

NO. 62

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

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WEDNESDAY, APRIL 27, 2016

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

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 11:45 A.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:

The Psalmist pointedly reminds us that the Lord:

“ . . . guides the humble in what is right and teaches them his way.”  
(Psalm 25:9)

Let us pray:

Gracious Lord, how difficult it has to be to serve in the public eye. So we ask that You will especially be with each one of these Senators as they confront news media representatives, as they interact with people out under the Dome, in hallways and in their offices, as they are captured on television here in this Chamber and in meeting rooms, as they work almost nonstop for the citizens of our State. Truly, keep these leaders determined and focused, dear Lord, but mostly grant to each of them the humility and the wisdom to do their work in ways that are pleasing to You. In Your supportive and loving name we pray, O Savior. Amen.

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

**RECESS**

At 11:50 A.M., The Senate recessed from business for the purpose of attending the Joint Assembly.

**JOINT ASSEMBLY**

**Elections**

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 1198 -- Senators Peeler, Alexander, Hayes, Scott and Rankin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 27, 2016, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT

**WEDNESDAY, APRIL 27, 2016**

SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, CLEMSON UNIVERSITY, COLLEGE OF CHARLESTON, FRANCIS MARION UNIVERSITY, LANDER UNIVERSITY, MEDICAL UNIVERSITY OF SOUTH CAROLINA, UNIVERSITY OF SOUTH CAROLINA, WINTHROP UNIVERSITY, AND WIL LOU GRAY OPPORTUNITY SCHOOL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE ON JUNE 30, 2016, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; IMMEDIATELY FOLLOWING THE ELECTION OF MEMBERS OF BOARDS OF TRUSTEES, TO ELECT MEMBERS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE APPELLATE PANEL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE OR WHOSE TERMS OTHERWISE MUST BE FILLED; AND TO ESTABLISH PROCEDURES REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

**Election to an At-Large Position  
on the Board of Trustees for The Citadel**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for The Citadel.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Lauren Fleming and Dylan W. Goff had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator PEELER, the name of Lauren Fleming was withdrawn from consideration.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Dylan W. Goff was elected to the position on the Board of Trustees for the The Citadel, at-large for the term to expire June 30, 2022.

**WEDNESDAY, APRIL 27, 2016**

**Election to Three At-Large Positions  
on the Board of Trustees for Clemson University**

The PRESIDENT announced that nominations were in order to elect a successor to the three at-large positions on the Board of Trustees for Clemson University.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ronald D. Lee, Louis B. Lynn, Robert L. Peeler and Neil C. Robinson had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator PEELER, the name of Neil C. Robinson was withdrawn from consideration.

On motion of Senator PEELER, the names of Ronald D. Lee, Louis B. Lynn and Robert L. Peeler were placed in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Ronald D. Lee, the Honorable Louis B. Lynn and the Honorable Robert L. Peeler were elected to the three at-large positions on the Board of Trustees for Clemson University for the terms to expire June 30, 2020.

**Election to the Board of Trustees for the  
College of Charleston, 1<sup>st</sup> Congressional District, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 1<sup>st</sup> Congressional District, Seat #2.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that L. Cherry Daniel had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable L. Cherry Daniel was elected to a position on the Board of Trustees for the College of Charleston, 1<sup>st</sup> Congressional District, Seat #2 for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
College of Charleston, 2<sup>nd</sup> Congressional District, Seat #4**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 2<sup>nd</sup> Congressional District, Seat #4.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Brian Jeffrey Stern had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Brian Jeffrey Stern was elected to a position on the Board of Trustees for the College of Charleston, 2<sup>nd</sup> Congressional District, Seat #4 for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
College of Charleston, 3<sup>rd</sup> Congressional District, Seat #6**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 3<sup>rd</sup> Congressional District, Seat #6.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Edward L. Thomas, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Edward L. Thomas, Jr. was elected to a position on the Board of Trustees for the College of Charleston, 3<sup>rd</sup> Congressional District, Seat #6 for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
College of Charleston, 4<sup>th</sup> Congressional District, Seat #8**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 4<sup>th</sup> Congressional District, Seat #8.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Renee B. Romberger had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Renee B. Romberger was elected to a position on the Board of Trustees for the College of Charleston, 4<sup>th</sup> Congressional District, Seat #8 for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
College of Charleston, 5<sup>th</sup> Congressional District, Seat #10**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 5<sup>th</sup> Congressional District, Seat #10.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Robert M. "Laurin" Burch III and Michael Todd Warrick had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator PEELER, the name of Robert M. "Laurin" Burch III was withdrawn from consideration.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michael Todd Warrick was elected to a position on the Board of Trustees for the College of Charleston, 5<sup>th</sup> Congressional District, Seat #10 for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
College of Charleston, 6<sup>th</sup> Congressional District, Seat #12**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 6<sup>th</sup> Congressional District, Seat #12.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ricci Land Welch had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ricci Land Welch was elected to a position on the Board of Trustees for the College of Charleston, 6<sup>th</sup> Congressional District, Seat #12 for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
College of Charleston, 7<sup>th</sup> Congressional District, Seat #14**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 7<sup>th</sup> Congressional District, Seat #14.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Penelope S. Rosner had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Penelope S. Rosner was elected to a position on the Board of Trustees for the College of Charleston, 7<sup>th</sup> Congressional District, Seat #14 for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
College of Charleston, At-Large, Seat #16**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, at-large, Seat #16.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that David Mikell Hay had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David Mikell Hay was elected to a position on the Board of Trustees for the College of Charleston, at-large, Seat #16 for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
Francis Marion University, 2<sup>nd</sup> Congressional District, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 2<sup>nd</sup> Congressional District, Seat #2.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Benjamin I. Duncan II had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Benjamin I. Duncan II was elected to a position on the Board of Trustees for the Francis Marion University, 2<sup>nd</sup> Congressional District, Seat #2 for the term prescribed by law.

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**Election to the Board of Trustees for the  
Francis Marion University, 3<sup>rd</sup> Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 3<sup>rd</sup> Congressional District, Seat #3.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Patricia C. Hartung had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Patricia C. Hartung was elected to a position on the Board of Trustees for the Francis Marion University, 3<sup>rd</sup> Congressional District, Seat #3 for the term to expire June 30, 2020.

**Election to the Board of Trustees for the  
Francis Marion University, 4<sup>th</sup> Congressional District, Seat #4**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 4<sup>th</sup> Congressional District, Seat #4.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Benny Joe “Jody” Bryson had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Benny Joe “Jody” Bryson was elected to a position on the Board of Trustees for the Francis Marion University, 4<sup>th</sup> Congressional District, Seat #4 for the term to expire June 30, 2020.

WEDNESDAY, APRIL 27, 2016

**Election to the Board of Trustees for the**

**Francis Marion University, 7<sup>th</sup> Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 7<sup>th</sup> Congressional District, Seat #7.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that George C. McIntyre had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George C. McIntyre was elected to a position on the Board of Trustees for the Francis Marion University, 7<sup>th</sup> Congressional District, Seat #7 for the term to expire June 30, 2020.

**Election to the Board of Trustees for the**

**Francis Marion University, At-Large Position, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat #9.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mary M. Finklea and Karen A. Leatherman had been screened and found qualified to serve.

Senator PEELER placed the names of in nomination.

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

The following named Senators voted for At-Large Mary M. Finklea:  
Bright

**Total--1**

The following named Senators voted for At-Large Karen A. Leatherman:

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

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Fair	Grooms	Hayes
Hutto	Jackson	Johnson
Kimpson	Lourie	Malloy
<i>Martin, Larry</i>	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Reese	Sabb
Scott	Setzler	Shealy
Thurmond	Turner	Verdin
Williams	Young	

**Total--38**

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

The following named Representatives voted for At-Large Mary M.

Finklea:

Bedingfield	Burns	Chumley
Clary	Collins	Daning
Hill	Loftis	Norman
Stringer		

**Total--10**

The following named Representatives voted for At-Large Karen A.

Leatherman:

Alexander	Allison	Anderson
Bales	Ballentine	Bamberg
Bannister	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	M. S. McLeod
Clemmons	Clyburn	Cobb-Hunter
Cole	H. A. Crawford	Crosby
Delleney	Dillard	Duckworth
Erickson	Forrester	Fry
Funderburk	Gagnon	Gambrell
George	Gilliard	Goldfinch
Govan	Hardee	Hayes
Henderson	Henegan	Herbkersman
Hixon	Hodges	Hosey

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Howard	Huggins	Jefferson
Jordan	Kennedy	King
Kirby	Limehouse	Lowe
Lucas	McCoy	McEachern
McKnight	W. J. McLeod	Merrill
Mitchell	D. C. Moss	Murphy
Neal	Newton	Ott
Parks	Pitts	Norrell
Quinn	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
Sottile	Spires	Tallon
Taylor	Tinkler	Weeks
Wells	Whipper	White
Whitmire	Williams	Hicks
Yow		

**Total--88**

**RECAPITULATION**

Total number of Senators voting .....	39
Total number of Representatives voting.....	<u>98</u>
Grand Total.....	137
Necessary to a choice .....	69
Of which At-Large Mary M. Finklea received .....	11
Of which At-Large Karen A. Leatherman received .....	126

Whereupon, the PRESIDENT announced that the Honorable Karen A. Leatherman was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat #9 for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
Francis Marion University, At-Large Position, Seat #11**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat #11.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that H. Randall Dozier and Tim Geddings had been screened and found qualified to serve.

On motion of Senator PEELER, with unanimous consent, the name of Tim Geddings was withdrawn from consideration.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. Randall Dozier was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat #11 for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
Francis Marion University, At-Large Position, Seat #15**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat #15.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that William W. Coleman, Jr. had been screened and found qualified to serve.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William W. Coleman, Jr. was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat #15 for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Lander University, 1<sup>st</sup> Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 1<sup>st</sup> Congressional District, Seat #1.

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Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Cary C. Corbitt had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Cary C. Corbitt was elected to the position on the Board of Trustees for Lander University, 1<sup>st</sup> Congressional District, Seat #1, for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Lander University, 2<sup>nd</sup> Congressional District, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 2<sup>nd</sup> Congressional District, Seat #2.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Angela G. Strickland had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Angela G. Strickland was elected to the position on the Board of Trustees for Lander University, 2<sup>nd</sup> Congressional District, Seat #2, for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Lander University, 3<sup>rd</sup> Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 3<sup>rd</sup> Congressional District, Seat #3.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Linda L. Dolny had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable Linda L. Dolny was elected to the position on the Board of Trustees for Lander University, 3<sup>rd</sup> Congressional District, Seat #3, for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Lander University, 4<sup>th</sup> Congressional District, Seat #4**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 4<sup>th</sup> Congressional District, Seat #4.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Jack W. Lawrence had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jack W. Lawrence was elected to the position on the Board of Trustees for Lander University, 4<sup>th</sup> Congressional District, Seat #4, for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Lander University, 5<sup>th</sup> Congressional District, Seat #5**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 5<sup>th</sup> Congressional District, Seat #5.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Hester Booker and S. Anne Walker had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator PEELER, with unanimous consent, the name of Hester Booker was withdrawn from consideration.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable S. Anne Walker was elected to the position on the Board of Trustees for Lander University, 5<sup>th</sup> Congressional District, Seat #5, for a term to expire June 30, 2020.

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**Election to the Board of Trustees for  
Lander University, 6<sup>th</sup> Congressional District, Seat #6**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 6<sup>th</sup> Congressional District, Seat #6.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Robert F. Sabalis had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert F. Sabalis was elected to the position on the Board of Trustees for Lander University, 6<sup>th</sup> Congressional District, Seat #6, for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Lander University, 7<sup>th</sup> Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Lander University, 7<sup>th</sup> Congressional District, Seat #7.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Catherine K. Frederick had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Catherine K. Frederick was elected to the position on the Board of Trustees for Lander University, 7<sup>th</sup> Congressional District, Seat #7, for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
the Medical University of South Carolina University  
1<sup>st</sup> Congressional District, Lay Member**

The PRESIDENT announced that nominations were in order to elect a successor to a lay member on the Board of Trustees for the Medical

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University of South Carolina University, 1<sup>st</sup> Congressional District, lay member.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Michael E. Stavrinakis had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michael E. Stavrinakis was elected to the position on the Board of Trustees for the Medical University of South Carolina University, 1<sup>st</sup> Congressional District, lay member for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
the Medical University of South Carolina University  
2<sup>nd</sup> Congressional District, Lay Member**

The PRESIDENT announced that nominations were in order to elect a successor to a lay member on the Board of Trustees for the Medical University of South Carolina University, 2<sup>nd</sup> Congressional District, lay member.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that William H. Bingham, Sr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William H. Bingham, Sr. was elected to a position on the Board of Trustees for the Medical University of South Carolina University, 2<sup>nd</sup> Congressional District, lay member for a term to expire June 30, 2020.

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**Election to the Board of Trustees for  
the Medical University of South Carolina University  
3<sup>rd</sup> Congressional District, Lay Member**

The PRESIDENT announced that nominations were in order to elect a successor to a lay member on the Board of Trustees for the Medical University of South Carolina University, 3<sup>rd</sup> Congressional District, lay member.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Charles W. Schulze had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles W. Schulze was elected to a position on the Board of Trustees for the Medical University of South Carolina University, 3<sup>rd</sup> Congressional District, lay member for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
the Medical University of South Carolina University  
4<sup>th</sup> Congressional District, Medical Member**

The PRESIDENT announced that nominations were in order to elect a successor to a medical position on the Board of Trustees for the Medical University of South Carolina University, 4<sup>th</sup> Congressional District, medical position.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Michael David Mitchell and Charles B. Thomas, Jr. had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator PEELER, with unanimous consent, the name of Michael David Mitchell was withdrawn from consideration.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles B. Thomas, Jr. was elected to a position on the Board of Trustees for the Medical University of South Carolina University, 4<sup>th</sup> Congressional District, medical position for a term to expire June 30, 2020.

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**Election to the Board of Trustees for  
the Medical University of South Carolina University  
5<sup>th</sup> Congressional District, Medical Member**

The PRESIDENT announced that nominations were in order to elect a successor to a medical position on the Board of Trustees for the Medical University of South Carolina University, 5<sup>th</sup> Congressional District, medical position.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that George Murrell Smith, Sr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George Murrell Smith, Sr. was elected to a position on the Board of Trustees for the Medical University of South Carolina University, 5<sup>th</sup> Congressional District, medical position for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
the Medical University of South Carolina University  
6<sup>th</sup> Congressional District, Lay Member**

The PRESIDENT announced that nominations were in order to elect a successor to a lay member on the Board of Trustees for the Medical University of South Carolina University, 6<sup>th</sup> Congressional District, lay member.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Barbara Johnson-Williams had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Barbara Johnson-Williams was elected to a position on the Board of Trustees for the Medical University of South Carolina University, 6<sup>th</sup> Congressional District, lay member for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for  
the Medical University of South Carolina University  
7<sup>th</sup> Congressional District, Medical Member**

The PRESIDENT announced that nominations were in order to elect a successor to a medical position on the Board of Trustees for the Medical University of South Carolina University, 7<sup>th</sup> Congressional District, medical position.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that E. Conyers O'Bryan, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable E. Conyers O'Bryan, Jr. was elected to a position on the Board of Trustees for the Medical University of South Carolina University, 7<sup>th</sup> Congressional District, medical position for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
University of South Carolina, 2<sup>nd</sup> Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 2<sup>nd</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Miles Loadholt had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Miles Loadholt was elected to a position on the Board of Trustees for the University of South Carolina, 2<sup>nd</sup> Judicial Circuit for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
University of South Carolina, 4th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 4<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Eugene P. Warr, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene P. Warr, Jr. was elected to a position on the Board of Trustees for the University of South Carolina, 4<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
University of South Carolina, 6th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 6<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Hubert F. “Hugh” Mobley had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Hubert F. “Hugh” Mobley was elected to a position on the Board of Trustees for the University of South Carolina, 6<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
University of South Carolina, 8<sup>th</sup> Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 8<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that A. C. “Bubba” Fennell III had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable A. C. “Bubba” Fennell III was elected to a position on the Board of Trustees for the University of South Carolina, 8<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
University of South Carolina, 10<sup>th</sup> Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 10<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Donald L. “Chuck” Allen had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Donald L. “Chuck” Allen was elected to a position on the Board of Trustees for the University of South Carolina, 10<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
University of South Carolina, 14<sup>th</sup> Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 14<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that William W. Jones, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William W. Jones, Jr. was elected to a position on the Board of Trustees for the University of South Carolina, 14<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**Election to the Board of Trustees for the  
University of South Carolina, 15<sup>th</sup> Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 15<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that James Egerton Burroughs had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James Egerton Burroughs was elected to a position on the Board of Trustees for the University of South Carolina, 15<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**WEDNESDAY, APRIL 27, 2016**

**Election to the Board of Trustees for the  
University of South Carolina, 16<sup>th</sup> Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 16<sup>th</sup> Judicial Circuit.

Senator PEELER, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Leah B. Moody had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Leah B. Moody was elected to a position on the Board of Trustees for the University of South Carolina, 16<sup>th</sup> Judicial Circuit for a term to expire June 30, 2020.

**Election to the Board of Trustees for  
Winthrop University, 3<sup>rd</sup> Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Winthrop University, 3<sup>rd</sup> Congressional District, Seat #3.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Janet R. Smalley had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Janet R. Smalley was elected to the position on the Board of Trustees for the Winthrop University, 3<sup>rd</sup> Congressional District, Seat #3 for a term to expire June 30, 2022.

**Election to the Board of Trustees for  
Winthrop University, 4<sup>th</sup> Congressional District, Seat #4**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Winthrop University, 4<sup>th</sup> Congressional District, Seat #4.

