

NO. 10

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

WEDNESDAY, JANUARY 27, 2016

**Wednesday January 27, 2016
(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

In the Gospel of Matthew we read:

“ ‘See how the lilies of the field grow.’ “ (Matthew 6:28b)

Let us pray, if you will:

Our state’s resources continue to astound us, O Wondrous God. There is always our incredible and diverse wealth of talented citizens, naturally. But when thinking about other South Carolina resources that bless us so, we cannot escape images of all that grows around us: the wondrous pine forests which stretch across the midlands of our State, our many farm families and their fields of crops of all sorts, all rich resources, indeed. We continue our call upon each of these Senate leaders and staff members, dear Lord, to do all they can to assure wise stewardship of these gifts -- as well as their consideration of our state’s infrastructure funding. May South Carolina ever be stronger and richer as a result. This we humbly ask in Your glorious name, O Lord. Amen.

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

ADDENDUM TO THE JOURNAL

The following remarks by Senator YOUNG were ordered printed in the Journal of January 12, 2016:

Remarks by Senator YOUNG

Members of the Senate, I rise today to pay tribute to our friend BILLY O’DELL -- A great husband, father, grandfather, businessman, Senator and friend.

I first met Senator O’DELL when I was a freshman student here in Columbia at Carolina. I was a page here in the Senate in the spring of 1990 and had the opportunity to be a page with Senator COURSON. At the time, Senator COURSON and Senator O’DELL were suitemates. Although I did not really know Senator O’DELL, my father was a native of Ware Shoals and my grandparents, who were alive at the time in 1990,

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still lived in Ware Shoals. In fact, my grandfather worked at Riegel for 48 years in the mill there and my grandmother worked in the mill too before she became the librarian. We had an immediate connection and became good friends. After my first year as a page, Senator COURSON moved when he became Chairman of Invitations, and I went with him. In spite of the move, Senator O'DELL and I maintained our friendship.

Two years later when I was a junior at Carolina, I ran for student body president. On election day, Senator O'DELL, along with Senator Wilson and Senator COURSON, went to the campus and campaigned for me. That was on Election Day for USC student government elections in 1992.

We kept in touch over the years and in 2008, I was fortunate to have been elected to the SC House and started across the hall in 2009. While I served there, Senator O'DELL helped me immensely as a member of the House, like he did starting in 2013 when I was honored to start serving here in the State Senate. While here in the Senate, Senator O'DELL had the confidence to place Senator SHEALY, Senator LOURIE and me on the DSS Oversight Committee. He shared with me several times in private conversations that he was determined for us and this Senate to find the best solutions for the agency and for the children and families served by DSS.

Senator O'DELL never forgot where he came from. Many times when the debate was going on for the last three years in this Chamber, he and I would talk just outside the doors. During those talks, we would talk about Ware Shoals and he would tell me about things happening in Due West, Donalds, Belton, Honea Path and even Starr and Iva in his district. He simply never forgot the people of the district that he represented.

Senator O'DELL's passing is a tremendous loss to the people of his district, to this Senate, and to The Citadel. Everyone in this Chamber knows how much of a strong supporter he was of The Citadel and there is not a stronger supporter of The Citadel under this dome today.

Like all of you, I have been blessed to have known Senator O'DELL and to have served with him. May God bless Senator O'DELL and his family.

ADDENDUM TO THE JOURNAL

The following remarks by Senator NICHOLSON were ordered printed in the Journal of January 12, 2016:

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Remarks by Senator NICHOLSON

Thank you, Mr. PRESIDENT. It is hard to come up with words about my dear friend BILLY O'DELL. When I was first elected to the Senate a few years ago, Senator O'DELL called and said, "Well Floyd, we are going to share a suite together." I told him that it made me feel really proud for him to want me as a suitemate. Billy and I go way back. I was the Mayor for 14 years and served on City Council for 11 years. I've always known Billy as one you could call on. If you needed some assistance, you could call Billy. He would let you know what he could do for you. If he could help you, he would let you know. If he couldn't help you, he would let you know. There were several things that were very dear to Senator O'DELL. The first thing was his family. He loved Gail, his children and especially his grandchildren. At the beginning of December, I was talking to Billy and told him that we had a meeting together. He said that he could not attend. He had a grandson who had joined the National Guard, who was graduating from basic training. He said, "I have to go to my grandson's graduation." He was so proud of his son and his granddaughter who is going to Clemson. He was proud of her doing very well at Clemson. Bill loved his family. He loved his community of Ware Shoals. Years ago, Regal Textiles was in Ware Shoals. They took care of Ware Shoals. Whatever they needed, Regal Textiles provided. Then Regal Textiles closed down and left the area abandoned. Senator O'DELL still worked hard to keep that community together.

