEND CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SALES AND USE TAX ACT, BY ADDING SECTION 12‑36‑71, TO PROVIDE THAT A RETAILER IS PRESUMED TO BE LIABLE FOR THE SALES TAX OR RESPONSIBLE FOR COLLECTING AND REMITTING THE USE TAX IF THE RETAILER ENTERS INTO AN AGREEMENT WITH A RESIDENT OF THIS STATE UNDER WHICH THE RESIDENT, FOR CONSIDERATION, REFERS POTENTIAL CUSTOMERS, WHETHER BY AN INTERNET LINK OR OTHERWISE, TO REQUIRE SUCH RETAILERS TO OBTAIN A RETAIL LICENSE AND REMIT SALES AND USE TAX ON ALL TAXABLE RETAIL SALES, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

**Motion Under Rule 26B Failed**

Senator MASSEY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 23; Nays 19**

**AYES**

Alexander Bennett Bright

Campbell Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree *Martin, Larry Martin, Shane*

Massey O'Dell Peeler

Reese Shealy Turner

Verdin Young

**Total--23**

**NAYS**

Allen Cleary Coleman

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy Matthews McElveen

Nicholson Pinckney Sabb

Scott Setzler Sheheen

Williams

**Total--19**

Having failed to receive the necessary vote, the amendment was not considered.

Senator MASSEY objected to further consideration of the Bill.

**READ THE SECOND TIME**

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

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Reese

Sabb Scott Setzler

Shealy Sheheen Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

S. 261 -- Senator Thurmond: A BILL TO AMEND SECTION 59‑111‑320 OF THE 1976 CODE, RELATING TO PERSONS AGE SIXTY AND OVER ATTENDING CLASSES AT STATE‑SUPPORTED COLLEGES, UNIVERSITIES, AND TECHNICAL SCHOOLS WITHOUT PAYMENT OF TUITION, TO DELETE THE PROVISION THAT THESE PERSONS RECEIVING COMPENSATION AS FULL‑TIME EMPLOYEES MUST PAY TUITION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 40; Nays 1**

**AYES**

Alexander Allen Bennett

Campbell Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen Nicholson

O'Dell Peeler Pinckney

Reese Sabb Scott

Setzler Shealy Sheheen

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright

**Total--1**

The Bill was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

S. 480 -- Senator Davis: A BILL TO AMEND SECTION 40‑81‑20 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING THE STATE ATHLETICS COMMISSION, TO DEFINE “COMMISSION DESIGNEE”; TO AMEND SECTION 40‑81‑260, RELATING TO BOXING LICENSES, TO RAISE THE MAXIMUM AGE FOR APPLICANTS FROM THIRTY‑FIVE TO FORTY, TO DELETE THE REQUIREMENT THAT A SUPERMAJORITY VOTE OF THE COMMISSION IS NECESSARY TO WAIVE THE AGE REQUIREMENT, AND TO PROVIDE THAT THE COMMISSION DESIGNEE MAY WAIVE THE AGE REQUIREMENT; TO AMEND SECTION 40‑81‑265, RELATING TO TOUGHMAN CONTESTANTS AND OFF THE STREET BOXING LICENSES, TO RAISE THE MAXIMUM AGE FOR LICENSURE FROM THIRTY‑FIVE TO FORTY; TO AMEND SECTION 40‑81‑270, RELATING TO REQUIREMENTS FOR PROMOTER’S REPRESENTATIVES OF FEMALE BOXERS, TO DELETE REQUIREMENTS CONCERNING EXAMINATIONS MANDATED ANNUALLY AND BEFORE EACH CONTEST; TO AMEND SECTION 40‑81‑280, RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL KICKBOXERS AND MIXED MARTIAL ARTS CONTESTANTS, TO RAISE THE MAXIMUM AGE FOR APPLICANTS FROM THIRTY‑FIVE TO FORTY, TO DELETE THE REQUIREMENT THAT A SUPERMAJORITY VOTE OF THE COMMISSION IS NECESSARY TO WAIVE THE AGE REQUIREMENT, AND TO PROVIDE THAT THE COMMISSION DESIGNEE MAY WAIVE THE AGE REQUIREMENT; AND TO AMEND SECTION 40‑81‑290, RELATING TO REQUIREMENTS FOR PROMOTER’S REPRESENTATIVES OF FEMALE KICK BOXERS, TO DELETE REQUIREMENTS CONCERNING EXAMINATIONS MANDATED ANNUALLY AND BEFORE EACH CONTEST.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 40; Nays 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

Nicholson O'Dell Peeler

Pinckney Reese Sabb

Scott Setzler Shealy

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Sheheen

**Total--1**

The Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

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

The Senate proceeded to a consideration of the Joint Resolution.