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Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Shane N. Duncan had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Shane N. Duncan was elected to the position on the Board of Trustees for the Winthrop University, 4<sup>th</sup> Congressional District, Seat #4 for a term to expire June 30, 2022.

**Election to the Board of Trustees for  
the Wil Lou Gray Opportunity School  
One At-Large Seat**

The PRESIDENT announced that nominations were in order to elect successors to one at-large position on the Board of Trustees for the Wil Lou Gray Opportunity School, one at-large seat.

Senator PEELER indicated that Angela Hanyak had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Angela Hanyak was elected to a position on the Board of Trustees for the Wil Lou Gray Opportunity School, one at-large seat for the term to expire June 30, 2017.

**Election to the Board of Trustees for  
the Wil Lou Gray Opportunity School  
Three At-Large Seats**

The PRESIDENT announced that nominations were in order to elect successors to three at-large positions on the Board of Trustees for the Wil Lou Gray Opportunity School, three at-large seats.

Senator PEELER indicated that Doris M. Adams, Bryan B. England and Reginald J. Thomas had been screened and found qualified to serve and placed their names in nomination.

Senator PEELER placed the names of Doris M. Adams, Bryan B. England and Reginald J. Thomas in nomination.

Whereupon, the PRESIDENT announced that the Honorable Doris M. Adams, the Honorable Bryan B. England and the Honorable Reginald J.

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Thomas were elected to a position on the Board of Trustees for the Wil Lou Gray Opportunity School, three at-large seats for the term to expire June 30, 2020.

**Election to the South Carolina Department of Employment and Workforce Appellate Panel**

The PRESIDENT announced that elections were in order to elect members of the South Carolina Department of Employment and Workforce Appellate Panel.

Senator ALEXANDER, on behalf of the Committee to Screen Candidates for the South Carolina Department of Employment and Workforce Appellate Panel, indicated that Evelyn Belicia Ayers, Tim Dangerfield and Steve Kelly, Jr. had been screened and found qualified to serve.

On motion of Senator ALEXANDER, the names of Evelyn Belicia Ayers, Tim Dangerfield and Steve Kelly, Jr. were placed in nomination.

Senator ALEXANDER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Evelyn Belicia Ayers, Tim Dangerfield and Steve Kelly, Jr. were elected to positions on the South Carolina Department of Employment and Workforce Appellate Panel for the term prescribed by law.

**Recorded Vote**

Senator SHEHEEN desired to be recorded as abstaining in the elections of the Department of Employment and Workforce Appellate Panel.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 2:10 P.M., the Senate resumed.

**Point of Quorum**

At 2:11 P.M., Senator THURMOND made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

**WEDNESDAY, APRIL 27, 2016**

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

**Local Appointment**

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

Jonathan A. Horne, 50 Tindal Rd., Greenville, SC 29617

**Doctor of the Day**

Senator SETZLER introduced Dr. Jeffrey Travis of Lexington, S.C., Doctor of the Day.

**Leave of Absence**

At 6:30 P.M., Senator SCOTT requested a leave of absence for Senators WILLIAMS and ALLEN for the balance of the day.

**Leave of Absence**

At 6:30 P.M., Senator LOURIE requested a leave of absence for balance of the day.

**Leave of Absence**

At 6:30 P.M., Senator SETZLER requested a leave of absence for Senators JOHN MATTHEWS and HUTTO for the balance of the day.

**Leave of Absence**

At 6:30 P.M., Senator TURNER requested a leave of absence for Senator THURMOND for the balance of the day.

**Leave of Absence**

At 6:33 P.M., Senator SCOTT requested a leave of absence for Senator COLEMAN for the balance of the day.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

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Senator SETZLER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator BRIGHT rose for an Expression of Personal Interest.

**Motion Adopted**

On motion of Senator HUTTO, with unanimous consent, Senators GROOMS, CLEARY and HUTTO were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**RECALLED**

S. 1175 -- Senator L. Martin: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON WEDNESDAY, NOVEMBER 16 THROUGH SATURDAY, NOVEMBER 19, 2016. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Senator CLEARY asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Invitations.

The Senate Resolution was recalled from the Committee on Invitations and ordered placed on the Calendar for consideration tomorrow.

**RECALLED AND ADOPTED**

H. 5235 -- Reps. W.J. McLeod and Anthony: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE SPANNING THE ENOREE RIVER ALONG UNITED STATES HIGHWAY 176 AND SOUTH CAROLINA HIGHWAYS 72 AND 121 IN NEWBERRY AND UNION COUNTIES THE "SENATOR MARVIN E. ABRAMS BRIDGE" IN MEMORY OF FORMER SOUTH CAROLINA STATE SENATOR MARVIN E. ABRAMS AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE REFLECTING THIS DESIGNATION.

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Senator CLEARY asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

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

There was no objection.

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

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

**RECOMMITTED**

S. 1157 -- Senators Cleary and Campbell: A BILL TO AMEND ARTICLE 7, CHAPTER 3, TITLE 57 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL BEAR COSTS, NOT TO EXCEED SEVEN AND ONE-HALF PERCENT OF THE TOTAL PROJECT COSTS FOR CONSTRUCTION PROJECTS OR IMPROVEMENTS FUNDED BY REVENUE GENERATED FROM H. 3579, R. \_\_\_, ACT \_\_\_ OF 2015.

On motion of Senator CLEARY, the Bill was recommitted to the Committee on Transportation.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1277 -- Senator Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MRS. FRANKIE NEWMAN FOR HER MANY YEARS OF DEDICATED SERVICE TO THE WIL LOU GRAY OPPORTUNITY SCHOOL.

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

H. 5271 -- Reps. J. E. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns,

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Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, 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, 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 JENNIFER WISE, A MATH TEACHER AT HAND MIDDLE SCHOOL, AND TO COMMEND HER FOR BEING CHOSEN AS SOUTH CAROLINA'S 2015-2016 TEACHER OF THE YEAR.

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

**REPORTS OF STANDING COMMITTEES**

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 5001 -- 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, 2016, 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.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015-2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED

**WEDNESDAY, APRIL 27, 2016**

FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

**INVITATIONS ACCEPTED**

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

**Tuesday, May 2, 2016 - 6:00-8:00 P.M.**

Members of the Senate, Reception, Columbia Museum of Art, by the **COLUMBIA MUSEUM OF ART**

**Wednesday, May 4, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **PIEDMONT MUNICIPAL POWER AGENCY**

**Wednesday, May 4, 2016 - 12:00-2:00 P.M.**

Members of the Senate, Luncheon, State House Grounds, by the **SC TIRE MANUFACTURE COUNCIL**

**Wednesday, May 4, 2016 - 7:00-9:00 P.M.**

Members of the Senate and Staff, Reception, First Citizens Café, by the **SC ASSOC. OF JUSTICE**

**Thursday, May 5, 2016 - 8:00-10:00 A.M.**

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

**Wednesday, May 11, 2016 - 8:00-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC ASSOCIATION OF SCHOOL NURSES**

**Wednesday, May 11, 2016 - 11:30-2:00 P.M.**

Members of the Senate and Staff, Luncheon, State House Grounds, by the **CERTIFIED SC "TASTE OF SOUTH CAROLINA"**

**Wednesday, May 11, 2016 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, USC Beckham Softball Field, by the **BCBS LEGISLATIVE SOFTBALL GAME**

**WEDNESDAY, APRIL 27, 2016**

**Thursday, May 12, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC ASSOCIATION OF COMMUNITY ACTION PARTNERSHIPS, INC.**

**Wednesday, May 18, 2016 - 12:00-2:00 P.M.**

Members of the Senate, Luncheon, Room 112, Blatt Building, by the **ZETA PHI BETA SORORITY, INC.**

**Wednesday, May 18, 2016 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, Spirit Communications Park, by the **CITY OF COLUMBIA**

**Thursday, May 19, 2016 - 8:00-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC CAMPAIGN TO PREVENT TEEN PREGNANCY**

**Wednesday, May 25, 2016 - 8:00-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC EMERGENCY MANAGEMENT ASSOC.**

**Wednesday, May 25, 2016 - 12:00-2:00 P.M.**

Members of the Senate and Staff, Luncheon, State House Grounds, by the **JASPER COUNTY CHAMBER OF COMMERCE**

**Thursday, May 26, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC OFFICE OF THE STATE TREASURER "FUTURE SCHOLAR 529 PLAN"**

**Poll of the Invitations Committee  
Polled 11; Ayes 0; Nays 0; Not Voting 0**

**AYES**

Cleary	Alexander	Reese
Verdin	Campsen	Cromer
Malloy	Johnson	Kimpson
McElveen	Campbell	

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**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 1226 -- 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, J. Matthews, M.B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin and Williams: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD FULL WEEK IN APRIL 2016 AS "SHAKEN BABY SYNDROME AWARENESS WEEK" TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

Returned with concurrence.

Received as information.

S. 1264 -- Senators Leatherman and Alexander: A CONCURRENT RESOLUTION TO AWARD THE SOUTH CAROLINA MEDAL OF VALOR TO THOSE SOUTH CAROLINIANS WHO LOST THEIR LIVES WHILE SERVING IN THE ARMED FORCES DURING THE GLOBAL WAR ON TERRORISM.

Returned with concurrence.

Received as information.

S. 1269 -- Senator Coleman: A CONCURRENT RESOLUTION TO COMMEND SARAH D. McMASTER, DIRECTOR OF THE FAIRFIELD COUNTY LIBRARY, UPON HER RETIREMENT AFTER THIRTY-NINE YEARS OF SERVICE AND TO WISH HER THE BEST OF LUCK IN ALL OF HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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S. 1276 -- 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 CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SIGNIFICANT WORK OF THE BIG RED BARN RETREAT IN RICHLAND COUNTY AS A SOURCE OF PROVIDING PEACE FOR THOSE IN NEED OF HEALING AND TO COMMEND THE RETREAT'S MIDLANDS GIVES DAY.

Returned with concurrence.

Received as information.

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

**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. 3036 -- Reps. Cobb-Hunter, Bamberg and McKnight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-75 SO AS TO DECLARE JANUARY SEVENTEENTH OF EACH YEAR AS "EARTHA KITT DAY" IN SOUTH CAROLINA IN HONOR OF THE LATE EARTHA MAE KITT, NATIONALLY AND INTERNATIONALLY KNOWN ACTRESS, SINGER, AND NATIVE SOUTH CAROLINIAN AND TO PROMOTE CULTURAL TOURISM IN THE STATE IN ORDER TO ENHANCE THE ECONOMIC WELL-BEING AND IMPROVE THE QUALITY OF LIFE OF ALL SOUTH CAROLINIANS.

**Recorded Vote**

Senator VERDIN desired to be recorded as voting against the third reading of the Bill.

H. 5100 -- Rep. Fry: A BILL TO AMEND SECTION 38-71-1520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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DEFINITIONS IN THE ACCESS TO EMERGENCY MEDICAL CARE ACT, SO AS TO REVISE THE DEFINITION OF "EMERGENCY MEDICAL PROVIDER" TO INCLUDE ORAL SURGEONS AND DENTISTS LICENSED BY THE STATE BOARD OF DENTISTRY; AND BY ADDING SECTION 38-71-1545 SO AS TO EXCLUDE APPLICATION OF THE ARTICLE TO CERTAIN INSURANCE POLICIES.

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

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

S. 139 -- Senator Cleary: A BILL TO AMEND SECTION 48-39-130 OF THE 1976 CODE, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, TO ALLOW FOR CERTAIN ADDITIONAL TECHNOLOGIES, METHODOLOGIES, OR STRUCTURES WITH REGARD TO PROTECTING BEACH AND DUNE CRITICAL AREAS WHEN AN EMERGENCY ORDER IS ISSUED BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48-39-280, TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2015, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; TO AMEND SECTION 48-39-290, TO NARROW THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT TO REPAIR AND MAINTENANCE OF EXISTING GOLF COURSES, TO PROVIDE FOR AN EXEMPTION FOR SANDFENCING, REVEGETATION OF DUNES, MINOR BEACH RENOURISHMENT, AND DUNE CONSTRUCTION; AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE REPAIRS TO CERTAIN EROSION CONTROL DEVICES WHICH WOULD OTHERWISE BE PROHIBITED, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH REPAIRS MAY BE MADE; TO AMEND SECTION 48-39-320 BY ADDING A SUBSECTION TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY APPROVE EROSION CONTROL DEVICES NOT PROVIDED FOR IN THIS CHAPTER IF

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THE BOARD DETERMINES THAT A DEVICE WILL BE SUCCESSFUL WITH REGARD TO EROSION CONTROL; AND TO REPEAL SECTION 48-39-290(D)(2).

Senator CAMPBELL explained the Bill.

S. 371 -- Senator Bryant: A BILL TO AMEND SECTION 40-33-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DISCIPLINING NURSES, SO AS TO ADD THE OVERMEDICATING OR UNDERMEDICATING OF A PATIENT BY A NURSE WHO MISREADS A PHYSICIAN'S ORDER AS A GROUND TO REVOKE THE NURSE'S LICENSE.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

**Ayes 38; Nays 3**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Coleman	Corbin
Courson	Cromer	Davis
Fair	Gregory	Hayes
Hembree	Johnson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, John</i>
McElveen	Nicholson	Peeler
Rankin	Reese	Scott
Setzler	Shealy	Sheheen
Thurmond	Turner	Verdin
Williams	Young	

**Total--38**

**NAYS**

Kimpton	<i>Matthews, Margie</i>	Sabb
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**Total--3**

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

S. 986 -- Senators Shealy, L. Martin, Campsen, Turner, Young, McElveen, M.B. Matthews and Williams: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO FURTHER INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR PROSTITUTION WHERE THE PROSTITUTE HAS A MENTAL DISABILITY.

S. 980 -- Senators Sheheen and McElveen: A BILL TO AMEND CHAPTER 69, TITLE 40 OF THE 1976 CODE, RELATING TO VETERINARIANS, BY ADDING SECTION 40-69-305 TO REQUIRE ALL PRESCRIPTION DRUGS DISPENSED TO AN ANIMAL'S OWNER TO BE LABELED IN ACCORDANCE WITH STATE AND FEDERAL LAW; AND TO PROVIDE PENALTIES FOR VIOLATING THIS SECTION.

The Senate proceeded to a consideration of the Bill.

The question being the third 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	Coleman	Corbin
Courson	Cromer	Davis
Fair	Gregory	Hayes
Hembree	Johnson	Kimpson
Leatherman	Lourie	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
<i>Matthews, Margie</i>	McElveen	Nicholson

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Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

**Total--40**

**NAYS**

**Total--0**

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

S. 1092 -- Senator Hutto: A BILL TO AMEND SECTION 44-53-370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRUG OFFENSES, SO AS TO CONFORM THE LANGUAGE OF TRAFFICKING IN ILLEGAL DRUGS PROVISIONS, INCLUDING OPIATES AND HEROIN, TO THE LANGUAGE OF THE PROVISIONS CONCERNING POSSESSION AND DISTRIBUTION OF CERTAIN ILLEGAL DRUGS WHICH WOULD INCLUDE SYNTHETIC OPIATES, AMONG OTHER DRUGS.

S. 1170 -- Senators Gregory and Shealy: A BILL TO AMEND SECTION 20-3-130(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE THAT CERTAIN EARNINGS OF A SUBSEQUENT SPOUSE ARE NOT TO BE CONSIDERED BY THE COURT WHEN MAKING, MODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

S. 227 -- Senators Campbell, Rankin and Grooms: A BILL TO AMEND SECTION 12-10-88 OF THE 1976 CODE, RELATING TO THE REMISSION OF REDEVELOPMENT FEES TO A REDEVELOPMENT AUTHORITY, TO EXTEND THE END DATE FOR REMISSIONS FROM JANUARY 1, 2017, TO JANUARY 1, 2037.

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S. 1037 -- Senator Alexander: A BILL TO AMEND SECTION 40-47-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF TEAM PHYSICIANS OF ATHLETIC TEAMS VISITING THE STATE FOR A SPECIFIC SPORTING EVENT FROM PHYSICIAN LICENSING REQUIREMENTS IN THIS STATE, SO AS TO EXPAND THE EXEMPTION TO INCLUDE TEAM PHYSICIANS OF ATHLETIC TEAMS VISITING THE STATE FOR A TEAM TRAINING CAMP.

S. 1122 -- Senators Rankin, Cleary and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

S. 1177 -- Senator Alexander: A BILL TO AMEND SECTION 40-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE PROFESSIONAL LICENSURE OF ARCHITECTS, AND TO AMEND SECTION 40-3-230, RELATING TO TRAINING REQUIREMENTS FOR THE PROFESSIONAL LICENSURE OF ARCHITECTS, BOTH SO AS TO REPLACE REFERENCES TO THE "INTERN DEVELOPMENT PROGRAM" WITH REFERENCES TO THE "ARCHITECTURAL EXPERIENCE PROGRAM"; AND TO AMEND SECTION 40-3-240, RELATING TO REQUIREMENTS FOR TAKING THE ARCHITECTURAL REGISTRATION EXAMINATION, SO AS TO REPLACE REQUIREMENTS CONCERNING PARTICIPATION IN THE INTERN DEVELOPMENT PROGRAM WITH REQUIREMENTS CONCERNING PARTICIPATION IN THE ARCHITECTURAL EXPERIENCE PROGRAM OR CERTAIN PROGRAMS SANCTIONED BY THE NATIONAL COUNCIL ON ARCHITECTURAL REGISTRATION BOARDS.

S. 922 -- Senator Bryant: A BILL TO AMEND SECTION 43-25-70 OF THE 1976 CODE, RELATING TO COMMISSION FOR THE BLIND CONCESSION STANDS, TO PROVIDE THAT AN OPERATOR OF A CONCESSION STAND MAY NOT SUBCONTRACT THE INSTALLATION OR OPERATION OF THE

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CONCESSION STAND TO A PERSON WHO IS NOT BLIND OR DOES NOT HAVE A SEVERE VISUAL DISABILITY.