Let's talk about disabilities and special needs. Senator O'DELL hired people with disabilities and special needs to work in his company. I know several from the Burton Center who lived in the Ware Shoals area, that Senator O'DELL hired. Billy served on the school board for a while. He was concerned about education. He was particularly concerned about those rural kids in Ware Shoals receiving a good education. He loved to serve in the Senate. He loved service. Just like Senator LARRY MARTIN said, there came a time when Billy said, "Hey, it's time to get out of here." He said, "It's time to go home." He had to get back to his family and business. I remember the last time I asked Billy if he was going to run again, and he said, "No, I'm not going to." Shortly after that he said, "Oh yeah, I'm running again." He was very excited and he contributed so much to make our State a better place. He believed in serving the people and not the party. He did what was right for the people. We can learn a lot from Senator O'DELL. He was a true statesman and a servant for the people who did not want recognition. He

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was willing to do what was right for the people and he is getting his recognition right now. Thank you.

COMMUNICATION FROM THE CLERK

January 14, 2016

Chapter 2, Title 2 of the 1976 Code, as added by the South Carolina Restructuring Act of 2014, provides a framework for systematic oversight of government agencies by the General Assembly. The President *Pro Tempore*, after consulting with the Standing Committee Chairmen and the Clerk of the Senate pursuant to Section 2-2-30 of the 1976 Code, determined that the Senate will schedule the following state agencies for Oversight Review during 2016:

State Accident Fund
Dept. of Alcohol & Other Drug Abuse Services
Dept. of Consumer Affairs
School for the Deaf & Blind
Dept. of Insurance
Dept. of Corrections
Wil Lou Gray Opportunity School
Workers' Compensation Commission

Agencies scheduled for review are encouraged to review the provisions contained in Chapter 2, Title 2 so that they may prepare for the oversight process. Final reports issued for the 2015 Oversight Reviews can be found on the individual committee pages of the General Assembly's website.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4595
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 13-7-10, 13-7-40 and 13-7-45 et seq.
SUBJECT: X-Rays (Title B)

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Received by Lieutenant Governor January 26, 2016
Referred to Committee on Medical Affairs

Doctor of the Day

Senator HAYES introduced of Dr. Terry L. Dodge of Chester, S.C.,
Doctor of the Day.

Expression of Personal Interest

Senator LEATHERMAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator YOUNG rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

- S. 267 Sens. Turner and Thurmond
- S. 719 Sen. Grooms
- S. 973 Sen. Alexander
- S. 1016 Sen. Rankin
- S. 1017 Sens. Turner, Hembree and Young

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1027 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PHYLLIS S. JACKSON, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ALTERNATIVE DISPUTE RESOLUTION MEDIATOR (GREENVILLE LOCAL OFFICE), UPON THE OCCASION OF HER RETIREMENT, TO THANK HER FOR HER MANY YEARS OF OUTSTANDING PUBLIC SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 1028 -- Senator Verdin: A BILL TO AMEND CHAPTER 3, TITLE 46 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF AGRICULTURE, TO ADD SECTION 46-3-280 TO PROVIDE

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FOR THE VETERANS AND WARRIORS TO AGRICULTURE PROGRAM AND FUND.

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

S. 1029 -- Senator Sheheen: A BILL TO AMEND CHAPTER 13, TITLE 50 OF THE 1976 CODE, RELATING TO THE SALE AND TRAFFICKING IN FISH, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, EXCEPT A COMMERCIAL FISHERMAN OR A PERSON WHO HARVESTS FISH IN ANY CAPACITY WITH THE INTENT OF GAINING MONETARY BENEFITS THROUGH SALE, BARTER, OR TRADE OF FINS AS A BYPRODUCT OF THE CAPTURE OF ANY CARTILAGINOUS FISH, TO POSSESS, SELL, OFFER FOR SALE, IMPORT, BRING, OR CAUSE TO BE BROUGHT OR IMPORTED INTO THIS STATE FINS OF CARTILAGINOUS FISH FOR RETAIL PURPOSES, TO PROVIDE THAT A COMMERCIAL FISHERMAN OR A PERSON WHO HARVESTS FISH IN ANY CAPACITY WITH THE INTENT OF GAINING MONETARY BENEFITS THROUGH SALE, BARTER, OR TRADE OF FINS AS A BYPRODUCT OF THE CAPTURE OF ANY CARTILAGINOUS FISH MAY SELL OR OFFER FOR SALE FINS ONLY AFTER THE INITIAL DETACHMENT, TO PROVIDE THAT NO PERSON SHALL INTENTIONALLY, KNOWINGLY, RECKLESSLY, OR WITH CRIMINAL NEGLIGENCE FAIL TO SALVAGE FOR BAIT OR HUMAN CONSUMPTION MORE THAN FIFTY PERCENT OF THE EDIBLE MEAT OF ANY CARTILAGINOUS FISH, TO PROVIDE THAT NO PERSON SHALL INTENTIONALLY, KNOWINGLY, RECKLESSLY, OR WITH CRIMINAL NEGLIGENCE FAIL TO SALVAGE FOR BAIT OR HUMAN CONSUMPTION ALL SKELETAL MUSCULAR TISSUE OF A CARTILAGINOUS FISH; TO AMEND CHAPTER 5, TITLE 50 OF THE 1976 CODE, RELATING TO CATCH LIMITS, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE OR POSSESS A GREAT HAMMERHEAD SHARK, A SMOOTH HAMMERHEAD SHARK, A SCALLOPED HAMMERHEAD SHARK, OR A CAROLINA HAMMERHEAD SHARK, TO PROVIDE PENALTIES AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1030 -- Senator Cromer: A BILL TO AMEND SECTION 50-13-645 OF THE 1976 CODE, RELATING TO PROTECTION OF NONGAME FISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A RECREATIONAL FISHERMAN TO TAKE MORE THAN TWENTY-FIVE AMERICAN EEL A DAY AND THAT EACH AMERICAN EEL TAKEN MUST BE AT LEAST NINE INCHES LONG.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1031 -- Senator Turner: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 138 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "MOTORCYCLE AWARENESS ALLIANCE" SPECIAL LICENSE PLATES.

