

NO. 79

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

THURSDAY, MAY 26, 2016

Thursday, May 26, 2016
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 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:

We recall how the Lord urged Moses to bless the people, saying to them:

“The Lord bless you and keep you; the Lord make his face to shine upon you and be gracious to you; the Lord turn his face toward you and give you peace.” (Numbers 6:24-26)

Please, pray with me, if you will:

O loving and glorious God, with Memorial Day fast approaching, today we ask this special prayer: that You grant a rich and wondrous blessing to each of these Senators and to all others who serve in this place, empowering them all in their efforts to improve life for every South Carolinian. In the coming days as we remember those hundreds of thousands who have gone before us and literally given their very lives so that we might experience freedom, may we joyfully fly “Old Glory” throughout this long weekend on their behalf as well as to honor each and every individual who continues to strive for peace and freedom. With grateful hearts do we pray all of this, dear Lord. Amen.

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

Doctor of the Day

Senator LOURIE introduced Dr. Ada Stewart of Columbia, S.C., Doctor of the Day.

Leave of Absence

At 11:48 A.M., Senator CAMPBELL requested a leave of absence for Senator CLEARY for the day.

Leave of Absence

At 11:48 A.M., Senator MASSEY requested a leave of absence for Senator BENNETT until 12:30 P.M.

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Leave of Absence

At 2:02 P.M., Senator SHANE MARTIN requested a leave of absence for Senator RANKIN for the balance of the day.

Leave of Absence

At 2:30 P.M., Senator BENNETT requested a leave of absence for Senator CAMPBELL for the balance of the day.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 1331 Sen. Campsen

RECALLED

H. 5364 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Labor, Commerce and Industry.

The Joint Resolution was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1349 -- Senators Nicholson and Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GEORGE STARNES OF COLUMBIA UPON THE OCCASION OF HIS RETIREMENT FROM THE BOARD OF TRUSTEES OF LANDER UNIVERSITY, AND TO EXPRESS THE GRATITUDE OF THE SOUTH CAROLINA

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SENATE FOR HIS TWENTY-FOUR YEARS OF TIRELESS SERVICE AS A MEMBER OF THAT BOARD.

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The Senate Resolution was adopted.

S. 1350 -- Senators Malloy and S. Martin: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS, AS WELL AS TO IDENTIFY SOUTH CAROLINA'S RICH NASCAR HISTORY IN THE STATE OF SOUTH CAROLINA AND TO NAME THE WEEK OF AUGUST 29, 2016, THROUGH SEPTEMBER 5, 2016, AS "DARLINGTON RACEWAY WEEK - A WEEK TOO TOUGH TO TAME IN SOUTH CAROLINA".

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

S. 1351 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gambrell, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, J. Matthews, M.B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR AND CONGRATULATE REVEREND DR. MICHAEL ROSS ON THE OCCASION OF FORTY YEARS OF CHRISTIAN MINISTRY AND TO WISH HIM CONTINUED HAPPINESS IN HIS SERVICE TO THE CONGREGATION AND COMMUNITY OF NEW EBENEZER BAPTIST CHURCH.

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The Senate Resolution was adopted.

S. 1352 -- Senators J. Matthews and Setzler: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE CALHOUN ACADEMY BASEBALL TEAM ON AN OUTSTANDING SEASON AND TO CONGRATULATE THEIR TEAM, COACHES, AND SCHOOL OFFICIALS ON WINNING THE 2016 SOUTH CAROLINA

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INDEPENDENT SCHOOL ASSOCIATION'S CLASS AA CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 1353 -- Senators J. Matthews and Setzler: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE CALHOUN ACADEMY FOOTBALL TEAM ON AN OUTSTANDING SEASON AND TO CONGRATULATE THEIR TEAM, COACHES, AND SCHOOL OFFICIALS ON WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION'S CLASS AA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 1354 -- Senator Fair: A SENATE RESOLUTION TO EXPRESS APPRECIATION FOR MR. BRIAN MORGAN, HIS STUDENTS AND OTHER VOLUNTEERS, REVEREND SIMMONS AND THE CONGREGATION OF REEDY RIVER BAPTIST CHURCH FOR THEIR PROFOUND COMPASSION FOR AND SERVICE TO THOSE WITHOUT A HOME IN THEIR COMMUNITY AND TO COMMEND THEIR ACTIONS TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

H. 5419 -- Rep. W. J. McLeod: A CONCURRENT RESOLUTION TO DECLARE MAY 2016 "ELECTRICAL SAFETY MONTH" IN SOUTH CAROLINA AND ENCOURAGE ALL CITIZENS TO ESTABLISH AND PRACTICE ELECTRICAL SAFETY HABITS IN THE HOME, SCHOOL, AND WORKPLACE TO REDUCE THE NUMBER OF ELECTRICALLY-RELATED FIRES, INJURIES, AND DEATHS.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

REPORT OF STANDING COMMITTEE

Senator LARRY MARTIN from the Committee on Judiciary polled out H. 5172 favorable:

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H. 5172 -- Reps. Fry, Henegan, Erickson, Long, Funderburk, Bernstein, Allison, Nanney, Robinson-Simpson, Norrell, Tinkler, H.A. Crawford, Cobb-Hunter, Ott, M.S. McLeod, Thayer, Whitmire, Johnson, Felder, Hardee, Goldfinch, Lowe, Jordan, Sandifer, Yow, Hill, Finlay, Gagnon, Jefferson, Williams, Knight, Govan, Rivers, Herbkersman, Bales, Ridgeway, Henderson, Duckworth, Dillard, Huggins, Atwater, Hicks, Gilliard, G.A. Brown, Whipper and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-2110 SO AS TO ENACT THE "SAFE HARBOR FOR EXPLOITED MINORS ACT", TO PROVIDE FOR PROTECTION OF THE IDENTITY OF MINOR VICTIMS OF TRAFFICKING IN PERSONS AND PROVIDE CERTAIN PROTECTIONS TO MINORS CHARGED WITH CERTAIN CRIMES INVOLVING PROSTITUTION AND COERCED INVOLVEMENT IN SUCH CRIMES, AMONG OTHER THINGS.

**Poll of the Judiciary Committee
Polled 21; Ayes 21; Nays 0; Abstain 0; Not Voting 1**

AYES

Larry Martin	Rankin	Malloy
Campsen	Massey	Bright
Coleman	Gregory	Allen
Bennett	Corbin	Hembree
Johnson	McElveen	Shealy
Thurmond	Turner	Young
Kimpson	Sabb	Margie Matthews

Total--21

NAYS

Total--0

NOT VOTING

Hutto

Total--1

Ordered for consideration tomorrow.

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Appointments Reported

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

Statewide Appointments

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2016, and to expire June 30, 2020

2nd Congressional District:

Edwin M. Estridge, 418 Caro Lane, Chapin, SC 29036

Received as information.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2013, and to expire June 30, 2017

2nd Congressional District:

Walker D. Spruill, 34 Old Still Rd., Columbia, SC 29223 *VICE* Frank Clark

Received as information.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2012, and to expire June 30, 2016

1st Congressional District:

Alpha T. Bailey, 2305 North Main Street, Summerville, SC 29486

Received as information.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2016, and to expire June 30, 2020

1st Congressional District:

Alpha T. Bailey, 2305 North Main Street, Summerville, SC 29486

Received as information.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2016, and to expire March 31, 2020

Cosmetologist:

Patricia C. Walters, 360 Canal Place Drive, Columbia, SC 29201

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Received as information.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2012, and to expire June 30, 2016

At-Large Builder:

Monte A. Lemmon, 117 Lake Dogwood Circle South, Eastover, SC 29044 *VICE* Harry Dill (resigned)

Received as information.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2016, and to expire June 30, 2020

At-Large Builder:

Monte A. Lemmon, 117 Lake Dogwood Circle South, Eastover, SC 29044

Received as information.

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Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 280 -- Senator Peeler: A BILL TO AMEND SECTION 40-11-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL STATEMENTS AND NET WORTH REQUIREMENTS FOR GENERAL CONTRACTORS AND MECHANICAL CONTRACTORS, SO AS TO ADJUST THE NET WORTH REQUIREMENTS FOR LICENSURE AND LICENSE RENEWAL, AND TO DELETE OBSOLETE LANGUAGE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Motion Adopted

On motion of Senator ALEXANDER, the Senate agreed to waive the provisions of Rule 32A requiring S. 280 to be printed on the Calendar.

Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 689 -- Senators Hembree and McElveen: A BILL TO AMEND SECTION 56-1-50(B)(2) AND (C) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE BEGINNER'S PERMIT AND VEHICLE OPERATION, TO PROVIDE THAT A PERMITTEE MAY NOT OPERATE A MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE AT ANY UNPERMITTED TIME UNLESS SUPERVISED BY A LICENSED MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE OPERATOR AND TO PROVIDE THAT THE ACCOMPANYING DRIVER MUST BE WITHIN A SAFE VIEWING DISTANCE OF THE PERMITTEE WHEN THE PERMITTEE IS OPERATING A MOTORCYCLE OR A THREE-WHEEL VEHICLE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring S. 689 to be printed on the Calendar.

Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 1166 -- Senators Leatherman, Setzler, Allen, J. Matthews, Jackson, M.B. Matthews, Malloy, Lourie, Williams, Sheheen, Nicholson, Johnson, Scott, Sabb, Hutto and Kimpson: A JOINT RESOLUTION TO

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PROVIDE FOR ANNUAL INSTALLMENT PAYMENTS BY SOUTH CAROLINA STATE UNIVERSITY ON OUTSTANDING LOANS MADE TO THE UNIVERSITY BY THE STATE OF SOUTH CAROLINA AND LIABILITIES INCURRED PURSUANT TO SECTION 2-65-70, TO PROVIDE FOR WHEN THE INSTALLMENT PAYMENTS ARE DUE, TO PROVIDE FOR THE AMOUNT OF THE INSTALLMENT PAYMENTS, TO PROVIDE FOR A PROCESS THROUGH WHICH THE DEBT INCURRED MAY BE RELIEVED, AND TO EXTEND FLEXIBILITY RELATED TO FURLOUGHS AS PROVIDED IN ACT 120 OF 2015.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1212 -- Senator Bright: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO ADD THE RIVER RIDGE PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator SHANE MARTIN, the Senate agreed to waive the provisions of Rule 32A requiring S. 1212 to be printed on the Calendar.

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Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

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

Very respectfully,
Speaker of the House

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Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

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

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 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

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

asks for a Committee of Conference, and has appointed Reps. Pope, G.M. Smith and Norell to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators LARRY MARTIN, MALLOY and CAMPSER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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Message from the House

Columbia, S.C., May 26, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Simrill, White and Rutherford to the Committee of Free Conference on the part of the House on:

H. 3579 -- Reps. Simrill, White, Lucas, Allison, Henderson, Limehouse, Newton, Ott, Clary, Collins, Delleney, Forrester, Gambrell, Hardwick, Hiott, Horne, Merrill, D.C. Moss, V.S. Moss, Murphy, Pitts, Sandifer, G.M. Smith, Sottile, Spires, Wells, Whitmire, Yow, Jefferson, Erickson, Funderburk, Hosey, Hixon, Clyburn, Knight, Herbkersman, H.A. Crawford, Felder, Willis, McCoy, Bradley, Douglas, Norrell, Long, Bales, Daning, Loftis, Tallon, Anthony, Howard, Gagnon, Riley, Williams, Hayes, G.A. Brown, R.L. Brown, Hart, Weeks, Whipper, Pope, Tinkler, Hicks, Brannon, Corley, Clemmons, Johnson, George, Alexander, Anderson and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA INFRASTRUCTURE FINANCE REFORM AND TAX RELIEF ACT"; TO AMEND SECTIONS 57-1-310, 57-1-320, 57-1-325, AND 57-1-330, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT ALL THE COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR AND SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE THAT APPOINTEES MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE, AND TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER FOR MORE THAN TWELVE YEARS AND NO COUNTY MAY HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWELVE CONSECUTIVE YEARS; TO AMEND SECTION 57-1-410, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, INSTEAD OF THE GOVERNOR, SHALL APPOINT THE SECRETARY; TO AMEND SECTIONS 57-1-730 AND 57-1-740, AS AMENDED, RELATING RESPECTIVELY TO THE DUTIES OF THE JOINT TRANSPORTATION REVIEW