S. 356 -- Senator Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-31-60, SO AS TO REQUIRE THAT ON THE EFFECTIVE DATE OF THIS ACT RECOGNIZED NATIVE AMERICAN INDIAN GROUPS CONTINUE TO BE RECOGNIZED AND ELIGIBLE TO EXERCISE PRIVILEGES AND OBLIGATIONS AUTHORIZED BY THAT DESIGNATION, THAT THE COMMISSION FOR MINORITY AFFAIRS CEASE TO RECOGNIZE ADDITIONAL NATIVE AMERICAN INDIAN GROUPS, THAT ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP ARE REPEALED, AND THAT THE COMMISSION REVISE ITS REGULATIONS TO PROVIDE FOR THE PRIVILEGES AND OBLIGATIONS OF NATIVE AMERICAN INDIAN GROUPS THAT CONTINUE TO BE RECOGNIZED.

S. 1127 -- Senator Cleary: A BILL TO AMEND SECTION 15-41-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INDIVIDUAL RETIREMENT ACCOUNT BEING EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO DELETE THE PROVISION THAT THE EXEMPTION APPLIES ONLY TO THE EXTENT THAT IS PERMITTED IN SECTION 522(d) OF THE FEDERAL BANKRUPTCY CODE.

S. 1139 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 61-2-20 SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL FURNISH TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE IN A TIMELY MANNER DOCUMENTATION OF CRIMINAL CONVICTIONS, GUILTY PLEAS, AND NOLO CONTENDERE PLEAS OBTAINED BY THE DIVISION THAT RESULT FROM TITLE 61 VIOLATIONS OCCURRING ON THE PREMISES OF BUSINESS ESTABLISHMENTS LICENSED OR PERMITTED PURSUANT TO THE PROVISIONS OF TITLE 61.

S. 1258 -- Finance Committee: A BILL TO AMEND CHAPTER 43, TITLE 11 OF THE 1976 CODE, RELATING TO THE SOUTH

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CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, TO PROVIDE FOR THE DISTRIBUTION BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK OF CERTAIN FEES AND FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES TRANSFERRED TO THE STATE HIGHWAY FUND; TO AMEND SECTIONS 12-37-2740(D), 38-73-470, 56-1-170(B)(3), 56-1-200, 56-1-286(K)(1), 56-1-390(2), 56-1-400(A), 56-1-460(A)(1)(e)(iii), 56-1-550, 56-1-740(B)(3), 56-1-746(D)(3), 56-1-2080, 56-3-355, 56-3-1335, 56-5-750(G)(3), 56-5-2951(B)(1), 56-5-2951(H)(3), 56-9-330, 56-10-240(C), 56-10-245, 56-10-552, 56-19-420(C), AND 56-19-520(A)(4), ALL OF THE 1976 CODE, ALL RELATING TO FEES OR FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT ALL OR A PORTION OF THE FEES SHALL BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; TO AMEND SECTION 12-36-2647 OF THE 1976 CODE, AS ENACTED IN ACT 98 OF 2013 AND RELATED TO SOURCES OF REVENUE USED FOR HIGHWAY CONSTRUCTION AND MAINTENANCE, TO PROVIDE THAT THE REVENUES OF SALES, USE, AND CASUAL EXCISE TAXES DERIVED PURSUANT TO SECTIONS 12-36-2620(1) AND 12-36-2640(1) ON THE SALE, USE, OR TITLING OF A MOTOR VEHICLE MUST BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

**Ayes 34; Nays 4**

**AYES**

Alexander	Bennett	Campbell
Campsen	Cleary	Courson

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Cromer	Davis	Fair
Gregory	Grooms	Hayes
Hembree	Jackson	Johnson
Kimpson	Leatherman	Malloy
<i>Martin, Larry</i>	Massey	<i>Matthews, Margie</i>
McElveen	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Turner	Verdin
Young		

**Total--34**

**NAYS**

Bright	Bryant	Corbin
<i>Martin, Shane</i>		

**Total--4**

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

**Recorded Vote**

Senator MATTHEWS desired to be recorded as voting in favor of the third reading of the Bill.

S. 1205 -- Senator Hembree: A BILL TO AMEND SECTION 50-3-315(A) OF THE 1976 CODE, RELATING TO DEPUTY ENFORCEMENT OFFICERS NATURAL RESOURCES ENFORCEMENT DIVISION, TO PROVIDE THAT ENFORCEMENT OFFICERS NATURAL RESOURCES ENFORCEMENT DIVISION ARE NOT REQUIRED TO OBTAIN THE BONDS REQUIRED BY SECTION 50-3-330; AND TO AMEND SECTION 50-3-330 OF THE 1976 CODE, RELATING TO ENFORCEMENT OFFICERS NATURAL RESOURCES ENFORCEMENT DIVISION OATH AND BONDS, TO PROVIDE THAT OFFICERS SHALL BE COVERED BY A SURETY BOND OF NOT LESS THAN TWO THOUSAND DOLLARS AND THAT THE DEPARTMENT OF NATURAL RESOURCES MUST PAY THE PREMIUMS ON THE SURETY BONDS.

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S. 1252 -- Senators S. Martin, Bryant and Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-9-195 SO AS TO REQUIRE THE STATE FIRE MARSHAL TO ISSUE A LICENSE FOR A COMMUNITY FIREWORKS DISPLAY IF CERTAIN SAFETY CONDITIONS AND OTHER REQUIREMENTS ARE MET.

**AMENDED, READ THE THIRD TIME**

S. 981 -- Senator Sheheen: A BILL TO AMEND SECTION 56-3-9600 OF THE 1976 CODE, RELATING TO "NO MORE HOMELESS PETS" LICENSE PLATES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA ANIMAL CARE AND CONTROL ASSOCIATION SHALL COORDINATE THE GRANT PROGRAM, BE ELIGIBLE TO RECEIVE REIMBURSEMENT, AND DISTRIBUTE GRANT MONEY; TO REQUIRE AN ANNUAL ACCOUNTING FOR THE PROGRAM; AND REQUIRE CERTAIN INFORMATION BEFORE A NONPROFIT ORGANIZATION CAN RECEIVE FUNDING UNDER THE GRANT PROGRAM.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER proposed the following amendment (GGS\981C001.GGS.ZW16), which was adopted:

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

/ SECTION (\_\_\_). Section 56-3-7360 of the 1976 Code, as last amended by Act 253 of 2012, is further amended to read:

"Section 56-3-7360. The Department of Motor Vehicles may issue 'Korean War Veterans' special license plates to owners of private passenger motor vehicles and motorcycles registered in their names who are Korean War Veterans who served on active duty at anytime during the Korean War. The applicant must present the department with a DD214 or other official documentation that states that he served on active duty upon initial application for this special license plate. ~~The requirements for production and distribution of the plate are those set forth in Section 56-3-8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of twenty dollars. Any portion of the additional twenty dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the state general fund. There is no fee for this special license plate.~~" /

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Renumber sections to conform.  
Amend title to conform.

Senator SETZLER explained the amendment.

The question being the third 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
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

**Total--43**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House.

**AMENDED, READ THE THIRD TIME**

S. 1182 -- Senators Shealy, Lourie, Fair and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF

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CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (JUD1182.003), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 15-17 and inserting:

/ certify all coroners. The committee may require a coroner or a deputy coroner to appear before it for performance review. Failure to appear before /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question being the third reading of 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

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Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Williams	Young

**Total--42**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House.

**READ THE SECOND TIME**

H. 4717 -- Reps. White, Lucas, Hiott, Simrill, G.M. Smith, Lowe, Whitmire, Taylor, George, V.S. Moss, J.E. Smith, M.S. McLeod, Bowers, Corley, Parks, McKnight, Douglas, Knight, Erickson, Sandifer, Willis, Kirby, Clary, Cobb-Hunter, Hardee, Duckworth, Johnson, Limehouse, Clyburn, Bales, Horne, Stavrinakis, Hayes, Yow, Neal, Kennedy, Newton, Tinkler, Riley, Howard, King, Henegan, Williams, Anthony, Clemmons, Crosby, Cole, Daning, Dillard, Forrester, Funderburk, Gambrell, Herbkersman, Hixon, Hosey, Loftis, Long, Pitts, Rivers, Rutherford, Ryhal, G.R. Smith, Wells, W.J. McLeod, Ridgeway, G.A. Brown, Bamberg, Hodges, Alexander, Thayer, McEachern, Gagnon, Whipper, R.L. Brown, Jefferson, Anderson, Spires and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-1-160 SO AS TO CREATE THE "SOUTH CAROLINA FARM AID FUND" TO ASSIST FARMERS WHO HAVE SUFFERED AT LEAST A FORTY PERCENT LOSS OF AGRICULTURAL COMMODITIES AS A RESULT OF A NATURAL DISASTER, TO CREATE THE FARM AID BOARD TO

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ADMINISTER THE FUND, AND TO SPECIFY ELIGIBILITY AND GRANT AMOUNTS.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

**Motion under Rule 26B**

Senator DAVIS asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

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**COMMITTEE AMENDMENT AMENDED AND ADOPTED  
READ THE SECOND TIME**

S. 916 -- Senators Malloy, Fair and M.B. Matthews: A BILL TO AMEND SECTION 63-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JUVENILE JUSTICE CODE DEFINITIONS, SO AS TO PROVIDE THAT A "CHILD" OR "JUVENILE" MEANS A PERSON LESS THAN EIGHTEEN YEARS OF AGE, DOES NOT MEAN A PERSON SEVENTEEN YEARS OF AGE OR OLDER WHO IS CHARGED WITH A VIOLENT CRIME, AND THAT A PERSON SIXTEEN YEARS OF AGE WHO IS CHARGED WITH A CLASS A, B, C, OR D FELONY OR A FELONY WHICH PROVIDES FOR A MAXIMUM TERM OF IMPRISONMENT OF FIFTEEN YEARS OR MORE MUST BE PROVIDED THE RIGHT TO HAVE THE CASE REMANDED TO FAMILY COURT; AND TO AMEND SECTION 63-19-1210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OVER A CASE INVOLVING A CHILD, SO AS TO PROVIDE THAT IF A CHILD WAS UNDER THE AGE OF EIGHTEEN YEARS AT THE TIME OF COMMITTING AN ALLEGED OFFENSE, THE CIRCUIT COURT SHALL TRANSFER THE CASE TO FAMILY COURT, THAT IF A CHILD BELOW EIGHTEEN YEARS OF AGE IS CHARGED WITH AN OFFENSE WHICH, IF COMMITTED BY AN ADULT, WOULD BE A VIOLENT CRIME, THE COURT MAY RETAIN JURISDICTION, AND THAT IF A CHILD UNDER THE AGE OF EIGHTEEN IS CHARGED WITH CERTAIN OFFENSES, THE COURT MAY BIND OVER THE CHILD TO A COURT WHICH WOULD HAVE TRIAL JURISDICTION OF THE OFFENSES IF COMMITTED BY AN ADULT.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY proposed the following amendment (JUD0916.002), which was adopted:

Amend the committee report, as and if amended, page [916-14], by striking lines 16-18, and inserting:

/ SECTION 12. Section 10 of this act takes effect upon approval by the Governor. Sections 1 through 9 and Section 11 of this act take effect on July 1, 2019, contingent upon funding by the General Assembly. /

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Renumber sections to conform.  
Amend title to conform.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD0916.001), which was adopted:

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

/ SECTION 1. Section 63-3-510 of the 1976 Code is amended to read:

“Section 63-3-510. (A) Except as otherwise provided herein, the court shall have exclusive original jurisdiction and shall be the sole court for initiating action:

(1) Concerning any child living or found within the geographical limits of its jurisdiction:

(a) who is neglected as to proper or necessary support or education as required by law, or as to medical, psychiatric, psychological, or other care necessary to his well-being, or who is abandoned by his parent or other custodian;

(b) whose occupation, behavior, condition, environment, or associations are such as to injure or endanger his welfare or that of others;

(c) who is beyond the control of his parent or other custodian;

(d) who is alleged to have violated or attempted to violate any state or local law or municipal ordinance, regardless of where the violation occurred except as provided in Section 63-3-520;

(e) whose custody is the subject of controversy, except in those cases where the law now gives other courts concurrent jurisdiction. In the consideration of these cases, the court shall have concurrent jurisdiction to hear and determine the issue of custody and support.

(2) For the treatment or commitment to any mental institution of a mentally defective or mentally disordered or emotionally disturbed child. Provided, that nothing herein is intended to conflict with the authority of probate courts in dealing with mental cases.

(3) Concerning any ~~child-seventeen~~ person eighteen years of age or over, living or found within the geographical limits of the court's jurisdiction, alleged to have violated or attempted to violate any state or local law or municipal ordinance prior to having become ~~seventeen~~

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eighteen years of age and such person shall be dealt with under the provisions of this title relating to children.

(4) For the detention of a juvenile in a juvenile detention facility who is charged with committing a criminal offense when detention in a secure facility is found to be necessary pursuant to the standards set forth in Section 63-19-820 and when the facility exists in, or is otherwise available to, the county in which the crime occurred.

(B) Whenever the court has acquired the jurisdiction of any child under ~~seventeen~~ eighteen years of age, jurisdiction continues so long as, in the judgment of the court, it may be necessary to retain jurisdiction for the correction or education of the child, but jurisdiction shall terminate when the child attains the age of ~~twenty-one~~ twenty-two years. Any child who has been adjudicated delinquent and placed on probation by the court remains under the authority of the court only until the expiration of the specified term of his probation. This specified term of probation may expire before but not after the ~~eighteenth~~ twentieth birthday of the child.”

SECTION 2. Section 63-19-20(1) of the 1976 Code is amended to read:

“(1) ‘Child’ or ‘juvenile’ means a person less than ~~seventeen~~ eighteen years of age. ‘Child’ or ‘juvenile’ does not mean a person ~~sixteen~~ seventeen years of age or older who is charged with a Class A, B, C, or D felony as defined in Section 16-1-20 or a felony which provides for a maximum term of imprisonment of fifteen years or more. However, a person ~~sixteen~~ seventeen years of age who is charged with a Class A, B, C, or D felony as defined in Section 16-1-20 or a felony which provides for a maximum term of imprisonment of fifteen years or more may be remanded to the family court for disposition of the charge at the discretion of the solicitor. An additional or accompanying charge associated with the charges contained in this item must be heard by the court with jurisdiction over the offenses contained in this item.”

SECTION 3. Section 63-19-1030(B) of the 1976 Code is amended to read:

“(B) The petition and all subsequent court documents must be entitled:  
‘In the Family Court of \_\_ County.

In the Interest of \_\_, a child under ~~seventeen~~ eighteen years of age.’

The petition must be verified and may be upon information and belief. It shall set forth plainly:

(1) the facts which bring the child within the purview of this chapter;

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- (2) the name, age, and residence of the child;
- (3) the names and residences of the child's parents;
- (4) the name and residence of a legal guardian, if there is one, of the person or persons having custody of or control of the child, or of the nearest known relative if no parent or guardian can be found. If any of these facts are not known by the petitioner, the petition shall state that."

SECTION 4. Section 63-19-1210 of the 1976 Code is amended to read:

"Section 63-19-1210. In accordance with the jurisdiction granted to the family court pursuant to Sections 63-3-510, 63-3-520, and 63-3-530, jurisdiction over a case involving a child must be transferred or retained as follows:

(1) If, during the pendency of a criminal or quasi-criminal charge against a child in a circuit court of this State, it is ascertained that the child was under the age of ~~seventeen~~ eighteen years at the time of committing the alleged offense, it is the duty of the circuit court immediately to transfer the case, together with all the papers, documents, and testimony connected with it, to the family court of competent jurisdiction, except in those cases where the Constitution gives to the circuit court exclusive jurisdiction or in those cases where jurisdiction has properly been transferred to the circuit court by the family court under the provisions of this section. The court making the transfer shall order the child to be taken immediately to the place of detention designated by the court or to that court itself, or shall release the child to the custody of some suitable person to be brought before the court at a time designated. The court then shall proceed as provided in this chapter. The provisions of this section are applicable to all existing offenses and to offenses created in the future unless the General Assembly specifically directs otherwise.

(2) Whenever a child is brought before a magistrate or city recorder and, in the opinion of the magistrate or city recorder, the child should be brought to the family court of competent jurisdiction under the provisions of this section, the magistrate or city recorder shall transfer the case to the family court and direct that the child involved be taken there.

(3) When an action is brought in a circuit court which, in the opinion of the judge, falls within the jurisdiction of the family court, he may transfer the action upon his own motion or the motion of any party.

(4) If a child ~~sixteen~~ seventeen years of age or older is charged with an offense which, if committed by an adult, would be a misdemeanor, a

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Class E or F felony as defined in Section 16-1-20, or a felony which provides for a maximum term of imprisonment of ten years or less, and if the court, after full investigation, considers it contrary to the best interest of the child or of the public to retain jurisdiction, the court, in its discretion, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult.

(5) If a child ~~fourteen, or~~ fifteen, or sixteen years of age is charged with an offense which, if committed by an adult, would be a Class A, B, C, or D felony as defined in Section 16-1-20 or a felony which provides for a maximum term of imprisonment of fifteen years or more, the court, after full investigation and hearing, may determine it contrary to the best interest of the child or of the public to retain jurisdiction. The court, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offenses if committed by an adult.