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

S. 1032 -- 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, J. Matthews, M. B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE MRS. ANNETTE D. MCCOLLUM UPON THE OCCASION OF HER RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HER MANY YEARS OF SERVICE TO THE RICHLAND COUNTY LEGISLATIVE DELEGATION, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

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The Senate Resolution was adopted.

S. 1033 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis,

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Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, J. Matthews, M. B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE PASTOR ROCK E. SIMS AND FIRST LADY MINISTER NORMA J. SIMS OF MOUNT PILGRIM BAPTIST CHURCH IN COLUMBIA UPON THE OCCASION OF THEIR TENTH PASTORAL ANNIVERSARY, AND TO WISH THEM CONTINUED HAPPINESS IN THEIR SERVICE TO THE PEOPLE OF THEIR COMMUNITY.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

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

S. 267 -- Senators Young, Campsen, Hembree, Bennett, Turner and Thurmond: A BILL TO AMEND SECTION 2-1-180 OF THE 1976 CODE, RELATING TO ADJOURNMENT OF THE GENERAL ASSEMBLY, TO CHANGE THE DATE FOR THE MANDATORY ADJOURNMENT OF THE GENERAL ASSEMBLY FROM THE FIRST THURSDAY IN JUNE TO THE FIRST THURSDAY IN MAY, AND PROVIDE THAT IN ANY YEAR THAT THE HOUSE OF REPRESENTATIVES FAILS TO GIVE THIRD READING TO THE APPROPRIATIONS BILL BY MARCH FIRST, RATHER THAN MARCH THIRTY-FIRST, THE DATE OF ADJOURNMENT IS EXTENDED BY ONE STATEWIDE DAY FOR EACH STATEWIDE DAY AFTER MARCH FIRST, THAT THE HOUSE FAILS TO GIVE THE BILL THIRD READING.

Ordered for consideration tomorrow.

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

S. 524 -- Senators Hembree and Fair: A BILL TO AMEND SECTION 16-15-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDECENT EXPOSURE, SO AS TO PROVIDE THAT A CORRECTIONS OR DETENTION FACILITY IS CONSIDERED A PUBLIC PLACE, AND TO PROVIDE THAT IF THE VIOLATION OCCURS WITHIN A CORRECTIONS OR

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DETENTION FACILITY, THE SENTENCE IS TO RUN CONSECUTIVELY.

Ordered for consideration tomorrow.

Senator MALLOY from the Committee on Judiciary submitted a majority favorable with amendment and Senator CORBIN a minority unfavorable report on:

S. 647 -- Senators Malloy, Kimpson, Johnson, Nicholson and Allen: A BILL TO AMEND SECTION 16-5-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRIMINAL OFFENSE OF HINDERING A LAW ENFORCEMENT OFFICER, SO AS TO PROVIDE THAT SUCH OFFENSE DOES NOT APPLY TO A PERSON WHO PHOTOGRAPHS OR RECORDS A LAW ENFORCEMENT OFFICER PERFORMING THE OFFICER'S OFFICIAL DUTIES WHILE THE OFFICER IS IN A PUBLIC PLACE OR THE PERSON IS IN A PLACE THE PERSON HAS THE RIGHT TO BE.

Ordered for consideration tomorrow.

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

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 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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Ordered for consideration tomorrow.