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COMMITTEE, BOTH SO AS TO REQUIRE THE COMMITTEE TO SCREEN APPOINTEES TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION IN A SIMILAR MANNER AS CURRENTLY ELECTED COMMISSIONERS ARE SCREENED; BY ADDING SECTION 57-1-95 SO AS TO PROHIBIT THE COMMENCEMENT OF ANY NEW ROAD CONSTRUCTION PROJECTS IN THIS STATE UNTIL JULY 1, 2020, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCREASE THE BOARD TO THIRTEEN MEMBERS AND TO SET FORTH THE MEMBERSHIP, AND TO PROVIDE THAT NO MEMBER MAY SERVE MORE THAN TWELVE YEARS; TO AMEND SECTION 11-43-180, RELATING TO FINANCIAL ASSISTANCE GIVEN BY THE INFRASTRUCTURE BANK, SO AS TO PROHIBIT THE BANK FROM PROVIDING ANY LOANS OR OTHER FINANCIAL ASSISTANCE TO ANY PROJECT UNLESS THE ELIGIBLE COSTS OF THE PROJECT ARE AT LEAST TWENTY-FIVE MILLION DOLLARS; BY ADDING SECTION 11-43-265 SO AS TO REQUIRE THE INFRASTRUCTURE BANK TO PRIORITIZE ALL PROJECTS IN ACCORDANCE WITH THE PRIORITIZATION CRITERIA ESTABLISHED IN ACT 114 OF 2007, AND TO PROVIDE AN EXCEPTION; BY ADDING SECTION 57-1-100 SO AS TO SET FORTH THE OPTIONAL PROCESS BY WHICH THE DEPARTMENT OF TRANSPORTATION TRANSFERS CERTAIN STATE ROADS TO THE COUNTIES OF THIS STATE, TO INCREASE THE AMOUNT DISTRIBUTED TO THE PARTICIPATING COUNTIES OVER TIME, TO PROVIDE THAT EACH PARTICIPATING COUNTY MUST RECEIVE ONE MILLION DOLLARS BEFORE THE FUNDS ARE DISTRIBUTED BASED ON A FORMULA, TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEE TO THE COUNTIES OF THIS STATE, TO ABOLISH THE CURRENT COUNTY TRANSPORTATION COMMITTEES AND THEN RECONSTITUTE THEM WITH THE ADDITION OF MUNICIPAL REPRESENTATION, AND TO SPECIFY THE MANNER IN WHICH "C" FUNDS MUST BE EXPENDED; TO AMEND SECTIONS 56-5-4210 AND 56-5-4220, BOTH RELATING TO ROAD RESTRICTIONS, SO AS TO SPECIFY CERTAIN RESTRICTIONS ON LOCALITIES; TO AMEND SECTION

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12-28-310, RELATING TO THE USER FEE ON GASOLINE, SO AS TO REDUCE THE FEE TO TEN CENTS A GALLON; TO AMEND SECTION 56-11-410, RELATING TO THE ROAD TAX, SO AS TO REDUCE THE TAX TO TEN CENTS A GALLON; TO AMEND SECTION 56-11-450, RELATING TO THE CREDIT AGAINST ROAD TAX, SO AS TO REDUCE THE CREDIT TO TEN CENTS A GALLON; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM TAX, SO AS TO INCREASE THE MAXIMUM TAX FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS ON THE SALE OR LEASE OF A MOTOR VEHICLE; TO AMEND SECTION 12-36-2647, RELATING TO THE TAX REVENUES COLLECTED FROM THE SALE OR LEASE OF A MOTOR VEHICLE, SO AS TO CREDIT ALL THE REVENUES TO THE STATE HIGHWAY FUND EXCEPT FOR CERTAIN AMOUNTS THAT ARE USED FOR THE EDUCATION IMPROVEMENT ACT; BY ADDING ARTICLE 4 TO CHAPTER 28, TITLE 12 SO AS TO IMPOSE AN EXCISE TAX ON THE WHOLESALE PRICE OF MOTOR FUEL EQUAL TO THE CUMULATIVE STATE SALES TAX RATE, TO PROVIDE THAT THE REVENUE MUST BE CREDITED TO THE STATE HIGHWAY FUND, TO PROVIDE THAT THE EXCISE TAX MAY NOT EXCEED THE EQUIVALENT OF SIXTEEN CENTS A GALLON, AND TO PROVIDE THE MANNER IN WHICH THE EXCISE TAX IS CALCULATED AND ADMINISTERED; BY ADDING ARTICLE 9 TO CHAPTER 11, TITLE 57 SO AS TO IMPOSE AN EXCISE TAX ON MOTOR CARRIERS IN THE SAME MANNER AS THE EXCISE TAX ON MOTOR FUEL; AND TO AMEND SECTION 12-6-510, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1223 -- Senator Shealy: A CONCURRENT RESOLUTION TO PROCLAIM MAY 2016 AS "MOTORCYCLE SAFETY

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AWARENESS MONTH” THROUGHOUT THE STATE, TO ENCOURAGE ALL SOUTH CAROLINIANS TO BE AWARE OF MOTORCYCLISTS WHO SHARE OUR ROADS AND HIGHWAYS, AND TO URGE ALL CITIZENS TO WORK TOGETHER TO REDUCE MOTORCYCLE-RELATED CRASHES, INJURIES, AND FATALITIES.

Returned with concurrence.

Received as information.

S. 1283 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC HIGHWAY 45 IN BERKELEY COUNTY FROM THE REDIVERSION CANAL TO ITS INTERSECTION WITH THE DIVERSION CANAL “WALTER HILL, JR. HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1330 -- Senators Courson, Jackson, Sheheen, Scott and McElveen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF INTERSTATE 77 AND DECKER BOULEVARD IN RICHLAND COUNTY THE “SENATOR JOEL LOURIE INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1336 -- Senator Leatherman: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 2, 2016, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON WEDNESDAY, JUNE 15, 2016, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER

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THAN 5:00 P.M. ON WEDNESDAY, JUNE 22, 2016, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN 12:00 NOON, MONDAY, NOVEMBER 14, 2016, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Returned with concurrence.

Received as information.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Remarks by Senator ALEXANDER

It is the Veteran

It is the Veteran, not the preacher, who has given us freedom of religion.
It is the Veteran, not the reporter, who has given us freedom of the press.
It is the Veteran, not the poet, who has given us freedom of speech.
It is the Veteran, not the campus organizer, who has given us freedom to assemble.

It is the Veteran, not the lawyer, who has given us the right to a fair trial.

It is the Veteran, not the politician, who has given us the right to vote.

It is the Veteran, who salutes the Flag.

It is the Veteran, who serves under the Flag,

To be buried by the Flag,

So the protester can burn the Flag.

Expression of Personal Interest

Senator CAMPSER rose for an Expression of Personal Interest.

Remarks by Senator CAMPSER

Thank you Mr. PRESIDENT, members of the Senate. I was inspired yesterday at the service for Senator Pinckney. I wish to say something I have wanted to say since the tragedy at Mother Emanuel Church. I want to thank the staff, the Clerk, and Senator Malloy, who was very involved in making yesterday happen.

When Senator Pinckney's grandmother sang *Amazing Grace* yesterday, tears welled up in my eyes, even before I knew she was his grandmother. Tears welled up in my eyes as well when President Obama led us in *Amazing Grace* at Senator Pinckney's funeral. *Amazing Grace*

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is the most famous hymn in all of Christendom. I want to briefly share its history. It is a compelling story.

Amazing Grace was written by a British Anglican minister named John Newton. Newton was born in 1725 and died in 1807. His conversion experience to Christianity was much like Martin Luther's. Both were converted to Christianity when they feared for their lives in the midst of a tempest, or storm. John Newton was a sea captain in the midst of a storm at sea.

Newton went into the ministry and became one of the most well respected preachers in London. His church was packed every week. He, and one of his parishioners, William Cowper, wrote a hymn every week for Newton's church service. William Cowper wrote the hymn *There is a Fountain Filled with Blood*. I decided years ago *There is a Fountain Filled with Blood* and *Amazing Grace* are two of the hymns that I want sung at my funeral. John Newton and William Cowper published these hymns in a hymnal entitled the *Olney Hymns*. It has 280 hymns authored by Newton, and 68 hymns authored Cowper. *Amazing Grace* is in that hymnal. Newton wrote the most famous hymn in history in just one week for one of his Church services. Amazing!

Before converting to Christianity and becoming a preacher, John Newton was a slave ship captain. He was known as one of the most ruthless slave ship captains in the entire British fleet. He was almost permanently enslaved himself on an island off the coast of Sierra Leone before being rescued by another English sea captain. And yet, having experienced slavery, he went back to being a slave ship captain. That is how hardened his heart was.

Upon his conversion Newton became a leading abolitionist in England. He authored a pamphlet in 1787, *Thoughts upon the African Slave Trade*, which had significant impact on the debate over eradicating the British slave trade.

Newton was not just a preacher; he was a highly coveted counselor as well. Many sought his wisdom and advice. A young man Newton mentored, William Wilberforce, was elected to Parliament at the age of twenty-one. Wilberforce was still in school when elected and was basically a hedonist, a frat boy on steroids. All he cared about was

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William Wilberforce. He was born with a silver spoon in his mouth to a wealthy merchant and was a party boy. A close friend and classmate of Wilberforce's was William Pitt, who eventually became Prime Minister of Great Britain. There is a statue of William Pitt in downtown Charleston's Washington Park, erected in appreciation of his support for independence of the American colonies.

Five years after being elected to Parliament, William Wilberforce himself converted to Christianity while touring Europe with Isaac Milner, a brilliant mathematician, college president and co-author of The History of the Church of Christ, the magnum opus of church history at the time. Wilberforce converted to Christianity under Milner's tutelage.

When Wilberforce became a Christian he was encouraged by most of his friends to enter the ministry, but not by John Newton. Newton advised Wilberforce to, "Serve God where you are." Wilberforce heeded Newton's advice and adopted two goals for his political career that were shaped by his newfound faith. One was the "reformation of manners," or preserving and promoting the civic virtue and values necessary for a free people to govern themselves. We would refer to that as the "cultural war" today.

Wilberforce's second goal was the abolition of the slave trade in Great Britain. By taking on these two issues, Wilberforce became a bit of a pariah to those motivated by purely economic interests, which is to say the establishment elite he represented in Parliament. You see, much of Britain's economy was tied to the slave trade. Wilberforce would be opposed by business and financial interests. In acting upon his Christian convictions, he not only jettisoned any possibility he would become Prime Minister, but also jeopardized his continued service in Parliament.

It is very likely Wilberforce would have become the Prime Minister if he had not taken on the two issues of the reformation of manners and abolition of the slave trade. He came from the wealthiest district in Great Britain. He was associated with the highest echelon of socio-economic classes in a class-oriented society. He was very close to Prime Minister William Pitt. However, Wilberforce's Christian conviction led him to tackle these important issues regardless of the political consequences. In doing so, he changed the course of history.

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Wilberforce battled for twenty years to eradicate the slave trade in Great Britain. Nine years into that battle he became disheartened after his opponents pulled a dirty trick to kill his abolition bill. Wilberforce had the votes lined up and passage seemed imminent. But opponents gave members of Parliament free tickets to a popular opera in London taking place the very night the vote was to be taken. He lost by less than five votes because members of Parliament went to the opera instead of fulfilling their duty and voting. Wilberforce was so devastated after working for nine years to eradicate the slave trade that he was ready to give up his seat in Parliament. John Newton, the former slave ship captain turned Christian abolitionist, wrote Wilberforce a letter and convinced him that he should remain in Parliament and continue the fight. Newton reassured him that God would ultimately bless his faithfulness regardless of the political outcome. Thus Newton persuaded Wilberforce that continuing his fight in Parliament was his calling and duty.

I would encourage you all to read that letter. I was going to read you parts of the letter but I am running out of time.

I am going to read you excerpts from the letter John Newton wrote to William Wilberforce on July 21, 1796. Newton wrote,

“I seem to myself, to stand upon a cliff, from whence I can contemplate, with compassion and thankfulness the many whom I see tossed about upon the tempestuous sea of public life.”

All of us can identify with that -- “the tempestuous sea of public life.” Newton continues,

“I believe you are the Lord’s servant and are in the post which He has assigned you; and though it appears to me more arduous, and requiring more self-denial than my own, I know that God has called you to it. He can afford you strength according to your day, and I trust He will for He is faithful to His promise. You meet with many things which weary and disgust you which you would avoid in a more private life but then they are inseparably connected to your path of duty. It is not possible at present to calculate all the advantages that may result from your having a seat in the House at such a time as this. You are not only a Representative for Yorkshire. You have the far greater honor of being a Representative for the Lord, in a place where many know Him not, and an opportunity of showing them what are the genuine fruits of that

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religion which you are known to profess. Though you have not fully succeeded in your persevering endeavors to abolish the slave trade as yet, the business is still in train . . . and I trust that notwithstanding all discouragements the seed sown yet will spring up to the glory of God and the good of souls."

After reflecting upon Newton's letter, Wilberforce decided to remain in Parliament and continue the fight. Eleven years later the slave trade in Great Britain was abolished because John Newton, the former slave ship captain come preacher, mentored William Wilberforce, the young hedonistic politician come Christian statesman, who took on abolition of the slave trade as a primary objective.