(6) Within thirty days after the filing of a petition in the family court alleging the child has committed the offense of murder or criminal sexual conduct, the person executing the petition may request in writing that the case be transferred to the court of general sessions with a view to proceeding against the child as a criminal rather than as a child coming within the purview of this chapter. The judge of the family court is authorized to determine this request. If the request is denied, the petitioner may appeal within five days to the circuit court. Upon the hearing of the appeal, the judge of the circuit court is vested with the discretion of exercising and asserting the jurisdiction of the court of general sessions or of relinquishing jurisdiction to the family court. If the circuit judge elects to exercise the jurisdiction of the general sessions court for trial of the case, he shall issue an order to that effect, and then the family court has no further jurisdiction in the matter.

(7) Once the family court relinquishes its jurisdiction over the child and the child is bound over to be treated as an adult, Section 63-19-2020 dealing with the confidentiality of identity and fingerprints does not apply.

(8) When jurisdiction is relinquished by the family court in favor of another court, the court shall have full authority and power to grant bail, hold a preliminary hearing and any other powers as now provided by law for magistrates in such cases.

(9) If a child fourteen years of age or older is charged with a violation of Section 16-23-430(1), Section 16-23-20, ~~assault and battery of a high~~

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~~and aggravated nature,~~ or Section 44-53-445, the court, after full investigation and hearing, if it considers it contrary to the best interest of the child or the public to retain jurisdiction, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offenses if committed by an adult.

(10) If a child fourteen years of age or older is charged with an offense which, if committed by an adult, provides for a term of imprisonment of ten years or more and the child previously has been adjudicated delinquent in family court or convicted in circuit court for two prior offenses which, if committed by an adult, provide for a term of imprisonment of ten years or more, the court, after full investigation and hearing, if it considers it contrary to the best interest of the child or the public to retain jurisdiction, acting as committing magistrate, ~~shall~~ may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult. For the purpose of this item, an adjudication or conviction is considered a second adjudication or conviction only if the date of the commission of the second offense occurred subsequent to the imposition of the sentence for the first offense.”

SECTION 5. Section 63-19-1410(A) of the 1976 Code is amended to read:

“(A) When a child is found by decree of the court to be subject to this chapter, the court shall in its decree make a finding of the facts upon which the court exercises its jurisdiction over the child. Following the decree, the court by order may:

(1) cause a child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist, or psychologist and for that purpose place the child in a hospital or other suitable facility;

(2) order care and treatment as it considers best, except as otherwise provided in this section and may designate a state agency as the lead agency to provide a family assessment to the court. The assessment shall include, but is not limited to, the strengths and weaknesses of the family, problems interfering with the functioning of the family and with the best interests of the child, and recommendations for a comprehensive service plan to strengthen the family and assist in resolving these issues.

The lead agency shall provide the family assessment to the court in a timely manner, and the court shall conduct a hearing to review the proposed plan and adopt a plan as part of its order that will best meet the

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needs and best interest of the child. In arriving at a comprehensive plan, the court shall consider:

- (a) additional testing or evaluation that may be needed;
- (b) economic services including, but not limited to, employment services, job training, food stamps, and aid to families with dependent children;
- (c) counseling services including, but not limited to, marital counseling, parenting skills, and alcohol and drug abuse counseling; and
- (d) any other programs or services appropriate to the child's and family's needs.

The lead agency is responsible for monitoring compliance with the court-ordered plan and shall report to the court as the court requires. In support of an order, the court may require the parents or other persons having custody of the child or any other person who has been found by the court to be encouraging, causing, or contributing to the acts or conditions which bring the child within the purview of this chapter to do or omit to do acts required or forbidden by law, when the judge considers the requirement necessary for the welfare of the child. In case of failure to comply with the requirement, the court may proceed against those persons for contempt of court;

(3) place the child on probation or under supervision in the child's own home or in the custody of a suitable person elsewhere, upon conditions as the court may determine. A child placed on probation by the court remains under the authority of the court only until the expiration of the specified term of the child's probation. This specified term of probation may expire before but not after the ~~eighteenth~~ twentieth birthday of the child. Probation means casework services during a continuance of the case. Probation must not be ordered or administered as punishment but as a measure for the protection, guidance, and well-being of the child and the child's family. Probation methods must be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community. As a condition of probation, the court may order the child to participate in a community mentor program as provided for in Section 63-19-1430. The court may impose monetary restitution or participation in supervised work or community service, or both, as a condition of probation. The Department of Juvenile Justice, in coordination with local community agencies, shall develop and encourage employment of a constructive nature designed to make reparation and to promote the rehabilitation of

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the child. When considering the appropriate amount of monetary restitution to be ordered, the court shall establish the monetary loss suffered by the victim and then weigh and consider this amount against the number of individuals involved in causing the monetary loss, the child's particular role in causing this loss, and the child's ability to pay the amount over a reasonable period of time. The Department of Juvenile Justice shall develop a system for the transferring of court-ordered restitution from the child to the victim or owner of property injured, destroyed, or stolen. As a condition of probation the court may impose upon the child a fine not exceeding two hundred dollars when the offense is one in which a magistrate, municipal, or circuit court judge has the authority to impose a fine. A fine may be imposed when commitment is suspended but not in addition to commitment;

(4) order the child to participate in a community mentor program as provided in Section 63-19-1430;

(5) commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes or under the guardianship of a suitable person. Commitment must be for an indeterminate period but in no event beyond the child's ~~twenty-first~~ twenty-second birthday;

(6) require that a child under twelve years of age who is adjudicated delinquent for an offense listed in Section 23-3-430(C) be given appropriate psychiatric or psychological treatment to address the circumstances of the offense for which the child was adjudicated; and

(7) dismiss the petition or otherwise terminate its jurisdiction at any time on the motion of either party or on its own motion."

SECTION 6. Section 63-19-1420 of the 1976 Code is amended to read:

"Section 63-19-1420. (A) If a child is adjudicated delinquent for a status offense or is found in violation of a court order relating to a status offense, the court may suspend or restrict the child's driver's license until the child's ~~seventeenth~~ eighteenth birthday.

(B) If a child is adjudicated delinquent for violation of a criminal offense or is found in violation of a court order relating to a criminal offense or is found in violation of a term or condition of probation, the court may suspend or restrict the child's driver's license until the child's ~~eighteenth~~ twentieth birthday.

(C) If the court suspends the child's driver's license, the child must submit the license to the court, and the court shall forward the license to

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the Department of Motor Vehicles for license suspension. However, convictions not related to the operation of a motor vehicle shall not result in increased insurance premiums.

(D) If the court restricts the child's driver's license, the court may restrict the child's driving privileges to driving only to and from school or to and from work or as the court considers appropriate. Upon the court restricting a child's driver's license, the child must submit the license to the court and the court shall forward the license to the Department of Motor Vehicles for reissuance of the license with the restriction clearly noted.

(E) Notwithstanding the definition of a 'child' as provided for in Section 63-19-20, the court may suspend or restrict the driver's license of a child under the age of seventeen until the child's eighteenth birthday if subsection (B) applies.

(F) Upon suspending or restricting a child's driver's license under this section, the family court judge shall complete a form provided by and which must be remitted to the Department of Motor Vehicles."

SECTION 7. Section 63-19-1440 of the 1976 Code is amended to read:

"Section 63-19-1440. (A) A child, after the child's twelfth birthday and before the ~~seventeenth~~ eighteenth birthday or while under the jurisdiction of the family court for disposition of an offense that occurred prior to the child's ~~seventeenth~~ eighteenth birthday, may be committed to the custody of the Department of Juvenile Justice which shall arrange for placement in a suitable corrective environment. Children under the age of twelve years may be committed only to the custody of the department which shall arrange for placement in a suitable corrective environment other than institutional confinement. No child under the age of ~~seventeen~~ eighteen years may be committed or sentenced to any other penal or correctional institution of this State.

(B) All commitments to the custody of the Department of Juvenile Justice for delinquency as opposed to the conviction of a specific crime may be made only for the reasons and in the manner prescribed in Sections 63-3-510, 63-3-520, 63-3-580, 63-3-600, 63-3-650, and this chapter, with evaluations made and proceedings conducted only by the judges authorized to order commitments in this section. When a child is committed to the custody of the department, commitment must be for an indeterminate sentence, not extending beyond the ~~twenty-first~~ twenty-second birthday of the child unless sooner released by the department, or for a determinate commitment sentence not to exceed ninety days.

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(C) The court, before committing a child as a delinquent or as a part of a sentence including commitments for contempt, shall order a community evaluation or temporarily commit the child to the Department of Juvenile Justice for not more than forty-five days for evaluation. A community evaluation is equivalent to a residential evaluation, but it is not required to include all components of a residential evaluation. However, in either evaluation the department shall make a recommendation to the court on the appropriate disposition of the case and shall submit that recommendation to the court before final disposition. The department is authorized to allow any child adjudicated delinquent for a status offense, a misdemeanor offense, or violation of probation or contempt for any offense who is temporarily committed to the department's custody for a residential evaluation, to reside in that child's home or in his home community while undergoing a community evaluation, unless the committing judge finds and concludes in the order for evaluation, that a community evaluation of the child must not be conducted because the child presents an unreasonable flight or public safety risk to his home community. The court may waive in writing the evaluation of the child and proceed to issue final disposition in the case if the child:

(1) has previously received a residential evaluation or a community evaluation and the evaluation is available to the court;

(2) has been within the past year temporarily or finally discharged or conditionally released for parole from a correctional institution of the department, and the child's previous evaluation or other equivalent information is available to the court; or

(3) receives a determinate commitment sentence not to exceed ninety days.

(D) When a juvenile is adjudicated delinquent or convicted of a crime or has entered a plea of guilty or nolo contendere in a court authorized to commit to the custody of the Department of Juvenile Justice, the juvenile may be committed for an indeterminate period until the juvenile has reached age ~~twenty-one~~ twenty-two or until sooner released by the releasing entity or released by order of a judge of the Supreme Court or the circuit court of this State, rendered at chambers or otherwise, in a proceeding in the nature of an application for a writ of habeas corpus. A juvenile who has not been paroled or otherwise released from the custody of the department by the juvenile's nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the

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releasing entity, the juvenile must be released by age ~~twenty-one~~ twenty-two according to the provisions of the juvenile's commitment; however, notwithstanding the above provision, any juvenile committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

(E) A juvenile committed to the Department of Juvenile Justice following an adjudication for a violent offense contained in Section 16-1-60 or for the offense of assault and battery of a high and aggravated nature, who has not been paroled or released from the custody of the department by his ~~seventeenth~~ eighteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. A juvenile who has not been paroled or released from the custody of the department by his nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections at age nineteen. If not released sooner by the Board of Juvenile Parole, a juvenile transferred pursuant to this subsection must be released by his ~~twenty-first~~ twenty-second birthday according to the provisions of his commitment. Notwithstanding the above provision, a juvenile committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

(F) Notwithstanding subsections (A) and (E), a child may be committed to the custody of the Department of Juvenile Justice or to a secure evaluation center operated by the department for a determinate period not to exceed ninety days when:

(1) the child has been adjudicated delinquent by a family court judge for a status offense, as defined in Section 63-19-20, excluding truancy, and the order acknowledges that the child has been afforded all due process rights guaranteed to a child offender;

(2) the child is in contempt of court for violation of a court order to attend school or an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20; or

(3) the child is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20 including truancy.

Orders issued pursuant to this subsection must acknowledge:

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(a) that the child has been advised of all due process rights afforded to a child offender; and

(b) that the court has received information from the appropriate state or local agency or public entity that has reviewed the facts and circumstances causing the child to be before the court.

(G) A child committed under this section may not be confined with a child who has been determined by the department to be violent.

(H) After having served at least two-thirds of the time ordered by a court, a child committed to the Department of Juvenile Justice for a determinate period pursuant to this section may be released by the department prior to the expiration of the determinate period for 'good behavior' as determined by the department. The court, in its discretion, may state in the order that the child is not to be released prior to the expiration of the determinate period ordered by the court.

(I) Juveniles detained in any temporary holding facility or juvenile detention center or who are temporarily committed for evaluation to a Department of Juvenile Justice evaluation center for the offense for which they were subsequently committed by the family court to the custody of the Department of Juvenile Justice shall receive credit toward their parole guidelines, if indeterminately sentenced, or credit toward their date of release, if determinately sentenced, for each day they are detained in or temporarily committed to any secure pre-dispositional facility, center, or program.”

SECTION 8. Section 63-19-1850(A) of the 1976 Code is amended to read:

“(A)A juvenile who shall have been conditionally released from a correctional facility shall remain under the authority of the releasing entity until the expiration of the specified term imposed in the juvenile’s conditional aftercare release. The specified period of conditional release may expire before but not after the ~~twenty-first~~ twenty-second birthday of the juvenile. Each juvenile conditionally released is subject to the conditions and restrictions of the release and may at any time on the order of the releasing entity be returned to the custody of a correctional institution for violation of aftercare rules or conditions of release. The conditions of release must include the requirement that the juvenile parolee must permit the search or seizure, without a search warrant, with or without cause, of the juvenile parolee’s person, any vehicle the juvenile parolee owns or is driving, and any of the juvenile parolee’s possessions by:

- (1) his aftercare counselor;

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(2) any probation agent employed by the Department of Probation, Parole and Pardon Services; or

(3) any other law enforcement officer.

However, the conditions of release of a juvenile parolee who was adjudicated delinquent of a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year may not include the requirement that the juvenile parolee agree to be subject to search or seizure, without a search warrant, with or without cause, of the juvenile parolee's person, any vehicle the juvenile parolee owns or is driving, or any of the juvenile parolee's possessions.

By enacting this provision, the General Assembly intends to provide law enforcement with a means of reducing recidivism and does not authorize law enforcement officers to conduct searches for the sole purpose of harassment. Immediately before each search or seizure conducted pursuant to this subsection, the law enforcement officer seeking to conduct the search or seizure must verify with the Department of Probation, Parole and Pardon Services or by any other means available to the officer that the individual upon whom the search or seizure will be conducted is currently on parole or probation or that the individual is currently subject to the provisions of his conditional release. A law enforcement officer conducting a search or seizure without a warrant pursuant to this subsection shall report to the law enforcement agency that employs him all of these searches or seizures, which shall include the name, address, age, gender, and race or ethnicity of the person that is the subject of the search or seizure. The law enforcement agency shall submit this information at the end of each month to the Department of Probation, Parole and Pardon Services for review of abuse. A finding of abuse of the use of searches or seizures without a search warrant must be reported by the Department of Probation, Parole and Pardon Services to the State Law Enforcement Division for investigation. If the law enforcement officer fails to report each search or seizure pursuant to this subsection, he is subject to discipline pursuant to the employing agency's policies and procedures."

SECTION 9. Section 63-19-2050(C) of the 1976 Code is amended to read:

“(C)(1)If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a status offense, the court shall grant the expungement order. If the person has been taken into custody for, charged with, or adjudicated delinquent for having

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committed multiple status offenses, the court may grant an expungement order for the multiple status offenses.

(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order.

(3) The court shall not grant the expungement order unless the court finds that the person is at least ~~seventeen~~ eighteen years of age, has successfully completed any dispositional sentence imposed, has not been subsequently adjudicated for or convicted of any criminal offense, and does not have any criminal charges pending in family court or general sessions court. If the person was found not guilty in an adjudicatory hearing in the family court, the court shall grant the expungement order regardless of the person's age and the person must not be charged a fee for the expungement. An adjudication for a violent crime, as defined in Section 16-1-60, must not be expunged."

SECTION 10. South Carolina Court Administration shall consult with the South Carolina Commission on Indigent Defense, South Carolina Commission on Prosecution Coordination, South Carolina Department of Corrections, South Carolina Department of Juvenile Justice, and South Carolina Department of Probation, Parole and Pardon Services to determine data and statistics that should be collected relevant to determining the fiscal and revenue impact of this act. All state and local agencies and courts shall collect the relevant data and statistics from July 1, 2016, through June 30, 2017, and transmit the data and statistics to court administration pursuant to court administration's instructions. Court administration shall collect the relevant data and statistics and make a report to the General Assembly by September 1, 2017.

SECTION 11. The repeal or amendment by this act of 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.

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SECTION 12. Section 10 of this act takes effect upon approval by the Governor. Sections 1 through 9 and Section 11 of this act take effect on July 1, 2019. /

Renumber sections to conform.  
Amend title to conform.

