

NO. 82

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

TUESDAY, JUNE 2, 2015

Tuesday, June 2, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

In Genesis, after overhearing the Lord God say to Abraham, her equally elderly husband, that she will bear a son, "...Sarah laughed to herself." (Genesis 18:12a)

Bow in prayer with me, please:

Holy and Ever-faithful God, we thank You for your continuing presence here in this Chamber with these Senators and with their staff members over the past twenty one weeks. Though at times some emotions have run high, these servants have tried to achieve ends they truly believe to be worthwhile for the people of South Carolina. So, with hopeful hearts, O God, we pray that, ultimately, these leaders will soon be able to celebrate with satisfying and heartfelt laughter the actual blessings and benefits which will come to our citizens. We pray this in Your loving and exalted name, dear Lord. Amen.

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

CORRECTION TO THE JOURNAL

The vice and term for the following statewide appointment were incorrectly noted in the Journal of May 27, 2015 and the entry is corrected as follows:

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2015, and to expire April 1, 2020

Jerry M. Griffin, 740 Creekbridge Drive, Rock Hill, SC 29732 *VICE*
Alan D. Gardner (resigned)

Presentation of Service Pins

In commemoration of continuous service with the State of South Carolina, Senator LEATHERMAN, *PRESIDENT Pro Tempore* of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

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10 Year Pins

Heather Anderson
Kenneth M. Moffitt
Leonard P. Odom
Melanie A. Wiedel

20 Year Pins

Debra S. Cooper
Jeffrey S. Gossett

30 Year Pins

Kenneth L. Tisdale
Agnes H. Walker

Senator LEATHERMAN presented a certificate and service pin to the following Senators for their years of service:

20 Year Pins

Chauncey K. Gregory

40 Year Pins

John L. Scott

All were highly commended for their years of devoted and loyal service.

Motion to Ratify Adopted

At 12:20 P.M., Senator LARRY MARTIN 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.

MESSAGE FROM THE GOVERNOR

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

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Local Appointments

Initial Appointment, Berkeley County Magistrate, with the term to commence May 30, 2015, and to expire April 30, 2019

Brian B. West, 1618 Pinopolis Road, Moncks Corner, SC 29461 *VICE*
Jim Polk

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

Gregory D. Blanton, 6905 Woodhaven Drive, Myrtle Beach, SC 29588

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Gary R. Faulkenberry, 1348 Airport Road, Pageland, SC 29728

Reappointment, Chesterfield County Part-time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Diane W. Dyches, Post Office Box 115, Patrick, SC 29584

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

John C. Benso, 4990 Fulton Place, Murrells Inlet, SC 29576

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

Barry Koon, 14149 C. R. Koon Highway, Newberry, SC 29108 *VICE*
Richard Lail, Arthur Jayroe, Jr., Barry Koon (Part-time positions)

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

Steven C. Pop, 47 Deer Moss Court, Pawley's Island, SC 29585

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

Lutherine J. Williams, Post Office Box 602, Latta, SC 29565 *VICE*
John Davis

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

Kelik D. Fling, 2718 Monument Court, Marion, SC 29571 *VICE*
Samuel Drose

Privilege of the Chamber

On motion of Senator BRYANT, on behalf of Senator MALLOY, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Rev. Gloria Robinson and her family.

Doctor of the Day

Senator CAMPSER introduced of Dr. Joseph Pawlik of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 5:01 P.M., Senator MALLOY requested a leave of absence for Senator THURMOND for the balance of the day.

Leave of Absence

At 5:53 P.M., Senator CORBIN requested a leave of absence for the balance of the day.

Expression of Personal Interest

Senator COURSON rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 129 Sen. Shane Martin

Privilege of the Chamber

On motion of Senator BRYANT, on behalf of Senator KIMPSON, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to the family of Ms. Mary Ann Moultrie.

Privilege of the Chamber

On motion of Senator BRYANT, on behalf of Senator LEATHERMAN, in accordance with the provisions of Rule 35, the

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Privilege of the Chamber, to that area behind the rail, was extended to Mr. Bobby Bowers upon the occasion of his retirement.

RECALLED AND ADOPTED

H. 4086 -- Reps. Allison, Alexander, 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, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO PROMOTE UNDERSTANDING OF THE DESTRUCTIVE EFFECTS OF IRON DISORDERS ON THE HEALTH OF OUR CITIZENS, TO ENCOURAGE MEDICAL RESEARCH AND EDUCATION TO STEM THE TIDE OF THESE DISORDERS, AND TO DECLARE THE MONTH OF JULY 2015 AS "IRON DISORDERS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA.

Senator PEELER asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

The Concurrent Resolution was recalled from the Committee on Medical Affairs.

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

There was no objection.

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

On motion of Senator PEELER, the Concurrent Resolution was adopted and ordered sent to the House.

RECALLED

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

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

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

RECALLED

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

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

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

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RECALLED

H. 4084 -- Rep. Stringer: A BILL TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS OF CHARTER SCHOOLS FROM CERTAIN PROVISIONS APPLICABLE TO PUBLIC SCHOOLS, THE POWERS AND DUTIES OF A CHARTER SCHOOL, AND ADMISSIONS TO CHARTER SCHOOLS, SO AS TO AUTHORIZE A SCHOOL LEADER TO BE HIRED TO ASSIST WITH THE DAILY OPERATION OF THE SCHOOL, TO PROVIDE THAT EMPLOYEES, BOARD MEMBERS, AND STAFF OF THE CHARTER SCHOOL ARE SUBJECT TO THE ETHICS AND GOVERNMENT ACCOUNTABILITY REQUIREMENTS APPLICABLE TO PUBLIC MEMBERS AND PUBLIC EMPLOYEES, AND TO REQUIRE A STATEMENT OF COMPLIANCE ASSURANCE TO BE FILED ANNUALLY WITH THE SCHOOL'S SPONSOR AND THE STATE DEPARTMENT OF EDUCATION.

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

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

RECOMMITTED

S. 804 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS; AND EITHER-SEX DAYS AND ANTLERLESS DEER LIMITS FOR PRIVATE LANDS IN GAME ZONES 1-6, DESIGNATED AS REGULATION DOCUMENT NUMBER 4546, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Joint Resolution was recommitted to Fish, Game and Forestry.

RECESS

At 1:42 P.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 3:00 P.M.

At 3:12 P.M., the Senate resumed.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 837 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR TIMOTHY M. "TIM" JAMES, COUNCILMAN FOR THE CITY OF CAYCE, FOR HIS SERVICE TO CAYCE AND LEXINGTON COUNTIES, AND TO WISH HIM WELL IN HIS FUTURE ENDEAVORS AS HE BECOMES VICE PRESIDENT AND DIRECTOR OF PUBLIC SAFETY FOR OCEAN REEF COMMUNITY ASSOCIATION IN FLORIDA.

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The Senate Resolution was adopted.

S. 838 -- Senators Malloy, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND GLORIA ROBINSON OF AIKEN FOR HER MANY YEARS OF SERVICE AS PASTOR TO FIRST CHURCH OF GOD, LEE STREET IN DARLINGTON; FOR HER CAREER IN NURSING; DEVOTED WIFE AND MOTHER; AND FOREMOST FOR BEING A FORGIVING PERSON AS SHE FORGAVE OTHERS AND GAVE HER HEART AND SOUL TO GOD.

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The Senate Resolution was adopted.

S. 839 -- Senators O'Dell and Nicholson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JUANITA DAVENPORT "NITA" HOZEY, OWNER AND SOLE OPERATOR OF PRAISE UNLIMITED WEDDINGS, LLC, AND TO CONGRATULATE HER FOR BEING NAMED THE 2015 SOUTH CAROLINA WOMEN IN BUSINESS ADVOCATE OF THE YEAR.

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

S. 840 -- Senator O'Dell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BELTON HONEA PATH HIGH

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SCHOOL BASEBALL TEAM FOR ANOTHER OUTSTANDING SEASON AND TO CONGRATULATE THE PLAYERS ON CAPTURING THE 2015 CLASS AAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 841 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE MUSEUM AND RAILROAD HISTORICAL CENTER IN GREENWOOD UPON THE OCCASION OF ITS GRAND RE-OPENING CELEBRATION.

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The Senate Resolution was adopted.

S. 842 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. VENUS J. HOLLAND, SUPERINTENDENT FOR LEXINGTON COUNTY SCHOOL DISTRICT TWO, UPON THE OCCASION OF HER RETIREMENT AFTER A DISTINGUISHED CAREER OF FORTY YEARS IN THE FIELD OF EDUCATION AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 843 -- Senator Thurmond: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. BRIAN QUATTLEBAUM OF NORTH CHARLESTON FOR HIS SERVICE AS PRESIDENT OF THE SOUTH CAROLINA CHIROPRACTIC ASSOCIATION FOR 2014-2015 AND TO WISH HIM THE BEST IN ALL HIS FUTURE ENDEAVORS.

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

S. 844 -- Senators Young, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE AND

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CONGRATULATE MAYOR FRED B. CAVANAUGH, JR. OF AIKEN UPON THE OCCASION OF HIS RETIREMENT AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 845 -- Senator Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-260 SO AS TO ENACT THE "FINANCIAL RESPONSIBILITY AND OPPORTUNITY HEALTH CARE PROGRAM ACT" TO ENABLE LOW-INCOME INDIVIDUALS TO PURCHASE HEALTH INSURANCE; TO PROVIDE THAT BEGINNING IN FISCAL YEAR 2016-2017, IN THE ANNUAL GENERAL APPROPRIATIONS ACT, THE GENERAL ASSEMBLY SHALL AUTHORIZE SUFFICIENT FEDERAL FUNDS TO CREATE A FISCALLY SUSTAINABLE AND COST-EFFECTIVE HEALTH CARE PROGRAM AS AN ALTERNATIVE TO THE MEDICAID PROGRAM; TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE FUNDING TO OPERATE THE PROGRAM AND IDENTIFY EXISTING SOURCES OF FUNDS FOR APPROPRIATION; TO PROVIDE THAT THE PROGRAM IS CONTINGENT UPON SPECIFIED LEVELS OF FEDERAL MEDICAID FUNDING, TO PROVIDE THAT THE STATE ASSUMES NO OBLIGATION OTHER THAN AS SPECIFIED; AND TO SPECIFY THE MANNER IN WHICH THE PROGRAM SHALL OPERATE.