Senator VERDIN, you will be interested in this fact. Wilberforce also helped establish the Society for the Prevention of Cruelty to Animals, the British and Foreign Bible Society, and many other charitable organizations.

When I addressed this Body immediately after the Emmanuel tragedy I quoted C.S. Lewis, one of the most brilliant minds of the 20th century. Lewis said, *"To be a Christian means to forgive the inexcusable, because God has forgiven the inexcusable in you."*

Lewis' insight helps us understand the grace demonstrated by the family members of victims and the members of Mother Emanuel Church. We saw that grace demonstrated again yesterday, in this Chamber during the dedication of Senator Pinckney's portrait. What a principle; what grace -- Forgive the inexcusable in others because God, through Christ, has forgiven the inexcusable in us.

When I reflect upon the interplay of Newton and Wilberforce -- of how a former slave ship captain and a previously self-centered hedonist became the moving force that eradicated the British slave trade, I can't help but think of another C. S. Lewis quote, my favorite C. S. Lewis quote of all. Lewis said, *"I believe in Christianity as I believe that the sun has risen; not only because I see it, but because by it I see everything else."*

Only the transformative power of the Gospel can convert John Newton, the ruthless slave ship captain, to an abolitionist; and William Wilberforce, the ambitious self-centered politician, to a Christian statesman. As Lewis indicates, it is only by viewing this story in light of

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the regenerative power Christianity are we able to see and understand why they did what they did.

Three days before Wilberforce died, slavery -- not just the slave trade but slavery itself -- was eradicated in almost every quadrant of the British Empire. Upon Wilberforce's death the British Prime Minister said, "Millions yet unborn will bless the mention of his name." I wish the Prime Minister's prognostication were true -- "that millions yet unborn will bless the mention of his name." Unfortunately, that is not the case today.

Since Newton and Wilberforce changed the course of history, many millions should bless the mention of their names. However, as forces of secularization in western culture continue their onslaught as advocated by 20th century Cultural Marxist Antonio Gramsci, knowledge of blessings derived from public figures such as Newton and Wilberforce acting upon their Christian convictions are increasingly excised from our education system and popular understanding.

It is important to tell this story. It is one of conversion, sanctification and renewal. But most importantly it is an amazing testament to the reality of Christian grace. I regret so few are aware of this incredible history. Unfortunately, western culture seems to be entering a New Dark Ages in which young minds are deprived of understanding and appreciation of the blessed heritage they have inherited.

I recently had a conversation with Senator THURMOND about why I love old hymns. One reason is their deep theology. The other is because the people who wrote these hymns often made history. They weren't just artists. They were the John Newton's, the Martin Luther's and the Charles Wesley's that changed the course of history.

I pray we advance the Prime Minister's prognostication that millions yet unborn will bless the name of William Wilberforce; that we convey to subsequent generations how faith in action has and will continue to positively change the course of history. It is inexcusable that so many have never heard the story of John Newton, William Wilberforce and *Amazing Grace*.

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We have each experienced this grace in action at Mother Emmanuel. The history of *Amazing Grace* and the insight of C.S. Lewis help us understand it.

John Newton encouraged William Wilberforce to “serve God where you are.” In heeding that advise God used him to bestow blessings upon millions born since his great battle was won, as well as many millions yet unborn. May we all likewise, serve God where we are.

Thank you, Mr. PRESIDENT.

On motion of Senator MALLOY, with unanimous consent, the remarks of Senator CAMPSEN, were ordered printed in the Journal.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Remarks by Senator MALLOY

Thank you, MR. PRESIDENT and members of the Senate. I want to first say to all of those who made comments yesterday, thank you -- in particular to this Senate. I want to thank everyone who helped with the ceremony and the event to make it a success and all of the hands that pitched in to make it happen. For the Portrait Committee members, thank you for allowing us to coordinate this on your behalf and for your support. Thank you to our magnificent Clerk. Jeff Gossett did a wonderful job and so did our staff. John Hazzard, our Sergeant at Arms, our Sergeant at Arms staff -- thank you. I thank the security officers, and the volunteers who helped to make this event successful. I want to thank several other people -- Ms. Ja’Vell Bynoe, Ms. Linda Pridgen, Joanie Lawson, Dianna Goodwin, Stephanie Plummer, Shirley Mills, the University of South Carolina transportation unit and Ms. Sarah Hazzard who helped with the coordination. This was one of those events with a lot of people helping.

To our PRESIDENT *Pro Tempore* of the Senate, your comments were excellent, Senator LEATHERMAN. He gave us a bit of history as to who is on the wall here in the Chamber. Senator MATTHEWS, told a story of his relationship with Senator Pinckney. Jennifer Pinckney was extraordinary. We got a chance to see her speak and how she handled this with grace and dignity.,, Senator WILLIAMS, mother Gracie, Senator PINCKNEY’s grandmother, who is Senator WILLIAMS’ cousin. If you remember Senator WILLIAMS’ comments about Senator

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Pinckney after the day he passed were “the flesh of his flesh, and bone of his bone” - this is his family. Mother Gracie lives in Senator WILLIAMS’s district and he is the one who was responsible for getting her here. Boy what a surprise! I went to her before she started to sing and she asked, “Who’s going to play the music?” I said, “No one.” She said, “Is it going to be acapella?” I said, “Yes ma’am.” She then said, “It will be alright.” Boy was it alright. To Del Flint and others who were apart of the program, I would say it was magnificent.

In conclusion, I would say that we acknowledged a good man. I know we talked about it a lot and I hope we have done it appropriately. I remind you that life’s most persistent and urgent question, is what Clem asked, “What are you doing for others?” That is a quote from Martin Luther King, Jr. and it resonates today as it did then. We unveiled the portrait of our loved one, our friend, our colleague Senator Pinckney. We hope that Larry Lebby captured his likeness in his church. If you see the words in the window, it has his wife’s and children’s names in loving memory. The backdrop of the symbolism in the setting. What a visual biography we have for someone that is relevant -- a servant, a leader, a pastor and what he did for the least of those. We will look up and see the portrait and image of Clem when we are in session. We will continue to think about things he talked about. I realize that there is always some disagreement but it gives us something to talk about -- Medicaid expansion, the improvement of the quality of education, his faith, and how we need to end up working with our faith as we continue to make decisions. He talked about predatory lending and usury, what happens with our people and, most importantly, what happens in bringing our folks together.

I hope everything that we have done is reflective in the portrait and the legacy of his service. I hope that there is comfort and peace in knowing that from now on that Clem will be looking down at us. When we are in need of guidance, we can literally look up at Clem and think about what he stood for as we continue to carry out our business in doing good in this State. Thank you.

On motion of Senator WILLIAMS, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

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Motion Adopted

Senator LEATHERMAN asked unanimous consent to carry over all Senate Bills on the Second Reading Calendar.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to convene on June 1, 2016, at 11:00 A.M.

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. 4762 -- Reps. Anthony, Yow and W.J. McLeod: A BILL TO AMEND SECTION 6-1-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION ON MILLAGE RATE INCREASES AND EXCEPTIONS TO THIS LIMITATION, SO AS TO REVISE THE EXCEPTION TO THIS LIMITATION FOR THE PURCHASE OF CAPITAL EQUIPMENT AND OTHER EXPENDITURES IN A COUNTY HAVING A POPULATION OF LESS THAN ONE HUNDRED THOUSAND PERSONS AND HAVING AT LEAST FORTY THOUSAND ACRES OF STATE FOREST LAND BY CHANGING THE TERM "STATE FOREST LAND" IN THIS EXCEPTION TO THE TERM "STATE OR NATIONAL FOREST LAND".

H. 5023 -- Reps. Sottile and Sandifer: A BILL TO AMEND SECTION 40-60-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO DELETE AND REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-60-30, RELATING TO ACTIVITIES REQUIRING LICENSURE AS A REAL ESTATE APPRAISER, SO AS TO REVISE EXCEPTIONS; TO AMEND SECTION 40-60-34, AS AMENDED, RELATING TO MISCELLANEOUS REQUIREMENTS FOR LICENSES, CERTIFICATIONS, AND PERMITS ISSUED BY THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO

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REVISE REQUIREMENTS CONCERNING EXPIRED AND REVOKED LICENSES, CERTIFICATIONS, AND PERMITS; TO AMEND SECTION 40-60-50, RELATING TO FEES, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN FEES BE PAID BY CERTIFIED FUNDS; TO AMEND SECTION 40-60-80, AS AMENDED, RELATING TO INVESTIGATIONS OF COMPLAINTS AND VIOLATIONS, SO AS TO DELETE THE SIX-MONTH LIMIT ON STAYS AND SUPERSEDEAS OF CERTAIN BOARD ORDERS PENDING APPEAL, AND TO PROVIDE PARTIES AGGRIEVED BY FINAL DECISIONS OF THE BOARD MAY APPEAL PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTION 40-60-120, RELATING TO THE EFFECTIVE TIME OF CERTAIN ORDERS OF THE BOARD, SO AS TO DELETE A PROVISION STATING PETITIONS FOR REVIEW DO NOT OPERATE AS SUPERSEDEAS OR STAYS.

H. 5089 -- Rep. Daning: A BILL TO AMEND SECTION 56-19-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTEREST IN MOTOR VEHICLES, SO AS TO ADD ADDITIONAL TERMS AND THEIR DEFINITIONS TO THIS SECTION; AND TO AMEND SECTION 56-19-265, AS AMENDED, RELATING TO LIENS RECORDED AGAINST MOTOR VEHICLES AND MOBILE HOMES, SO AS TO PROVIDE THAT A LIEN OR ENCUMBRANCE ON A MOTOR VEHICLE OR TITLED MOBILE HOME MUST BE NOTED ON THE PRINTED TITLE OR ELECTRONICALLY THROUGH THE DEPARTMENT OF MOTOR VEHICLES' ELECTRONIC TITLE AND LIEN SYSTEM, TO PROVIDE THAT THE TRANSMITTAL MUST BE DONE ELECTRONICALLY FOR BUSINESS ENTITIES, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT BUSINESS ENTITIES ARE SUBJECT TO CERTAIN FEES, TO PROVIDE THAT THE TRANSMITTAL AND RETRIEVAL OF DATA FEES ARE "OFFICIAL FEES", TO PROVIDE THAT CERTAIN BUSINESSES AND COMMERCIAL LIENHOLDERS MUST UTILIZE THE ELECTRONIC LIEN SYSTEM TO TRANSMIT AND RECEIVE ELECTRONIC LIEN INFORMATION, TO PROVIDE THE EFFECTIVE DATE AND LAPSE DATE FOR CERTAIN LIENS, TO PROVIDE THAT THE DEPARTMENT SHALL PUBLISH FORMS FOR THE PURPOSE OF FILING A LIEN

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CONTINUATION STATEMENT, AND TO PROVIDE THE PROCESS FOR FILING A LIEN CONTINUATION STATEMENT AND THE PERIOD FOR WHICH THE LIEN REMAINS IN EFFECT.

H. 5270 -- Reps. Tallon, Bernstein and Pope: A BILL TO AMEND SECTION 8-11-83, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYROLL DEDUCTION FOR STATE EMPLOYEES' ASSOCIATION DUES, SO AS TO ALLOW MEMBERSHIP DUES FOR THE SOCIETY OF FORMER AGENTS OF THE STATE LAW ENFORCEMENT DIVISION TO BE DEDUCTED FROM THE COMPENSATION OF STATE RETIREES AND PAID OVER TO THE ASSOCIATION IN THE SAME MANNER OTHER MEMBERSHIP DUES ARE DEDUCTED AND PAID.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1204 -- Senators Sheheen and Bennett: A BILL TO AMEND SECTION 59-29-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, SO AS TO PROVIDE MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

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

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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 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.

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.

H. 5140 -- Reps. Pope, Felder, King, Gambrell, Gagnon, Erickson, Clary, Tallon and Henderson: A BILL TO AMEND SECTION 59-1-425, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPENING DATE FOR THE

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PUBLIC SCHOOL YEAR, SO AS TO PROVIDE THE OPENING DATE FOR STUDENTS MUST NOT BE BEFORE AUGUST FIFTEENTH BEGINNING WITH THE 2017-2018 SCHOOL YEAR; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO CERTAIN ASSESSMENTS OF VARIOUS PUBLIC SCHOOL STUDENTS BASED ON GRADE LEVEL, SO AS TO REVISE THE MANNER OF PROCUREMENT AND ADMINISTRATION OF THESE ASSESSMENTS, AMONG OTHER THINGS; AND TO AMEND SECTION 59-25-410, RELATING TO THE DATE BY WHICH PUBLIC SCHOOL TEACHERS MUST BE NOTIFIED OF THEIR TENTATIVE ASSIGNMENTS FOR THE UPCOMING SCHOOL YEAR, SO AS TO CHANGE THIS DATE FROM AUGUST FIFTEENTH TO AUGUST EIGHTH.