Senator MALLOY explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	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
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Verdin	Williams	Young

**Total--42**

**NAYS**

**Total--0**

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

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**READ THE SECOND TIME**

S. 668 -- Senators Alexander and O'Dell: A BILL TO AMEND TITLE 6, RELATING TO PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS; TO CREATE THE SOUTH CAROLINA COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY ACT TO PROVIDE THAT GOVERNING BODIES MAY ESTABLISH A DISTRICT BY ADOPTION OF AN ORDINANCE FOR THE PURPOSE OF PROMOTING, ENCOURAGING, AND FACILITATING CLEAN ENERGY IMPROVEMENTS WITHIN ITS GEOGRAPHIC AREA; TO PROVIDE REQUIREMENTS TO BE INCLUDED IN THE ORDINANCE; TO PROVIDE THAT MEMBERS OF THE DISTRICT AND OWNERS OF QUALIFYING REAL PROPERTY MAY VOLUNTARILY EXECUTE A WRITTEN AGREEMENT TO PARTICIPATE IN THE COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY PROGRAM; TO PROVIDE THAT THE GOVERNING BODY HAS THE AUTHORITY TO IMPOSE AN ASSESSMENT ON THE QUALIFYING REAL PROPERTY; TO PROVIDE THAT THE ASSESSMENT SHALL CONSTITUTE A COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY LIEN AGAINST THE QUALIFYING REAL PROPERTY UNTIL PAID; TO PROVIDE HOW CLEAN ENERGY IMPROVEMENTS MAY BE FINANCED; TO PROVIDE THAT CLEAN ENERGY IMPROVEMENTS MUST MEET ALL APPLICABLE SAFETY, PERFORMANCE, INTERCONNECTION, AND RELIABILITY STANDARDS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

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

**Motion under Rule 26B**

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

[SJ]

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**READ THE SECOND TIME**

S. 685 -- Senators Leatherman, Alexander, Campbell, S. Martin, Nicholson and O'Dell: A BILL TO AMEND SECTION 40-22-2, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE OF CHAPTER 22, TITLE 40 CONCERNING THE REGULATION OF ENGINEERS AND SURVEYORS, SO AS TO PROVIDE THAT THE PRACTICE OF THE PROFESSION OF ENGINEERING AND SURVEYING IS SUBJECT TO REGULATION BY THIS STATE; TO AMEND SECTION 40-22-10, RELATING TO THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, SO AS TO PROVIDE ADDITIONAL QUALIFICATIONS; TO AMEND SECTION 40-22-20, RELATING TO DEFINITIONS, SO AS TO ADD, REDEFINE, AND DELETE DEFINITIONS; TO AMEND SECTION 40-22-30, RELATING TO ACTIVITIES PROHIBITED WITHOUT A LICENSE, SO AS TO PROHIBIT BROKERING OR COORDINATING ENGINEERING OR SURVEYING SERVICES FOR A FEE; BY ADDING SECTION 40-22-35 SO AS TO SPECIFY THE MANNER IN WHICH A REGISTERED ENGINEER OR SURVEYOR MAY NEGOTIATE A CONTRACT FOR HIS PROFESSIONAL SERVICES; TO AMEND SECTION 40-22-50, RELATING TO DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL MAINTAIN AND UPDATE, RATHER THAN ANNUALLY PREPARE, A ROSTER OF INFORMATION CONCERNING PROFESSIONAL ENGINEERS AND SURVEYORS; TO AMEND SECTION 40-22-60, RELATING TO THE DUTY OF THE BOARD TO PROMULGATE CERTAIN REGULATIONS, SO AS TO UPDATE A CROSS REFERENCE AND TO PROVIDE ADDITIONAL DUTIES WITH RESPECT TO PROVIDING ADVICE AND RECOMMENDATIONS CONCERNING STATUTORY REVISIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO AMEND SECTION 40-22-75, RELATING TO EMERGENCY WAIVER OF LICENSE REQUIREMENTS, SO AS TO LIMIT APPLICATION OF THIS WAIVER TO DECLARED NATIONAL OR STATE EMERGENCIES, AND TO PROVIDE A WAIVER MAY NOT EXCEED NINETY DAYS; TO AMEND SECTION 40-22-110, RELATING TO THE AUTOMATIC SUSPENSION OF THE LICENSE OF MENTALLY INCOMPETENT PERSONS, SO AS TO DELETE A REDUNDANCY; TO AMEND

[SJ]

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SECTION 40-22-220, RELATING TO ELIGIBILITY REQUIREMENTS FOR LICENSURE AS AN ENGINEER, SO AS TO REVISE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-22-222, RELATING TO LICENSING OF EXISTING ENGINEERS, SO AS TO ADD AN OPTIONAL ACCREDITATION SOURCE FOR AN EDUCATION REQUIREMENT; TO AMEND SECTION 40-22-225, RELATING TO ELIGIBILITY REQUIREMENTS FOR LICENSURE AS A SURVEYOR, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-22-230, RELATING TO APPLICATION REQUIREMENTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-22-250, RELATING TO A CERTIFICATE OF AUTHORIZATION TO PRACTICE AS A FIRM, SO AS TO REVISE REQUIREMENTS FOR THE CERTIFICATE AND TO PROVIDE REQUIREMENTS THROUGH WHICH A LICENSEE MAY MAINTAIN A BRANCH OFFICE; TO AMEND SECTION 40-22-260, RELATING TO TEMPORARY LICENSES, SO AS TO REVISE CIRCUMSTANCES IN WHICH THE DEPARTMENT MAY GRANT A TEMPORARY LICENSE TO AN OUT-OF-STATE FIRM, AND TO PROVIDE REQUIREMENTS FOR SUBMISSION OF PLANS PRODUCED AND SUBMITTED FOR PERMITTING BY A PERSON HOLDING A TEMPORARY CERTIFICATE OF AUTHORIZATION; TO AMEND SECTION 40-22-270, RELATING TO SEALS OF LICENSEES, SO AS TO PROVIDE THE SEAL AND SIGNATURE OF A LICENSEE ON A DOCUMENT CONSTITUTES A CERTIFICATION THAT THE DOCUMENT WAS PREPARED BY THE LICENSEE OR UNDER HIS DIRECT SUPERVISION, AMONG OTHER THINGS; TO AMEND SECTION 40-22-280, AS AMENDED, RELATING TO EXCEPTIONS FROM THE APPLICABILITY OF THE CHAPTER, SO AS TO MODIFY THE EXEMPTIONS; AND TO AMEND SECTION 40-22-290, RELATING TO "TIER A" SURVEYING, SO AS TO EXEMPT THE CREATION OF NONTECHNICAL MAPS.

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 43; Nays 0**

**AYES**

[SJ]

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Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	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
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4510 -- Reps. Thayer, Hosey, Nanney, Hamilton, Erickson, Long, Hicks, McCoy, McEachern and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-2400 SO AS TO ESTABLISH LIMITATIONS ON THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME.

The Senate proceeded to a consideration of the Bill.

Senator LARRY MARTIN explained the Bill.

The question being the second reading of the Bill.

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

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**Motion under Rule 26B**

Senator LARRY MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**READ THE SECOND TIME**

S. 1272 -- Senator Hayes: A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF EDUCATION TO CARRY FORWARD CERTAIN FUNDS APPROPRIATED IN THE 2015-2016 GENERAL APPROPRIATIONS ACT REGARDING SUPPLEMENTAL SUPPORT OF PROGRAMS AND SERVICES FOR STUDENTS WITH DISABILITIES SO AS TO MEET THE ESTIMATED MAINTENANCE OF EFFORT FOR THE INDIVIDUALS WITH DISABILITIES ACT (IDEA).

The Senate proceeded to the consideration of the Resolution.

The question being the second reading of the Resolution.

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

**Ayes 42; Nays 0**

**AYES**

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

**Total--42**

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**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 944 -- Senators Peeler and Hembree: A BILL TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO USE OF STATE HOUSE LOBBIES, STEPS, AND OTHER PUBLIC BUILDINGS AND GROUNDS, TO REQUIRE THAT THE DEPARTMENT OF ADMINISTRATION CREATE A PERMIT PROCESS FOR EVENTS AND DEMONSTRATIONS ON THE STATE HOUSE GROUNDS; TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF CAPITOL GROUNDS, TO ADD PENDLETON STREET TO THE DEFINITION; AND TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO THE CAPITOL BUILDING, TO MAKE IT UNLAWFUL TO INCITE PHYSICAL VIOLENCE OR ENGAGE IN ACTIVITIES THAT ENCOURAGE UNLAWFUL CONDUCT, AND TO ALLOW LAW ENFORCEMENT TO REMOVE AND DISBURSE PERSONS THAT CAUSE A THREAT TO PUBLIC SECURITY, HEALTH, OR WELL-BEING.

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

H. 3560 -- Reps. Limehouse, Sottile, McCoy and Spires: A BILL TO AMEND SECTION 59-25-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE AND HEARINGS FOR DISMISSAL OF A TEACHER, SO AS TO PROVIDE THAT THE BOARD MAY DESIGNATE A HEARING OFFICER TO CONDUCT A DISMISSAL HEARING AND ISSUE A REPORT WITH RECOMMENDATIONS, TO PROVIDE RELATED REQUIREMENTS OF A HEARING OFFICER, TO PROVIDE A HEARING MUST BE PRIVATE UNLESS THE TEACHER REQUESTS IN WRITING THAT THE HEARING BE PUBLIC, TO PROVIDE THAT A NOTICE OF DISMISSAL MUST BE GIVEN BY THE SUPERINTENDENT OR HIS DESIGNEE INSTEAD OF THE SCHOOL BOARD, TO SPECIFY USE OF A COURT REPORTER TO

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RECORD THE PROCEEDINGS, AND TO PROVIDE AN APPEALS PROCESS.

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

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 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.

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

H. 4548 -- Reps. Sandifer, Forrester, Toole, Bales, Chumley, Burns, Hardee, Allison, Tallon, Henderson, Clemmons, Sottile, Crosby, V.S. Moss, Jefferson, Yow, Duckworth, H.A. Crawford, Jordan, Fry, Herbkersman, Lowe, Goldfinch, Hixon, Norman, Hiott, Taylor, McCoy, D.C. Moss, Collins, Rutherford, Anderson, Kirby, Pitts, Corley, Ballentine, Hamilton, Finlay, Huggins, Ott, Govan, Riley, Willis, Thayer, Felder, Hicks, Simrill, G.A. Brown, Bedingfield, Stringer, Ryhal, King, Loftis, Hayes, Mack, Rivers, Ridgeway, Clary, Brannon, Atwater, Daning, Bannister, Anthony, McEachern, Mitchell, Erickson, Weeks, Knight, Cole, George, Horne, G.R. Smith, G.M. Smith, Williams, Limehouse, Pope, Gambrell, Alexander, Stavrinakis, Newton, White, Spires, R.L. Brown, Gilliard, Dillard and Gagnon: A BILL TO AMEND SECTION 37-2-307, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSING FEES ASSESSED ON MOTOR VEHICLES SALES CONTRACTS, SO AS TO PROVIDE A MOTOR VEHICLE DEALER WHO MEETS CERTAIN STATUTORY REQUIREMENTS MAY CHARGE A CLOSING FEE, TO ESTABLISH DEFENSES FOR A MOTOR VEHICLE DEALER,

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AND TO AUTHORIZE THE DEPARTMENT OF CONSUMER AFFAIRS TO ADMINISTER AND ENFORCE MOTOR VEHICLE DEALER CLOSING FEES.

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

H. 3147 -- Reps. G.M. Smith, G.R. Smith, Huggins, Weeks, Taylor, Pope, Collins, Johnson, Stavrinakis, Yow, Clemmons, Goldfinch, Murphy, J.E. Smith and Mitchell: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES; AND TO AMEND SECTION 12-6-1170, AS AMENDED, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO CONFORM THIS DEDUCTION TO THE MILITARY RETIREMENT DEDUCTION ALLOWED BY THIS ACT.

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

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V.S. Moss, Norman, Stringer, Toole, W.J. McLeod and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE

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PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

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

H. 3685 -- Reps. D.C. Moss and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-219 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE IS IMPOSED UPON ALL MONETARY PENALTIES IMPOSED BY CERTAIN COURTS FOR OFFENSES IN WHICH AN ELECTRONIC TICKET OR CITATION WAS ISSUED, AND TO PROVIDE FOR THE DISTRIBUTION OF THE SURCHARGE.

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

H. 3710 -- Reps. Hixon, Norman, Taylor, Wells, Hamilton, Atwater, Brannon, Gagnon, Corley, Ballentine, Southard, Clemmons, Delleney, Gambrell, Huggins, Kennedy, Kirby, Loftis, D.C. Moss, Pitts, Riley, Rivers, Simrill, Toole and Bedingfield: A BILL TO AMEND SECTION 12-43-225, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO PROVIDE FIVE ADDITIONAL YEARS OF ELIGIBILITY IN CERTAIN CIRCUMSTANCES.

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

H. 3909 -- Reps. Herbkersman, Jefferson, Bernstein, G.A. Brown, Funderburk, Hill, W.J. McLeod, J.E. Smith, Whitmire, Gagnon, Dillard and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "BICYCLE AND PEDESTRIAN SAFETY ACT"; BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLES WITH HELPER MOTORS SHALL BE SUBJECT TO ALL THE RIGHTS AND DUTIES OF BICYCLES; TO AMEND SECTION 56-1-1710, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO MOTORCYCLES OR BICYCLES; TO AMEND SECTION 56-5-990, RELATING TO

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CERTAIN PEDESTRIAN CONTROL SIGNALS, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO PEDESTRIAN CONTROL SIGNALS THAT EXHIBIT THE SYMBOLS FOR "WALK" OR "WAIT", AND TO PROVIDE THAT FOR PEDESTRIAN CROSSWALKS EQUIPPED WITH COUNTDOWN INDICATORS, A PEDESTRIAN MAY CROSS IF HE CAN COMPLETE THE CROSSING DURING THE REMAINING TIME; TO AMEND SECTION 56-5-3130, RELATING TO A PEDESTRIAN'S RIGHT-OF-WAY IN A CROSSWALK, SO AS TO PROVIDE THAT THE DRIVER OF A VEHICLE SHALL STOP TO YIELD TO A PEDESTRIAN CROSSING A ROADWAY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-5-3230, RELATING TO A DRIVER'S DUTY TO EXERCISE DUE CARE WHEN OPERATING A VEHICLE, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO A DRIVER'S DUTY TO AVOID COLLIDING WITH AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE, A WHEELCHAIR, A FARM TRACTOR, OR A SIMILAR VEHICLE DESIGNED FOR FARM USE, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 56-5-3425, RELATING TO THE DEFINITION OF THE TERM "BICYCLE LANE" AND OPERATIONS OF MOTOR VEHICLES AND BICYCLES ALONG BICYCLE LANES, SO AS TO REVISE THE DEFINITION OF THE TERM "BICYCLE LANE" AND TO PROVIDE A DEFINITION FOR THE TERM "SUBSTANDARD-WIDTH LANE"; AND TO AMEND SECTION 56-16-10, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO PROVIDE A DEFINITION FOR THE TERM "BICYCLES WITH HELPER MOTORS".

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

H. 3343 -- Reps. Huggins, Toole, Long, McCoy, Knight, R.L. Brown, Pope, Collins, Bingham, Stavrinakis, Yow and Erickson: A BILL TO AMEND SECTION 47-3-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF EUTHANASIA THAT MAY BE USED TO KILL ANIMALS IMPOUNDED OR QUARANTINED IN ANIMAL SHELTERS, SO AS TO PROVIDE THAT THE USE OF BARBITURIC ACID DERIVATIVES, AND CARBON MONOXIDE GAS ARE NOT

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ALLOWABLE METHODS OF EUTHANASIA AND TO PROVIDE THAT THE USE OF SODIUM PENTOBARBITAL AND OTHER SUBSTANCES OR PROCEDURES THAT ARE HUMANE MAY BE USED TO PERFORM EUTHANASIA.

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

H. 3799 -- Reps. Hixon, Simrill, Taylor, Loftis, Burns, Brannon, Spires, Yow, Clemmons, Riley, Corley, Collins, Clary, Hosey, Clyburn, King, Hicks, Knight, Bradley, Jefferson, Kirby, Huggins, Duckworth, Kennedy, Hamilton, Hardee, Johnson, Murphy, Felder, Alexander, Atwater, Ballentine, Bedingfield, Bowers, Cobb-Hunter, Daning, Delleney, Dillard, Forrester, Funderburk, Gagnon, Gambrell, Hiott, Howard, Lowe, W.J. McLeod, V.S. Moss, Nanney, Norman, Ott, Pitts, Pope, Ridgeway, Ryhal, G.R. Smith, Tallon, Thayer, Toole, Weeks, Wells, White, Willis, Chumley and Rivers: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO PROVIDE THAT SOUTH CAROLINA SHALL RECOGNIZE CONCEALED WEAPON PERMITS ISSUED BY GEORGIA AND NORTH CAROLINA UNDER CERTAIN CIRCUMSTANCES.

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

H. 3848 -- Reps. Huggins, J.E. Smith, McKnight, Jefferson, Hosey, Atwater, Toole, Burns, Herbkersman, Ridgeway, Simrill, Kennedy, Ballentine and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FOUNDING PRINCIPLES ACT" BY ADDING SECTION 59-29-155 SO AS TO REQUIRE THE COMPLETION OF A SEPARATE, FULL SEMESTER COURSE CONSISTING ONLY OF INSTRUCTION IN CERTAIN FOUNDING PRINCIPLES OF THE UNITED STATES OF AMERICA, TO REQUIRE A PASSING GRADE IN THE COURSE AND ON THE NATURALIZATION TEST FOR UNITED STATES CITIZENSHIP AS A CONDITION FOR GRADUATION FROM HIGH SCHOOL, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE LOCAL SCHOOL DISTRICTS.

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

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H. 3891 -- Reps. Toole, Long, Bedingfield, J.E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

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

H. 4817 -- Rep. Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-53-95 SO AS TO REQUIRE AN INDIVIDUAL WHO APPLIES FOR A BONDSMAN OR RUNNER LICENSE TO PROVIDE HIS BUSINESS, EMAIL, MAILING, AND RESIDENTIAL STREET ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-43-107, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE PRODUCER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-45-30, RELATING TO REQUIREMENTS FOR A NONRESIDENT TO BE LICENSED AS AN INSURANCE BROKER, SO AS TO DELETE THE AFFIDAVIT REQUIREMENTS; TO AMEND SECTION 38-45-110, RELATING TO WARNING STAMPS ON POLICIES OF ELIGIBLE SURPLUS

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LINES INSURANCE, SO AS TO NO LONGER REQUIRE A BROKER TO WRITE OR STAMP A WARNING ON THE FACE OF AN APPLICATION FOR ELIGIBLE SURPLUS LINES INSURANCE; TO AMEND SECTION 38-47-15, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE ADJUSTER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-48-30, RELATING TO THE ADDRESS REQUIREMENT FOR A PUBLIC INSURANCE ADJUSTER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-49-25, RELATING TO THE ADDRESS REQUIREMENT FOR A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT.