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

S. 846 -- Senator Verdin: A BILL TO AMEND CHAPTER 9, TITLE 47 OF THE 1976 CODE, RELATING TO ANIMALS, LIVESTOCK AND POULTRY, TO PROVIDE THAT NO SWINE SHALL BE TRANSPORTED ON A PUBLIC ROAD WITHIN THIS STATE UNLESS THE SWINE HAS AN OFFICIAL FORM OF IDENTIFICATION; TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL ADOPT RULES TO CHARGE A FEE FOR IDENTIFICATION; AND TO PROVIDE FOR CIVIL PENALTIES FOR FAILURE TO OBTAIN OR MISUSE OF REQUIRED IDENTIFICATION.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 847 -- Senator L. Martin: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE SENATE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING ON THURSDAY, DECEMBER 3, 2015, AND FRIDAY, DECEMBER 4, 2015, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

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The Senate Resolution was adopted.

S. 848 -- Senators Corbin, Shealy, Peeler, Young, Campsen, Grooms, Cromer, Massey, L. Martin, Fair, Cleary, Bryant, Alexander, Turner, Thurmond, Campbell, Gregory, Hembree, Bennett, Davis, S. Martin, Bright and Verdin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE PALMETTO FAMILY COUNCIL AND TO CONGRATULATE THE STAFF AND BOARD OF DIRECTORS FOR THEIR SIGNIFICANT IMPACT ON FAMILY VALUES AND RELIGIOUS AND CONSTITUTIONAL FREEDOM IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 849 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE PROCEDURES GOVERNING THE MAXIMUM ALLOWABLE COST REIMBURSEMENTS FOR GENERIC PRESCRIPTION DRUGS BY PHARMACY BENEFIT MANAGERS, TO PROVIDE NECESSARY DEFINITIONS, TO EXEMPT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THE PERFORMANCE OF ITS DUTIES IN ADMINISTERING MEDICAID UNDER TITLES XIX AND XXI OF THE SOCIAL SECURITY ACT, TO PROVIDE REQUIREMENTS FOR PLACING DRUGS ON MAXIMUM ALLOWABLE COST LISTS BY PHARMACY BENEFIT MANAGERS, AND TO PROVIDE VARIOUS REQUIREMENTS OF PHARMACY BENEFIT MANAGERS; TO PROVIDE CONTRACTS BETWEEN

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PHARMACIES AND PHARMACY BENEFIT MANAGERS THAT ARE ENTERED INTO, RENEWED, OR EXTENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2016.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 850 -- Senator Hayes: A BILL TO AMEND SECTION 38-9-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STANDARD VALUATION, SO AS TO DEFINE NECESSARY TERMS, TO PRESCRIBE NEW REQUIREMENTS FOR THE DIRECTOR OR HIS DESIGNEE CONCERNING VALUING RESERVE LIABILITIES FOR OUTSTANDING INSURANCE POLICIES BASED UPON THE EFFECTIVE DATE OF THE POLICY OR CONTRACT, TO ALTER THE ACTUARIAL OPINION REQUIREMENTS FOR ALL LIFE INSURANCE POLICIES, TO UPDATE REFERENCES TO REQUIRE THAT THE COMMISSIONER'S RESERVE VALUATION METHOD BE USED FOR POLICIES ISSUED AFTER MARCH 23, 1960, AND POLICIES ISSUED AFTER THE EFFECTIVE DATE OF THIS ACT, TO PROVIDE A NEW FORMULA TO COMPUTE THE CALENDAR YEAR STATUTORY INTEREST RATE, TO UPDATE REFERENCES TO REFLECT THE COMMISSIONER'S RESERVE VALUATION METHODS, TO PROVIDE THE MINIMUM RESERVE REQUIRED IF THE PREMIUM CHARGED BY A COMPANY IS LESS THAN THE VALUATION NET PREMIUM FOR THE POLICY OR CONTRACT, TO PRESCRIBE THE MINIMUM STANDARD OF VALUATION FOR ACCIDENT AND HEALTH INSURANCE CONTRACTS ISSUED ON OR AFTER THE OPERATIVE DATE OF THE OPERATION MANUAL, TO PRESCRIBE THE OPERATIVE DATE FOR THE VALUATION MANUAL AND WHAT THE VALUATION MANUAL MUST SPECIFY, TO ESTABLISH REQUIREMENTS FOR A COMPANY THAT USES A PRINCIPLE-BASED VALUATION, TO DEFINE CONFIDENTIAL INFORMATION AND TO PROVIDE PRIVILEGE FOR AND CONFIDENTIALITY OF CONFIDENTIAL INFORMATION, AND TO PROVIDE EXEMPTIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-63-510, RELATING TO STANDARD NONFORFEITURE LAW FOR LIFE INSURANCE,

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SO AS TO DEFINE THE TERM "OPERATIVE DATE OF THE VALUATION MANUAL"; AND TO AMEND SECTION 38-63-600, RELATING TO THE BASIS FOR CALCULATING ADJUSTED PREMIUMS AND PRESENT VALUES OF POLICIES ISSUED ON OR AFTER JANUARY 1, 1989, SO AS TO PROVIDE THAT THE COMMISSIONERS' STANDARD MORTALITY TABLE SHALL BE USED TO DETERMINE THE MINIMUM NONFORFEITURE STANDARD FOR POLICIES ISSUED ON OR AFTER THE OPERATIVE DATE OF THE VALUATION MANUAL.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 851 -- Senators Scott and Jackson: A BILL TO AMEND ACT 613 OF 1986, AS AMENDED, RELATING TO SCHOOL DISTRICTS IN RICHLAND COUNTY, SO AS TO REAPPORTION THE FOUR SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE TRUSTEES OF RICHLAND COUNTY SCHOOL DISTRICT ONE ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 852 -- Senators Shealy, Cromer and Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF MOTOR VEHICLES NAME THE DEPARTMENT OF MOTOR VEHICLES' FIELD OFFICE LOCATED AT 509 LIBERTY STREET IN BATESBURG-LEESVILLE "CORPORAL KYLE CARPENTER FIELD OFFICE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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S. 853 -- Senators Cleary, Fair, Campbell, Cromer, Johnson and Bryant: A BILL TO AMEND CHAPTER 99, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY TREATMENT FOR MEDICAL HAZARDS CAUSED BY INSECT STINGS, SO AS TO RENAME THE CHAPTER THE "EMERGENCY ANAPHYLAXIS TREATMENT ACT", TO ADD A DEFINITION FOR "EPINEPHRINE AUTO-INJECTOR", TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP A TRAINING AND CERTIFICATION PROGRAM FOR INDIVIDUALS WHO ADMINISTER EPINEPHRINE AUTO-INJECTORS, TO ALLOW CERTAIN ENTITIES TO OBTAIN A PRESCRIPTION FOR AN EPINEPHRINE AUTO-INJECTOR FROM PHYSICIANS, PHARMACISTS, AND OTHER AUTHORIZED INDIVIDUALS, TO ALLOW PHYSICIANS, PHARMACISTS, AND OTHER AUTHORIZED INDIVIDUALS TO PRESCRIBE OR SELL A PRESCRIPTION FOR AN EPINEPHRINE AUTO-INJECTOR TO CERTAIN ENTITIES, TO ALLOW APPROPRIATELY CERTIFIED EMPLOYEES OF CERTAIN ENTITIES TO USE AN EPINEPHRINE AUTO-INJECTOR, TO PROVIDE LIABILITY LIMITATIONS FOR CERTAIN INDIVIDUALS AND ENTITIES WHEN ADMINISTERING AN EPINEPHRINE AUTO-INJECTOR, AND FOR OTHER PURPOSES.

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Read the first time and referred to the Committee on Medical Affairs.

S. 854 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE LOTTIE MAE GREEN QUARLES OF RICHLAND COUNTY ON THE OCCASION OF HER EIGHTIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

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S. 855 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE MR. ROSS SCOTT MCKENZIE, SR. ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

S. 856 -- Senators Bryant, Alexander, Allen, Bennett, Bright, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PENDLETON FARMERS SOCIETY UPON THE OCCASION OF ITS TWO HUNDREDTH ANNIVERSARY ON JUNE 12, 2015.

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The Senate Resolution was adopted.

S. 857 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA LEGISLATIVE SERVICES AGENCY ON WINNING THE NATIONAL ASSOCIATION OF LEGISLATIVE INFORMATION TECHNOLOGY LEGISLATIVE STAFF ACHIEVEMENT AWARD FOR 2015.

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The Senate Resolution was adopted.

S. 858 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR STEVEN DIAL OF RICHLAND COUNTY FOR HIS OUTSTANDING REPORTING IN THE MIDLANDS AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

H. 4225 -- Rep. Bedingfield: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL

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RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC'S USE OF STATE LAKES AND PONDS OWNED OR LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4547, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and ordered placed on the Calendar without reference.

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

Read the first time and ordered placed on the Calendar without reference.

H. 4260 -- Reps. Hodges, R. L. Brown, Knight and Bamberg: A BILL TO AMEND SECTION 7-7-200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN COLLETON COUNTY, SO AS TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.

Read the first time and, on motion of Senator HUTTO, with unanimous consent, H. 4260 was ordered placed on the Calendar without reference.

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

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

H. 4295 -- Reps. Funderburk, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein,

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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, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RICHARD STILTON HAGINS OF KERSHAW COUNTY UPON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF SALKEHATCHIE-WATEREE CAMP AND TO THANK HIM FOR HIS TWENTY-FIVE YEARS OF SELFLESS SERVICE TO THE PEOPLE OF KERSHAW COUNTY.

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

H. 4297 -- Reps. Govan, Mack, Rutherford, 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, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler,

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Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE JOSEPH ROBINETTE "BEAU" BIDEN III OF THE STATE OF DELAWARE, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS AND COLLEAGUES.

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

REPORTS OF STANDING COMMITTEES

Senator HAYES from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 653 -- Senator Scott: A BILL TO AMEND SECTION 38-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYMENT OF INDIVIDUAL LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO PROVIDE THE INTEREST PAID MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER; AND TO AMEND SECTION 38-65-120, RELATING TO PAYMENT OF GROUP LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO CLARIFY THE REQUIREMENTS FOR CLAIMS SUBMISSIONS, AND TO PROVIDE INTEREST PAID ON LUMP SUM PAYMENTS MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE OF INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER.