Senator HUTTO proposed the following amendment (AGM\  
3877C004.AGM.AB15), which was adopted:

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

/ SECTION 1. (A) Notwithstanding the provisions of Section 59‑1‑425, the governing body of a school district may waive the requirement that schools make up full days missed due to snow, extreme weather conditions, or other disruptions requiring schools to close for:

(1) three or fewer full school days that students who attend schools or charter schools in the district missed during the 2014‑2015 school year due to snow or other extreme weather;

(2) three or fewer days for students who attend a school or charter school in the district missed during the 2014‑2015 school year due to building disruptions including, but not limited to, those caused by the malfunction of plumbing, electrical, HVAC, or other related building systems of the school; or

(3) any combination of items (1) and (2), collectively not to exceed three days.

(B) A district may not exercise a waiver for a school in the district pursuant to subsection (A) until it has made up three full days missed due to snow, extreme weather, or other disruptions requiring the schools to close during the same school year in which the waiver is sought.

(C) When a district waives a make‑up day pursuant to this section, the make‑up day also is waived for any student participating in a home schooling program approved by the board of trustees of the district in which the student resides.

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

Renumber sections to conform.

Amend title to conform.

The question then was the second reading of the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Reese

Sabb Scott Setzler

Shealy Sheheen Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**H. 3877--Ordered to a Third Reading**

On motion of Senator HAYES, with unanimous consent, H. 3877 was ordered to receive a third reading on the next legislative day.

**READ THE SECOND TIME**

S. 630 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD STUDENT LOAN REPAYMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4534, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Reese Sabb

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

S. 631 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4533, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Reese Sabb

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 590 -- Senators L. Martin and Hutto: A BILL TO AMEND SECTIONS 56‑1‑400(B) AND 56‑5‑2941(L), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO PROVIDE THAT THE EMPLOYER’S VEHICLE WAIVER DOES NOT APPLY TO A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, 56‑5‑2945, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, UNLESS THE PERSON’S DRIVING PRIVILEGES HAVE BEEN SUSPENDED FOR NOT LESS THAN ONE YEAR OR THE PERSON HAS HAD AN IGNITION INTERLOCK DEVICE INSTALLED FOR NOT LESS THAN ONE YEAR ON EACH OF THE MOTOR VEHICLES OWNED OR OPERATED, OR BOTH, BY THE PERSON; AND TO AMEND SECTION 29‑5‑2990(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, SO AS TO PROVIDE THAT ENTRY INTO AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM’S SERVICES, IF THE SERVICES ARE NECESSARY, IS A MANDATORY REQUIREMENT FOR THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE.

On motion of Senator LARRY MARTIN, with unanimous consent, the Bill was taken up for immediate consideration.

The Committee on Judiciary proposed the following amendment (JUD0590.001), which was adopted:

Amend the bill, as and if amended, page 4, by striking SECTION 3 in its entirety, and inserting:

/ SECTION 3. Section 56‑5‑2990(B) of the 1976 Code is amended to read:

“(B) A person whose license is suspended pursuant to this section, Section 56‑1‑286, 56‑5‑2945, or 56‑5‑2951 must be notified by the department of the suspension and of the requirement to enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. A person who must complete an Alcohol and Drug Safety Action Program as a condition of reinstatement of his driving privileges or a court‑ordered drug program may use the route restricted or special restricted driver’s license to attend the Alcohol and Drug Safety Action Program classes or court‑ordered drug program in addition to the other permitted uses of a route restricted driver’s license or a special restricted driver’s license. An assessment of the extent and nature of the alcohol and drug abuse problem, if any, of the person must be prepared and a plan of education or treatment, or both, must be developed for the person. Entry into ~~and successful completion of~~ the services, if the services are necessary, recommended in the plan of education or treatment, or both, developed for the person is a mandatory requirement of the issuance of an ignition interlock restricted license ~~and restoration of driving privileges~~ to the person whose license is suspended pursuant to this section. Successful completion of the services, if the services are necessary, recommended in the plan of education or treatment, or both, developed for the person is a mandatory requirement of the full restoration of driving privileges to the person whose license is suspended pursuant to this section. The Alcohol and Drug Safety Action Program shall determine if the person has successfully completed the services. Alcohol and Drug Safety Action Programs shall meet at least once a month. The person whose license is suspended shall attend the first Alcohol and Drug Safety Action Program available after the date of enrollment.” /

Renumber sections to conform.