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

H. 4931 -- Reps. Gambrell, Gagnon, Bannister, Mitchell and Thayer: A BILL TO AMEND SECTION 38-53-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EDUCATION AND CONTINUING EDUCATION REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SURETY BONDSMEN, AND RUNNERS, SO AS TO INCREASE THE NUMBER OF HOURS OF EDUCATION REQUIRED FOR LICENSURE AND FOR CONTINUING EDUCATION; AND TO AMEND SECTION 38-53-320, RELATING TO VISITING AND EXAMINING PROFESSIONAL BONDSMEN BY THE DEPARTMENT OF INSURANCE, SO AS TO SUBJECT SURETIES TO THESE VISITS AND EXAMINATIONS, AND TO REQUIRE BONDSMEN TO MAINTAIN A PROPERLY ZONED OFFICE IN THIS STATE THAT IS ACCESSIBLE TO THE GENERAL PUBLIC AND DEPARTMENT DURING NORMAL BUSINESS HOURS, AND TO REQUIRE THE BONDSMAN TO PROVIDE CERTAIN CONTACT INFORMATION.

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

H. 4936 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-50 SO AS TO PROVIDE FOR EDUCATIONAL GOALS FOR ALL SOUTH CAROLINA HIGH

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SCHOOL GRADUATES AND THE STANDARDS AND AREAS OF LEARNING BY WHICH THESE GOALS ARE MEASURED.

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

H. 4937 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS.

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

H. 4938 -- Education and Public Works Committee: A JOINT RESOLUTION TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF OTHER ENTITIES, SHALL SURVEY STUDENTS ENROLLED IN THE STATE'S COLLEGES OF EDUCATION AND INCLUDE QUESTIONS INQUIRING AS TO WHETHER THE STUDENTS HAVE EVER CONSIDERED TEACHING IN A RURAL AND ECONOMICALLY CHALLENGED SCHOOL DISTRICT AND WHAT INCENTIVES, IF ANY, WOULD CAUSE THEM TO CONSIDER WORKING IN SUCH A DISTRICT.

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

H. 4939 -- Education and Public Works Committee: A BILL TO ESTABLISH A COMMITTEE COMPOSED OF SPECIFIED MEMBERS TO REVIEW ALL EXISTING STATE EDUCATION STATUTES AND REPORT TO THE GENERAL ASSEMBLY THOSE WHICH ARE OBSOLETE OR NO LONGER APPLICABLE; AND TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP THE SYSTEM FOR PROVIDING SERVICES AND TECHNICAL ASSISTANCE FOR SCHOOL DISTRICTS ON A REGIONAL BASIS TO INCLUDE ACADEMIC ASSISTANCE AND ASSISTANCE WITH FINANCES, AND TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION SHALL REPORT THE DESIGN OF THE SYSTEM TO THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 31, 2016, AND EVERY YEAR THEREAFTER REPORT THE PROGRESS OF THE SYSTEM IN REGARD TO ASSISTANCE PROVIDED TO LOCAL SCHOOL DISTRICTS, AND ALSO TO REQUIRE THAT

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THE DEPARTMENT OF EDUCATION SHALL MONITOR THE OPERATIONS OF SCHOOL BOARDS IN UNDERPERFORMING DISTRICTS TO DETERMINE IF THEY ARE OPERATING EFFICIENTLY AND EFFECTIVELY AND TO PROVIDE THAT THE DEPARTMENT SHALL MONITOR THE PROFESSIONAL DEVELOPMENT OF TEACHERS, STAFF, AND ADMINISTRATORS IN DISTRICTS IT DETERMINES ARE UNDERPERFORMING TO ASCERTAIN WHAT IMPROVEMENTS AND CHANGES ARE NECESSARY.

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

H. 4940 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-3-110 SO AS TO PROVIDE FOR THE DUTIES, FUNCTIONS, AND RESPONSIBILITIES OF THE OFFICE OF TRANSFORMATION WITHIN THE SOUTH CAROLINA DEPARTMENT OF EDUCATION.

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

S. 1245 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO HYDROGEN FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4621, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1246 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO FIRE PREVENTION AND LIFE SAFETY FOR SPECIAL OCCUPANCIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4619, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1247 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

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DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO FIREWORKS AND PYROTECHNICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4620, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1248 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO PORTABLE FIRE EXTINGUISHERS AND FIXED FIRE EXTINGUISHING SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4623, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4090 -- Reprs. Bedingfield, Sandifer, G.A. Brown, Ballentine and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-29-25 SO AS TO PROVIDE ACTIONS THAT REQUIRE A CERTIFICATE OF AUTHORITY AS A PAWN BROKER; BY ADDING SECTION 40-29-55 SO AS TO PROVIDE FOR THE PERIODIC ADJUSTMENT OF CERTAIN MONETARY REQUIREMENTS IN A CERTAIN MANNER; BY ADDING SECTION 40-29-145 SO AS TO HOLD ORDERS ON PROPERTY IN THE POSSESSION OF A PAWNBROKER SUSPECTED TO HAVE BEEN MISAPPROPRIATED OR STOLEN; BY ADDING SECTION 40-29-155 SO AT TO PROVIDE A PERSON AGGRIEVED BY THE FINAL ADMINISTRATIVE ORDER OF THE DEPARTMENT OF CONSUMER AFFAIRS MAY REQUEST A CONTESTED CASE HEARING BEFORE THE ADMINISTRATIVE LAW COURT, AND TO PROVIDE THE DEPARTMENT MAY BRING AN ACTION TO ENFORCE ITS ORDER IF THE PERSON FAILS TO TIMELY REQUEST A CONTESTED CASE HEARING; TO AMEND SECTION 40-39-10, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PAWNBROKERS BY THE DEPARTMENT, SO AS TO REVISE THE DEFINITION OF "PLEGGED GOODS" SPECIFICALLY TO EXCLUDE CERTAIN VEHICLES; TO AMEND SECTION 40-39-20, RELATING TO REGULATIONS OF PAWN

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BROKERS, SO AS TO REVISE REQUIREMENTS CONCERNING BACKGROUND CHECKS AND TO PROHIBIT THE EMPLOYMENT OF A PERSON CONVICTED OF A FELONY TO ENGAGE IN THE WORK OF A PAWNBROKER, SUBJECT TO CERTAIN EXCEPTIONS; TO AMEND SECTION 40-39-30, RELATING TO THE REQUIREMENT OF A CERTIFICATE OF AUTHORITY FOR EACH BUSINESS LOCATION OF A PAWNBROKER, SO AS TO PROVIDE A PAWNBROKER MAY RETAIN NO PLEDGED GOODS IN A LOCATION OTHER THAN THE LOCATION DESIGNATED IN THE CERTIFICATE OF AUTHORITY WITHOUT FIRST FILING A NOTIFICATION WITH THE DEPARTMENT ON A FORM PRESCRIBED BY THE DEPARTMENT, AND TO PROVIDE A PAWNBROKER CONSPICUOUSLY SHALL POST THE HOURS OF OPERATION AND ANY CLOSURE AT EACH LOCATION; TO AMEND SECTION 40-39-40, RELATING TO THE PROHIBITION ON UNAUTHORIZED FEES, SO AS TO PROVIDE A PAWNBROKER THAT COLLECTS SUCH UNAUTHORIZED FEES MAY NOT COLLECT, RECEIVE, OR RETAIN ANY INTEREST OR CHARGES ON THE LOAN IN VIOLATION OF THIS CHAPTER AND HAS NO RIGHT TO POSSESS THE PLEDGED GOODS; TO AMEND SECTION 40-39-50, RELATING TO BONDS AND OTHER EVIDENCE OF FINANCIAL RESPONSIBILITY REQUIRED FOR A CERTIFICATE OF AUTHORITY, SO AS TO REVISE AND DELETE SOME EXISTING REQUIREMENTS AND TO PROVIDE WITHIN TWENTY-ONE CALENDAR DAYS AFTER THE OCCURRENCE OF AN EVENT THAT MAY AFFECT PLEDGED GOODS, A PAWNBROKER SHALL FILE A WRITTEN NOTICE ON A FORM PRESCRIBED BY THE DEPARTMENT DESCRIBING THE EVENT AND ITS EXPECTED IMPACT UPON THE BUSINESS; TO AMEND SECTION 40-39-70, RELATING TO RECORD KEEPING REQUIREMENTS, SO AS TO INCLUDE SALES AMONG THE AFFECTED TRANSACTIONS, TO REQUIRE VERIFICATION OF THE IDENTITY OF A PLEDGOR OR SELLER IN A CERTAIN MANNER, AND TO PROVIDE A PAWN OR PURCHASE TRANSACTION MUST BE PERFORMED BY THE OWNER OF THE PROPERTY, OR HIS AUTHORIZED AGENT, WHOSE IDENTITY AND AGENCY RELATIONSHIP MUST BE VERIFIED BY THE PAWNBROKER; TO AMEND SECTION 40-39-80, RELATING TO THE ISSUANCE OF A MEMORANDUM OR NOTE

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AT THE TIME OF PAWNING OR PLEDGING, SO AS TO CHARACTERIZE THE MEMORANDUM OR NOTE AS A "PAWN TICKET" AND TO PROVIDE DETAILED, RELATED REQUIREMENTS; TO AMEND SECTION 40-39-100, RELATING TO PERMISSIBLE CHARGES ON LOANS BY PAWNBROKERS, SO AS TO REVISE THE MAXIMUM PERMISSIBLE AMOUNT; TO AMEND SECTION 40-39-120, RELATING TO THE RENEWAL OF A CERTIFICATE OF AUTHORITY, SO AS TO PROVIDE PENALTIES FOR FAILING TO TIMELY RENEW, AND TO PROVIDE REQUIREMENTS FOR A PAWN SHOP THAT MUST CLOSE BECAUSE OF A SURRENDER OR REVOCATION OF ITS CERTIFICATE OF AUTHORITY; TO AMEND SECTION 40-39-140, RELATING TO THE ACCEPTANCE OF PROPERTY OWNED BY A THIRD PARTY, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PAWNBROKER MUST RETURN PLEDGED PROPERTY THAT HAD BEEN LEASED BY A SELLER OR PLEDGOR TO THE LESSOR OF THE PROPERTY, AND TO PROVIDE A PAWNBROKER IS NOT LIABLE TO THE PLEDGOR OR SELLER OF PROPERTY THAT IS RECOVERED BY A LESSOR FOR RETURNING THE PROPERTY TO A LESSOR; AND TO AMEND SECTION 40-39-150, RELATING TO FINES AND PENALTIES FOR VIOLATIONS, SO AS TO TRANSFER CERTAIN AUTHORITY CONCERNING THESE FINES AND PENALTIES FROM THE ADMINISTRATIVE LAW COURT TO THE DEPARTMENT.

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

H. 4941 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO DIRECT THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION

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IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

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

H. 4877 -- Reps. Delleney, Pitts, Lucas, Bannister and Whipper: A BILL TO AMEND SECTION 63-3-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD TWO ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

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

S. 1162 -- Senators Peeler and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-61-55 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE PRIMARY AND SECONDARY CALL LISTS FOR AIR AMBULANCE SERVICE PROVIDERS, PROVIDE THE LISTS AND AIR AMBULANCE FEE SCHEDULES TO CERTAIN PERSONS AND ENTITIES, AND ESTABLISH AIR AMBULANCE SERVICE RESPONSE ZONES AND PROTOCOL FOR RESPONDING TO

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REQUESTS FOR AIR AMBULANCE SERVICES, TO REQUIRE AIR AMBULANCE SERVICE PROVIDERS TO PROVIDE FEE SCHEDULES UPON REQUEST, AND TO REQUIRE HOSPITALS TO MAKE REASONABLE EFFORTS TO INFORM PATIENTS OF AIR AMBULANCE FEES BEFORE REFERRAL, WITH EXCEPTIONS; TO AMEND SECTION 44-61-30, AS AMENDED, RELATING TO STANDARDS AND REGULATIONS TO IMPROVE EMERGENCY MEDICAL SERVICES, SO AS TO REQUIRE REGULATIONS FOR AIR AMBULANCE SERVICE PROVIDERS; AND BY ADDING SECTIONS 38-71-295 AND 42-5-75 SO AS TO DEFINE CERTAIN TERMS PERTAINING TO CLASSIFICATION OF EMERGENCY SERVICES FOR PURPOSES OF ACCIDENT AND HEALTH INSURANCE POLICIES AND WORKERS' COMPENSATION INSURANCE POLICIES.

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

H. 4743 -- Reps. Bedingfield, Dillard, Robinson-Simpson and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-935 SO AS TO PROVIDE THAT THE LAND OWNED AND MANAGED BY THE CONESTEE FOUNDATION AND KNOWN AS LAKE CONESTEE NATURE PARK IS DECLARED TO BE A WILDLIFE SANCTUARY.

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

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

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

**AMENDMENT PROPOSED, OBJECTION**

S. 650 -- Senators Scott, Malloy, Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-90 SO AS TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT

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AN INVESTIGATION OF ALL OFFICER-INVOLVED SHOOTINGS THAT RESULT, OR COULD HAVE RESULTED, IN BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED SHOOTING TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF THE INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF THE EVIDENCE TO THE CIRCUIT SOLICITOR UPON COMPLETION OF THE INVESTIGATION, AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION PURSUANT TO THE PROVISIONS OF THIS SECTION.

The Senate proceeded to the consideration of the Bill.

Senators SCOTT and KIMPSON proposed the following amendment (JUD0650.006), which was withdrawn:

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

SECTION \_\_. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

/ “Section 23-1-95. (A) The South Carolina Law Enforcement Division shall establish a Law Enforcement Citizens’ Advisory Council.

(B) The purpose of the Council is to increase law enforcement agencies’ professional competence and accountability to South Carolina’s citizens.

(C) The Council must be composed of a diverse cross section of South Carolina’s citizens, and, at a minimum, reflect the ethnic diversity of the citizens who reside in South Carolina. Members must be appointed by the Chief of the South Carolina Law Enforcement Division and must serve at the Chief’s discretion.

(D) To achieve its purpose, the Council shall review and comment on:

(1) the shooting of or discharge of a weapon at a person by a law enforcement officer acting in the line of duty;

(2) the unexpected death of an arrestee while in the care, custody, or control of a law enforcement officer or correctional officer; the

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unexpected death of an arrestee shortly after being in the care, custody, or control of a law enforcement officer or correctional officer; and the unexpected death of an intended arrestee during an arrest attempt by a law enforcement officer. For purposes of this section, ‘unexpected death’ includes all deaths which, before investigation, appear possibly to have been caused by trauma, or suspicious or obscure circumstances;

(3) citizens’ complaints against a law enforcement agency or law enforcement officer;

(4) disciplinary actions taken against a law enforcement officer; and

(5) a law enforcement agency’s relevant internal policies and procedures.

(E) Upon request of the Council and as necessary to carry out the Council’s purpose and duties, the Council immediately must be provided access to information and records, including, but not limited to, personnel records related to a review being conducted pursuant to subsection (D).

(F) When necessary in the discharge of the Council’s duties and upon the Council’s application, the clerks of court shall issue a subpoena or subpoena duces tecum to a state or local agency, board, or commission or to a representative of a state or local agency, board, or commission to compel the attendance of witnesses and production of documents, books, papers, correspondence, memoranda, and other records relevant to the discharge of the Council’s duties. Failure to obey a subpoena or subpoena duces tecum issued pursuant to this subsection may be punished as contempt.” /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

On motion of Senator SCOTT, the amendment was withdrawn.

Senators SCOTT and KIMPSON proposed the following amendment (JUD0650.008), which was withdrawn:

Amend the bill, as and if amended, page 3, by striking line 8, and inserting therein the following:

/ a single election or judicial district.

(G) (1) SLED shall establish a Law Enforcement Citizens’ Advisory Council.

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(2) The purpose of the Council is to increase law enforcement agencies' professional competence and accountability to South Carolina's citizens.

(3) The Council must be composed of a diverse cross section of South Carolina's citizens, and, at a minimum, reflect the ethnic diversity of the citizens who reside in South Carolina. Members must be appointed by the Chief of SLED and must serve at the Chief's discretion.

(4) To achieve its purpose, the Council shall review and comment on shootings or discharges of weapons as described in item (1) of subsection (A) and unexpected deaths as described in item (2) of subsection (A).

(5) Upon request of the Council and as necessary to carry out the Council's purpose and duties, the Council immediately must be provided access to information and records, including, but not limited to, personnel records related to a review being conducted pursuant to item (4) of this subsection.

(6) When necessary in the discharge of the Council's duties and upon the Council's application, the clerks of court shall issue a subpoena or subpoena duces tecum to a state or local agency, board, or commission or to a representative of a state or local agency, board, or commission to compel the attendance of witnesses and production of documents, books, papers, correspondence, memoranda, and other records relevant to the discharge of the Council's duties. Failure to obey a subpoena or subpoena duces tecum issued pursuant to this subsection may be punished as contempt." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

On motion of Senator SCOTT, the amendment was withdrawn.

Senator LOURIE proposed the following amendment (JUD0650.009):

Amend the bill, as and if amended, by striking SECTION 1, and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23-3-90. (A) Except as provided in subsection (B), the South Carolina Law Enforcement Division shall have exclusive

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jurisdiction in the investigation of law enforcement officer involved shootings.

(B) A law enforcement agency may investigate officer involved shootings by the agency's officers, if the agency has:

(1) a written policy regarding the investigation of officer involved shootings;

(2) a critical incident investigative team to investigate officer involved shootings;

(3) a forensics lab to investigate officer involved shootings;

(4) a citizens review council to review officer involved shootings."/

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the Bill.

Senator KIMPSON spoke on the Bill.

Senator LOURIE objected to further consideration of the Bill.