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

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, 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

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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.

Ordered for consideration tomorrow.

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

S. 973 -- Senator Cromer: A BILL TO AMEND SECTION 38-7-20 OF THE 1976 CODE, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO EXTEND THE DATE THAT CERTAIN REVENUE MUST BE SENT TO THE SOUTH CAROLINA FORESTRY COMMISSION TO 2027.

Ordered for consideration tomorrow.

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

S. 976 -- Senator Hayes: A BILL TO AMEND SECTION 38-1-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE DEFINITIONS, SO AS TO ADD REFERENCES TO CERTAIN PRODUCERS; TO AMEND SECTION 38-43-50, RELATING TO LIMITED LINE AND SPECIAL PRODUCER LICENSING, SO AS TO ESTABLISH THAT A PRODUCER LICENSED FOR PROPERTY AND CASUALTY INSURANCE IS NOT REQUIRED TO BECOME APPOINTED BY THE SURPLUS LINES INSURER WHEN PLACING SURPLUS LINES INSURANCE THROUGH A LICENSED BROKER; AND TO AMEND SECTION 38-45-10, RELATING TO INSURANCE BROKERS AND SURPLUS LINES INSURANCE DEFINITIONS, SO AS TO PROVIDE THAT AN INSURANCE BROKER'S LICENSE IS NOT REQUIRED OF A PRODUCER LICENSED FOR PROPERTY AND CASUALTY INSURANCE WHO PLACES SURPLUS LINES INSURANCE THROUGH A LICENSED INSURANCE BROKER AND TO UPDATE REFERENCES.

Ordered for consideration tomorrow.

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

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S. 978 -- Senator Hayes: A BILL TO AMEND SECTION 38-9-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RISK-BASED CAPITAL PLANS, SO AS TO INCREASE THE MULTIPLIER FOR A COMPANY ACTION LEVEL EVENT FOR A LIFE AND HEALTH INSURER FROM 2.5 TO 3.0; TO AMEND SECTION 38-87-30, RELATING TO THE CHARTERING OF A RISK RETENTION GROUP, SO AS TO DEFINE TERMS, TO PROVIDE THAT A MAJORITY OF A RISK RETENTION GROUPS' DIRECTORS MUST BE INDEPENDENT DIRECTORS, TO ESTABLISH THE MAXIMUM TERM OF ANY MATERIAL SERVICE PROVIDER CONTRACT, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT A WRITTEN POLICY, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT AND DISCLOSE ITS GOVERNANCE STANDARDS, TO REQUIRE THE BOARD TO ADOPT AND DISCLOSE A CODE OF BUSINESS CONDUCT AND ETHICS, TO REQUIRE A RISK RETENTION GROUP TO COMPLY WITH APPLICABLE REGULATIONS, TO ESTABLISH PROCEDURES FOR NONCOMPLIANCE, AND TO SET ESTABLISHED DATES FOR COMPLIANCE; TO AMEND SECTION 38-87-40, RELATING TO OUT-OF-STATE RISK RETENTION GROUPS, SO AS TO ALLOW AN OUT-OF-STATE RISK RETENTION GROUP TO SUBMIT REVISIONS TO ITS PLAN OF OPERATION WITHIN THIRTY DAYS OF APPROVAL BY THE STATE INSURANCE COMMISSION OR WITHIN THIRTY DAYS IF NO APPROVAL IS REQUIRED; AND TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO EXTEND THE PROVISIONS OF SECTION 38-87-30 TO A RISK RETENTION GROUP LICENSED AS A CAPTIVE INSURANCE COMPANY.

Ordered for consideration tomorrow.

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

H. 3682 -- Reps. Finlay, Bannister, Newton, Cole, Delleney, Weeks, Whipper, Robinson-Simpson and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 39 SO AS TO ENACT THE "BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT", TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENTS ARE PROHIBITED, TO DEFINE TERMS, TO PROVIDE FOR A

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PRIVATE CAUSE OF ACTION IN STATE COURTS BY A RECIPIENT OF A BAD FAITH ASSERTION TO PATENT INFRINGEMENT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND WILFUL AND KNOWING VIOLATIONS MAY RESULT IN CIVIL PENALTIES OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

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

Statewide Appointment

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2014, and to expire May 19, 2021

Berkeley County:

Peggy H. Pinnell, 1426 Dennis Boulevard, Moncks Corner, SC 29461

HOUSE CONCURRENCE

S. 1019 -- Senator Cleary: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE ST. JAMES HIGH SCHOOL GIRLS VARSITY GOLF TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2015 CLASS AAA STATE CHAMPIONSHIP TITLE.

Returned with concurrence.

Received as information.

Motion Adopted

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

ADJOURNMENT

At 2:19 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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