H. 5299 -- Reps. G.M. Smith, J.E. Smith, Herbkersman, Huggins, Merrill, Anderson, Spires, McCoy, Limehouse, Collins, Stavrinakis, Bernstein, Riley, Bannister, Finlay, Weeks, Bingham, Rutherford, Kennedy, Newton, Horne, Cole, Jefferson, Williams and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-445 SO AS TO GIVE THE GOVERNOR AUTHORITY IN TIMES OF EMERGENCY TO MAKE CERTAIN ACCOMMODATIONS FOR A PERSON TRANSPORTING GOODS, AND TO PROVIDE FOR A CERTIFICATION SYSTEM.

SECOND READING FAILED

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.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY explained the Bill.

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

Ayes 15; Nays 24

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AYES

Allen	Gambrell	Hembree
Jackson	Johnson	Kimpson
Malloy	<i>Matthews, John</i>	Nicholson
Reese	Scott	Sheheen
Thurmond	Verdin	Williams

Total--15

NAYS

Alexander	Bright	Bryant
Campbell	Campsen	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Leatherman	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	McElveen
Peeler	Rankin	Setzler
Shealy	Turner	Young

Total--24

Second reading failed.

READ THE SECOND TIME

H. 4577 -- Reps. White, Bales, Merrill, D.C. Moss, G.R. Smith and Cobb-Hunter: A BILL TO AMEND SECTION 12-37-2460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREDITING OF AIRCRAFT PROPERTY TAXES, SO AS TO CREDIT THE PROCEEDS OF THE TAX TO THE STATE AVIATION FUND; AND TO AMEND SECTION 55-5-280, AS AMENDED, RELATING TO THE STATE AVIATION FUND, SO AS TO MAKE A CONFORMING CHANGE.

The Senate proceeded to the consideration of the Bill.

Senator HAYES explained the Bill

The question then was second reading of the Bill.

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

Ayes 40; Nays 0

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AYES

Alexander	Allen	Bright
Bryant	Campbell	Campsen
Corbin	Courson	Cromer
Davis	Fair	Gambrell
Gregory	Grooms	Hayes
Hembree	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
Reese	Scott	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

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

H. 4763 -- Reps. Pope, D.C. Moss, Yow, Hardee, Duckworth, Johnson, Goldfinch, Southard, Long, Felder, Taylor, George, Simrill, Jordan, Chumley, Clemmons, Sandifer, Wells, Whitmire, Funderburk and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-7-180 SO AS TO CREATE THE INTERNET CRIMES AGAINST CHILDREN FUND TO INVESTIGATE, PROSECUTE, AND PREVENT INTERNET CRIMES AGAINST CHILDREN; AND TO AMEND SECTIONS 14-1-206, 14-1-207, AND 14-1-208, ALL AS AMENDED, ALL RELATING TO ADDITIONAL ASSESSMENTS IMPOSED BY CERTAIN COURTS, SO AS TO REVISE THE AMOUNT OF AN ASSESSMENT THAT A PERSON MUST PAY.

[SJ]

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The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4763.001), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 beginning on page 2, line 5 and inserting:

/ SECTION 3. A. Section 14-1-206(A), (B), and (C) of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“(A) A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in general sessions court must pay an amount equal to ~~107.5~~ 113.6 percent of the fine imposed as an assessment. This assessment must be paid to the clerk of court in the county in which the criminal judgment is rendered for remittance to the State Treasurer by the county treasurer. The assessment is based upon that portion of the fine that is not suspended and assessments must not be waived, reduced, or suspended.

(B) The county treasurer must remit ~~35.35~~ 33.45 percent of the revenue generated by the assessment imposed in subsection (A) to the county to be used for the purposes set forth in subsection (D) and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer. Assessments paid in installments must be remitted as received.

(C) After deducting amounts provided pursuant to Section 14-1-210, the State Treasurer shall deposit the balance of assessments received as follows:

(1) ~~42.08~~ 39.82 percent for programs established pursuant to Chapter 21, ~~of~~ Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13, ~~of~~ Title 24;

(2) ~~14.74~~ 13.95 percent to the Law Enforcement Training Council for training in the fields of law enforcement and criminal justice;

(3) ~~45~~ 43 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain, carry forward, and expend the surplus to defray the costs of maintaining and operating the Hall of Fame;

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(4) ~~14.46~~ 13.68 percent to the Office of Indigent Defense for the defense of indigents;

(5) ~~11.83~~ 11.19 percent for the State Office of Victim Assistance;

(6) ~~15.39~~ 14.56 percent to the general fund;

(7) ~~89.84~~ percent to the Office of the Attorney General for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel, and the county involved has expended more than two hundred fifty thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year; ~~and~~

(8) ~~16.15~~ percent to the Office of the State Treasurer to defray the administrative expenses associated with collecting and distributing the revenue of these assessments; and

(9) 5.37 percent to the Internet Crimes Against Children Fund established pursuant to Section 1-7-180."

B. Section 14-1-207(A),(B), and (C) of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

"(A) A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in magistrates court must pay an amount equal to ~~107.5~~ 113.6 percent of the fine imposed as an assessment. This assessment must be paid to the magistrate and deposited as required by Section 22-1-70 in the county in which the criminal judgment is rendered for remittance to the State Treasurer by the county treasurer. The assessment is based upon that portion of the fine that is not suspended and assessments must not be waived, reduced, or suspended. The assessment may not be imposed on convictions for violations of Sections 56-3-1970, 56-5-2510, and

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56-5-2530, or another state law, municipal ordinance, or county ordinance restricting parking in a prohibited zone or in a parking place clearly designated for handicapped persons.

(B) The county treasurer must remit ~~11.16~~ 10.56 percent of the revenue generated by the assessment imposed in subsection (A) to the county to be used for the purposes set forth in subsection (D) and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer. Assessments paid in installments must be remitted as received.

(C) After deducting amounts provided pursuant to Section 14-1-210, the State Treasurer shall deposit the balance of the assessments received as follows:

(1) ~~32.36~~ 30.62 percent for programs established pursuant to Chapter 21, of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13, of Title 24;

(2) ~~20.72~~ 19.61 percent to the Law Enforcement Training Council for training in the fields of law enforcement and criminal justice;

(3) ~~60~~ 57 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain, carry forward, and expend the surplus to defray the costs of maintaining and operating the Hall of Fame;

(4) ~~18.82~~ 17.81 percent for the State Office of Victim Assistance;

(5) ~~15.93~~ 15.07 percent to the general fund;

(6) ~~10.49~~ 9.93 percent to the Office of Indigent Defense for the defense of indigents;

(7) ~~92~~ 87 percent to the Office of the Attorney General for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel and the county involved has expended more than two hundred fifty thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the

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fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year; ~~and~~

(8) ~~46~~ .15 percent to the Office of the State Treasurer to defray the administrative expenses associated with collecting and distributing the revenue of these assessments; ~~and~~

(9) 5.37 percent to the Internet Crimes Against Children Fund established pursuant to Section 1-7-180."

C. Section 14-1-208(A), (B), and (C) of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

"(A) A person who is convicted of, or pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in municipal court must pay an amount equal to ~~407.5~~ 113.6 percent of the fine imposed as an assessment. This assessment must be paid to the municipal clerk of court and deposited with the city treasurer for remittance to the State Treasurer. The assessment is based upon that portion of the fine that is not suspended, and assessments must not be waived, reduced, or suspended. The assessment may not be imposed on convictions for violations of Sections 56-3-1970, 56-5-2510, and 56-5-2530, or another state law, municipal ordinance, or county ordinance restricting parking in a prohibited zone or in a parking place clearly designated for handicapped persons.

(B) The city treasurer must remit ~~41.46~~ 10.56 percent of the revenue generated by the assessment imposed in subsection (A) to the municipality to be used for the purposes set forth in subsection (D) and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer. Assessments paid in installments must be remitted as received.

(C) After deducting amounts provided pursuant to Section 14-1-210, the State Treasurer shall deposit the balance of the assessments received as follows:

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(1) ~~14.04~~ 13.29 percent for programs established pursuant to Chapter 21, of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13, of Title 24;

(2) ~~13.89~~ 13.14 percent to the Law Enforcement Training Council for training in the fields of law enforcement and criminal justice;

(3) ~~36~~ 34 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain, carry forward, and expend the surplus for the purpose of defraying the costs of maintaining and operating the Hall of Fame;

(4) ~~10.38~~ 9.82 percent for the State Office of Victim Assistance;

(5) ~~11.53~~ 10.91 percent to the general fund;

(6) ~~10.56~~ 9.99 percent to the Office of Indigent Defense for the defense of indigents;

(7) ~~89~~ 84 percent to the Department of Mental Health to be used exclusively for the treatment and rehabilitation of drug addicts within the department's addiction center facilities;

(8) ~~54~~ 51 percent to the Office of the Attorney General for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel and the county involved has expended more than one hundred thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year;

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(9)(a) ~~9.16~~ 8.67 percent to the Department of Public Safety for the programs established pursuant to Section 56-5-2953(E); and

(b) ~~4.34~~ 1.24 percent to SLED for the programs established pursuant to Section 56-5-2953(E);

(10) ~~13.64~~ 12.88 percent to the Governor's Task Force on Litter and in the expenditure of these funds, the provisions of Chapter 35, of Title 11 do not apply;

(11) ~~13.64~~ 12.88 percent to the Department of Juvenile Justice. The Department of Juvenile Justice must apply the funds generated by this item to offset the nonstate share of allowable costs of operating juvenile detention centers so that per diem costs charged to local governments utilizing the juvenile detention centers do not exceed twenty-five dollars a day. Notwithstanding this provision of law, the director of the department may waive, reduce, defer, or reimburse the charges paid by local governments for juvenile detention placements. The department may apply the remainder of the funds generated by this item, if any, to operational or capital expenses associated with regional evaluation centers; ~~and~~

(12) ~~4.2~~ .11 percent to the Office of the State Treasurer to defray the administrative expenses associated with collecting and distributing the revenue of these assessments; ~~and~~

(13) 5.37 percent to the Internet Crimes Against Children Fund established pursuant to Section 1-7-180." /

Amend the bill further, as and if amended, page 1 by striking line 33 and inserting:

/ Earnings and interest on this fund, and any subfund to which its /
Renummer sections to conform.
Amend title to conform.

Senator HEMBREE explained the committee amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (JUD4763.002), which was adopted:

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

/ SECTION 1. This act may be cited as "Alicia's Law".

SECTION 2. Article 1, Chapter 7, Title 1 of the 1976 Code is amended by adding:

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“Section 1-7-180. There is created in the State Treasury the Internet Crimes Against Children Fund. This fund is separate and distinct from the general fund of the State and all other funds. Earnings and interest on this fund, and any subfund to which its funds are credited, must be credited to the fund and any balance in the fund at the end of a fiscal year carries forward in the fund in the succeeding fiscal year. The funds only may be used to investigate, prosecute, and prevent Internet crimes against children, such as cyber-enticement and child pornography, including the necessary staffing, training, and equipment. Of the revenue credited to the fund each year, sixty percent must be allocated to a subfund for the Attorney General to operate the Internet Crimes Against Children Task Force, and the remaining forty percent must be transferred to a subfund of the Department of Public Safety to provide grants to local law enforcement agencies to be expended in accordance with the purpose of the fund. This fund shall be funded by the General Assembly in the annual general appropriations act.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 38; Nays 0

AYES

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

[SJ]

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Williams

Young

Total--38

NAYS

Total--0

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

READ THE SECOND TIME

H. 4124 -- Rep. Pitts: A BILL TO AMEND SECTION 44-11-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT AND POWERS OF MARSHALS AT STATE MENTAL HEALTH FACILITIES, SO AS TO SUBSTITUTE DEPARTMENT OF MENTAL HEALTH FOR MENTAL HEALTH COMMISSION AND LAW ENFORCEMENT OFFICERS FOR MARSHALS, AND FOR OTHER PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill

The question then was 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	Corbin	Courson
Cromer	Davis	Fair
Gambrell	Gregory	Grooms
Hayes	Hembree	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	Reese

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Scott	Setzler	Shealy
Sheheen	Thurmond	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 4542 -- Reps. McKnight, Clyburn, Cobb-Hunter, Hill, King, Whipper and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 65 TO TITLE 44 TO ENACT THE "EXPERIMENTAL HEALTH CARE TREATMENT LAW" SO AS TO AUTHORIZE ACCESS TO EXPERIMENTAL TREATMENTS FOR PATIENTS WITH AN ADVANCED ILLNESS, TO ESTABLISH CONDITIONS FOR USE OF EXPERIMENTAL TREATMENTS, TO PROHIBIT PROFESSIONAL DISCIPLINE AND OTHER SANCTIONS OF HEALTH CARE PROVIDERS SOLELY FOR RECOMMENDING OR PROVIDING AN EXPERIMENTAL TREATMENT, TO CLARIFY DUTIES OF A HEALTH INSURER WITH REGARD TO EXPERIMENTAL TREATMENTS AUTHORIZED BY THIS CHAPTER, TO PROHIBIT CERTAIN ACTIONS BY STATE OFFICIALS, EMPLOYEES, AND AGENTS, TO RESTRICT CERTAIN CAUSES OF ACTION ARISING FROM THE USE OF EXPERIMENTAL TREATMENTS, AND FOR OTHER PURPOSES.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (H-4542), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting: /

A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 137, TO ENACT THE RIGHT TO

[SJ]

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TRY ACT, TO PROVIDE FOR AN ELIGIBLE PATIENT'S RIGHT TO TRY INVESTIGATIONAL DRUGS, BIOLOGICAL PRODUCTS, OR DEVICES TO COMBAT A TERMINAL ILLNESS; TO PROVIDE FOR AN ELIGIBLE PATIENT'S REQUEST TO USE AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE THAT AN ELIGIBLE PATIENT GIVE INFORMED CONSENT PRIOR TO USING AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE PROTECTION FROM LIABILITY FOR DOCTORS PRESCRIBING AND MANUFACTURERS OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE THAT STATE EMPLOYEES MAY NOT BLOCK THE PROPER USE OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be referred to and cited as the Right to Try Act.