Amend title to conform.

The question then was the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen O'Dell Peeler

Pinckney Reese Sabb

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**Motion Under Rule 26B Waived**

Senator LARRY MARTIN asked unanimous consent to make a motion to waive the provisions of Rule 26B on S. 590 in order to allow amendments to be considered on third reading.

There was no objection.

**CARRIED OVER**

S. 277 -- Senators Alexander, Rankin and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “STATE TELECOM EQUITY IN FUNDING ACT” BY ADDING SECTION 58‑9‑2515 SO AS TO CLARIFY THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER CERTAIN PROVIDERS REGARDING TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE; BY ADDING SECTION 58‑9‑2535 SO AS TO PROVIDE FOR THE MANNER OF ASSESSING AND COLLECTING DUAL PARTY RELAY CHARGES BY LOCAL EXCHANGE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AMONG OTHER THINGS; TO AMEND SECTION 58‑9‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF TELEPHONE SERVICE, SO AS TO REVISE THE DEFINITIONS OF “BASIC LOCAL EXCHANGE TELEPHONE SERVICE” AND “CARRIER OF LAST RESORT”; TO AMEND SECTION 58‑9‑280, AS AMENDED, RELATING TO THE UNIVERSAL SERVICE FUND FOR CARRIERS OF LAST RESORT, SO AS TO PROVIDE FOR THE TRANSITION OF THE INTERIM LOCAL EXCHANGE CARRIER FUND INTO THE UNIVERSAL SERVICE FUND, TO LIMIT THE SIZE OF THE UNIVERSAL SERVICE FUND, AND TO REQUIRE VOICE OVER INTERNET PROTOCOL PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND PREPAID WIRELESS SERVICE PROVIDERS TO CONTRIBUTE TO THE UNIVERSAL SERVICE FUND; TO AMEND SECTION 58‑9‑576, AS AMENDED, RELATING TO CERTAIN STAND‑ALONE BASIC RESIDENTIAL LINE RATES, SO AS TO PROVIDE FOR THE TERMINATION OF THE RATES FIVE YEARS AFTER THEY BECOME EFFECTIVE; TO AMEND SECTION 58‑9‑2510, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE, SO AS TO REVISE THESE DEFINITIONS AND PROVIDE ADDITIONAL NECESSARY DEFINITIONS; TO AMEND SECTION 58‑9‑2530, AS AMENDED, RELATING TO THE OPERATING FUND FOR A SYSTEM OF DUAL PARTY RELAY DEVICES AND RELATED TELECOMMUNICATIONS DEVICES, SO AS TO IMPOSE CERTAIN UNIFORM-RELATED SURCHARGES ON LOCAL EXCHANGE PROVIDERS; AND TO REPEAL SECTION 58‑9‑2540 RELATING TO AN ADVISORY COMMITTEE CONCERNING STATEWIDE TELECOMMUNICATIONS RELAY ACCESS SERVICE.

On motion of Senator SHEHEEN, the Bill was carried over.

S. 278 -- Senators Hutto, Johnson, Lourie, Scott and Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑185 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”, TO PROVIDE THAT BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

On motion of Senator BRIGHT, the Bill was carried over.

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

On motion of Senator PEELER, the Bill was carried over.

S. 593 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE PUBLIC SERVICE COMMISSION, RELATING TO COMMISSIONERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4454, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

H. 3464 -- Reps. R.L. Brown, Whipper and G.A. Brown: A BILL TO AMEND SECTION 40‑7‑350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BARBERS AND BARBERING, SO AS TO DELETE AND REPLACE THE CURRENT LANGUAGE WITH LICENSING REQUIREMENTS FOR BARBER SCHOOLS AND BARBER SCHOOL INSTRUCTORS.

On motion of Senator CORBIN, the Bill was carried over.