Ordered for consideration tomorrow.

Senator LARRY MARTIN from the Committee on Judiciary polled out H. 3852 favorable:

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

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

**Poll of the Judiciary Committee
Polled 23; Ayes 23; Nays 0; Not Voting 0**

AYES

<i>Larry Martin</i>	Rankin	Hutto
Malloy	Campsen	Massey
Bright	Coleman	<i>Shane Martin</i>
Scott	Gregory	Allen
Bennett	Corbin	Hembree
Johnson	McElveen	Shealy
Thurmond	Turner	Young
Kimpson	Sabb	

Total--23

NAYS

Total--0

Ordered for consideration tomorrow.

Motion Adopted

On motion of Senator LARRY MARTIN, in accordance with Rule 47, the Bill, which was received after May 1, was placed on the Calendar.

[SJ]

TUESDAY, JUNE 2, 2015

Message from the House

Columbia, S.C., May 28, 2015

Mr. President and Senators:

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

S. 3 -- Senators L. Martin, Shealy, Malloy, Courson, Fair, Turner, Lourie and Hembree: A BILL TO AMEND SECTION 16-25-10 OF THE 1976 CODE, TO PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 16-25-20 OF THE 1976 CODE, RELATING TO CRIMINAL DOMESTIC VIOLENCE OFFENSES AND PENALTIES, SO AS TO RESTRUCTURE THE CRIMINAL DOMESTIC VIOLENCE OFFENSES INTO DEGREES AND PROVIDE PENALTIES; TO AMEND SECTION 16-25-30, RELATING TO THE ILLEGAL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A DOMESTIC VIOLENCE OFFENSE, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON CONVICTED OF A CRIMINAL DOMESTIC VIOLENCE OFFENSE OR A PERSON SUBJECT TO AN ORDER OF PROTECTION FOR DOMESTIC OR FAMILY VIOLENCE TO SHIP, TRANSPORT, OR RECEIVE A FIREARM OR AMMUNITION, AND TO PROVIDE NOTICE TO A PERSON TO WHOM THE STATUTE APPLIES; TO AMEND SECTION 16-25-65, RELATING TO CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, TO PROVIDE THAT THE COURT MUST ORDER PARTICIPATION IN A DOMESTIC VIOLENCE INTERVENTION PROGRAM AND ALLOW A RESTRICTION ON FIREARMS AND AMMUNITION AS A CONDITION OF BOND; AND TO AMEND CHAPTER 3, TITLE 16, RELATING TO OFFENSES AGAINST THE PERSON, BY ADDING ARTICLE 18, TO PROVIDE NECESSARY DEFINITIONS AND TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF PERMANENT AND EMERGENCY CIVIL NO-CONTACT ORDERS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE DURATION OF CIVIL NO-CONTACT ORDERS, AND TO PROVIDE A PENALTY FOR THE VIOLATION OF CIVIL NO-CONTACT ORDERS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

[SJ]

TUESDAY, JUNE 2, 2015

Message from the House

Columbia, S.C., June 2, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. White, Pitts and Clyburn to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators LEATHERMAN, SETZLER and PEELER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

HOUSE CONCURRENCE

S. 331 -- Senator Rankin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US HIGHWAY 17 AT THE INTERSECTION OF FARROW PARKWAY AND SC 707 IN HONOR OF THE BELLAMY FAMILY, AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "THE BELLAMY INTERCHANGE".

Returned with concurrence.

Received as information.

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

[SJ]

TUESDAY, JUNE 2, 2015

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3725 -- Reps. J.E. Smith, Quinn, Lowe, Jordan and W.J. McLeod:
A BILL TO AMEND SECTION 12-67-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, SO AS TO ADD THE DEFINITION OF "STATE-OWNED ABANDONED BUILDINGS"; TO AMEND SECTION 12-67-140, RELATING TO THE ELIGIBILITY OF A TAXPAYER TO RECEIVE A TAX CREDIT FOR REHABILITATING AN ABANDONED BUILDING, SO AS TO PROVIDE IF A TAX CREDIT IS EARNED BY A TAXPAYER WHO REHABILITATES A STATE-OWNED ABANDONED BUILDING THE CREDIT MUST BE CLAIMED OVER A TWO-YEAR PERIOD AND TO PROVIDE REQUIREMENTS FOR A TAXPAYER WHO SELLS A BUILDING SITE; TO AMEND SECTION 12-6-3535, RELATING TO INCOME TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO PROVIDE AN ADDITIONAL INCOME TAX CREDIT OPTION FOR TAXPAYERS, TO PROVIDE ADDITIONAL REQUIREMENTS FOR WHEN A TAX CREDIT MAY BE TAKEN WHEN A TAXPAYER REHABILITATES A STATE-OWNED ABANDONED BUILDING, AND TO PROVIDE REQUIREMENTS FOR TAX CREDITS EARNED BY A PASS-THROUGH ENTITY; BY ADDING SECTION 12-67-160 SO AS TO PROVIDE REQUIREMENTS FOR A CERTIFICATION OF THE ABANDONED BUILDING SITE; BY ADDING SECTION 12-6-3586 SO AS TO ALLOW A TAX CREDIT TO A TAXPAYER WHO CONSTRUCTS, PURCHASES, OR LEASES A NONRESIDENTIAL SOLAR ENERGY SYSTEM; AND TO AMEND SECTION 12-6-3587, RELATING TO THE PURCHASE AND INSTALLATION OF SOLAR ENERGY SYSTEMS FOR HEATING WATER, SPACE HEATING, AIR COOLING, OR GENERATING ELECTRICITY, SO AS TO PROVIDE THAT THE CREDIT IS ALLOWED WITHOUT REGARD TO WHETHER THE TAXPAYER OCCUPIES THE INSTALLATION SITE.

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H. 3156 -- Reps. J.E. Smith, Cobb-Hunter, Whipper, Weeks and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 63 ENACTING THE "UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT" SO AS TO ADDRESS ISSUES OF CUSTODIAL RESPONSIBILITY WHEN A PARENT IN THE UNIFORMED SERVICE IS BEING DEPLOYED; TO PROVIDE THAT A COURT MUST HAVE JURISDICTION PURSUANT TO THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT TO ISSUE AN ORDER UNDER THIS ARTICLE; TO REQUIRE PROMPT NOTICE OF DEPLOYMENT TO THE OTHER PARENT; TO PROVIDE THAT THE CUSTODIAL RESPONSIBILITIES OF A DEPLOYING PARENT MAY BE ASSIGNED FOR THE DURATION OF THE DEPLOYMENT BY A TEMPORARY AGREEMENT ENTERED INTO BY THE PARENTS OR WITH THE DEPLOYING PARENT'S CONSENT, BY A COURT ISSUING A TEMPORARY ORDER GRANTING CUSTODIAL RESPONSIBILITIES AND TO FURTHER PROVIDE CERTAIN REQUIREMENTS AND LIMITATIONS OF AN AGREEMENT OR COURT ORDER; TO PROVIDE FOR THE TERMINATION OF A TEMPORARY AGREEMENT OR A TEMPORARY ORDER; TO PROVIDE THAT THIS ARTICLE SUPERSEDES THE FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT, EXCEPT CERTAIN PROVISIONS IN THAT ACT; AND TO PROVIDE THAT THIS ARTICLE DOES NOT AFFECT THE VALIDITY OF A TEMPORARY COURT ORDER CONCERNING CUSTODIAL RESPONSIBILITY DURING DEPLOYMENT ENTERED BEFORE THIS ARTICLE'S EFFECTIVE DATE.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3154 -- Reps. J.E. Smith, G.M. Smith, Cobb-Hunter, M.S. McLeod, Toole, Weeks, Whipper, Robinson-Simpson, Quinn and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 15, TITLE 7 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT", TO DEFINE NECESSARY TERMS,

[SJ]

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AND PROVIDE REGISTRATION AND ABSENTEE VOTING ALTERNATIVES FOR CERTAIN MILITARY AND OVERSEAS VOTERS.

**READ THE THIRD TIME
SENT TO THE HOUSE**

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

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

Senator MALLOY explained the Resolution.

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

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

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REGARDING COLLATERAL PLEDGED BY ITS
INSURER-MEMBERS INVOLVED IN DELINQUENCY
PROCEEDINGS BROUGHT PURSUANT TO THE ACT.

READ THE SECOND TIME

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.

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

Senator CAMPSEN explained the Bill.

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

Ayes 41; Nays 1

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Matthews	McElveen
Nicholson	O'Dell	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Thurmond	Turner	Verdin
Williams	Young	

Total--41

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NAYS

Kimpson

Total--1

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

Recorded Vote

Senator FAIR desired to be recorded as voting in favor of second reading of the Bill.

READ THE SECOND TIME

H. 3305 -- Reps. Lowe, Bingham, Horne, Weeks and Bradley: A BILL TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DENIAL OF UNEMPLOYMENT BENEFITS FOR AN EMPLOYEE WHO TESTS POSITIVE FOR ILLEGAL DRUG USE OR THE UNLAWFUL USE OF LEGAL DRUGS, SO AS TO REVISE THE RANGE OF SPECIMENS FROM AN EMPLOYEE THAT MAY BE TESTED TO INCLUDE ORAL FLUIDS.

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

Senator HUTTO explained the Bill.

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

Ayes 42; Nays 1

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	Matthews

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McElveen	Nicholson	O'Dell
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Verdin	Williams	Young

Total--42

NAYS

Kimpson

Total--1

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

Motion Under Rule 26B Waived

Senator HUTTO 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.

There was no objection.

AMENDED, READ THE SECOND TIME

H. 3545 -- Reps. Gambrell, Weeks, Bedingfield, V.S. Moss, Clemmons, Forrester, Gagnon, D.C. Moss, Pitts, Riley, G.M. Smith, G.R. Smith, White and Yow: A BILL TO AMEND SECTION 16-11-110, AS AMENDED, RELATING TO ARSON, SO AS TO RESTRUCTURE THE ELEMENTS OF THE DEGREES OF ARSON.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD3545.001), which was adopted:

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

/ SECTION 1. Section 16-11-110 of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“Section 16-11-110. (A) A person who wilfully and maliciously causes an explosion, sets fire to, burns, or causes to be burned or aids, counsels, or procures a burning that results in damage to a ~~dwelling house~~, building, structure, or any property specified in subsections (B)

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and (C), whether the property of ~~himself~~ the person or another, which results, either directly or indirectly, in ~~the death or serious bodily injury of~~ to a person is guilty of the felony of arson in the first degree and, upon conviction, must be imprisoned not less than thirty years.