SECTION 2. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 137

The Right to Try Act

Section 44-137-10. As used in this chapter:

(1) ‘Eligible patient’ means an individual who:

(a) has a terminal illness, attested to by a treating physician;

(b) has, in consultation with a treating physician, considered and exhausted all other treatment options currently approved by the United States Food and Drug Administration;

(c) has received a recommendation from the treating physician for use of an investigational drug, biological product, or device for treatment of the terminal illness;

(d) has given informed consent in writing to use the investigational drug, biological product, or device for treatment of the terminal illness or, if the individual is a minor or is otherwise incapable of providing informed consent, the parent or legal guardian has given informed consent in writing to use the investigational drug, biological product, or device; and

(e) has documentation from the treating physician that the individual meets all of the criteria for this definition, including an attestation from the treating physician that the treating physician was consulted in the creation of the written, informed consent required under this chapter.

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(2) ‘Investigational drug, biological product, or device’ means a drug, biological product, or device that has successfully completed Phase I of a clinical trial but has not yet been approved for general use by the United States Food and Drug Administration and remains under investigation in a clinical trial approved by the United States Food and Drug Administration.

(3) ‘Terminal illness’ means a progressive disease or medical or surgical condition that:

- (a) entails significant functional impairment;
- (b) is not considered by a treating physician to be reversible even with administration of available treatments approved by the United States Food and Drug Administration; and
- (c) will result in death without life-sustaining procedures.

(4) ‘Informed consent’ means a written document that is signed by an eligible patient; or if the patient is a minor, by a parent or legal guardian; or if the patient is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the currently approved products and treatments for the eligible patient’s terminal illness;

(b) an attestation that the eligible patient concurs with the treating physician in believing that all currently approved treatments are unlikely to prolong the eligible patient’s life;

(c) clear identification of the specific investigational drug, biological product, or device proposed for treatment of the eligible patient’s terminal illness;

(d) a description of the potentially best and worst outcomes resulting from use of the investigational drug, biological product, or device to treat the eligible patient’s terminal illness, along with a realistic description of the most likely outcome. The description shall be based on the treating physician’s knowledge of the proposed treatment in conjunction with an awareness of the eligible patient’s terminal illness and shall include a statement acknowledging that new, unanticipated, different, or worse symptoms might result from, and that death could be hastened by, the proposed treatment;

(e) a statement that eligibility for hospice care may be withdrawn if the eligible patient begins treatment of the terminal illness with an investigational drug, biological product, or device and that hospice care may be reinstated if such treatment ends and the eligible patient meets hospice eligibility requirements;

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(f) a statement that the eligible patient's health benefit plan or third-party administrator and provider are not obligated or required to pay for any cost of any investigational drug, biological product, or device or for any care or treatments consequent to the use of such investigational drug, biological product, or device; and

(g) a statement that the eligible patient understands that he is liable for all expenses consequent to the use of the investigational drug, biological product, or device and that this liability extends to the eligible patient's estate, unless a contract between the patient and the manufacturer of the drug, biological product, or device states otherwise.

Section 44-137-20. (A) A manufacturer of an investigational drug, biological product, or device may make available to an eligible patient, and an eligible patient may request, the manufacturer's investigational drug, biological product, or device. Nothing in this article shall be construed to require a manufacturer of an investigational drug, biological product, or device to make such investigational drug, biological product, or device available to an eligible patient.

(B) A manufacturer of an investigational drug, biological product, or device may provide the investigational drug, biological product, or device to an eligible patient without receiving compensation or may require the eligible patient to pay the costs of, or the costs associated with, the manufacture of the investigational drug, biological product, or device.

Section 44-137-30. If an eligible patient dies while being treated with an investigational drug, biological product, or device, the eligible patient's heirs are not liable for any outstanding debt related to the treatment, including any costs attributed to lack of insurance coverage for the treatment.

Section 44-137-40. (A) A licensing board shall not revoke, fail to renew, suspend, or take any other disciplinary action against a health care provider licensed in this State, based solely on the health care provider's recommendations to an eligible patient regarding access to or treatment with an investigational drug, biological product, or device.

(B) An entity responsible for Medicare certification shall not take action against a health care provider's Medicare certification based solely on the health care provider's recommendation that a patient have access to an investigational drug, biological product, or device.

Section 44-137-50. No official, employee, or agent of this State shall block or attempt to block an eligible patient's lawful access to an investigational drug, biological product, or device. Counseling, advice,

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or a recommendation consistent with medical standards of care from a licensed health care provider does not constitute a violation of this section.

Section 44-137-60. No private right of action may be brought against a manufacturer of an investigational drug, biological product, or device, or against any other person or entity involved in the care of an eligible patient using an investigational drug, biological product, or device, for any harm caused to the eligible patient resulting from the use of the investigational drug, biological product, or device as long as the manufacturer or other person or entity has made a good-faith effort to comply with the provisions of this chapter and has exercised reasonable care in actions undertaken pursuant to this chapter.

Section 44-137-70. (A) This chapter does not expand coverage an insurer must provide pursuant to Title 38.

(B) This chapter does not require:

(1) a governmental agency to pay costs associated with the use, care, or treatment of a patient with an investigational drug, biological product, or device; or

(2) a hospital or other health care facility licensed pursuant to Chapter 7, Title 44 to provide new or additional services, unless approved or required by the hospital or facility.

(C) A health plan, third party administrator, or governmental agency is not required to, but may, provide coverage for the cost of an investigational drug, biological product, or device, or the cost of services related to the use of an investigational drug, biological product, or device under this chapter.”

SECTION 3. This act takes effect upon approval by the Governor. /
Re-number sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Corbin	Courson
Cromer	Davis	Fair
Gambrell	Gregory	Grooms
Hayes	Hembree	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	Reese
Scott	Setzler	Shealy
Sheheen	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.

READ THE SECOND TIME

H. 5193 -- Rep. Huggins: A BILL TO AMEND SECTION 44-130-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS AND STANDING ORDERS FOR OPIOID ANTIDOTES, SO AS TO AUTHORIZE THE PRESCRIPTION AND DISPENSING OF OPIOID ANTIDOTES PURSUANT TO A NONPATIENT-SPECIFIC STANDING ORDER IN CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

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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.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 4554 -- Reps. Clemmons, Pitts, Duckworth, Rivers, Fry, H.A. Crawford, Goldfinch, Jordan, Lowe, Johnson and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 11 TO TITLE 35 SO AS TO ENACT THE "SOUTH CAROLINA ANTI-MONEY LAUNDERING ACT" TO PROVIDE REGULATION AND OVERSIGHT OF THE MONEY TRANSMISSION SERVICES BUSINESS MOST COMMONLY USED BY ORGANIZED CRIMINAL ENTERPRISE TO LAUNDER THE MONETARY PROCEEDS OF ILLEGAL ACTIVITIES, AND TO PROVIDE DEFINITIONS, EXCLUSIONS, PROCEDURES, AND PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (DKA\4554C001.DKA.SD16), which was adopted:

Amend the bill, as and if amended, Section 35-11-105, SECTION 1, by striking item (11) beginning on line 40, page 2, and inserting:

/ (11) 'Money services' means money transmission or currency exchange. /;

by striking items (3) and (4) of Section 35-11-305(A), SECTION 1, beginning on line 22, page 11, and inserting:

/ (3) complete addresses of other locations in this State where the applicant proposes to engage in currency exchange, including all limited stations and mobile locations;

(4) a description of the source of money and credit to be used by the applicant to engage in currency exchange; and /; and

by striking item (2) of Section 35-11-315(B), SECTION 1, beginning on line 41, page 12, and inserting:

[SJ]

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/ (2) list of the locations in this State where the licensee or an authorized delegate of the licensee engages in currency exchange, including limited stations and mobile locations. /

Amend further by striking subsection (B) of Section 35-11-400, SECTION 1, beginning on line 19, page 13, and inserting:

/ (B) A contract between a licensee and an authorized delegate must require the authorized delegate to operate in full compliance with this chapter. For such contracts initiated on or after the effective date of this act, the licensee shall provide to each authorized delegate information sufficient for compliance with this chapter. /

Amend further by striking subsection (E) of Section 35-11-400, SECTION 1, beginning on line 34, page 13, and inserting:

/ (E) An authorized delegate may not provide money services outside the scope of activity permissible under the contract between the authorized delegate and the licensee, except activity in which the authorized delegate is authorized to engage in pursuant to Article 2 of this chapter. An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission. /

Amend further by adding the following new sections to Article 8, Chapter 11, Title 35 as contained in SECTION 1, immediately after Section 35-11-805 on page 29, to read:

/ Section 35-11-810. This chapter is administered by the commissioner who may employ such additional assistants as he deems necessary. The commissioner may delegate any or all of his duties pursuant to this chapter to members of his staff, as he deems necessary or appropriate.

Section 35-11-815. The commissioner may promulgate and amend regulations or issue orders necessary to carry out the purposes of this chapter in order to provide for the protection of the public and to assist licensees in interpreting and complying with this chapter. /

Amend further by striking SECTION 5, line 21, page 32 and inserting:

/ SECTION 5. This act takes effect one year after approval of this act by the Governor or upon the publication in the State Register of final regulations implementing the act, whichever occurs later. The commissioner is authorized to begin promulgating these regulations upon approval of this act by the Governor which shall take effect when this act takes effect as provided in this section. /

Re-number sections to conform.

Amend title to conform.

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Senator CROMER explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

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

READ THE SECOND TIME

H. 4944 -- Reps. Funderburk, Kennedy, W.J. McLeod and Clemmons:
A BILL TO AMEND SECTION 7-13-190, AS AMENDED, CODE OF
LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL
ELECTIONS TO FILL VACANCIES IN OFFICES, SO AS TO

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REMOVE A MUNICIPALITY'S AUTHORITY NOT TO CONDUCT GENERAL ELECTIONS UNDER CERTAIN CONDITIONS.

The Senate proceeded to a consideration of 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 SHANE MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

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 MALLOY, the Bill was carried over.

H. 5034 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-4320 SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO ESTABLISH AN INFORMATIONAL CHARITABLE BINGO WEBPAGE ON ITS WEBSITE; TO AMEND SECTION 12-21-3920, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO

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TAX ACT, SO AS TO REDEFINE "BUILDING"; TO AMEND SECTION 12-21-3940, RELATING TO APPLICATIONS FOR A BINGO LICENSE BY NONPROFIT ORGANIZATIONS AND PROMOTERS, SO AS TO EXTEND THE TIME BY WHICH THE DEPARTMENT MUST RESPOND; TO AMEND SECTION 12-21-3990, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO PROVIDE THE MANNER IN WHICH CERTAIN DEVICES MUST BE OPERATED; TO AMEND SECTION 12-21-4000, RELATING TO PROCEDURES APPLICABLE TO THE CONDUCT OF BINGO, SO AS TO INCREASE THE ALLOWANCE FOR PROMOTIONS; TO AMEND SECTION 12-21-4005, RELATING TO THE OPERATION OF BINGO GAMES, SO AS TO EXCLUDE CERTAIN RAFFLES; TO AMEND SECTION 12-21-4090, RELATING TO BINGO CHECKING AND SAVINGS ACCOUNTS, SO AS TO ALLOW THE PROMOTER TO MAKE CERTAIN CONTRIBUTIONS AND TO ALLOW FOR ELECTRONIC PAYMENTS; AND TO AMEND SECTION 12-21-4190 RELATING TO THE DISTRIBUTION OF BINGO REVENUES, SO TO INCREASE THE PERCENTAGE THAT IS DISTRIBUTED TO CHARITY.