S. 604 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4558, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 605 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4535, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 606 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4537, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 607 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO APPLICATION FEE FOR A PROFESSIONAL GEOLOGIST, DESIGNATED AS REGULATION DOCUMENT NUMBER 4556, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 608 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR GEOLOGISTS, RELATING TO SEALS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4557, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 609 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOIL CLASSIFIER ADVISORY COUNCIL, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4519, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 610 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - RESIDENTIAL BUILDERS COMMISSION, RELATING TO INITIAL FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4518, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 611 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE COMMISSION, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4517, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 612 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO ANNUAL FEE SCHEDULE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4516, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 613 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4514, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 614 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHYSICAL THERAPY EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4512, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 615 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF FUNERAL SERVICE, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4505, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 616 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR GEOLOGISTS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4506, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 617 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4504, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 618 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4508, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 619 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4503, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 620 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4501, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 621 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE ATHLETIC COMMISSION, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4500, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 622 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF ARCHITECTURAL EXAMINERS, RELATING TO APPLICATIONS AND FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4499, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 623 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO OFFERS OF WORK, DESIGNATED AS REGULATION DOCUMENT NUMBER 4474, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

H. 3843 -- Rep. Allison: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE OFFICE OF FIRST STEPS STUDY COMMITTEE TO COMPLETE ITS REVIEW AND PRESENT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY FROM MARCH 15, 2015, AS PROVIDED IN ACT 287 OF 2014, TO JANUARY 1, 2016.

On motion of Senator SHANE MARTIN, the Joint Resolution was carried over.

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 458 -- Senator Alexander: A BILL TO AMEND SECTION 6‑9‑55(C) OF THE 1976 CODE, RELATING TO THE ENFORCEMENT DATE OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, TO PROVIDE THAT THE ENFORCEMENT DATE IS CHANGED TO JULY 1, 2016, FROM JULY 1, 2015.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (458R001.KM.TCA), which was adopted:

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

/ SECTION 1. Section 6‑9‑55(C) of the 1976 Code, as last amended by Act 65 of 2013, is amended to read:

“(C) Notwithstanding subsection (A), Section 501.3 of the 2012 International Residential Code must not be enforced at any time ~~before July 1, 2015~~.”

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

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED**

**OBJECTION**

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.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0255.007), which was adopted:

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 is 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 when an action, complaint, or inquiry has been initiated. 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.

(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.

(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 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 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; and

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

(C) It is unlawful for a person or entity to require the payment of a fee or other consideration to remove, revise, or refrain from posting to a website 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 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 without requiring the payment of a fee or other consideration within thirty days of the sending 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;

(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 is not required to remove the arrest and booking records from the person or entity’s website; however, the person or entity shall revise the arrest and booking records published on the person or entity’s website 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 sending of a request to remove the arrest and booking records pursuant to item (D)(1).

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

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

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

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

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

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

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

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

(a) the arrest and booking records will be published on a non‑governmental website; and

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

(F)(1) A person or entity who violates this section, except for subsection (D), is guilty of a misdemeanor, and, upon conviction, must be fined not more than one thousand dollars or be imprisoned not more than 60 days, or both.

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

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

(2) A person who suffers a loss or harm as a result of a violation of this section may not file a civil cause of action against a state or local government agency pursuant to this section; however, the person may file a civil cause of action against an employee of a state or local government agency who violates item (E)(2) pursuant to the South Carolina Tort Claims Act. A state or local government agency may not be substituted for an employee of the state or local government agency in a civil cause of action against the employee.”

SECTION 3. Section 17-22-950 of the 1976 Code is 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 expenuged,~~; 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;~~

~~(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 the presence of 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.

~~(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~~ The ~~prosecuting agency~~ prosecution 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 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. This act takes effect ninety days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator JACKSON proposed the following amendment (255R001.EB.DJ), which was ruled out of order:

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

/ SECTION ( ). Chapter 1, Title 41 of the 1976 Code is amended by adding:

“Section 41‑1‑25. (A) It is the policy of the State of South Carolina to encourage and contribute to the rehabilitation of individuals with criminal records and to assist them in the resumption of the responsibilities of citizenship. The opportunity to secure employment or to pursue, practice, or engage in a meaningful and profitable trade, occupation, vocation, profession, or business is essential to rehabilitation and the resumption of the responsibilities of citizenship.

(B) For the purposes of this section:

(1) ‘Conviction of crime or crimes’ means a judgment in a verdict or finding of guilty, plea of guilty, pleas of nolo contendere, or forfeiture of bail to a criminal charge in which a jail sentence may be imposed.

(2) ‘Hiring authority’ means the person, board, commission, or department of this State responsible by law for the hiring of people for public employment.

(3) ‘Public employment’ means all employment with this State.