**ADOPTED**

S. 1229 -- Senators Scott and Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN RICHLAND COUNTY FROM ITS INTERSECTION WITH FRIENDLY WOODS ROAD TO ITS INTERSECTION WITH BLYTHEWOOD ROAD "PASTOR EDDIE W. DAVIS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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

**Motion Adopted**

At 4:18 P.M., Senator CROMER moved to dispense with the balance of the Motion Period.

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Senator THURMOND moved to table the motion to dispense with the balance of the Motion Period.

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

**Ayes 10; Nays 31**

**AYES**

Bright	Bryant	Fair
Kimpson	Malloy	<i>Martin, Shane</i>
<i>Matthews, Margie</i>	Peeler	Thurmond
Verdin		

**Total--10**

**NAYS**

Alexander	Allen	Bennett
Campbell	Campsen	Cleary
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Hutto
Jackson	Johnson	Leatherman
Lourie	<i>Martin, Larry</i>	Massey
<i>Matthews, John</i>	McElveen	Nicholson
Sabb	Scott	Setzler
Shealy	Turner	Williams
Young		

**Total--31**

The Senate refused to table the motion to dispense the balance of the motion period.

The Senate agreed to dispense with the balance of the motion period.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

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**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 LARRY MARTIN, the Bill was carried over.

S. 454 -- Senators Campsen and Turner: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, TO PROVIDE THAT A PERSON MUST HAVE IMMEDIATE ACCESS AND AUTHORIZATION TO UTILIZE DEER QUOTA TAGS TO HUNT ON PROPERTY WITH A DEER QUOTA PROGRAM PERMIT, TO PROVIDE FOR THE DEER QUOTA PROGRAM AND REQUIREMENTS FOR APPLICATION THERETO, TO PROVIDE THAT A PERSON MUST POSSESS A SET OF INDIVIDUAL DEER TAGS FROM THE DEPARTMENT TO HUNT ON PROPERTY WITHOUT A DEER QUOTA PROGRAM PERMIT, TO SET THE DEER TAG FEES FOR IN AND OUT-OF-STATE RESIDENTS; TO AMEND SECTION 50-9-920(B)(6) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO SUBSTITUTE DEER QUOTA PROGRAM PERMIT FOR ANTLERLESS DEER QUOTA PERMIT; TO AMEND SECTION 50-9-920(B)(7) OF THE 1976 CODE, TO REMOVE "ANTLERLESS" AND SUBSTITUTE "INDIVIDUAL"; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE,

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RELATING TO THE PROTECTION OF GAME, TO PROVIDE FOR THE BAG LIMITS FOR ANTLERED AND ANTLERLESS DEER, AND THE LIMIT FOR DEER ON PROPERTY ENROLLED IN THE DEER QUOTA PROGRAM, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO TAKE MORE THAN THE LEGAL LIMIT OF DEER, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THE SECTION; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE DEER TAGS AND TO PROVIDE FOR THE CIRCUMSTANCES SURROUNDING THE VALIDITY OF SUCH TAGS, TO PROVIDE THAT ALL DEER TAKEN MUST BE TAGGED, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO POSSESS, MOVE, OR TRANSPORT AN UNTAGGED DEER, TO POSSESS MORE THAN ONE SET OF DEER TAGS OR TAGS ISSUED IN ANOTHER'S NAME, AND TO ALTER A DEER TAG FOR FRAUDULENT OR UNLAWFUL PURPOSES, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 50-11-390 OF THE 1976 CODE, RELATING TO DEPARTMENTAL AUTHORITY OVER GAME ZONES, TO AUTHORIZE THE DEPARTMENT TO PROMULGATE NECESSARY REGULATIONS RELATED TO THE TAKING OF DEER; AND TO REPEAL SECTION 50-11-335 OF THE 1976 CODE.

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

S. 1013 -- Senators Alexander and Davis: A BILL TO AMEND CHAPTER 57, TITLE 40 OF THE 1976 CODE, RELATING TO THE LICENSURE AND REGULATION OF REAL ESTATE BROKERS, SALESPERSONS, AND PROPERTY MANAGERS, TO REORGANIZE THE PROVISIONS OF THIS CHAPTER; TO REVISE AND ADD CERTAIN DEFINITIONS OF TERMS USED IN THIS CHAPTER; TO SPECIFY THAT CERTAIN DUTIES AND RESPONSIBILITIES BELONG TO THE REAL ESTATE COMMISSION RATHER THAN TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO DELETE A LICENSE REINSTATEMENT FEE; TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT, USE, AND REPORTING REQUIREMENTS FOR THE SOUTH CAROLINA REAL ESTATE COMMISSION EDUCATION AND RESEARCH FUND; TO DELETE THE PROVISION REQUIRING LICENSURE

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APPLICANTS TO SUBMIT A CREDIT REPORT, AND TO REQUIRE APPLICANTS TO UNDERGO CRIMINAL RECORDS CHECKS; TO REVISE EDUCATION AND RELATED REQUIREMENTS OF CERTAIN LICENSEES; TO PROVIDE THAT AN INDIVIDUAL WHOSE LICENSE IS REVOKED MAY NOT REAPPLY FOR LICENSURE FOR THREE YEARS, RATHER THAN ONE YEAR; TO PROVIDE CIRCUMSTANCES IN WHICH THE COMMISSION MAY RECOGNIZE A REAL ESTATE LICENSE FROM ANOTHER STATE AND TO PROVIDE SPECIFIC REQUIREMENTS FOR NONRESIDENT LICENSEES; TO SPECIFY CONTINUING EDUCATION REQUIREMENTS FOR BROKERS IN CHARGE AND PROPERTY MANAGERS IN CHARGE; TO REQUIRE THE ELECTRONIC TRANSMISSION OF CERTAIN STUDENT CONTINUING EDUCATION AND QUALIFYING COURSE RECORDS TO THE COMMISSION, AND TO REQUIRE THE COMMISSION MAINTAIN A SECURE DATABASE OF THESE RECORDS; TO FURTHER SPECIFY ADVERTISING AND MARKETING REQUIREMENTS AND LICENSEE STATUS DISCLOSURE; TO CLARIFY AND FURTHER SPECIFY DUTIES AND RESPONSIBILITIES OF BROKERS IN CHARGE AND PROPERTY MANAGERS IN CHARGE CONCERNING TRUST FUNDS AND TRUST ACCOUNTS, RECORDKEEPING, AND THE SUPERVISION AND INSTRUCTION OF LICENSEES REGARDING THESE MATTERS; TO PROVIDE THAT NO CAUSE OF ACTION ARISES IF AN OWNER OF REAL ESTATE OR A LICENSEE DOES NOT DISCLOSE THE LOCATION OF A REGISTERED SEX OFFENDER; TO FURTHER SPECIFY THE RELATIONSHIPS AND THE DUTIES AND RESPONSIBILITIES OF BROKERS IN CHARGE, BROKERAGE FIRMS, AND LICENSEES TO THEIR CLIENTS, CUSTOMERS, AGENTS, OTHER LICENSEES, AND OTHER LICENSED INDIVIDUALS; TO FURTHER PROVIDE FOR GROUNDS FOR DENIAL OF LICENSURE OR FOR DISCIPLINARY ACTION AND TO AUTHORIZE THE COMMISSION TO REQUIRE A LICENSEE TO UNDERGO A CRIMINAL RECORDS CHECK AS PART OF AN INVESTIGATION OR DISCIPLINARY PROCEEDING; AND TO CLARIFY CONFIDENTIALITY REQUIREMENTS OF INFORMATION RECORDED FOR AN INVESTIGATION OR PROCEEDING; AND BY ADDING SECTION 27-32-85 SO AS TO PROVIDE THAT PURCHASE OF BENEFICIARY RIGHTS IN A TRUST BASED

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TIMESHARE, WHERE THE CONTRACT IS MADE IN THIS STATE, IS A REAL PROPERTY OWNERSHIP CONVEYANCE SUBJECT TO ALL CLOSING REQUIREMENTS CONTAINED IN THE TIME SHARING TRANSACTION PROCEDURES ACT.

Senator SHANE MARTIN spoke on the Bill.

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

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**AMENDED, READ THE THIRD TIME  
RETURNED TO THE HOUSE**

H. 3186 -- Reps. Finlay, Cole, Anderson, Bales, G.A. Brown, R.L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G.R. Smith, G.M. Smith, McCoy, Clary, J.E. Smith, W.J. McLeod, Weeks, Whipper, Hicks, Atwater, Ballentine and Stavrinakis: A BILL TO AMEND SECTION 8-13-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO ETHICS AND GOVERNMENT ACCOUNTABILITY, SO AS TO REVISE THE DEFINITION OF "BUSINESS WITH WHICH HE IS ASSOCIATED"; AND TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REVISE THE FORM AND REQUIRED CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS.

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

**Amendment No. 1B**

Senators L. MARTIN, HUTTO, MASSEY and CAMPSSEN proposed the following amendment (JUD3186.007), which was subsequently withdrawn:

Amend the bill, as and if amended, by striking item (10), lines 28-39 on page 3, and inserting:

/ (10) the source of any other income received by the filer that is not otherwise required to be reported in this section. However, this does not include income received pursuant to:

(i) a court order;

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(ii) a savings, checking, or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings, checking, or brokerage accounts in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee;

(iii) a mutual fund or similar fund in which an investment company invests its shareholders' money in a diversified selection of securities.

For purposes of this item, income means receipt of compensation in an aggregate amount of \$500 or more for services actually rendered. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

Senator MALLOY spoke on the amendment.

#### **Motion Adopted**

On motion of Senator LARRY MARTIN, with unanimous consent, Amendment No. 1B was carried over with Senator MALLOY retaining the floor on the amendment.

The amendment was carried over.

#### **Amendment No. 2**

Senator RANKIN proposed the following amendment (JUD3186.009), which was adopted:

Amend the bill, as and if amended, by striking item (8), lines 3-11 on page 3 and inserting:

~~/ (8) if a public official, public member, or public employee receives compensation from an individual or business which contracts with the governmental entity with which the public official, public member, or public employee serves or is employed, the public official, public member, or public employee must report the name and address of that individual or business and the amount of compensation paid to the public official, public member, or public employee by that individual or business;~~

(a) if a public official, public member, or public employee of the state receives compensation from an individual or business that has a contract with a state agency, board, or commission, the public official,

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public member, or public employee must report the name and address of that individual or business, as well as the amount of the contract;

(b) if a public official, public member, or public employee of a local government entity or political subdivision receives compensation from an individual or business that has a contract with the local government entity or political subdivision on which the filer serves or is employed, the public official, public member, or public employee must report the name and address of that individual or business, as well as the amount of the contract; /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

### **Amendment No. 3**

Senator GROOMS proposed the following amendment (3186R005.EB.LKG), which was withdrawn:

Amend the bill, as and if amended, page 3, by striking lines 28-39 and inserting:

/ (10) the source, type, and amount or value of income received by the filer from any source, and the source, date, and amount of honoraria from any source, received during the preceding calendar year, aggregating \$200 or more in value and the source, date, and amount of payments made to charitable organizations in lieu of honoraria. The amount or value of such income shall be listed as:

- (i) not more than \$1,000,
- (ii) greater than \$1,000 but not more than \$2,500,
- (iii) greater than \$2,500 but not more than \$5,000,
- (iv) greater than \$5,000 but not more than \$15,000,
- (v) greater than \$15,000 but not more than \$50,000,
- (vi) greater than \$50,000 but not more than \$100,000,
- (vii) greater than \$100,000 but not more than \$1,000,000,
- (viii) greater than \$1,000,000 but not more than \$5,000,000, or
- (ix) greater than \$5,000,000.

This does not include income received pursuant to: a court order; a savings, checking, or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings, checking or brokerage accounts in the ordinary course of its business and on terms

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and interest rates generally available to a member of the general public without regard to status as a filer; or a mutual fund or similar fund in which an investment company invests its shareholders' money in a diversified selection of securities; /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

On motion of Senator GROOMS, with unanimous consent, the amendment was withdrawn.

**Amendment No. 4**

Senator MALLOY proposed the following amendment (JUD3186.010), which was carried over:

Amend the bill, as and if amended, by striking section 8-13-1120(11) beginning on page 3, line 40 and inserting:

/ (11) the source, type, and amount or value of income received by a public official a member of the public official's immediate family, or a business with which the public official or a member of his immediate family are associated, from any source, and the source, date, and amount of honoraria from any source, received during the preceding calendar year, aggregating \$200 or more in value and the source, date, and amount of payments made to charitable organizations in lieu of honoraria. The amount or value of such income is shall listed as:

(i) not more than \$1,000,

(ii) greater than \$1,000 but not more than \$2,500,

(iii) greater than \$2,500 but not more than \$5,000,

(iv) greater than \$5,000 but not more than \$15,000,

(v) greater than \$15,000 but not more than \$50,000,

(vi) greater than \$50,000 but not more than \$100,000,

(vii) greater than \$100,000 but not more than \$1,000,000, or

(viii) greater than \$1,000,000. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to carry over the amendment.

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**Amendment No. 5**

Senators MALLOY, L. MARTIN, CAMPSER, BENNETT, SETZLER and McELVEEN proposed the following amendment (JUD3186.011), which was adopted:

Amend the bill, as and if amended, by striking item (1), lines 28-39 on page 3 and inserting:

/ (10) (a) disclose each business entity, and its primary activity, from which the filer derives income. For purposes of this item, business entity means a business, regardless of the form of organization, from which earned or unearned income is derived, including, but not limited to, a corporation, limited liability company, professional association, partnership, or limited liability partnership.

(b) disclose each sole proprietorship, and its primary activity, from which the filer derives earned or unearned income.

For purposes of this item, income means receipt of compensation in an aggregate amount of \$500 or more for services actually rendered.

(c) This item does not include income received pursuant to:

(i) a court order;

(ii) a savings, checking, or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings, checking, or brokerage accounts in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee;

(iii) a mutual fund or similar fund in which an investment company invests its shareholders' money in a diversified selection of securities;

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

The amendment was adopted.

Senator LARRY MARTIN spoke on the Bill.

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**Motion Adopted**

On motion of Senator LARRY MARTIN, with unanimous consent, Amendment No. 1B was withdrawn.

**Motion Adopted**

On motion of Senator MALLOY, with unanimous consent, Amendment No. 4 was withdrawn.

**Amendment No. 6**

Senator HAYES proposed the following amendment (JUD3186.012), which was withdrawn:

Amend the bill, as and if amended, by striking lines beginning on page 3, line 28 to page 4, line 24 and inserting:

/ (10) the source and type of any other income received by the filer or the filer's immediate family or a business with which the filer or the filer's immediate family is associated, to include the address of the source and position held by the filer, if any. Income includes but is not limited to investment dividends and capital gains, retirement or pension income, and rental income from real or personal property but does not to include income received pursuant to:

(i) a court order;

(ii) a savings or checking, or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings or checking, or brokerage accounts-in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee;

(iii) a mutual fund or similar fund in which an investment company invests its shareholders' money in a diversified selection of securities;

(11) the source of income received by a public official, a member of the public official's immediate family, or a business with which the public official or a member of his immediate family are associated if the public official or a member of the public official's immediate family directly derives income from a:

(i) contractual or financial relationship, including a consultant or independent contractor's relationship, with a lobbyist's principal or an entity controlled by, affiliated with, or existing for the benefit of a lobbyist's principal;

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(ii) contractual or financial relationship, including a consultant or independent contractor relationship, with a state or local governmental entity;

(iii) source regulated by the governmental regulatory agency with which the public official serves;

For purposes of item (11), the definition of ‘contractual or financial relationship’ does not include a relationship from which income received by a public official, a member of the public official’s immediate family, or a business with which the public official or his immediate family is associated, is derived from commercial transactions in which the fair market value of goods transferred or services rendered is paid.

(12) the source of income received by a public member, a member of the public member’s immediate family, or a business with which the public member or a member of his immediate family are associated if the public member or his immediate family directly derives income from a source regulated by the governmental regulatory agency with which the public member serves. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

Senator HAYES explained the amendment.

On motion of Senator HAYES, with unanimous consent, Amendment No. 6 was withdrawn.

The question then was third reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

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

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Massey	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Turner	Verdin	Young

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Recorded Vote**

Senators J. MATTHEWS and COLEMAN desired to be recorded as voting in favor of the third reading of the Bill.