(B) A person who wilfully and maliciously causes an explosion, sets fire to, burns, or causes to be burned or aids, counsels, or procures a burning that results in damage to a dwelling house, church or place of worship, public or private school facility, manufacturing plant or warehouse, building where business is conducted, institutional facility, or any structure designed for human occupancy including local and municipal buildings, ~~or any property~~ whether the property of ~~himself~~ the person or another, ~~which results, either directly or indirectly, in serious bodily injury to a person~~ is guilty of the felony of arson in the second degree and, upon conviction, must be imprisoned not less than three nor more than twenty-five years.

(C) A person commits a violation of the provisions of this subsection who wilfully and maliciously:

(1) ~~causes an explosion, sets fire to, burns, or causes to be burned or aids, counsels, or procures a burning that~~ which results in damage to a dwelling house, building, or structure other than those specified in subsection (A) or (B), a railway car, a ship, boat, or other watercraft, an aircraft, an automobile or other motor vehicle, or any personal property;
or

(2) ~~aids, counsels, or procures a burning that results in damage to a building or structure other than those specified in subsection (A) and (B), a railway car, a ship, boat, or other watercraft, an aircraft, an automobile or other motor vehicle, or personal property with intent to destroy or damage by explosion or fire, whether the property of himself~~ the person or another, ~~which results, either directly or indirectly, in bodily injury to a person or damage to the property.~~

A person who violates the provisions of this subsection is guilty of the felony of arson in the third degree and, upon conviction, must be imprisoned not more than fifteen years.

(D) For purposes of this section, ‘damage’ means an application of fire or explosive that results in burning, charring, blistering, scorching, smoking, singeing, discoloring, or changing the fiber or composition of a building, structure, or any property specified in this section.”

SECTION 2. Section 16-23-500 of the 1976 Code is amended to read:

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“Section 16-23-500. (A) It is unlawful for a person who has been convicted of a violent crime, as defined by Section 16-1-60, that is classified as a felony offense, to possess a firearm or ammunition within this State.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years, or both.

(C)(1) In addition to the penalty provided in this section, the firearm or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use it within the agency, transfer it to another law enforcement agency for the lawful use of that agency, trade it with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy it. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. If the State Law Enforcement Division seized the firearm or ammunition, the division may keep the firearm or ammunition for use by its forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies under the provisions of this section.

(2) A law enforcement agency that receives a firearm or ammunition pursuant to this section shall administratively release the firearm or ammunition to an innocent owner. The firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally determined. Before the firearm or ammunition may be released, the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this section which resulted in the confiscation of the firearm or ammunition. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may maintain or dispose of the firearm or ammunition as otherwise provided in this section.

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(D) The judge that hears the case involving the violent offense, as defined by Section 16-1-60, that is classified as a felony offense, shall make a specific finding on the record that the offense is a violent offense, as defined by Section 16-1-60, and is classified as a felony offense. A judge's failure to make a specific finding on the record does not bar or otherwise affect prosecution pursuant to this subsection and does not constitute a defense to prosecution pursuant to this subsection."

SECTION 3. Section 22-3-560 of the 1976 Code is amended to read:

"Section 22-3-560. Magistrates may punish breaches of the peace by a fine not exceeding five hundred dollars or imprisonment for a term not exceeding thirty days, or both, ~~all breaches of the peace.~~"

SECTION 4. Section 22-5-920(B) of the 1976 Code is amended to read:

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

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

(a) an offense in which registration on the sexual offender registry is required by statute or ordered by a court, except in cases in which a determination is made by the sentencing court that the sexual conduct with a victim of at least fourteen years of age was consensual;

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

(c) ~~to~~ a violation of Title 50 or the regulations promulgated under it for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses authorized;

(d) ~~to~~ an offense classified as a violent crime in Section 16-1-60; or

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

(3) If the defendant has had no other conviction during the five-year period following completion of ~~his~~ the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have ~~his~~ the person's records expunged under this section more than once. A

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person may have ~~his~~ the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have ~~his~~ the person's record expunged pursuant to the provisions of this section.”

SECTION 5. Section 24-19-10(d) of the 1976 Code is amended to read:

“(d) ‘Youthful offender’ means an offender who is:

(i) under seventeen years of age and has been bound over for proper criminal proceedings to the court of general sessions pursuant to Section 63-19-1210 for allegedly committing an offense that is not a violent crime, as defined in Section 16-1-60, and that is a misdemeanor, a Class D, Class E, or Class F felony, as defined in Section 16-1-20, or a felony which provides for a maximum term of imprisonment of fifteen years or less;

(ii) seventeen but less than twenty-five years of age at the time of conviction for an offense that is not a violent crime, as defined in Section 16-1-60, and that is a misdemeanor, a Class D, Class E, or Class F felony, or a felony which provides for a maximum term of imprisonment of fifteen years or less;

(iii) under seventeen years of age and has been bound over for proper criminal proceedings to the court of general sessions pursuant to Section 63-19-1210 for allegedly committing burglary in the second degree (Section 16-11-312). ~~The~~ If the offender committed burglary in the second degree pursuant to Section 16-11-312(B), the offender must receive and serve a minimum sentence of at least three years, no part of which may be suspended, and the person is not eligible for conditional release until the person has served the three-year minimum sentence;

(iv) seventeen but less than twenty-one years of age at the time of conviction for burglary in the second degree (Section 16-11-312). ~~The~~ If the offender committed burglary in the second degree pursuant to Section 16-11-312(B), the offender must receive and serve a minimum sentence of at least three years, no part of which may be suspended, and the person is not eligible for conditional release until the person has served the three-year minimum sentence;

(v) under seventeen years of age and has been bound over for proper criminal proceedings to the court of general sessions pursuant to Section 63-19-1210 for allegedly committing criminal sexual conduct with a minor in the third degree pursuant to Section 16-3-655(C), and the

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alleged offense involved consensual sexual conduct with a person who was at least fourteen years of age at the time of the act; or

(vi) seventeen but less than twenty-five years of age at the time of conviction for committing criminal sexual conduct with a minor in the third degree pursuant to Section 16-3-655(C), and the conviction resulted from consensual sexual conduct, provided the offender was eighteen years of age or less at the time of the act and the other person involved was at least fourteen years of age at the time of the act.”

SECTION 6. Section 24-21-5(1) of the 1976 Code is amended to read:

“(1) ‘Administrative monitoring’ means a form of monitoring by the department beyond the end of the term of supervision in which the only remaining condition of supervision not completed is the payment of financial obligations. Under administrative monitoring, the only condition of the monitoring shall be the requirement that reasonable progress be made toward the payment of financial obligations. The payment of monitoring mandated fees shall continue. When an offender is placed on administrative monitoring, ~~he~~ the offender shall register with the department’s representative in ~~his~~ the offender’s county, notify the department of ~~his~~ the offender’s current address each quarter, and make payments on financial obligations owed, until the financial obligations are paid in full or a consent order of judgment is filed. Written notice of petitions for civil contempt as set forth in Section 24-21-100, scheduled hearings or proceedings, or any other event or modification associated with administrative monitoring must be given by the department by depositing the notice in the United States mail with postage prepaid addressed to the person at the address contained in the records of the department. The giving of notice by mail is complete ten days after the deposit of the notice. A certificate by the director of the department or the director’s designee that the notice has been sent as required in this section is presumptive proof that the requirements as to notice of petitions for civil contempt as set forth in Section 24-21-100, scheduled hearings or proceedings, or any other event or modification associated with administrative monitoring have been met even if the notice has not been received by the offender. If an offender fails to appear for the civil contempt proceeding, the court may issue a bench warrant for the offender’s arrest for failure to appear, or the court may proceed in the offender’s absence and issue a bench warrant along with an order imposing a term of confinement as set forth in Section 24-21-100.”

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SECTION 7. Section 24-21-100(A) of the 1976 Code is amended to read:

“(A) Notwithstanding the provisions of Section 24-19-120, 24-21-440, 24-21-560(B), or 24-21-670, when an individual has not fulfilled ~~his~~ the individual’s obligations for payment of financial obligations by the end of ~~his~~ the individual’s term of supervision, then the individual shall be placed under quarterly administrative monitoring, as defined in Section 24-21-5, by the department until such time as those financial obligations are paid in full or a consent order of judgment is filed. If the individual under administrative monitoring fails to make reasonable progress toward the payment of such financial obligations, as determined by the department, the department may petition the court to hold an individual in civil contempt for failure to pay the financial obligations. The department shall provide written notice of the petition and any scheduled contempt by depositing the notice in the United States mail with postage prepaid addressed to the person at the address contained in the records of the department. The giving of notice by mail is complete ten days after the deposit of the notice. A certificate by the director of the department or the director’s designee that the notice has been sent as required in this section is presumptive proof that the requirements as to notice of petition and any scheduled contempt hearing have been met even if the notice has not been received by the offender. If the court finds the individual has the ability to pay but has not made reasonable progress toward payment, the court may hold the individual in civil contempt of court and may impose a term of confinement in the local detention center until payment of the financial obligations, but in no case to exceed ninety days of confinement. Following any term of confinement, the individual shall be returned to quarterly administrative monitoring by the department. If the individual under administrative monitoring does not have the ability to pay the financial obligations and has no reasonable likelihood of being able to pay in the future, the department may submit a consent order of judgment to the court, which shall relieve the individual of any further administrative monitoring.”

SECTION 8. Section 24-21-280(D) of the 1976 Code is amended to read:

“(D) A probation agent, in consultation with ~~his~~ the probation agent’s supervisor, shall identify each individual under the department’s supervision ~~of the department~~, with a term of supervision of more than one year, and shall calculate and award compliance credits as provided in this section. Credits may be earned from the first day of supervision

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on a thirty-day basis, but ~~shall~~ must not be applied until after each thirty-day period of supervision has been completed. Compliance credits may be denied for noncompliance on a thirty-day basis as determined by the department. The denial of nonearned compliance credits is a final decision of the department and is not subject to appeal. An individual may earn up to twenty days of compliance credits for each thirty-day period in which ~~he~~ the department determines that the individual has substantially fulfilled all of the conditions of his the individual's supervision, has no new arrests, and has made all scheduled payments of his financial obligations."