(C)(1) Notwithstanding another provision of law to the contrary, the State may not inquire, consider, or require disclosure of the criminal record, criminal history, arrest record, or booking record, including booking photographs of an applicant for employment until the applicant is selected for an interview by the employer or, if interviews are not conducted, before a conditional offer of employment is made to the applicant.

(2) This subsection does not:

(a) apply to the Department of Corrections and employers who have a statutory duty to conduct a criminal history background check or otherwise consider the criminal history of a potential employee during the hiring process; and

(b) prohibit an employer from notifying applicants that a specific law or a policy of the employer will disqualify an individual with a particular criminal history background from employment in a particular position.

(D)(1) Notwithstanding another provision of law to the contrary, the prior conviction of a crime by a person alone may not disqualify him from employment by the State unless the conviction was for a crime that directly relates to the position of employment sought. In determining if a conviction directly relates to the public employment sought, the hiring authority shall consider:

(a) the nature and seriousness of the crime for which the individual was convicted;

(b) the relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the position of employment; and

(c) the amount of time that has lapsed since the crime was committed.

(2)(a) A person who is convicted of a crime that directly relates to the public employment he seeks may not be disqualified from the employment if he can provide competent evidence of his sufficient rehabilitation and present fitness to perform the duties of the employment. He may establish this evidence by producing:

(i) the most recent certified copy of a United States Department of Defense form 214 (DD 214) indicating his honorable discharge or separation under honorable conditions from the United States armed forces for military service rendered following conviction for a crime that would otherwise disqualify him from the public employment he seeks;

(ii) a certified copy of an order releasing him from a local, state, or federal correctional institution, evidence that at least one year has elapsed since his release, evidence that he subsequently has not been convicted of a crime, and evidence of his compliance with all terms and conditions of probation or parole; or

(iii) a certified copy of the Department of Corrections discharge order or documentation showing completion of probation or parole supervision, if any.

(b) In addition to documentary evidence provided pursuant to subitem (a), the hiring authority also shall consider evidence presented by the applicant regarding:

(i) the nature and seriousness of the crime for which he was convicted;

(ii) all circumstances reasonably related to the crime, including mitigating circumstances or social conditions surrounding the commission of the crime;

(iii) the age of the person at the time the crime was committed;

(iv) the amount of time that has elapsed since the crime was committed; and

(v) all other competent evidence of rehabilitation and present fitness presented, including, but not limited to, letters of reference by credible people who have been in contact with the applicant since his release from incarceration.

(c) Documentation of honorable discharge or separation under honorable conditions from the United States armed forces permitted in subitem (a)(i) does not serve as competent evidence of sufficient rehabilitation for purposes of this section if the person is convicted of a misdemeanor or felony committed by the person after the effective date of that honorable discharge or separation from military service, except for convictions of minor traffic violations.

(E) The following criminal records may not be used, distributed, or disseminated by this State in connection with an application for public employment:

(1) a record of an arrest for which no conviction resulted;

(2) an annulled or expunged conviction;

(3) a misdemeanor conviction for which no jail sentence may be imposed;

(4) not pressed or dismissed charges; and

(5) a booking record, including booking photographs.

(F) In connection with an application for public employment, the State may not use or obtain any arrest or booking records, including booking photographs, published on a website, if publication of the arrest or booking records, including booking photographs, on that website is prohibited by section 17‑1‑60(B).

(G) If a hiring authority denies a position of public employment to an individual because of a prior criminal conviction of the person, the hiring authority shall notify the individual in writing of:

(1) the grounds and reasons for the denial;

(2) the earliest date the person may reapply for public employment with the State; and

(3) an assurance that all competent evidence of rehabilitation presented will be considered upon reapplication.

(H) This section may not apply to the practice of law or the judicial branch employment, but nothing in this section may be construed to preclude the Supreme Court, in its discretion, from adopting the policies set forth in this section.”

Renumber sections to conform.

Amend title to conform.

Senator JACKSON spoke on the amendment.

**Point of Order**

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

Senator JACKSON objected to further consideration of the Bill.

**OBJECTION**

S. 441 -- Senators Hayes and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 30 TO TITLE 37 SO AS TO ENACT THE “GUARANTEED ASSET PROTECTION ACT”, TO PROVIDE A FRAMEWORK WITHIN WHICH GUARANTEED ASSET PROTECTION WAIVERS ARE DEFINED AND MAY BE OFFERED WITHIN THIS STATE, TO PROVIDE REQUIREMENTS FOR OFFERING GUARANTEED ASSET PROTECTION WAIVERS, TO PROVIDE THE DISCLOSURES REQUIRED, TO PROVIDE FOR CANCELLATION OF GUARANTEED ASSET PROTECTION WAIVERS, AND TO PROVIDE FOR ENFORCEMENT OF THIS CHAPTER.

