

NO. 29

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

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THURSDAY, FEBRUARY 23, 2017  
(STATEWIDE SESSION)

**Thursday, February 23, 2017**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Matthew 5:13: “You are the salt of the earth; but if the salt has lost its taste, it is no longer good for anything.”

Let us pray. In Your infinite wisdom and caring, You have called these people as special, to do the work for the people of this State. Direct them to be the salt as they lead in creating laws that will be for the advantage of the people of this State. Keep them in Your love and care. Bless our Nation, President, State, Governor, Speaker, staff, and all who work in this Vineyard. Protect and keep them as they return home and give them rest and relaxation to return for another week of work. Bless our first responders and those who defend us at home and abroad. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. NORRELL moved that when the House adjourns, it adjourn in memory of Lanny Ross Stover, brother of Chief Amendment Clerk of the House of Representatives, Mag Rigby, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Representative Gary Smith and other friends and family of those who lost their lives in a tragic airplane crash.

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**MESSAGE FROM THE SENATE**

Columbia, S.C., February 23, 2017

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time today for the purpose of ratifying Acts.

Very respectfully,  
President

On motion of Rep. FORREST the invitation was accepted.

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Arrington	Atkinson	Atwater
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McKnight

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Mitchell	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Ott	Parks	Pitts
Pope	Putnam	Quinn
Ridgeway	S. Rivers	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	Whipper
White	Whitmire	Williams
Willis	Yow	

**Total Present--113**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. W. NEWTON a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. STRINGER a leave of absence a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. M. RIVERS a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ERICKSON a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CHUMLEY a leave of absence for the day due to a death in the family.

**DOCTOR OF THE DAY**

Announcement was made that Dr. John C. Ropp, III of Hartsville was the Doctor of the Day for the General Assembly.

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**SPECIAL PRESENTATION**

Reps. BALLENTINE and HUGGINS presented to the House the Dutch Fork High School Cheerleading Team, coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. CLYBURN, BLACKWELL, TAYLOR and HIXON presented to the House the Aiken High School Varsity Volleyball Team, coaches and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

**CO-SPONSOR ADDED**

Bill Number: H. 3079  
Date: ADD:  
02/23/17 FUNDERBURK

**CO-SPONSOR ADDED**

Bill Number: H. 3147  
Date: ADD:  
02/23/17 BENNETT

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**CO-SPONSOR ADDED**

Bill Number: H. 3204  
Date: ADD:  
02/23/17 BEDINGFIELD

**CO-SPONSOR ADDED**

Bill Number: H. 3516  
Date: ADD:  
02/23/17 KING

**CO-SPONSORS ADDED**

Bill Number: H. 3643  
Date: ADD:  
02/23/17 ROBINSON-SIMPSON, COBB-HUNTER,  
BROWN, BOWERS, HOSEY, CROSBY, SPIRES  
and MCKNIGHT

**CO-SPONSOR ADDED**

Bill Number: H. 3700  
Date: ADD:  
02/23/17 YOW and G. R. SMITH

**CO-SPONSORS ADDED**

Bill Number: H. 3818  
Date: ADD:  
02/23/17 KNIGHT, KING and NORRELL

**CO-SPONSORS ADDED**

Bill Number: H. 3819  
Date: ADD:  
02/23/17 KING and KNIGHT

**SENT TO THE SENATE**

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 3278 -- Reps. Rutherford, Clyburn, Gilliard and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT A STATE, COUNTY, OR MUNICIPAL DETENTION FACILITY SHALL NOT

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PROHIBIT AN IN-PERSON MEETING BETWEEN AN INMATE AND HIS ATTORNEY.

H. 3802 -- Reps. Hayes and Henegan: A BILL TO AMEND SECTION 7-7-410, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN MARLBORO COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

H. 3803 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO DESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

**ORDERED ENROLLED FOR RATIFICATION**

The following Joint Resolution was read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 338 -- Senators Hembree, Courson, J. Matthews, Setzler and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE OPENING DATE FOR STUDENTS TO ATTEND PUBLIC SCHOOLS DURING THE 2017-2018 SCHOOL YEAR MAY BE AS EARLY AS THURSDAY, AUGUST SEVENTEENTH, IN THE DISCRETION OF THE SCHOOL DISTRICT BOARD OF TRUSTEES.

**RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bill was taken up, read the third time, and ordered returned to the Senate with amendments:

S. 263 -- Senators Peeler, Malloy, Alexander, Grooms, Campbell, Turner, Corbin, Gambrell, Martin and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE

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THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE "CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES.

**H. 3146--SENT TO THE SENATE**

The following Joint Resolution was taken up:

H. 3146 -- Reps. Delleney, G. R. Smith, B. Newton, Pitts, G. M. Smith, Daning, Taylor, Martin, W. Newton, Elliott, Loftis, Burns, Hixon, Erickson and Willis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.

The Joint Resolution was read the third time and ordered sent to the Senate.

**H. 3401--DEBATE ADJOURNED**

The following Concurrent Resolution was taken up:

H. 3401 -- Rep. Clemmons: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS AND URGE THEM TO PROPOSE THE REGULATION FREEDOM AMENDMENT TO THE UNITED STATES CONSTITUTION.

Rep. CLEMMONS moved to adjourn debate on the Concurrent Resolution until Thursday, March 2, which was agreed to.



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**RECURRENCE TO THE MORNING HOUR**

Rep. COBB-HUNTER moved that the House recur to the morning hour, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 3839 -- Reps. B. Newton, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR ANDREW JACKSON STATE PARK AT THE CELEBRATION OF THREE SIGNIFICANT MILESTONES IN ITS HISTORY, THE TWO HUNDRED FIFTIETH ANNIVERSARY OF PRESIDENT ANDREW JACKSON'S BIRTH, THE FIFTIETH ANNIVERSARY OF THE BOY OF THE WAXHAWS PARK SCULPTURE, AND THE TWENTIETH ANNIVERSARY OF FRIENDS OF ANDREW JACKSON STATE PARK, AND TO ENCOURAGE ALL CITIZENS OF THE PALMETTO STATE TO VISIT AND ENJOY THIS BEAUTIFUL STATE PARK IN LANCASTER COUNTY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3843 -- Reps. G. M. Smith, Weeks, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg,

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Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MARION KRIEGNER YOUNG OF SUMTER COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3840 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF TIGERVILLE ROAD IN GREENVILLE FROM TIGERVILLE ELEMENTARY SCHOOL TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 11 "DAVID W. STATON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

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H. 3841 -- Reps. Hewitt and Anderson: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CERTAIN DISPOSABLE DIAPERS SOLD TO AN ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AS A NONPROFIT ORGANIZATION.

Referred to Committee on Ways and Means

H. 3842 -- Rep. Simrill: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT OF TAX CREDITS AT FIVE MILLION DOLLARS, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER; TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT, TO QUALIFY THE SOUTH CAROLINA ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT AS A COMMUNITY DEVELOPMENT CORPORATION AND TO QUALIFY THE SOUTH CAROLINA COMMUNITY CAPITAL ALLIANCE AS A COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2027.

Referred to Committee on Ways and Means

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**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MCCOY a leave of absence for the remainder of the day.

**H. 3621--AMENDED, ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3621 -- Rep. Gagnon: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 187 AND SOUTH CAROLINA HIGHWAY 29 IN ANDERSON COUNTY "PAUL ROBISON EARLE MEMORIAL INTERSECTION", AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

Rep. GAGNON proposed the following Amendment No. 1 to H. 3621 (COUNCIL\ZW\3621C001.GGS.ZW17), which was adopted:

Amend the concurrent resolution, as and if amended, by striking all after the resolving clause and inserting:

/ That members of the General Assembly request that the Department of Transportation name the intersection located at the junction of South Carolina Highway 187 and South Carolina Highway 29 in Anderson County "Paul Robinson Earle Memorial Intersection", and erect appropriate markers or signs at this intersection containing this designation.

Be it further resolved that a copy of this resolution be forwarded to the Department of Transportation. /

Renumber sections to conform.

Amend title to conform.

Rep. GAGNON explained the amendment.

The amendment was then adopted.

The Concurrent Resolution, as amended, was adopted and ordered sent to the Senate.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. D. C. MOSS.

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**H. 3204--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3204 -- Reps. Pope, Elliott, Long, Magnuson, Daning, Pitts, Hixon, Crosby, Taylor, W. Newton, Loftis, Erickson and Bedingfield: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-35, 2-19-70, 2-19-80, AND 2-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY.