SECTION 9. Section 44-53-370(b) of the 1976 Code is amended to read:

"(b) A person who violates subsection (a) with respect to:

(1) a controlled substance classified in Schedule I (b) and (c) which is a narcotic drug or lysergic acid diethylamide (LSD) and in Schedule II which is a narcotic drug is guilty of a felony and, upon conviction, for a first offense must be imprisoned not more than fifteen years or fined not more than twenty-five thousand dollars, or both. For a second offense, ~~or if, in the case of a first conviction of violation of any provision of this subsection, the offender previously has been convicted of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender must be imprisoned not less than five years nor more than thirty years, or fined not more than fifty thousand dollars, or both. For a third or subsequent offense, ~~or if the offender previously has been convicted two or more times in the aggregate of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender must be imprisoned not less than ten years nor more than thirty years, or fined not more than fifty thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough,

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community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;

(2) any other controlled substance classified in Schedule I, II, or III, flunitrazepam or a controlled substance analogue, is guilty of a felony and, upon conviction, for a first offense must be imprisoned not more than five years or fined not more than five thousand dollars, or both. For a second offense, ~~or, if, in the case of a first conviction of violation of any provision of this subsection, the offender previously has been convicted of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender is guilty of a felony and, upon conviction, must be imprisoned not more than ten years or fined not more than ten thousand dollars, or both. For a third or subsequent offense, ~~or, if the offender previously has been convicted two or more times in the aggregate of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender is guilty of a felony and, upon conviction, must be imprisoned not less than five years nor more than twenty years, or fined not more than twenty thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;

(3) a substance classified in Schedule IV except for flunitrazepam is guilty of a misdemeanor and, upon conviction, for a first offense must be imprisoned not more than three years or fined not more than three thousand dollars, or both. In the case of second or subsequent offenses, the person is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than six thousand dollars, or both. Notwithstanding any other provision of law, a person convicted

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and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;

(4) a substance classified in Schedule V is guilty of a misdemeanor and, upon conviction, for a first offense must be imprisoned not more than one year or fined not more than one thousand dollars, or both. In the case of second or subsequent offenses, the sentence must be twice the first offense. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;”

SECTION 10. Section 44-53-375(B) of the 1976 Code is amended to read:

“(B) A person who manufactures, distributes, dispenses, delivers, purchases, or otherwise aids, abets, attempts, or conspires to manufacture, distribute, dispense, deliver, or purchase, or possesses with intent to distribute, dispense, or deliver methamphetamine or cocaine base, in violation of the provisions of Section 44-53-370, is guilty of a felony and, upon conviction:

(1) for a first offense, must be sentenced to a term of imprisonment of not more than fifteen years or fined not more than twenty-five thousand dollars, or both;

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(2) for a second offense ~~or if, in the case of a first conviction of a violation of this section, the offender has been convicted of any of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender must be imprisoned for not less than five years nor more than thirty years, or fined not more than fifty thousand dollars, or both;

(3) for a third or subsequent offense ~~or if the offender has been convicted two or more times in the aggregate of any violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender must be imprisoned for not less than ten years nor more than thirty years, or fined not more than fifty thousand dollars, or both.

Possession of one or more grams of methamphetamine or cocaine base is prima facie evidence of a violation of this subsection. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a first offense or second offense may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted.”

SECTION 11. Section 44-53-470 of the 1976 Code is amended to read:

“Section 44-53-470. (A) An offense is considered a second or subsequent offense if:

(1) for an offense involving marijuana pursuant to the provisions of this article, the offender has been convicted within the previous five years of a first violation of a marijuana possession provision of this article or of another state or federal statute relating to marijuana possession;

(2) for an offense involving marijuana pursuant to the provisions of this article, the offender has at any time been convicted of a first,

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second, or subsequent violation of a marijuana offense provision of this article or of another state or federal statute relating to marijuana offenses, except a first violation of a marijuana possession provision of this article or of another state or federal statute relating to marijuana offenses;

(3) for an offense involving a controlled substance other than marijuana pursuant to this article, the offender has been convicted within the previous ten years of a first violation of a controlled substance offense provision, other than a marijuana offense provision, of this article or of another state or federal statute relating to narcotic drugs, depressants, stimulants, or hallucinogenic drugs; and

(4) for an offense involving a controlled substance other than marijuana pursuant to this article, the offender has at any time been convicted of a second or subsequent violation of a controlled substance offense provision, other than a marijuana offense provision, of this article or of another state or federal statute relating to narcotic drugs, depressants, stimulants, or hallucinogenic drugs.

(B) In addition to the above provisions, a conviction of trafficking in marijuana or trafficking in any other controlled substance in violation of this article or of another state or federal statute relating to trafficking in controlled substances must be considered a prior offense for purposes of any prosecution pursuant to this article.

~~(B)~~(C) If a person is sentenced to confinement as the result of a conviction pursuant to this article, the time period specified in this section begins on the date of the conviction or on the date the person is released from confinement imposed for the conviction, whichever is later. For purposes of this section, confinement includes incarceration and supervised release, including, but not limited to, probation, parole, house arrest, community supervision, work release, and supervised furlough.”

SECTION 12. Section 56-1-396(F) of the 1976 Code is amended to read:

“(F) Qualifying suspensions include, and are limited to, suspensions pursuant to Sections 34-11-70, 56-1-120, 56-1-170, 56-1-185, 56-1-240, 56-1-270, 56-1-290, 56-1-460(A)(1), 56-2-2740, 56-9-351, 56-9-354, 56-9-357, 56-9-430, 56-9-490, 56-9-610, 56-9-620, 56-10-225, 56-10-240, 56-10-270, 56-10-520, 56-10-530, and 56-25-20. Qualifying suspensions do not include suspensions pursuant to Section 56-5-2990 or Section 56-5-2945, and do not include suspensions pursuant to Section 56-1-460 if the person drives a motor vehicle when the person’s license

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has been suspended or revoked pursuant to Section 56-5-2990 or Section 56-5-2945.”

SECTION 13. The repeal or amendment by the provisions of this act or any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 14. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

The amendment was adopted.

Senator MASSEY explained the Bill.

The question then was second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	McElveen	Nicholson
Peeler	Rankin	Reese
Setzler	Shealy	Thurmond

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Turner
Young

Verdin

Williams

Total--40

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3548 -- Reps. J.E. Smith, Yow and Weeks: A BILL TO AMEND SECTION 63-7-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTIFICATION AND TRANSFER OF REPORTS OF CHILD ABUSE OR NEGLECT, SO AS TO PROVIDE THAT IF THE ALLEGED ABUSED OR NEGLECTED CHILD IS A MEMBER OF AN ACTIVE DUTY MILITARY FAMILY, THE COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOTIFY CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; TO AMEND SECTION 63-7-920, RELATING TO INVESTIGATIONS AND CASE DETERMINATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT OR LAW ENFORCEMENT, OR BOTH, MAY COLLECT INFORMATION CONCERNING THE MILITARY AFFILIATION OF THE PERSON HAVING CUSTODY OR CONTROL OF THE CHILD SUBJECT TO AN INVESTIGATION AND MAY SHARE THIS INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO MAKE TECHNICAL CORRECTIONS AND TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO GRANT ACCESS TO THE RECORDS OF AN INDICATED CASE TO CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD,

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IS ASSIGNED; AND TO AMEND SECTION 63-11-80, RELATING TO CONFIDENTIAL INFORMATION WITHIN CHILD WELFARE AGENCIES, SO AS TO PROVIDE THAT AN OFFICER, AGENT OR EMPLOYEE OF THE DEPARTMENT OR A CHILD WELFARE AGENCY SHALL NOT DISCLOSE, DIRECTLY OR INDIRECTLY, INFORMATION LEARNED ABOUT A CHILD, THE CHILD'S PARENTS OR RELATIVES, OR OTHER PERSONS HAVING CUSTODY OR CONTROL OF THE CHILD, EXCEPT IN CASES INVOLVING A CHILD IN THE CUSTODY OR CONTROL OF PERSONS WHO HAVE MILITARY AFFILIATION.

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

Senator MASSEY explained the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	McElveen	Nicholson
O'Dell	Peeler	Rankin
Reese	Sabb	Setzler
Shealy	Thurmond	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

H. 3772 -- Reps. Merrill and Delleney: A BILL TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

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 39; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
McElveen	Nicholson	O'Dell
Peeler	Rankin	Reese
Sabb	Setzler	Shealy
Thurmond	Verdin	Williams

Total--39

NAYS

Turner	Young
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Total--2

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ABSTAIN

Massey

Total--1

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3882 -- Reps. Gambrell, Gagnon, Putnam and Thayer: A BILL TO AMEND SECTION 59-67-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EXAMINATIONS OF SCHOOL BUS DRIVERS, SO AS TO PROVIDE THE PHYSICAL MUST BE A DEPARTMENT OF TRANSPORTATION PHYSICAL THAT MEETS THE REQUIREMENTS OF THE CERTAIN FEDERAL MOTOR CARRIER SAFETY REGULATIONS IN ADDITION TO EXISTING STATE CERTIFICATION REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (AGM\3882C001.AGM.AB15), which was adopted:

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

/ SECTION 1. Section 59-67-160 of the 1976 Code, as added by Act 351 of 2006, is amended to read:

“Section 59-67-160. A school bus driver shall have a physical examination that meets the requirements of the Federal Motor Carrier Safety Regulations (FMCSR), 49 C.F.R. 391.41, and meets the certification requirements of this section, certified by a ~~physician, a nurse practitioner acting within an approved protocol, or a physician assistant acting within an approved scope of practice guideline before the testing required to operate a school bus and every two years after that. The examining physician, nurse practitioner, or physician assistant’s~~ medical examiner as defined in 49 C.F.R. 390.5, before the testing required to operate a school bus and at least every two years after that. The certification must be made on forms provided by the State Department of Education or the United States Department of Transportation. The school bus driver candidate shall provide the testing administrator with the certified physical examination before taking the school bus driver

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physical performance test and the commercial driver's license skills test. The school bus driver candidate shall provide a copy of the ~~physician, nurse practitioner, or physician assistant's~~ certification to the employing school district. A school district may require additional physical examinations as the district determines to be appropriate. The State assumes no responsibility for the cost of physical examinations required by districts."

SECTION 2. This act takes effect upon approval by the Governor. /
Renummer sections to conform.
Amend title to conform.