Senator SHEHEEN objected to consideration of the Bill.

**ADOPTED**

S. 554 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 12, 2015.

The Concurrent Resolution was adopted and ordered sent to the House.

H. 3556 -- Reps. Jefferson, Gilliard, M.S. McLeod, King, Knight, Govan, Dillard, Hosey, Clyburn, Anderson, Bales, R.L. Brown, Daning, McKnight, Parks, Ridgeway, Spires, Whipper, Alexander, Allison, Anthony, Atwater, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G.A. Brown, Burns, Chumley, Clary, Clemmons, Cobb‑Hunter, Cole, Collins, Corley, H.A. Crawford, Crosby, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Howard, Huggins, Johnson, Kennedy, Kirby, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Pitts, Pope, Putnam, Quinn, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Southard, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RAISE AWARENESS SURROUNDING THE ISSUE OF GUN VIOLENCE AND TO DECLARE JUNE 2015 GUN VIOLENCE AWARENESS MONTH.

The Concurrent Resolution was adopted and ordered returned to the House.

**Recorded Vote**

Senators BRIGHT, CORBIN and SHANE MARTIN desired to be recorded as voting against adoption of the Concurrent Resolution.

**Motion Adopted**

On motion of Senator O’DELL, with unanimous consent, Senators PEELER, REESE, FAIR, PINCKNEY and O’DELL were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

At 4:07 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**DEBATE INTERRUPTED**

S. 229 -- Senators Campbell and Turner: A BILL TO AMEND SECTION 48‑1‑90 OF THE 1976 CODE, RELATING TO REMEDIES FOR CAUSING OR PERMITTING POLLUTION OF THE ENVIRONMENT, TO CLARIFY THAT PERSONS WHO MAY FILE A PETITION WITH THE DEPARTMENT DOES NOT INCLUDE A DEPARTMENT, AGENCY, COMMISSION, DEPARTMENT, OR POLITICAL SUBDIVISION OF THE STATE, AND TO PROVIDE FOR DEPARTMENT DECISIONS THAT ARE NOT SUBJECT TO JUDICIAL REVIEW IN A CIVIL PROCEEDING; TO AMEND SECTION 6 OF ACT 198 OF 2012, RELATING TO THE SAVINGS CLAUSE, TO PROVIDE THAT THE SAVINGS CLAUSE OF ACT 198 APPLIES ONLY TO CASES FILED BEFORE JUNE 6, 2012, AND ANY FEDERAL PROJECT FOR WHICH A FINAL ENVIRONMENTAL IMPACT STATEMENT WAS ISSUED PRIOR TO JUNE 6, 2012, BUT NO RECORD OF DECISION WAS ISSUED PRIOR TO JUNE 6, 2012.

The Senate proceeded to a consideration of the amendment, the question being the adoption of the amendment (229R003.KM.CBH) proposed by Senator HUTTO and previously printed in the Journal of March 31, 2015.

Senator DAVIS spoke on the amendment.

Debate was interrupted by adjournment.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Cherokee County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

John B. Cook, 247 Goucher Green Bethel Road, Gaffney, SC 29340

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Gordon B. Johnson, Sr., 384 Holly Point Lane, Prosperity, SC 29127

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ronald C. Halfacre, 1810 Harper Street, Newberry, SC 29108

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

**MOTION ADOPTED**

On motion of Senator SHANE MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Furman Bulman of Roebuck, S.C. Furman was a lifelong resident of Roebuck and a graduate of Roebuck High School. He honorably served our country in WWII. Mr. Bulman retired from Reeves Brothers after 30 years of service. He was a member of Bethlehem Baptist Church. Furman was a loving father and devoted grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator PINCKNEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend Raleigh Randolph Williams of Walterboro, S.C. Rev. Williams was a pastor at Martin Temple CME Church, Good Hope Church and Rock of Ages CME Church before becoming presiding Elder for the Charleston/Columbia District. He was also a licensed contractor and owner of RRW Construction, CEO and General Manager of a radio station, Chairman of the Board of Directors of Midland Communication and a Boy Scout leader. Rev. Williams was a loving husband, devoted father and doting grandfather.

**ADJOURNMENT**

At 4:57 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1B for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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