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

S. 1115 -- Senators Gregory, Rankin and Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DIVORCE IN THIS STATE, SO AS TO PROVIDE A PUBLIC POLICY OF THE STATE OF SOUTH CAROLINA REGARDING THE AWARD OF ALIMONY.

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

S. 1169 -- Senators Gregory and Shealy: A BILL TO AMEND SECTION 20-3-130(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE FOR TWO NEW FORMS OF ALIMONY AND TO CHANGE THE DEFINITION OF COHABITATION; TO AMEND SECTION 20-3-150, RELATING TO SEGREGATION OF ALLOWANCE BETWEEN SPOUSE AND CHILDREN AND THE EFFECT OF REMARRIAGE OF A SPOUSE, SO AS TO CHANGE THE DEFINITION OF COHABITATION.

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

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H. 4262 -- Reps. Erickson, M.S. McLeod, Collins and Long: A BILL TO AMEND SECTION 63-13-825, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAINING FOR FAMILY CHILDCARE HOME OPERATORS AND EMPLOYEES, SO AS TO REQUIRE ADDITIONAL TRAINING; TO AMEND SECTION 63-13-830, RELATING TO STATEMENTS OF REGISTRATION FOR FAMILY CHILDCARE HOMES, SO AS TO PROVIDE ADDITIONAL AUTHORITY OF THE DEPARTMENT OF SOCIAL SERVICES AND RIGHTS OF FAMILY CHILDCARE HOMES; AND TO AMEND SECTION 63-13-850, RELATING TO APPEALS OF DECISIONS TO WITHDRAW A STATEMENT OF REGISTRATION OF A FAMILY CHILDCARE HOME, SO AS TO ALSO ADDRESS APPEALS OF DECISIONS TO DENY AN APPLICATION FOR A STATEMENT OR RENEWAL OF REGISTRATION.

Senator MASSEY explained the Bill.

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

H. 4447 -- Reps. Henegan and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

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

S. 1320 -- 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 LIQUEFIED PETROLEUM (LP) GAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4622, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1321 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

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DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL CODES AND NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4602, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1322 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Resolution.

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

S. 1323 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4624, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1324 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - RESIDENTIAL BUILDERS COMMISSION, RELATING TO RESIDENTIAL SPECIALTY CONTRACTORS LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4630, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4339 -- Reps. Kennedy, McCoy, Quinn, Atwater, Delleney and Weeks: A BILL TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEGISLATIVE FINDINGS CONCERNING THE STATE GRAND JURY SYSTEM, SO AS TO PROVIDE ADDITIONAL FINDINGS CONCERNING CERTAIN CRIMES INVOLVING INSURANCE FRAUD; TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CERTAIN CRIMES INVOLVING INSURANCE FRAUD; TO AMEND SECTION 38-55-170, RELATING TO CRIMES AND PENALTIES FOR PRESENTING FALSE CLAIMS FOR PAYMENT TO AN INSURER TRANSACTING IN THIS STATE, SO AS TO PROVIDE FOR THE SUSPENSION OF THE DRIVING PRIVILEGES OF A PERSON FOUND ON THE RECORD BY THE COURT OF HAVING CARELESSLY OR RECKLESSLY OPERATED A MOTOR VEHICLE IN THE COMMISSION OF SUCH A VIOLATION AND TO SUBJECT THE DRIVER'S MOTOR VEHICLE AND RELATED PROPERTY USED IN THE COMMISSION OF THE VIOLATION TO FORFEITURE; TO AMEND SECTION 38-55-540, RELATING TO CRIMES AND PENALTIES FOR MAKING FALSE STATEMENTS OF MISREPRESENTATION IN VIOLATION OF THE INSURANCE FRAUD AND REPORTING IMMUNITY ACT, SO AS TO REVISE CRITERIA FOR VARIOUS PENALTIES, AND TO PROVIDE FOR THE SUSPENSION OF THE DRIVING PRIVILEGES OF A PERSON FOUND ON THE RECORD BY THE COURT OF HAVING CARELESSLY OR RECKLESSLY OPERATED A MOTOR VEHICLE IN THE COMMISSION OF SUCH A VIOLATION AND SUBJECT THE DRIVER'S MOTOR VEHICLE AND RELATED PROPERTY USED IN THE COMMISSION OF THE VIOLATION TO FORFEITURE; AND TO AMEND SECTION 56-1-146, RELATING TO SURRENDER OF DRIVERS LICENSES BY PEOPLE CONVICTED OF CERTAIN CRIMES, SO AS TO INCLUDE THE CRIME OF INSURANCE FRAUD.

Senator MASSEY explained the Bill.

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

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H. 4878 -- Reps. Tallon, Allison, Bales, Anthony, Burns, Kennedy, Quinn, Chumley, Clary, Gagnon, Hixon and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-85 SO AS TO PROVIDE THAT COMMUNICATIONS BETWEEN A CLIENT AND ANY MEMBER OF A PEER-SUPPORT TEAM SHALL BE CONFIDENTIAL AND PRIVILEGED UNDER CERTAIN CIRCUMSTANCES.

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

H. 5245 -- Reps. Tallon, Bannister, J.E. Smith, Finlay, Anthony, Bernstein, Bales, Bingham, Clary, Cole, Delleney, Forrester, Henderson, Herbkersman, Pope, G.M. Smith and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-945 SO AS TO PROVIDE THAT A MANUFACTURER, BREWER, IMPORTER, OR RETAILER MAY OFFER OR SPONSOR CERTAIN COUPONS AND REBATES TO A CONSUMER FOR THE PURCHASE OF BEER, TO PROVIDE THAT A WHOLESALER IS PROHIBITED FROM PARTICIPATING IN THE PROCUREMENT, REDEMPTION, OR OTHER COSTS ASSOCIATED FOR ANY COUPON OR REBATE FOR BEER, AND TO PROVIDE THAT A BEER MANUFACTURER OR WHOLESALER IS PROHIBITED FROM OFFERING PAPER INSTANT REDEEMABLE COUPONS AND SCANBACK COUPONS FOR BEER IN THIS STATE.

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

S. 946 -- Senators Hayes and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-2774 SO AS TO PROVIDE THAT THE REGISTERED OWNER OF A VEHICLE THAT UNLAWFULLY OVERTAKES A SCHOOL BUS MAY BE ISSUED A CIVIL CITATION IF THE DRIVER OF HIS VEHICLE CAN NOT BE IDENTIFIED BY A LAW ENFORCEMENT OFFICER OR A DIGITAL VIDEO RECORDING DEVICE MOUNTED ON A SCHOOL BUS, TO PROVIDE THE PROCEDURE WHEREBY THE CITATION MAY BE DISMISSED, AND TO PROVIDE THE PROCEDURE WHEREBY THE CITATION IS ISSUED.

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

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H. 3952 -- Rep. Bannister: A BILL TO AMEND SECTION 44-17-410, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMERGENCY ADMISSION OF A PERSON LIKELY TO CAUSE SERIOUS HARM TO HIMSELF OR OTHERS, SO AS TO ADD A PERSON WHO MAY BECOME GRAVELY DISABLED IF NOT IMMEDIATELY HOSPITALIZED; TO AMEND SECTION 44-17-430, AS AMENDED, RELATING TO THE EXAMINATION UNDER CUSTODY OF A PERSON REQUIRING IMMEDIATE HOSPITALIZATION WHEN EXAMINATION IS NOT OTHERWISE POSSIBLE, SO AS TO ADD A PERSON WHO MAY BECOME GRAVELY DISABLED IF NOT IMMEDIATELY HOSPITALIZED; AND TO AMEND SECTION 44-17-440, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON REQUIRING IMMEDIATE CARE, SO AS TO REQUIRE A STATE OR LOCAL LAW ENFORCEMENT OFFICER WITH CRISIS INTERVENTION TRAINING AND DRESSED IN CIVILIAN CLOTHES OR AN EMERGENCY MEDICAL TECHNICIAN TO TAKE INTO CUSTODY AND TRANSPORT THE PERSON TO THE HOSPITAL.

Senator ALEXANDER explained the Bill.

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

H. 3999 -- Reps. Henderson, G.M. Smith, Ridgeway and Atwater: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR PATIENTS WHO ARE UNABLE TO PROVIDE CONSENT, SO AS TO CHANGE THE PROCESS FOR CERTAIN RELATIVES AND OTHER INDIVIDUALS TO MAKE THESE HEALTH CARE DECISIONS, TO ADD ADDITIONAL CLASSES OF PERSONS WITH THE AUTHORITY TO MAKE THESE HEALTH CARE DECISIONS, TO REQUIRE A BIOETHICS COMMITTEE TO SELECT CERTAIN DECISION MAKERS, TO ENABLE CERTAIN DECISION MAKERS TO CONSULT WITH A SECOND PHYSICIAN BEFORE MAKING A HEALTH CARE DECISION, TO REQUIRE THAT DECISIONS TO WITHHOLD OR WITHDRAW LIFE-PROLONGING MEASURES BE REVIEWED BY A BIOETHICS COMMITTEE, AND TO REQUIRE CERTAIN DOCUMENTATION RELATED TO SELECTION OF A DECISION MAKER.

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Senator ALEXANDER explained the Bill.

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

H. 4327 -- Rep. G.M. Smith: A BILL TO AMEND CHAPTER 71, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOSPICE PROGRAMS, SO AS TO ADD DEFINITIONS; TO ESTABLISH CERTAIN LICENSING REQUIREMENTS; TO PROVIDE FOR THE REGISTRATION OF MULTIPLE OFFICE LOCATIONS OF LICENSED HOSPICES; TO PROVIDE FOR EXPANSION OF HOSPICE SERVICE AREAS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE APPLICATIONS FOR REGISTRATION OF MULTIPLE OFFICE LOCATIONS AND FOR EXPANSION OF HOSPICE SERVICE AREAS, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.

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

H. 3969 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 5, TITLE 38 SO AS TO PROVIDE FOR THE ELECTRONIC TRANSMISSION OF ELECTRONIC NOTICES OR DOCUMENTS RELATED TO INSURANCE AND INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES EFFECTIVE JANUARY 1, 2016; AND TO REDESIGNATE EXISTING SECTIONS IN THE CHAPTER AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Senator CROMER explained the Bill.

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

H. 3989 -- Reps. J.E. Smith, Bernstein, Pitts, Horne, McCoy, Thayer, McEachern and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PERSONS WITH DISABILITIES RIGHT TO PARENT ACT" BY ADDING CHAPTER 21 TO TITLE 63 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES, LAW ENFORCEMENT, AND THE FAMILY AND PROBATE COURTS, AMONG OTHERS, TO PROTECT THE PARENTING RIGHTS OF PERSONS WITH A DISABILITY BY ESTABLISHING CERTAIN REQUIREMENTS

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AND SAFEGUARDS APPLICABLE IN CHILD CUSTODY, CHILD PROTECTION, AND PROBATE GUARDIANSHIP PROCEEDINGS TO ENSURE THAT PERSONS WITH DISABILITIES ARE NOT DENIED THE RIGHT TO PARENT OR TO HAVE CUSTODY OF OR VISITATION WITH A CHILD BECAUSE OF THE DISABILITY; TO PROHIBIT CHILD PLACING AGENCIES, ADOPTION SERVICE PROVIDERS, AND ASSISTED REPRODUCTIVE TECHNOLOGY SERVICE PROVIDERS FROM DENYING PERSONS WITH A DISABILITY THE RIGHT TO ACCESS SERVICES BECAUSE OF THE PERSON'S DISABILITY, WITH EXCEPTIONS; BY ADDING SECTION 62-1-510 SO AS TO REQUIRE ASSESSMENTS AND EVALUATIONS OF CERTAIN PERSONS WITH A DISABILITY IN PROBATE COURT PROCEEDINGS, AND TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO ENABLE THE PERSON TO PARENT A CHILD ADEQUATELY; BY ADDING SECTIONS 63-7-1695, 63-7-2575, AND 63-15-270 SO AS TO REQUIRE ASSESSMENTS AND EVALUATIONS OF CERTAIN PERSONS WITH A DISABILITY IN FAMILY COURT PROCEEDINGS TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO ENABLE THE PERSON TO PARENT A CHILD ADEQUATELY; TO AMEND SECTION 63-7-720, RELATING TO REASONABLE EFFORTS REQUIREMENTS FOR PROBABLE CAUSE HEARINGS, SO AS TO REQUIRE SERVICES FOR PARENTS AND LEGAL GUARDIANS WITH A DISABILITY TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO AVOID REMOVAL OF THE CHILD; AND TO AMEND SECTION 63-7-1640, AS AMENDED, RELATING TO FAMILY COURT DETERMINATIONS WHETHER TO REQUIRE REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY WHEN THE PARENT OR LEGAL GUARDIAN HAS A DISABILITY, SO AS TO REQUIRE THE COURT TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO PRESERVE OR REUNIFY THE FAMILY; AND FOR OTHER PURPOSES.