**AMENDED, READ THE THIRD TIME  
RETURNED TO THE HOUSE**

H. 3184 -- Reps. Pope, Cole, Anderson, Bales, G.A. Brown, Burns, Finlay, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Bernstein, Long, Douglas, Henderson, G.M. Smith, G.R. Smith, McCoy, McKnight, Clary, M.S. McLeod, Thayer, W.J. McLeod, Weeks, J.E. Smith and Stavrinakis: A BILL TO AMEND SECTION 8-13-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE ETHICS COMMISSION AND ITS MEMBERSHIP, SO AS TO RECONSTITUTE THE MEMBERSHIP OF THE COMMISSION EFFECTIVE JULY 1, 2015, TO CONSIST OF FOUR MEMBERS APPOINTED BY THE GOVERNOR, FOUR MEMBERS ELECTED BY THE SUPREME COURT, TWO MEMBERS ELECTED BY THE HOUSE OF REPRESENTATIVES, AND TWO MEMBERS ELECTED BY THE SENATE, RESPECTIVELY, TO PROVIDE FOR THE QUALIFICATIONS OF THESE MEMBERS, TO PROVIDE FOR OFFICERS OF THE COMMISSION, AND TO PROVIDE FOR THE MEMBERS' TERMS OF OFFICE AND MANNER OF THEIR

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REMOVAL UNDER CERTAIN CONDITIONS; TO AMEND SECTION 8-13-320, AS AMENDED, RELATING TO THE DUTIES, POWERS, AND PROCEDURES OF THE STATE ETHICS COMMISSION, SO AS TO REVISE THESE DUTIES, POWERS, AND PROCEDURES INCLUDING PROVISIONS TO VEST WITH THE COMMISSION THE ADDITIONAL RESPONSIBILITY TO INITIATE OR RECEIVE COMPLAINTS AGAINST MEMBERS OF THE GENERAL ASSEMBLY, ITS STAFF, AND CANDIDATES FOR ELECTION TO THE GENERAL ASSEMBLY, TO INITIATE OR RECEIVE COMPLAINTS AGAINST JUDGES AND OTHER JUDICIAL OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM AND THEIR STAFFS, TO PROVIDE FOR THE INVESTIGATION AND PROCESSING OF COMPLAINTS AGAINST GENERAL ASSEMBLY MEMBERS, STAFF, AND CANDIDATES PURSUANT TO SPECIFIED PROCEDURES AND FOR THE REFERRAL OF SUBSTANTIVE COMPLAINTS TO THE APPROPRIATE HOUSE OR SENATE ETHICS COMMITTEES FOR DISPOSITION TOGETHER WITH THE ETHICS COMMISSION'S RECOMMENDATION AS TO WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A VIOLATION HAS OCCURRED, TO PROVIDE FOR THE INVESTIGATION AND PROCESSING OF COMPLAINTS AGAINST JUDGES AND OTHER JUDICIAL OFFICIALS OR THEIR STAFF PURSUANT TO SPECIFIED PROCEDURES AND, AFTER INVESTIGATION, FOR THE REFERRAL OF SUBSTANTIVE COMPLAINTS TO THE COMMISSION ON JUDICIAL CONDUCT AND THE SUPREME COURT FOR DISPOSITION TOGETHER WITH THE ETHICS COMMISSION'S RECOMMENDATION AS TO WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A VIOLATION HAS OCCURRED; TO AMEND SECTIONS 8-13-530 AND 8-13-540, BOTH AS AMENDED, RELATING TO THE DUTIES, FUNCTIONS, AND PROCEDURES OF THE HOUSE AND SENATE ETHICS COMMITTEES, SO AS TO REVISE THESE DUTIES, FUNCTIONS, AND PROCEDURES IN ORDER TO BE CONSISTENT WITH THE ABOVE PROVISIONS AND TO MAKE OTHER CHANGES; BY ADDING SECTION 8-13-545 SO AS TO AUTHORIZE THE HOUSE OR SENATE ETHICS COMMITTEES TO ISSUE FORMAL ADVISORY OPINIONS AND PROVIDE FOR THEIR EFFECT AND APPLICABILITY; AND BY ADDING ARTICLE 6 TO CHAPTER 13,

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TITLE 8 SO AS TO PROVIDE FOR JUDICIAL COMPLAINT PROCEDURES IN REGARD TO THE ABOVE PROVISIONS.

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

**Amendment No. 9**

Senators RANKIN, HAYES and HUTTO proposed the following amendment (JUD3184.023), which was adopted:

Amend the bill, as and if amended, by striking Section 8-13-310(B)(4)(d), lines 37-40 on page 4, and inserting:

/ (d) a person who made a campaign contribution, as defined by Section 8-13-1300(7), within the previous four years to the individual or the legislative caucus who appointed the person to serve on the State Ethics Commission. /

To further amend the bill, as and if amended, by striking Section 8-13-320(9)(c) and inserting:

/ (c) If an alleged violation is found to be groundless by the commission, the entire matter must be stricken from public record. If the commission finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. The wilful filing of a groundless complaint is a misdemeanor and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than one year. In lieu of the criminal penalty provided by this item, a civil penalty of not more than one thousand dollars may be assessed against the complainant upon proof, by a preponderance of the evidence, that the filing of the complaint was wilful and without just cause or with malice. In addition to any civil or criminal penalties, the filer of the groundless complaint must reimburse the commission for the commission's costs associated with the investigation and disposition of the complaint.

To further amend the bill, as and if amended, by striking Section 8-13-530(1), lines 29-32 on page 9, and inserting:

/ (1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of this chapter, which may include, but is not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy the requirements of this chapter/

To further amend the bill, as and if amended, by striking Section 8-13-540(A)(3)(a), lines 21-26 on page 14, and inserting:

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/ (3)(a) The commission, upon receipt of information, may initiate and file a complaint upon an affirmative vote of six or more members of the commission. The commission shall accept complaints referred by the ethics committees and notarized complaints from individuals, whether personally or on behalf of an organization or governmental body.

To further amend the bill, as and if amended, by striking Section 8-13-540(B), beginning on line 39 on page 14, and inserting:

/ (B) Actions by the State Ethics Commission

(1) Upon receiving a complaint filed pursuant to subsection (A), the commission must determine whether the complaint alleges only a violation of a rule of the House of Representatives or Senate or a technical violation pursuant to Section 8-13-1170 or Section 8-13-1372. If the commission determines the complaint alleges only a rule violation or technical violation, the complaint must be referred to the appropriate ethics committee for investigation and determination.

(2)(a) If the commission determines, by an affirmative vote of five or more of its members, that the complaint alleges more than a violation of a rule of the House of Representatives or Senate or a technical violation pursuant to Section 8-13-1170 or Section 8-13-1372, the commission must determine whether the complaint alleges facts sufficient to constitute a violation of this chapter or Chapter 17, Title 2.

(b) If the commission determines that the complaint either does not allege facts sufficient to constitute a violation or does not find probable cause that a violation occurred, a report must be provided to the appropriate ethics committee with the recommendation that the complaint be dismissed. The appropriate ethics committee may concur or nonconcur with the commission's recommendation, or within forty-five days from the committee's receipt of the finding, the committee may request the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission. If the appropriate ethics committee concurs with the recommendation to dismiss the complaint, the committee must notify the complainant and respondent.

(c) If the commission finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. The wilful filing of a groundless complaint is a misdemeanor and, upon conviction, the person must be fined not more than one thousand dollars or imprisoned not more than one year. In lieu of the criminal penalty provided by this item, a civil penalty of not more

than one thousand dollars may be assessed against the complainant upon proof by a preponderance of the evidence that the filing of the complaint was wilful and without just cause or with malice. In addition to any civil or criminal penalties, the filer of the groundless complaint must reimburse the commission for the commission's costs associated with the investigation and disposition of the complaint.

(d) If the commission determines, by an affirmative vote of five or more commission members that the complaint alleges facts sufficient to constitute a violation of this chapter or Chapter 17, Title 2, an investigation may be conducted into the alleged violation.

(3) If the commission finds evidence that the person alleged to have committed the violation wilfully violated a section of this chapter or Chapter 17 of Title 2 that imposes a criminal penalty, the commission must forward the complaint and accompanying materials to the Attorney General or circuit solicitor. This provision does not limit any authority of the Attorney General or circuit solicitor to initiate or conduct any criminal investigation within his jurisdiction.

(4) If the commission determines that it needs assistance in conducting an investigation, the commission shall request the assistance of appropriate agencies as needed, and may hire or retain auditors, investigators, or other assistance as necessary.

(5) In conducting its investigation, the commission may order testimony to be taken in any investigation or deposition before a person who is designated by the commission and has the power to administer oaths and, in these instances, to compel testimony. The commission may administer oaths and affirmation for the testimony of witnesses and issue subpoenas, by approval of the chairman and subject to judicial enforcement, for the procurement of witnesses and materials including books, papers, records, documents, or other tangible objects relevant to the agency's investigation. A person to whom a subpoena has been issued may move before a commission panel or the commission for an order quashing a subpoena issued pursuant to this section.

(6) Upon completing its investigation, the commission must provide a report to the appropriate ethics committee with a recommendation as to whether there is probable cause to believe a violation of this chapter or of Chapter 17, Title 2 has occurred. A recommendation of probable cause requires an affirmative vote by six or more members of the commission. The report must include a copy of all relevant reports, evidence, and testimony considered by the commission/

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To further amend the bill, as and if amended, by striking Section 8-13-540(D)(1), lines 7-13 on page 18, and inserting:

/ (1) If the commission's report recommends that there is not probable cause to believe a violation of this chapter or Chapter 17, Title 2 has occurred, the appropriate ethics committee may concur or nonconcur with that recommendation, or within forty-five days from the committee's receipt of the report, request the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission. /

To further amend the bill, as and if amended, by striking Section 8-13-320(10)(i), lines 9-24 on page 21, and inserting:

/ "(i) At the conclusion of its investigation, the commission staff, in a preliminary written decision with findings of fact and conclusions of law, must make a recommendation whether probable cause exists to believe that a violation of this chapter has occurred. If the commission determines that probable cause does not exist, it shall send a written decision with findings of fact and conclusions of law to the respondent and the complainant. If the commission determines, by an affirmative vote of six or more commission members, that there is probable cause to believe that a violation has been committed, its preliminary decision may contain an order setting forth a date for a hearing before a panel of three commissioners, selected at random, to determine whether a violation of the chapter has occurred. If the commission finds probable cause, by a vote of six or more commission members, to believe that a violation of this chapter has occurred, the commission may waive further proceedings if the respondent takes action to remedy or correct the alleged violation." /

To further amend the bill, as and if amended, by adding an appropriately numbered SECTION before SECTION 12 on page 21 and inserting:

/ (d) If the commission, upon the receipt of any information, finds probable cause to believe that a violation of the chapter has occurred, it may, upon its own motion and an affirmative vote of ~~the majority of the total membership~~ six or more members of the commission, file a verified complaint, in writing, that states the name of the person alleged to have committed a violation of this chapter and the particulars of the violation. The commission shall forward a copy of the complaint, a general statement of the applicable law with respect to the complaint, and a statement explaining the due process rights of the respondent including,

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but not limited to, the right to counsel to the respondent within ten days of the filing of the complaint./

Renumber sections to conform.

Amend title to conform.

Senator RANKIN spoke on the amendment.

The amendment was adopted.

**Amendment No. 10**

Senator RANKIN proposed the following amendment (JUD3184.026), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1, beginning on line 34 of page 2 and inserting:

/ SECTION 1. Section 8-13-310 of the 1976 Code is amended to read:

~~“Section 8-13-310. (A) The State Ethics Commission as constituted under law in effect before July 1, 1992, is reconstituted to continue in existence with the appointment and qualification of the at large members as prescribed in this section and with the changes in duties and powers as prescribed in this chapter. On July 1, 1993, when the duties and powers given to the Secretary of State in Chapter 17 of Title 2 are transferred to the State Ethics Commission, the Code Commissioner is directed to change all references to ‘this chapter’ in Article 3 of Chapter 13 of Title 8 to ‘this chapter and Chapter 17 of Title 2’.~~

~~(B)(A)(1)~~ There is created the State Ethics Commission composed of nine members of which:

~~(a) four members must be appointed by the Governor, upon the advice and consent of the General Assembly, no more than two of whom are members of the appointing Governor’s political party;~~

~~(b) one member must be appointed by the legislative caucus of the majority political party in the Senate;~~

~~(c) one member must be appointed by the legislative caucus of the largest minority political party in the Senate;~~

~~(d) one member must be appointed by the legislative caucus of the majority political party in the House of Representatives;~~

~~(e) one member must be appointed by the legislative caucus of the largest minority political party in the House of Representatives;~~

~~(f) one member must appointed by the Attorney General, and have prosecutorial experience.~~

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Each appointee must be appointed with the advice and consent of the General Assembly. One member shall represent each of the seven congressional districts, and two members must be appointed from the State at large.

(2) The terms of the members serving on the State Ethics Commission as of March 30, 2017 shall end on March 31, 2017. A member who is serving at that time and who has not completed a full five year term may be reappointed pursuant to this subsection. The initial appointments for service to begin on April 1, 2017, shall be made as follows:

(a) two members appointed by the Governor shall be appointed for a three year term;

(b) two members appointed by the Governor shall be appointed for a five year term;

(c) one member appointed by the legislative caucus of the majority political party of the Senate shall be appointed for a three year term;

(d) one member appointed by the legislative caucus of the largest minority political party of the Senate shall be appointed for a five year term;

(e) one member appointed by the legislative caucus of the majority political party of the House of Representatives shall be appointed for a five year term;

(f) one member appointed by the legislative caucus of the largest minority political party of the House of Representatives shall be appointed for a three year term; and

(g) one member appointed by the Attorney General shall be appointed for a five year term.

The initial members who have served terms that are less than five years are eligible to be reappointed for one full five-year term.

(B)(1) The qualifications the appointing authorities shall consider for the appointees include, but are not limited to:

(a) constitutional qualifications;

(b) ethical fitness;

(c) character;

(d) mental stability;

(e) experience; and

(f) judicial temperament.

(2) In addition to other information that may be requested, candidates for appointment must provide the following information to

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the appointing authority, which must be shared with the General Assembly during the confirmation process:

(a) The candidate's membership in any civic, charitable, or social groups within the previous four years;

(b) Any contribution made by the candidate to a candidate for Governor or any member of the General Assembly within the previous four years; and

(c) Any contribution made by the candidate to any committee, as defined by Section 8-13-1300(6), including a noncandidate committee, within the previous four years.

(3) The appointing authorities shall make their appointments based on merit. However, in making appointments to the commission, the appointing authorities shall ensure that race, color, gender, national origin, and other demographic factors are considered to ensure the geographic and political balance of the appointments, and shall strive to assure that the membership of the commission will represent, to the greatest extent possible, all segments of the population of the State.

(4) The following are not eligible to serve on the State Ethics Commission:

(a) a member of the General Assembly;

(b) a former member of the General Assembly within eight years following the termination of his service in the General Assembly;

(c) a family member, as defined by Section 8-13-100(15), of a member of the General Assembly or the Governor;

(d) a person who made a campaign contribution, as defined by Section 8-13-1300(7), within the previous four years to the individual who appointed the person to serve on the State Ethics Commission;

(e) a person who registered as a lobbyist within four years of being appointed to the State Ethics Commission;

(f) a person who is under the jurisdiction of the State Ethics Commission, House of Representatives Ethics Committee, or Senate Ethics Committee.

~~—No member of the General Assembly or other public official must be eligible to serve on the State Ethics Commission.~~

~~—The Governor shall make the appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the commission is representative of all citizens of the State of South Carolina.~~

~~(C) The terms of the members are for five years and until their successors are appointed and qualify. The members of the State Ethics~~

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~~Commission serving on this chapter's effective date may continue to serve until the expiration of their terms. These members may then be appointed to serve one full five year term under the provisions of this chapter. Members representing the first, third, and sixth congressional districts on this chapter's effective date are eligible to be appointed for a full five year term in or after 1991. Members currently representing the second, fourth, and fifth congressional districts on this chapter's effective date are eligible to be appointed for a full five year term in or after 1993. The initial appointments for the at large members of the commission created by this chapter must be for a one, two, or three year term, but these at large members are eligible subsequently for a full five year term. Under this section, the at large members of the commission are to be appointed to begin service on or after July 1, 1992. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Members of the commission who serve less than a full five-year term may be reappointed for one full five-year term. Members of the commission who have completed a full five-year term are not eligible for reappointment. A member shall not serve on the commission in hold-over status after the member's term expires. An appointee shall not serve on the commission, even in interim capacity, until he has been confirmed by the General Assembly.~~

(D) The commission shall elect a chairman, a vice-chairman, and such other officers as it considers necessary. Five members of the commission shall constitute a quorum. The commission must adopt a policy concerning the attendance of its members at commission meetings. The commission meets at the call of the chairman or a majority of its members. Members of the commission, while serving on business of the commission, receive per diem, mileage, and subsistence as is provided by law for members of state boards, committees, and commissions.

(E)(1) A commission member appointed by the Governor may be removed from office by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity, pursuant to Section 1-3-240.

(2) A commission member appointed by a legislative caucus of the Senate may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a finding by the Senate Ethics Committee, and the concurrence of two-thirds of the membership of the Senate.

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(3) A commission member appointed by a legislative caucus of the House of Representatives may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a finding by the House Ethics Committee, and the concurrence of two-thirds of the membership of the House of Representatives.

(4) A commission member appointed by the Attorney General may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity.”/

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

Senator LARRY MARTIN spoke on the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

The amendment was laid on the table.

#### **Amendment No. 11**

Senator MALLOY proposed the following amendment (JUD3184.025), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION before SECTION 12 on page 22 to read:

/ SECTION \_\_. The provisions of SECTION 1 of this act are repealed five years from the act’s effective date, unless reenacted or otherwise extended by the General Assembly. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

#### **Amendment No. 12**

Senators MALLOY and SETZLER proposed the following amendment (3184R027.EB.GM), which was adopted:

Amend the bill, as and if amended, by striking Section 8-13-310(B)(4)(d) and inserting:

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/ (d) a person who made a campaign contribution, as defined by Section 8-13-1300(7), within the previous four years to the individual, the individual's running mate, or the legislative caucus who appointed the person to serve on the State Ethics Commission; /

Re-number sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

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

**Total--38**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**WEDNESDAY, APRIL 27, 2016**

**Recorded Vote**

Senators J. MATTHEWS and COLEMAN desired to be recorded as voting in favor of the third reading of the Bill.

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

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

Jonathan A. Horne, 50 Tindal Rd., Greenville, SC 29617

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Frances Montgomery Moss of Blacksburg, S.C. Frances was the mother of Representative Steve Moss. She was a member of Hopewell Baptist Church. Frances was a loving mother and devoted grandmother who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator JOHN MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jerome Stephens "Steve" Bilton of St. George, S.C. Steve was a graduate of Spartanburg Methodist Junior College and a former member of the JEDA Board, S. C. Procurement Review Panel and St. George Planning Commission. He was an active member of St. George United Methodist Church who enjoyed fishing, boating, gardening and spending time with his family. Steve was a loving husband, devoted father and doting grandfather who will be dearly missed.

**WEDNESDAY, APRIL 27, 2016**

**ADJOURNMENT**

At 6:59 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*

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