Rep. POPE moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

**H. 3529--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3529 -- Reps. Bedingfield, Sandifer, Hamilton, Forrester, Atwater, Yow, Clemmons, Crawford, Fry, Hill, Lowe, Pitts, Putnam, Anderson, Martin and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT ANY REGULATION REGARDING THE USE, DISPOSITION, SALE, OR ANY IMPOSITION OF ANY PROHIBITION, RESTRICTION, FEE IMPOSITION, OR TAXATION OF AUXILIARY CONTAINERS MUST BE DONE ONLY BY THE GENERAL ASSEMBLY, TO DEFINE AUXILIARY CONTAINER, TO PROVIDE FOR LEGISLATIVE FINDINGS, AND TO PROVIDE FOR EXCEPTIONS.

Rep. BEDINGFIELD moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

**H. 3516--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3516 -- Reps. Simrill, Lucas, White, G. M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams,

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Jefferson, Ott, Govan, Henderson, V. S. Moss, Martin, Spires, Funderburk, D. C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J. E. Smith, Clemmons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks and King: A BILL TO AMEND SECTION 12-28-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE IN AN INCREASE OF TEN CENTS ON THE FEE OVER FIVE YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE EACH RESIDENT TO PAY AN INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; AND TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE

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COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION.

Rep. SIMRILL moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

**H. 3420--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3420 -- Reps. Herbkersman and Henderson: A JOINT RESOLUTION TO CREATE THE "SHINGLES VACCINATION STUDY COMMITTEE" TO STUDY WHETHER IT IS IN THE PUBLIC INTEREST FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A SHINGLES VACCINATION PROGRAM TO OFFER THE VACCINATION FOR SHINGLES (HERPES ZOSTER) TO CERTAIN PERSONS, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

Rep. HERBKERSMAN explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 73; Nays 29

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Arrington	Atkinson	Bannister
Bernstein	Blackwell	Bowers
Bradley	Brown	Caskey
Clary	Clemmons	Clyburn
Cogswell	Cole	Collins
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Felder	Finlay	Forrester
Fry	Funderburk	Gilliard
Hart	Hayes	Henderson
Henegan	Herbkersman	Hewitt
Hiott	Hosey	Howard
Jefferson	King	Kirby

[HJ]

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Knight	Lucas	Mack
Martin	McEachern	McKnight
V. S. Moss	B. Newton	Norrell
Ott	Parks	Pope
Ridgeway	S. Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Simrill	J. E. Smith	Sottile
Spires	Stavrinakis	Taylor
Thigpen	Weeks	Wheeler
Whipper	Whitmire	Williams
Yow		

**Total--73**

Those who voted in the negative are:

Atwater	Bedingfield	Bennett
Crawford	Delleney	Elliott
Forrest	Gagnon	Hamilton
Hill	Hixon	Huggins
Johnson	Jordan	Loftis
Long	Lowe	Magnuson
McCravy	D. C. Moss	Pitts
G. M. Smith	G. R. Smith	Tallon
Thayer	Toole	West
White	Willis	

**Total--29**

So, the Joint Resolution was read the second time and ordered to third reading.

**RECORD FOR VOTING**

I was out of the Chamber visiting with constituent when the vote on H. 3420 was taken. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Jerry N. Govan, Jr.

**H. 3420--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. HERBKERSMAN, with unanimous consent, it was ordered that H. 3420 be read the third time tomorrow.

[HJ]



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**H. 3358--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3358 -- Reps. Willis, Allison, Collins, Knight, West, Felder and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-87 SO AS TO PROVIDE THAT A PERSON MAY HOLD ONLY ONE DEPARTMENT OF MOTOR VEHICLES-ISSUED CREDENTIAL AT A TIME, TO PROVIDE THAT A REAL ID CARD MAY BE A DRIVER'S LICENSE OR IDENTIFICATION CARD, AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A COMPLIANT OR NON-COMPLIANT CREDENTIAL TO A PERSON WHO PRESENTS CERTAIN DOCUMENTS TO THE DEPARTMENT; TO AMEND SECTION 56-1-85, RELATING TO THE STATE'S NON-PARTICIPATION IN THE FEDERAL REAL ID ACT, SO AS TO PROVIDE THAT THE STATE SHALL MEET ALL THE REQUIREMENTS OF THE FEDERAL REAL ID ACT; TO AMEND SECTION 56-1-90, RELATING TO IDENTIFICATION NECESSARY TO OBTAIN A DRIVER'S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET TO PROVE THE EXISTENCE AND VALIDITY OF A PERSON'S SOCIAL SECURITY NUMBER; TO AMEND SECTION 56-1-140, AS AMENDED, RELATING TO THE ISSUANCE OF A DRIVER'S LICENSE, SO AS TO REVISE THE COST AND FREQUENCY OF THE RENEWAL PERIOD FOR A DRIVER'S LICENSE, TO REVISE THE CONTENT OF A DRIVER'S LICENSE, AND TO ELIMINATE THE FEE ASSOCIATED WITH THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE; TO AMEND SECTION 56-1-210, RELATING TO THE EXPIRATION OF A DRIVER'S LICENSE, SO AS TO REVISE THE EXPIRATION DATE OF A LICENSE ISSUED AFTER OCTOBER 1, 2017, AND TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO HAVE HIS LICENSE RENEWED; AND TO AMEND SECTION 56-1-220, AS AMENDED, RELATING TO VISION SCREENINGS REQUIRED FOR RENEWAL OF A DRIVER'S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO RENEW HIS DRIVER'S LICENSE.