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

H. 4387 -- Reps. Bamberg, Henegan, Clyburn, Pitts, Cobb-Hunter and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH

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CAROLINA, 1976, BY ADDING SECTION 23-1-245 SO AS TO PROVIDE THAT A LAW ENFORCEMENT AGENCY, DEPARTMENT, OR DIVISION MAY NOT REQUIRE ITS OFFICERS TO ISSUE A SPECIFIC AMOUNT OR MEET A QUOTA FOR THE NUMBER OF CITATIONS THEIR OFFICERS ISSUE DURING A DESIGNATED PERIOD OF TIME, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY, DEPARTMENT, OR DIVISION MAY NOT COMPARE THE NUMBER OF CITATIONS ISSUED BY ITS OFFICERS FOR THE PURPOSE OF EVALUATING AN OFFICER'S JOB PERFORMANCE, TO PROVIDE THAT "POINT OF CONTACT" MAY BE USED TO EVALUATE AN OFFICER'S PERFORMANCE, TO PROVIDE THAT AN EMPLOYEE WHO FILES A REPORT THAT ALLEGES A VIOLATION OF THIS SECTION IS PROTECTED BY THE "WHISTLE BLOWER ACT", AND TO PROVIDE DEFINITIONS.

Senator HEMBREE explained the Bill.

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

H. 4835 -- Reps. Erickson, Johnson, Delleney, Loftis, Finlay, Brannon, M.S. McLeod, Pope, Thayer, Long, Atwater, Knight, McCoy, Henegan, Douglas, Allison, Goldfinch, Gambrell, Newton, Riley, Collins, Clemmons, Duckworth, Funderburk, Gagnon, Henderson, Hicks, D.C. Moss and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "SUPPORTING AND STRENGTHENING FAMILIES ACT" TO ALLOW PARENTS AND PERSONS WITH LEGAL CUSTODY OF A CHILD TO DELEGATE CAREGIVING AUTHORITY FOR THE CHILD TEMPORARILY TO AN ADULT BY EXECUTION OF A POWER OF ATTORNEY, TO PROVIDE FOR THE REQUIREMENTS AND LIMITATIONS OF THE DELEGATION OF CAREGIVING AUTHORITY AND THE RIGHT TO REVOKE THE POWER OF ATTORNEY, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-7-920, AS AMENDED, RELATING TO INVESTIGATIONS OF SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE CERTAIN INFORMATION ABOUT COMMUNITY SUPPORTIVE SERVICES TO A PARENT WHEN THE INVESTIGATION DOES NOT RESULT IN PLACEMENT OF

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THE CHILD OUTSIDE OF THE HOME; AND TO AMEND SECTION 63-13-20, RELATING TO THE DEFINITION OF A CHILDCARE FACILITY, SO AS TO EXCLUDE AN ADULT DESIGNATED AS AN ATTORNEY-IN-FACT FOR A CHILD IN A POWER OF ATTORNEY EXECUTED PURSUANT TO ARTICLE 7, CHAPTER 15, TITLE 63.

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

H. 4145 -- Reps. White, Clemmons, Goldfinch, Yow, W.J. McLeod, Horne, Murphy, Erickson, Duckworth, Gagnon, Gambrell, Hardwick, Jordan, Long, Lowe, Pitts, Sandifer, Thayer, Willis, Loftis, Alexander, Johnson, Whipper, M.S. McLeod, Mitchell, Henegan, Anderson, Rivers and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 1, TITLE 13 SO AS TO CREATE THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO DEVELOP A COMPREHENSIVE PLAN FOR WORKFORCE TRAINING AND EDUCATION UNDER THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE DEFINITIONS, TO ESTABLISH THE DUTIES OF THE COUNCIL, TO ESTABLISH TO WHOM THE COMPREHENSIVE PLAN MUST BE SUBMITTED AND THE CONTENTS REQUIRED, TO PROVIDE FOR PROGRAM EVALUATIONS, TO PROVIDE FOR A BIENNIAL ASSESSMENT BY THE COUNCIL, TO PROVIDE THAT THE COUNCIL SHALL IMPROVE COORDINATION OF WORKFORCE DEVELOPMENT IN THE STATE, TO PROVIDE FOR THE CREATION OF A STATE STRATEGIC PLAN FOR SUPPLY OF HEALTH CARE PERSONNEL, TO PROVIDE THAT THE WORKFORCE DEVELOPMENT COUNCILS SHALL DEVELOP AND MAINTAIN A LOCAL UNIFIED PLAN FOR THE WORKFORCE DEVELOPMENT SYSTEM; BY ADDING ARTICLE 29 TO CHAPTER 53, TITLE 59 SO AS TO DEVELOP AND IMPLEMENT A CAREER PATHWAYS FOR SUCCESS INITIATIVE, TO ESTABLISH A PATHWAYS TO FIRST CAREERS PROGRAM, AND TO ESTABLISH A PATHWAYS TO NEW OPPORTUNITIES PROGRAM; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO HIRE AN APPRENTICE; BY ADDING SECTION 59-53-110 SO AS TO CREATE A WORKFORCE SCHOLARSHIP AND GRANT FUND; AND BY

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ADDING SECTION 12-6-3765 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO CONTRIBUTE TO THE WORKFORCE SCHOLARSHIP AND GRANT FUND.

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

H. 4391 -- Reps. Burns, Yow, Chumley, Felder, Loftis, Bradley and Collins: A BILL TO AMEND SECTION 44-43-305, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE REVISED UNIFORM ANATOMICAL GIFT ACT, SO AS TO CHANGE THE DEFINITION OF "TISSUE" TO INCLUDE BRAIN TISSUE IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 44-43-350, AS AMENDED, RELATING TO AUTHORIZED RECIPIENTS OF ANATOMICAL GIFTS, SO AS TO CLARIFY THAT GIFTS OF BRAIN TISSUE MAY BE USED ONLY FOR RESEARCH OR EDUCATION.

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

H. 4416 -- Reps. Felder, Pope, Merrill, Burns, V.S. Moss and Pitts: A BILL TO AMEND SECTION 6-1-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTIONS FROM IMPACT FEES, SO AS TO ADD EXEMPTIONS FOR CERTAIN SCHOOLS AND VOLUNTEER FIRE DEPARTMENTS.

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

H. 4521 -- Reps. Putnam, Burns, Loftis, Felder, Taylor, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TUCKER HIPPS TRANSPARENCY ACT" BY ADDING SECTION 59-101-210 SO AS TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL MAINTAIN REPORTS OF INVESTIGATIONS AND RELATED INFORMATION OF MEMBERS OF FRATERNITIES, SORORITIES, AND OTHER SOCIAL ORGANIZATIONS, TO SPECIFY INFORMATION THAT MUST BE INCLUDED IN THE REPORTS, TO PROVIDE INSTITUTIONS SHALL MAKE THE REPORTS AVAILABLE TO THE PUBLIC AND ONLINE, AND SHALL FURNISH REPORTS TO STUDENTS AND THEIR PARENTS BEFORE THE STUDENTS MAY BEGIN THE FORMAL PROCESS OF JOINING A FRATERNITY OR SORORITY, TO PROVIDE OVERSIGHT AND ENFORCEMENT REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION, AND TO

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PROVIDE PENALTIES FOR VIOLATIONS; AND TO PROVIDE FOR THE INITIAL COMPILATION OF THESE REPORTS BEFORE THE BEGINNING OF THE 2016-2017 ACADEMIC YEAR.

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

H. 4580 -- Reps. Jefferson, Hosey, Mitchell, Gilliard, Gagnon and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-263 SO AS TO PROVIDE THAT MEDICAL FOSTER HOMES APPROVED AND ANNUALLY REVIEWED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS PROVIDING CARE EXCLUSIVELY TO THREE OR FEWER VETERANS ARE EXEMPT FROM THE PROVISIONS OF CHAPTER 7, TITLE 44 IN REGARD TO HOSPITALS, NURSING HOMES, AND OTHER FACILITIES REQUIRED TO BE LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

H. 5021 -- Reps. Collins, Clary and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ADULT STUDENTS WITH DISABILITIES EDUCATIONAL RIGHTS CONSENT ACT" BY ADDING ARTICLE 3 TO CHAPTER 33, TITLE 59 SO AS TO PROVIDE PROCEDURES AND POLICIES THROUGH WHICH STUDENTS WHO ARE ELIGIBLE FOR SPECIAL EDUCATION UNDER THE INDIVIDUALS WITH DISABILITIES ACT AND WHO HAVE NOT BEEN DETERMINED TO BE INCAPACITATED IN PROBATE COURT MAY BE IDENTIFIED AS UNABLE TO PROVIDE INFORMED CONSENT WITH RESPECT TO HIS EDUCATIONAL PROGRAM AND DELEGATE THE AUTHORITY TO MAKE SUCH DECISIONS TO AN AGENT OR REPRESENTATIVE; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 33, TITLE 59 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS".

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

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

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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 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”.

The Senate proceeded to the consideration of the Bill.

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Senator HUTTO proposed the following amendment (3909.CBH.P1) which was withdrawn:

Amend the committee report, as and if amended, page [3909-2], by striking lines 3-6 and inserting:

/ (B) A driver who fails to exercise due care is guilty of a misdemeanor and must be punished by a fine of not more than five hundred dollars or imprisoned for not more than thirty days as provided in Section 56-5-6190.” /

Renumber sections to conform.

Amend title to conform.

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

AMENDMENT PROPOSED

CARRIED OVER

H. 4579 -- Reps. Pope, Lucas, Delleney, Simrill, Bales, Clyburn, Hosey, Tallon, Henderson, Felder and W.J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125 SO AS TO PROVIDE THAT IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR TO FILL THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION THE LIEUTENANT GOVERNOR AND GOVERNOR MUST BE JOINTLY ELECTED AND TO DELINEATE JOINT CANDIDACY PROCEDURES; TO AMEND SECTION 1-3-120, RELATING TO A VACANCY IN THE OFFICE OF BOTH GOVERNOR AND LIEUTENANT GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE; TO AMEND SECTION 1-3-620, RELATING TO THE OFFICE OF THE GOVERNOR TO BE PART TIME, SO AS TO PROVIDE THAT BEGINNING WITH THE LIEUTENANT GOVERNOR ELECTED IN THE 2018 GENERAL ELECTION, THE LIEUTENANT GOVERNOR SHALL PERFORM THE DUTIES PERTAINING TO THE OFFICE OF THE GOVERNOR WHICH ARE ASSIGNED BY THE GOVERNOR, EXCEPT WHEN OTHERWISE PROVIDED BY LAW; TO AMEND SECTION 1-9-30, RELATING TO EMERGENCY INTERIM SUCCESSORS TO THE OFFICE OF THE GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE

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SENATE PRO TEMPORE; TO AMEND SECTION 1-17-20, RELATING TO THE COMMITTEE ON INTERSTATE COOPERATION OF THE SENATE, SO AS TO PROVIDE THAT BEGINNING WITH THE CONVENING OF THE GENERAL ASSEMBLY IN 2019, THE PRESIDENT OF THE SENATE MAY SERVE ON THE COMMITTEE EX OFFICIO; TO AMEND SECTION 1-23-125, AS AMENDED, RELATING TO THE APPROVAL, DISAPPROVAL, AND MODIFICATION OF REGULATIONS, SO AS TO REPLACE THE TERM "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE"; TO AMEND SECTION 2-3-30, RELATING TO SUBSISTENCE EXPENSES FOR MEMBERS AND THE LIEUTENANT GOVERNOR ON LEGISLATIVE DAYS, SO AS TO ELIMINATE THE LIEUTENANT GOVERNOR'S ELIGIBILITY FOR A SUBSISTENCE ALLOWANCE; TO AMEND SECTION 2-3-90, RELATING TO THE ELECTION OF READING CLERKS, SERGEANTS AT ARMS, AND ASSISTANT SERGEANTS AT ARMS, SO AS TO REPLACE THE TERM "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE"; TO AMEND SECTION 7-11-30, AS AMENDED, RELATING TO CONVENTION NOMINATION OF CANDIDATES, SO AS TO REMOVE A REFERENCE TO "LIEUTENANT GOVERNOR"; TO AMEND SECTION 7-17-10, AS AMENDED, RELATING TO THE MEETING AND ORGANIZATION OF COUNTY BOARDS OF CANVASSERS, SO AS TO REMOVE A REFERENCE TO THE "LIEUTENANT GOVERNOR"; TO AMEND SECTION 10-1-40, RELATING TO THE STATE HOUSE COMMITTEE, SO AS TO REPLACE THE "LIEUTENANT GOVERNOR" AS THE APPOINTING AUTHORITY FOR THE SENATE WITH THE "PRESIDENT OF THE SENATE"; TO AMEND SECTIONS 14-27-20, 14-27-30, AND 14-27-40, ALL AS AMENDED, ALL RELATING TO THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO REPLACE REFERENCES TO THE "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE"; AND TO AMEND SECTION 14-27-80, RELATING TO THE DUTIES OF CERTAIN MEMBERS OF THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO REPLACE THE TERM "LIEUTENANT GOVERNOR" WITH "PRESIDENT OF THE SENATE".