Senator HAYES explained the Bill.

The question then was second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Matthews	McElveen
Nicholson	O'Dell	Peeler
Rankin	Reese	Sabb
Setzler	Shealy	Thurmond
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

H. 3430 -- Reps. Simrill, G.M. Smith, Felder, Pope, Weeks, Taylor, Hixon, Corley, Norrell, Ridgeway, Henderson, G.A. Brown, Long, Lucas, Pitts, Atwater, Gagnon, Gambrell, Wells and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SELL OR INSTALL AN UNMOUNTED, UNSAFE USED TIRE ONTO A PASSENGER CAR OR LIGHT TRUCK, TO DEFINE "UNSAFE" FOR THE PURPOSES OF THE CHAPTER, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT INSPECTIONS, TO PROVIDE A CIVIL FINE FOR EACH VIOLATION, TO PROVIDE THAT THIS CHAPTER DOES NOT LIMIT A BUSINESS OR INDIVIDUAL'S LIABILITY UNDER THE STATE'S PRODUCTS LIABILITY LAWS, AND TO EXEMPT A BUSINESS OR PERSON WHO IS SELLING TIRES FOR RETREADING.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

CARRIED OVER

S. 505 -- Senators L. Martin, Hembree and Shealy: A BILL TO AMEND SECTION 24-21-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24-21-560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24-21-670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

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

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S. 453 -- Senators Fair and Reese: A BILL TO MAKE PERMANENT THE PROVISIONS OF SECTION 14-1-240, RELATING TO SURCHARGES ON CERTAIN MISDEMEANORS TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY.

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

H. 3165 -- Reps. Tallon, Cole, Allison, Forrester and G.R. Smith: A BILL TO AMEND SECTIONS 56-5-130 AND 56-5-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS "MOTOR VEHICLE" AND "MOTORCYCLE", SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

H. 3353 -- Reps. Bradley, Herbkersman, Daning, Erickson, Long, Bowers, Newton, Wells, Corley, Hodges, R.L. Brown, George, Johnson and Robinson-Simpson: A JOINT RESOLUTION TO ESTABLISH BEGINNING WITH THE 2015-2016 SCHOOL YEAR A TWO-YEAR PILOT PROGRAM IN FIVE SPECIFIC COUNTIES TO FACILITATE THE USE OF GENERAL EDUCATIONAL DEVELOPMENT CAMPS TO HELP PEOPLE OBTAIN THEIR GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATES, TO PROVIDE PROGRAM ELEMENTS, AND TO PROVIDE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION SHALL ESTABLISH AND OVERSEE THE PROGRAM.

Senator SHANE MARTIN explained the Joint Resolution.

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

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

MOTION ADOPTED

At 4:51 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

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HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

**S. 11 -- FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE
OF FREE CONFERENCE ADOPTED**

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

The Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPSEN spoke on the report.

S. 11--Free Conference Powers Granted

Senator CAMPSEN moved that the Committee of Conference be granted Free Conference Powers.

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

Ayes 39; Nays 0

AYES

Alexander	Bennett	Bright
Bryant	Campbell	Campsen
Cleary	Corbin	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey

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McElveen	Nicholson	O'Dell
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

Free Conference Powers were granted.

Free Conference Committee Appointed

Whereupon, Senators CAMPSen, GREGORY and JOHNSON were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

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

Ayes 39; Nays 0

AYES

Alexander	Bennett	Bright
Bryant	Campbell	Campsen
Cleary	Corbin	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
McElveen	Nicholson	O'Dell
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Verdin	Williams	Young

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Total--39

NAYS

Total--0

On motion of Senator CAMPSSEN, the Report of the Committee of Free Conference to S. 11 was adopted as follows:

S. 11--Free Conference Report

The General Assembly, Columbia, S.C., May 26, 2015

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 30-4-80 of the 1976 Code is amended to read:

“Section 30-4-80. ~~(a)~~(A) All public bodies, except as provided in subsections ~~(b)~~(B) and ~~(c)~~(C) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. ~~Agenda, if any,~~ An agenda for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the body, if any, at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board or website, if any, public notice for any called, special, or rescheduled meetings. Such notice must include the agenda, date, time, and place of the

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meeting, and must be posted as early as is practicable but not later than twenty-four hours before the meeting. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies. This requirement does not apply to emergency meetings of public bodies. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda. Nothing herein relieves a public body of any notice requirement with regard to any statutorily required public hearing.

~~(b)~~(B) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

~~(c)~~(C) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection ~~(a)~~(A), must make reasonable and timely efforts to give notice of their meetings.

~~(d)~~(D) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

~~(e)~~(E) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.”

SECTION 2. This act takes effect upon approval by the Governor./
Amend title to conform.

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/s/Sen. George E. Campsen III /s/Rep. William Weston J. Newton
/s/Sen. Kevin L. Johnson /s/Rep. Mandy Powers Norrell
/s/Sen. Chauncey K. Gregory /s/Rep. Bill Taylor
On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CARRIED OVER

S. 199 -- Senators Grooms, Hembree, Bennett, Campbell, Verdin, Campsen, Gregory, Johnson, Setzler, Sabb, Nicholson and Scott: A BILL TO AMEND SECTION 56-5-1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND CREATE "PEANUT'S LAW", TO PROVIDE A DEFINITION FOR THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER", TO CREATE THE OFFENSES OF "ENDANGERMENT OF A HIGHWAY WORKER", AND TO PROVIDE PENALTIES FOR THESE OFFENSES; TO AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT "ENDANGERMENT OF A HIGHWAY WORKER" VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56-5-1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

CONCURRENCE

S. 78 -- Senators Massey and Nicholson: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 12 OF THE 1976 CODE, RELATING TO FORFEITED LANDS, BY ADDING SECTION 12-59-140, SO AS TO ENACT THE "FORFEITED LANDS EMERGENCY DEVELOPMENT ACT", AND TO PROVIDE FOR THE AUTHORITY OF COUNTY COUNCILS AND FORFEITED LAND COMMISSIONS TO PETITION LEGISLATIVE

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**DELEGATIONS FOR THE USE OF THE SPECIAL AUTHORITIES
PROVIDED IN THIS ACT.**

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator LEATHERMAN explained the amendments.

Senator MASSEY spoke on the Bill.

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

Ayes 39; Nays 2

AYES

Alexander	Allen	Bennett
Bryant	Campbell	Campsen
Cleary	Coleman	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Matthews	McElveen
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Turner
Verdin	Williams	Young

Total--39

NAYS

Bright	Corbin
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Total--2

On motion of Senator LEATHERMAN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

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CONCURRENCE

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 House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

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

Ayes 40; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cleary
Coleman	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Matthews	McElveen
Nicholson	O'Dell	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Turner	Verdin	Williams
Young		

Total--40

NAYS

Bright	Bryant	Corbin
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Total--3

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On motion of Senator CROMER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 250 -- Senators Shealy, Lourie and Young: A BILL TO AMEND SECTION 63-7-380 OF THE 1976 CODE, TO PROVIDE FOR THE RELEASE OF A CHILD'S MEDICAL RECORDS WITHOUT PARENTAL CONSENT TO A SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDER FOR EVALUATING THE CHILD FOR SUSPECTED ABUSE OR NEGLECT; TO ADD SECTION 63-7-1990(B)(24) TO ALLOW A SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDER ACCESS TO RECORDS OF INDICATED CASES OF CHILD ABUSE OR NEGLECT; TO AMEND SECTION 63-7-1990 BY ADDING SUBSECTION (N) TO ALLOW FOR A SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDER TO RECEIVE A SUMMARY OF REFERRALS AND OUTCOMES OF CASES OF SUSPECTED ABUSE OR NEGLECT SENT TO A CONTRACTED SERVICE AGENCY OR PROGRAM; TO AMEND SECTION 63-7-1990 BY ADDING SUBSECTION (O) TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES SHALL SHARE INFORMATION RELATING TO AN INDICATED INVESTIGATION OF CHILD ABUSE OR NEGLECT WITH A CHILD'S PRIMARY OR SPECIALTY HEALTH CARE PROVIDER; TO AMEND SECTION 63-7-2000 BY ADDING SUBSECTION (F) TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO RELEASE A SUMMARY OF ALLEGATIONS AND THE INVESTIGATION OUTCOME OF UNFOUNDED CASES OF CHILD ABUSE OR NEGLECT WITH A SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDER.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

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Senator SHANE MARTIN explained the House amendments.

Senator SHANE MARTIN proposed the following amendment (JUD0250.003), which was adopted:

Amend the bill, as and if amended, by striking page 2, lines 8-25 and inserting:

/ “Section 63-7-380. A person required to report under Section 63-7-310 may take, or cause to be taken, color photographs of the areas of trauma visible on a child who is the subject of a report and, if medically indicated, a physician may cause to be performed a radiological examination or other medical examinations or tests of the child without the consent of the child’s parents or guardians. Copies of all photographs, negatives, radiological, and other medical reports must be sent to the department at the time a report pursuant to Section 63-7-310 is made, or as soon as reasonably possible after the report is made. Upon written request of the consulting care physician or the hospital facility and without consent of the child’s parent or legal guardian, the primary care physician shall release the medical records, radiologic imaging, photos, and all other health information only to the consulting care physician and the hospital facility. The consulting care physician and the hospital facility only may release the records to law enforcement in accordance with the Health Insurance Portability and Accountability Act, Section CFR 164.512(b).” /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

The question then was the adoption of the amendment.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory

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Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Matthews	McElveen
Nicholson	O'Dell	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Thurmond	Turner	Verdin
Williams	Young	

**Total--44
NAYS**

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 02, 2015, at 5:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R80, S. 3) -- Senators L. Martin, Shealy, Malloy, Courson, Fair, Turner, Lourie and Hembree: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "DOMESTIC VIOLENCE REFORM ACT"; TO AMEND SECTION 16-25-10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF DOMESTIC VIOLENCE OFFENSES, SO AS TO DEFINE OTHER NECESSARY TERMS; TO AMEND SECTION 16-3-600, AS AMENDED, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO REVISE THE DEFINITION OF "MODERATE BODILY INJURY" TO CONFORM; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OFFENSES, SO AS TO RESTRUCTURE THE OFFENSES BY GRADUATING THE PENALTIES INTO DEGREES, DEFINE THE ELEMENTS OF EACH DEGREE, AND PROVIDE A

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NEW PENALTY STRUCTURE, AMONG OTHER THINGS; TO AMEND SECTION 16-25-65, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, SO AS TO RESTRUCTURE THE OFFENSE, REDEFINE THE ELEMENTS OF THE OFFENSE, AND TO RESTRUCTURE THE PENALTY; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SO AS TO INCLUDE DOMESTIC VIOLENCE IN THE FIRST DEGREE AS A VIOLENT CRIME; TO AMEND SECTION 17-25-45, AS AMENDED, RELATING TO OFFENSES DEFINED AS “MOST SERIOUS” AND “SERIOUS”, SO AS TO ADD THE OFFENSES OF DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE AND DOMESTIC VIOLENCE IN THE FIRST DEGREE TO THE LIST OF “SERIOUS” OFFENSES; TO AMEND SECTION 56-7-10, AS AMENDED, RELATING TO UNIFORM TRAFFIC TICKETS, SO AS TO INCLUDE DOMESTIC VIOLENCE IN THE SECOND AND THIRD DEGREE OFFENSES TO THE LIST OF ADDITIONAL OFFENSES FOR WHICH A UNIFORM TRAFFIC TICKET MAY BE ISSUED; TO AMEND SECTION 16-25-30, RELATING TO POSSESSION OF A FIREARM BY A PERSON CONVICTED OF CERTAIN DOMESTIC VIOLENCE OFFENSES, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR PERSONS CONVICTED OF CERTAIN DOMESTIC VIOLENCE OFFENSES TO SHIP, TRANSPORT, RECEIVE, OR POSSESS A FIREARM OR AMMUNITION UNDER CERTAIN CIRCUMSTANCES AND PROVIDE A TIME FRAME FOR THE RESTORING OF RIGHTS REGARDING SHIPPING, TRANSPORTING, RECEIVING, OR POSSESSING A FIREARM OR AMMUNITION; TO AMEND SECTION 17-15-30 AND SECTION 22-5-510, BOTH AS AMENDED, RELATING TO MATTERS TO BE CONSIDERED WHEN DETERMINING CONDITIONS OF RELEASE ON BOND AND BOND HEARINGS AND INFORMATION TO BE PROVIDED TO THE COURT, RESPECTIVELY, BOTH SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL, TO PROVIDE THAT WHEN A PERSON IS CHARGED WITH A VIOLATION OF CERTAIN DOMESTIC VIOLENCE OFFENSES THAT A BOND HEARING MAY NOT PROCEED WITHOUT THE PERSON’S CRIMINAL RECORD AND INCIDENT REPORT, OR THE PRESENCE OF THE

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ARRESTING OFFICER, AND TO REQUIRE BOND HEARINGS FOR THESE VIOLATIONS TO BE HELD WITHIN TWENTY-FOUR HOURS AFTER ARREST; TO AMEND SECTION 17-15-10, RELATING TO PERSONS WHO MAY BE RELEASED PENDING TRIAL, SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL; TO AMEND SECTION 16-25-120, AS AMENDED, RELATING TO THE RELEASE OF A PERSON ON BOND WHO IS CHARGED WITH A VIOLENT OFFENSE OR WHEN THE VICTIM IS A HOUSEHOLD MEMBER, SO AS TO PROVIDE THAT THE COURT MUST CONSIDER CERTAIN FACTORS BEFORE RELEASING A PERSON ON BOND; TO AMEND SECTION 17-15-50, RELATING TO AMENDMENT OF AN ORDER RELATING TO BOND, SO AS TO CLARIFY THAT THE COURT WITH JURISDICTION OF THE OFFENSE MAY AMEND THE ORDER AT ANY TIME; TO AMEND SECTION 17-15-55, AS AMENDED, RELATING TO BOND AND THE AUTHORITY OF THE CIRCUIT COURT TO REVOKE BOND UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE PURPOSE OF BOND REVOCATION ONLY THAT A SUMMARY COURT HAS CONCURRENT JURISDICTION WITH THE CIRCUIT COURT FOR TEN DAYS FROM THE DATE BOND IS FIRST SET ON A CHARGE BY THE SUMMARY COURT TO DETERMINE IF BOND SHOULD BE REVOKED; TO AMEND SECTION 16-25-70, AS AMENDED, RELATING TO WARRANTLESS ARREST OR SEARCH FOR A DOMESTIC VIOLENCE OFFENSE, SO AS TO REQUIRE THAT THE MANDATED LAW ENFORCEMENT INVESTIGATION OF A DOMESTIC VIOLENCE OFFENSE MUST BE DOCUMENTED ON AN INCIDENT REPORT FORM WHICH MUST BE MAINTAINED BY THE INVESTIGATING AGENCY; TO AMEND SECTION 16-3-1110, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON COMPENSATION OF VICTIMS OF CRIME, SO AS TO INCLUDE MINOR WITNESSES TO A DOMESTIC VIOLENCE OFFENSE IN THE DEFINITION OF "VICTIM"; TO DIRECT THE DEPARTMENT OF SOCIAL SERVICES IN CONSULTATION WITH THE SOUTH CAROLINA VOUCHER PROGRAM TO PROVIDE CERTAIN CHILDCARE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE TO ENCOURAGE PARTICIPATION IN COURT HEARINGS RELATING TO DOMESTIC VIOLENCE; TO

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AMEND SECTION 17-22-90, RELATING TO PRETRIAL INTERVENTION PROGRAMS AND AGREEMENTS REQUIRED BY OFFENDERS IN A PROGRAM, SO AS TO REQUIRE THE CIRCUIT SOLICITOR, OR ATTORNEY GENERAL IF APPROPRIATE, TO SELECT AND APPROVE A BATTERER'S TREATMENT PROGRAM FOR USE AS PART OF PRETRIAL INTERVENTION FOR CERTAIN DOMESTIC VIOLENCE OFFENSES; BY ADDING ARTICLE 3 TO CHAPTER 25, TITLE 16 SO AS TO CREATE THE DOMESTIC VIOLENCE ADVISORY COMMITTEE WHOSE PURPOSE IS TO DECREASE THE INCIDENCES OF DOMESTIC VIOLENCE, TO DEFINE NECESSARY TERMS, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO PROVIDE FOR THE DUTIES OF THE COMMITTEE, AND TO EXEMPT CERTAIN MEETINGS AND INFORMATION FROM THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT AND PROVIDE FOR CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO THE INVESTIGATION AND REVIEW OF INCIDENCES OF DOMESTIC VIOLENCE BY THE COMMITTEE; BY ADDING ARTICLE 5 TO CHAPTER 25, TITLE 16 SO AS TO RECODIFY THE PROVISIONS OF SECTION 43-1-260, RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS, WITHIN ARTICLE 5; TO AMEND SECTION 59-32-30, AS AMENDED, RELATING TO SUBJECTS TAUGHT IN THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO ADD THE SUBJECT OF DOMESTIC VIOLENCE BEGINNING WITH THE 2016-2017 SCHOOL YEAR; TO REPEAL SECTION 43-1-260 RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS; BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 16 SO AS TO CREATE PROVISIONS REGARDING PERMANENT RESTRAINING ORDERS, TO DEFINE NECESSARY TERMS, TO PROVIDE PROCEDURES FOR OBTAINING PERMANENT RESTRAINING ORDERS AND EMERGENCY RESTRAINING ORDERS; AND TO AMEND SECTION 22-5-910, AS AMENDED, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO INCLUDE FIRST OFFENSE CONVICTIONS FOR DOMESTIC VIOLENCE IN THE THIRD DEGREE IN THE PURVIEW OF THE STATUTE AFTER FIVE YEARS FROM THE DATE OF CONVICTION.

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(R81, S. 261) -- Senator Thurmond: AN ACT TO AMEND SECTION 59-111-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVISIONS ALLOWING PERSONS AGE SIXTY AND OVER TO ATTEND STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION WITHOUT PAYMENT OF TUITION, SO AS TO REMOVE CRITERIA PROVIDING THESE PERSONS MAY RECEIVE NO COMPENSATION AS FULL-TIME EMPLOYEES.

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(R82, S. 301)-- Senator Alexander: AN ACT TO AMEND SECTION 40-2-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO REVISE THE BOARD'S COMPOSITION; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF ACCOUNTANCY, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-2-30, AS AMENDED, RELATING TO ACTIVITIES REQUIRING LICENSURE OR FIRM REGISTRATION, SO AS TO REPLACE A REFERENCE TO THE TERM "FINANCIAL STATEMENTS" WITH THE WORD "INFORMATION" AND TO ADD AN APPROPRIATE CROSS-REFERENCE; TO AMEND SECTION 40-2-35, RELATING TO CERTIFIED PUBLIC ACCOUNTANT LICENSURE REQUIREMENTS, SO AS TO REQUIRE APPLICANTS TO UNDERGO CERTAIN STATE AND FEDERAL CRIMINAL RECORDS CHECKS, TO REQUIRE CONTINUING EDUCATION OR ADDITIONAL EXPERIENCE, AS APPLICABLE, FOR APPLICANTS WHO DELAY SUBMITTING AN APPLICATION FOR A SUBSTANTIAL PERIOD OF TIME AFTER PASSING THE CERTIFIED PUBLIC ACCOUNTING EXAMINATION OR OBTAINING ACCOUNTING EXPERIENCE, AND TO PROVIDE A NECESSARY DEFINITION; TO AMEND SECTION 40-2-40, RELATING TO QUALIFICATIONS FOR REGISTRATION OF CERTIFIED PUBLIC ACCOUNTING FIRMS, SO AS TO PROVIDE THAT A SIMPLE MAJORITY OF THE FIRM OWNERSHIP MUST BE CERTIFIED PUBLIC ACCOUNTANTS, TO PROVIDE QUALIFICATIONS AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS FOR NONCERTIFIED PUBLIC ACCOUNTANT FIRM OWNERS, TO

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DELETE PROHIBITIONS AGAINST OWNERSHIP BY INVESTORS AND COMMERCIAL ENTERPRISES, AND TO GIVE THE BOARD OF ACCOUNTANCY THE DISCRETION TO CHARGE RELATED FEES; TO AMEND SECTION 40-2-80, AS AMENDED, RELATING TO THE INVESTIGATION OF COMPLAINTS AND DISCIPLINARY PROCEEDINGS, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY REQUIRE STATE AND FEDERAL CRIMINAL RECORDS CHECKS IN CONDUCTING SUCH INVESTIGATIONS AND PROCEEDINGS, TO PROHIBIT USE OF CERTAIN CRIMINAL CHARGE DISMISSALS OR RESTITUTION PAYMENTS AS EVIDENCE OF MISCONDUCT SUBJECT TO DISCIPLINE, AND TO PROVIDE FOR THE RECOVERY OF RELATED COSTS; TO AMEND SECTION 40-2-250, AS AMENDED, RELATING TO LICENSE RENEWALS, TO PROVIDE THAT RENEWAL APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST, TO GIVE THE BOARD DISCRETION TO CHARGE RELATED FEES, AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN LAPSE, REINSTATEMENT FEES, AND SANCTIONS; TO AMEND SECTION 40-2-255, RELATING TO REGISTRATION RENEWALS, SO AS TO PROVIDE THAT RENEWAL APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST, TO GIVE THE BOARD DISCRETION TO CHARGE RELATED FEES, AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN LAPSE AND SANCTIONS; AND TO AMEND SECTION 40-2-560, RELATING TO ISSUANCE OF LICENSES, SO AS TO ADD A CROSS-REFERENCE.