The Senate proceeded to the consideration of the Bill.

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Senator MALLOY proposed the following amendment (JUD4579.003):

Amend the committee report, as and if amended, page [4579-3], by striking lines 40 and 41, in Section 8-13-1314(A)(1)(c), as contained in SECTION 5, and inserting therein the following:

/ (c) one thousand dollars in the case of a candidate for any other office; /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

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

**AMENDMENT PROPOSED
CARRIED OVER**

H. 4773 -- Reps. Duckworth, Kirby, Jordan, Johnson, Collins, Hill, Brannon, Merrill and Tinkler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "MARGY'S LAW"; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE EMERGENCY MEDICAL SERVICES DO NOT RESUSCITATE ORDER ACT, SO AS TO DEFINE THE TERM "DO NOT RESUSCITATE BRACELET"; TO AMEND SECTION 44-78-20, RELATING TO THE AVAILABILITY OF DO NOT RESUSCITATE ORDERS FOR EMERGENCY SERVICES TO THE TERMINALLY ILL, SO AS TO PROVIDE FOR THE AVAILABILITY OF DO NOT RESUSCITATE BRACELETS IN ADDITION TO WRITTEN ORDERS; AND TO AMEND SECTIONS 44-78-25, 44-78-30, 44-78-35, 44-78-40, 44-78-45, AND 44-78-60, ALL RELATING TO MISCELLANEOUS PROVISIONS IN THE ACT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senators HEMBREE and CLEARY proposed the following amendment (AGM\4773C002.AGM.AB16):

Amend the bill, as and if amended, Section 44-78-30, as contained in SECTION 5, by deleting the SECTION in its entirety and inserting:

/ SECTION 5. Section 44-78-30 of the 1976 Code is amended to read:

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“Section 44-78-30. (A) A document purporting to be a ‘do not resuscitate order’ for EMS purposes must be in substantially the following form:

NOTICE TO EMS PERSONNEL

This notice is to inform all emergency medical personnel who may be called to render assistance to _____ he/she has a terminal condition which has been diagnosed by me and has specifically requested that no resuscitative efforts including artificial stimulation of the cardiopulmonary system by electrical, mechanical, or manual means be made in the event of cardiopulmonary arrest.

REVOCACTION PROCEDURE

THIS FORM MAY BE REVOKED BY AN ORAL STATEMENT BY THE PATIENT TO EMS PERSONNEL OR BY MUTILATING, OBLITERATING, OR DESTROYING THE DOCUMENT IN ANY MANNER.

Date: _____

Patient’s signature (or surrogate or agent)

Physician’s signature

Physician’s address

Physician’s telephone number

(B) The department may approve a do not resuscitate bracelet developed and distributed by a commercial vendor if the bracelet contains an emblem that displays an internationally recognized medical symbol on the front and the words ‘South Carolina Do Not Resuscitate EMS’ and the patient’s first name and last name on the back. The department may not approve a do not resuscitate bracelet developed and distributed by a commercial vendor if the vendor does not require a health care provider’s order for the bracelet before distributing it to a patient.

(C) The cost of obtaining a bracelet must be borne by the patient and may not be provided by the department at the expense of the department.

(D) The vendor approved by the department shall not fulfill a request for a do not resuscitate bracelet without receiving a health care provider’s order for the bracelet with the request.” /

Renumber sections to conform.

Amend title to conform.

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Senator HEMBREE explained the amendment.

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

ADOPTED

S. 1341 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 34 FROM THE BISHOPVILLE CITY LIMITS TO THE LEE COUNTY/KERSHAW COUNTY LINE AS "GOVERNOR MCLEOD HIGHWAY" IN HONOR OF FORMER GOVERNOR THOMAS GORDON MCLEOD, AND ERECT APPROPRIATE MARKERS OR SIGNS REFLECTING THIS DESIGNATION.

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

S. 1346 -- Senators M.B. Matthews, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gambrell, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, J. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AND INTERCHANGE TO BE CONSTRUCTED AT THE PROPOSED EXIT 3 ALONG INTERSTATE HIGHWAY 95 IN JASPER COUNTY THE "SENATOR CLEMENTA C. PINCKNEY MEMORIAL BRIDGE AND INTERCHANGE" IN HONOR OF THIS DISTINGUISHED SON OF SOUTH CAROLINA AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

S. 1347 -- Senators M.B. Matthews, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gambrell, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, J. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond,

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Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THE JASPER OCEAN TERMINAL JOINT PROJECT OFFICE BOARD OF DIRECTORS NAME THE PROPOSED JASPER OCEAN TERMINAL TO BE LOCATED IN JASPER COUNTY IN HONOR OF THE LATE SENATOR CLEMENTA C. PINCKNEY.

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

OBJECTION

H. 5119 -- Reps. Goldfinch, Putnam, Clemmons, Quinn, Fry, H.A. Crawford, Johnson, Burns, Collins, Merrill, Yow, Hamilton, McCoy, Jordan, Robinson-Simpson, Finlay, Kennedy, Spires, Ballentine, Bannister, Bedingfield, R.L. Brown, Delleney, Dillard, Duckworth, Felder, Funderburk, Gambrell, Hardee, Henderson, Hill, Lowe, Lucas, D.C. Moss, Nanney, Pitts, Ryhal, Sandifer, G.R. Smith, J.E. Smith, Stringer, Toole, Williams and Willis: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO REQUIRE A MEMBER OF THE STATE GUARD TO COMPLETE A MINIMUM OF ONE HUNDRED NINETY-TWO HOURS OF TRAINING OR DRILL EACH YEAR IN ORDER TO QUALIFY FOR THE DEDUCTION; TO AMEND SECTION 25-1-635, AS AMENDED, RELATING TO LEGAL ASSISTANCE SERVICES FOR GUARD MEMBERS AND IMMEDIATE FAMILY MEMBERS, SO AS TO AUTHORIZE SOUTH CAROLINA STATE GUARD JUDGE ADVOCATES TO PROVIDE THESE SERVICES AND TO INCLUDE THEM WITHIN THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTIONS 25-3-20 AND 25-3-130, BOTH RELATING TO THE GOVERNOR'S AUTHORITY TO CALL THE STATE GUARD INTO DUTY, SO AS TO CLARIFY THE CIRCUMSTANCES AUTHORIZING THE GOVERNOR TO CALL THE STATE GUARD INTO DUTY AND TO PROVIDE THAT CIRCUMSTANCES INVOLVING A NATURAL OR MANMADE DISASTER, EMERGENCY, OR EMERGENCY PREPAREDNESS MAY WARRANT CALLING THE STATE GUARD INTO SERVICE; AND TO AMEND SECTION 25-3-140, RELATING TO PAY OF STATE GUARD MEMBERS ON ACTIVE DUTY, SO AS TO PROVIDE THAT STATE GUARD MEMBERS MAY RECEIVE A DAILY

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STIPEND OR PER DIEM PAY FOR REASONABLE EXPENSES, OR BOTH, IF APPROVED BY THE ADJUTANT GENERAL.

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

H. 5118 -- Reps. Herbkersman and Newton: A BILL TO AMEND SECTION 56-2-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF GOLF CART DECALS, THE REGISTRATION OF GOLF CARTS, AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT CERTAIN MUNICIPALITIES AND COUNTIES MAY ADOPT ORDINANCES THAT ALLOW GOLF CARTS TO BE OPERATED AT NIGHT.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MOTION ADOPTED

At 2:19 P.M., on motion of Senator CROMER, 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.

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

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PROVIDE A DEFINITION FOR THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER", TO CREATE THE OFFENSES OF "ENDANGERMENT OF A HIGHWAY WORKER", AND TO PROVIDE PENALTIES FOR THESE OFFENSES; TO AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT "ENDANGERMENT OF A HIGHWAY WORKER" VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56-5-1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

CONCURRENCE

S. 280 -- Senator Peeler: A BILL TO AMEND SECTION 40-11-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL STATEMENTS AND NET WORTH REQUIREMENTS FOR GENERAL CONTRACTORS AND MECHANICAL CONTRACTORS, SO AS TO ADJUST THE NET WORTH REQUIREMENTS FOR LICENSURE AND LICENSE RENEWAL, AND TO DELETE OBSOLETE LANGUAGE.

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

Senator ALEXANDER explained the amendments.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bright
Bryant	Campbell	Campsen
Coleman	Corbin	Courson
Cromer	Davis	Fair
Gambrell	Gregory	Grooms
Hayes	Hembree	Johnson
Kimpson	Leatherman	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen

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

Total--41

NAYS

Total--0

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

CONCURRENCE

S. 689 -- Senators Hembree and McElveen: A BILL TO AMEND SECTION 56-1-50(B)(2) AND (C) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE BEGINNER'S PERMIT AND VEHICLE OPERATION, TO PROVIDE THAT A PERMITTEE MAY NOT OPERATE A MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE AT ANY UNPERMITTED TIME UNLESS SUPERVISED BY A LICENSED MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE OPERATOR AND TO PROVIDE THAT THE ACCOMPANYING DRIVER MUST BE WITHIN A SAFE VIEWING DISTANCE OF THE PERMITTEE WHEN THE PERMITTEE IS OPERATING A MOTORCYCLE OR A THREE-WHEEL VEHICLE.

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

Senator HEMBREE explained the amendments.

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

Ayes 37; Nays 0

AYES

Alexander	Allen	Bright
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Campbell	Campsen	Corbin
Courson	Cromer	Davis
Fair	Gambrell	Gregory
Grooms	Hayes	Hembree
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, Margie</i>
Nicholson	Peeler	Rankin
Reese	Sabb	Setzler
Shealy	Sheheen	Thurmond
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

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

CONCURRENCE

S. 1212 -- Senator Bright: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO ADD THE RIVER RIDGE PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Senator SHANE MARTIN explained the amendments.

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

Ayes 41; Nays 0

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AYES

Alexander	Allen	Bright
Bryant	Campbell	Campsen
Coleman	Corbin	Courson
Cromer	Davis	Fair
Gambrell	Gregory	Grooms
Hayes	Hembree	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
Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Thurmond	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

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,

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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.

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

Amendment No. P6

Senator KIMPSON proposed the following amendment (GT\3799C022.GT.CM16):

Amend the committee report, as and if amended, page [3799-2] by deleting /automatically/ on line 5.

Re-number sections to conform.

Amend title to conform.

Senator KIMPSON continue explaining the amendment.

Objection

On motion of Senator SHANE MARTIN, with unanimous consent, and Senator KIMPSON retaining the floor, moved to give the Bill a second reading, carrying over all amendments until third reading, waiving Rule 26B.

Senator KIMPSON objected.

Senator KIMPSON resumed speaking on the amendment.

Point of Order

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

Senator KIMPSON spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator KIMPSON moved that the Senate adjourn.

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

Ayes 14; Nays 24

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AYES

Allen	Johnson	Kimpson
Lourie	Malloy	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Reese	Scott	Setzler
Sheheen	Williams	

Total--14

NAYS

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

Total--24

The Senate refused to stand adjourned.

Senator MALLOY spoke on Amendment P6.

Senator KIMPSON spoke on the amendment.

Motion Adopted

On motion of Senator LOURIE, with unanimous consent, Senator LOURIE changed committee selections from Finance to Judiciary and Senator ALLEN changed committee selections from Judiciary to Finance.

Motion Adopted

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

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Recorded Vote

Senators BRIGHT, CROMER, YOUNG, BRYANT, SHANE MARTIN, THURMOND, CORBIN, GROOMS, HAYES and LARRY MARTIN desired to be recorded as voting against the motion to adjourn.

Debate was interrupted by adjournment.

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Rodney Marcus "Rod" Case of Greenwood, S.C. Rodney retired as a credit analyst from Lowes and then opened the Tobacco Case and the Floral Case with his wife Debra. Rod was an avid golfer and N.C. Tarheel fan and enjoyed reading and traveling. He was a member of Greenwood Country Club, Civitans Club, Greenwood Rotary Club and South Main Baptist Church. Rod was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:19 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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