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(R83, S. 437) -- Senators Campsen, Reese, Gregory, Hutto, Cleary, Campbell, Cromer, Young, Bryant, Williams, Bennett, Johnson, Hembree, O'Dell, Davis, Fair, Hayes and Verdin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-240 SO AS TO ENACT THE "JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE", TO DEFINE THE TERM "CIVICS TEST", TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS IN THIS STATE TO TAKE THE CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES AS PART OF THE UNITED STATES GOVERNMENT REQUIRED CREDIT, TO ALLOW SCHOOL

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DISTRICTS TO RECOGNIZE STUDENTS WHO RECEIVE A PASSING GRADE ON THE TEST, TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, TO PROVIDE NO SCHOOL OR SCHOOL DISTRICT MAY CHARGE A FEE FOR THE TEST, AND TO PROVIDE THAT THE REQUIREMENTS OF THIS SECTION APPLY TO ANY STUDENT ENTERING THE NINTH GRADE BEGINNING WITH THE 2016-2017 SCHOOL YEAR.

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(R84, S. 592) -- Senator Campsen: AN ACT TO AMEND SECTION 50-11-710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING OF FERAL HOGS, COYOTES, AND ARMADILLOS AT NIGHT, SO AS TO RESTRUCTURE THE EXISTING PROVISIONS THAT REGULATE THE HUNTING OF THESE ANIMALS, AND TO PROVIDE FOR THE NIGHT HUNTING OF THESE ANIMALS BY A PERSON WITH A CENTER FIRE RIFLE USING CENTER FIRE AMMUNITION OR SUBSONIC CENTER FIRE AMMUNITION.

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(R85, H. 3083) -- Reps. Huggins, Kennedy, Clary, Corley, Weeks, Whipper and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA OVERDOSE PREVENTION ACT" BY ADDING CHAPTER 130 TO TITLE 44 SO AS TO ALLOW CERTAIN MEDICAL PROFESSIONALS TO PRESCRIBE OPIOID ANTIDOTES FOR INDIVIDUALS WHO THE MEDICAL PROFESSIONAL BELIEVES IN GOOD FAITH ARE AT RISK OF EXPERIENCING AN OPIOID OVERDOSE, TO REQUIRE MEDICAL PROFESSIONALS TO PROVIDE INSTRUCTIONAL INFORMATION TO A PERSON TO WHOM THE MEDICAL PROFESSIONAL PRESCRIBES AN OPIOID ANTIDOTE, TO ALLOW PHARMACISTS TO DISPENSE OPIOID ANTIDOTES PURSUANT TO A PRESCRIPTION, TO ALLOW CAREGIVERS AND FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES TO INDIVIDUALS WHO THE CAREGIVER OR FIRST RESPONDER BELIEVES IN GOOD FAITH ARE AT RISK OF

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EXPERIENCING AN OPIOID OVERDOSE, TO ALLOW PRESCRIBERS TO PRESCRIBE STANDING ORDERS FOR OPIOID ANTIDOTES TO FIRST RESPONDERS AND FOR FIRST RESPONDERS TO POSSESS THESE OPIOID ANTIDOTES, AND TO PROVIDE PROTECTIONS FROM CIVIL AND CRIMINAL LIABILITY FOR PRESCRIBING, DISPENSING, OR ADMINISTERING OPIOID ANTIDOTES, AND FOR OTHER PURPOSES.

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(R86, H. 3264) -- Rep. Taylor: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "AMERICAN RED CROSS SPECIAL LICENSE PLATES".

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(R87, H. 3880) -- Reps. Ott, Hixon, Pitts, Riley and Johnson: AN ACT TO AMEND SECTION 50-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS THAT RELATE TO THE MIGRATORY WATERFOWL COMMITTEE, THE CREATION OF THE COMMITTEE, ITS MEMBERSHIP, AND RESPONSIBILITIES, SO AS TO INCREASE ITS MEMBERSHIP BY ONE WHO SHALL BE A DESIGNEE OF DELTA WATERFOWL OF SOUTH CAROLINA WHO IS NOT A PAID EMPLOYEE.

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(R88, H. 3888) -- Reps. Cole, Allison, Brannon, Chumley, Forrester, Hicks, Mitchell and Tallon: AN ACT TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CONSOLIDATE AND RENAME CERTAIN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R89, H. 4166) -- Reps. Pitts and Willis: AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 56 MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

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

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

Amendment No. 5A

Senators SHANE MARTIN, DAVIS, BRIGHT and BRYANT proposed the following amendment (3702R010.KM.SRM):

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

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

(1) H63 - Department of Education
School Bus Lease or Purchase \$ 17,000,000

(2) H03 - Commission on Higher Education

Out of State Veteran Tuition

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Reimbursement-Colleges	\$	7,000,000
(3) H51 - Medical University of South Carolina Children's Hospital	\$	1
(4) H59 - State Board for Technical and Comprehensive Education ReadySC	\$	4,249,000
(5) J02 - Department of Health and Human Services Telemedicine	\$	2,000,000
(6) D10 - State Law Enforcement Division New Laboratory Facility	\$	1
(7) D10 - State Law Enforcement Division Vehicles	\$	900,000
(8) K05 - Department of Public Safety Law Enforcement Vehicles	\$	1,000,000
(9) K05 - Department of Public Safety Body Armor Replacement	\$	800,000
(10) K05 - Department of Public Safety Supply Warehouse Roof Replacement	\$	250,000
(11) P16 - Department of Agriculture Consumer Protection Equipment	\$	1,000,000
(12) P28 - Department of Parks, Recreation and Tourism Welcome Center Facility Management	\$	1

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amount of verified reimbursements compared to the total amount of verified reimbursements of all institutions.

SECTION 3. Funds appropriated above in Section 1, Item (14) to the Department of Transportation shall be used to fund the Orangeburg District Office Building Renovation, Clarendon County Maintenance Complex Construction, SHEP Greenville/Spartanburg Office Construction, and Lexington Maintenance Complex Construction.

SECTION 4. The Comptroller General shall post the appropriations contained in SECTION 1 of this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to SECTION 1 of this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2014-2015 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

Point of Quorum

At 5:54 P.M., Senator BRIGHT made the point that a quorum was not present. It was ascertained that a quorum was not present.

Senator BRIGHT moved that the Senate stand adjourned.

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

Ayes 7; Nays 28

AYES

Hutto	Jackson	Matthews
Nicholson	Rankin	Reese
Williams		

Total--7

NAYS

Alexander	Allen	Bennett
Bright	Bryant	Campbell

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Cleary	Coleman	Courson
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Johnson	Kimpson	Lourie
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
McElveen	Peeler	Sabb
Scott	Turner	Verdin
Young		

Total--28

The Senate refused to stand adjourned.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that, when the Senate adjourns, it stand adjourned to meet at 11:00 A.M. tomorrow.

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

Ayes 20; Nays 17

AYES

Alexander	Bennett	Bright
Bryant	Campbell	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes
Hembree	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Peeler	Turner
Verdin	Young	

Total--20

NAYS

Allen	Cleary	Coleman
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Matthews	McElveen	Nicholson
Rankin	Reese	Sabb
Scott	Williams	

Total--17

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The motion was adopted.

Senator DAVIS resumed speaking on Amendment No. 5A.

Motion Adopted

Senator DAVIS asked unanimous consent to make a motion that the Senate stand adjourned with Senator DAVIS retaining the floor on H. 3702.

There was no objection.

LOCAL APPOINTMENTS

Confirmations

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

Initial Appointment, Berkeley County Magistrate, with the term to commence May 30, 2015, and to expire April 30, 2019

Brian B. West, 1618 Pinopolis Road, Moncks Corner, SC 29461 *VICE*
Jim Polk

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

Gregory D. Blanton, 6905 Woodhaven Drive, Myrtle Beach, SC 29588

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Gary R. Faulkenberry, 1348 Airport Road, Pageland, SC 29728

Reappointment, Chesterfield County Part-time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Diane W. Dyches, Post Office Box 115, Patrick, SC 29584

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

John C. Benso, 4990 Fulton Place, Murrells Inlet, SC 29576

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

Barry Koon, 14149 C. R. Koon Highway, Newberry, SC 29108 *VICE*
Richard Lail, Arthur Jayroe, Jr., Barry Koon (Part-time positions)

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

Steven C. Pop, 47 Deer Moss Court, Pawley's Island, SC 29585

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

Lutherine J. Williams, Post Office Box 602, Latta, SC 29565 *VICE*
John Davis

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

Kelik D. Fling, 2718 Monument Court, Marion, SC 29571 *VICE*
Samuel Drose

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Pearl S. Richardson of West Columbia, S.C. Ms. Richardson is the aunt of our beloved Senator NIKKI SETZLER. Pearl went into the restaurant business when she moved to West Columbia in 1945 and later became a homemaker. She was very active in Our Saviour Lutheran Church. Pearl was a member of the Saluda River Women's Club, Garden Club and was an accomplished bridge player. Pearl was a loving wife, devoted mother, and doting grandmother who will be dearly missed.

ADJOURNMENT

At 6:35 P.M., on motion of Senator DAVIS, the Senate adjourned to meet tomorrow at 11:00 A.M.

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