Rep. WILLIS moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

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**H. 3247--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3247 -- Reps. Crosby, Collins, Daning and Knight: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED", "DAYLIGHT HOURS", AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, SO AS TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE

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OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPED AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPED; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPED OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPED OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS

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PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, RELATING TO THE TERM "MOTOR-DRIVEN CYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-155, RELATING TO THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-165, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE

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THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" TO EXCLUDE MOPEDS; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

Rep. CROSBY moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

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**H. 3652--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3652 -- Reps. Forrester, V. S. Moss, Clemmons, Allison, Loftis, Burns, Chumley, Jefferson, Mack, Willis, Anderson, Anthony, Ballentine, Duckworth, Henderson, D. C. Moss, Norman, Pitts, S. Rivers, Rutherford, Tallon, Elliott and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-35-3265 SO AS TO REQUIRE GOVERNMENTAL AGENCIES TO CONSIDER ALL PIPING MATERIALS FOR DETERMINING REQUIREMENTS FOR CERTAIN PROJECTS, TO PROVIDE PIPING MATERIALS THAT MEET SUCH REQUIREMENTS AND COMPLY WITH SOUND ENGINEERING PRACTICES MUST BE ALLOWED TO BE CONSIDERED IN RELATED PROCUREMENT BIDDING PROCESSES, AND TO PROVIDE THE PROVISIONS OF THIS SECTION DO NOT LIMIT THE DISCRETION OF GOVERNMENTAL AGENCIES FROM SELECTING PIPING MATERIALS FOR PROJECTS SUBJECT TO THE PROVISIONS OF THIS SECTION.

Rep. FORRESTER moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

**H. 3240--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3240 -- Reps. Clemmons, Lucas, Pope, Bannister, Rutherford, Delleney, White, Sandifer, Hiott, Allison, G. R. Smith, Bedingfield, W. Newton, Taylor, Yow, Murphy, Thayer, Finlay, D. C. Moss, Hayes, Crawford, Ryhal, Duckworth, Johnson, Fry, Hewitt, S. Rivers, Huggins, Chumley, Gagnon, Burns, Hill, Stringer, Loftis, Atwater, Clyburn, Elliott, Long, Magnuson, B. Newton, G. M. Smith, West, Whitmire, Hixon, Daning, Hamilton, Hardee, Crosby, Martin, V. S. Moss and Blackwell: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPONS PERMITS, SO AS TO ENACT THE "NATIONAL CONCEALED WEAPONS PERMIT RECIPROCITY ACT" BY REVISING THE CONDITIONS THAT ALLOW A HOLDER OF AN OUT-OF-STATE WEAPONS PERMIT TO CARRY A WEAPON IN THIS STATE.

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Rep. CLEMMONS moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

**H. 3565--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3565 -- Reps. Fry, Crawford, Elliott, Burns, Clemmons, Allison, Jordan, Yow, Johnson, Atwater, Duckworth, Ryhal, Loftis, Hewitt, V. S. Moss, D. C. Moss, Daning, Hardee, Felder, Erickson, Bales, Hamilton, Huggins, Putnam, Anthony, Bedingfield, West, Atkinson, Bennett, B. Newton, Lucas, Arrington, Ballentine, Chumley, Crosby, Davis, Delleney, Forrester, Gagnon, Hixon, Long, Lowe, Murphy, Pitts, Pope, S. Rivers, Sandifer, Simrill, Stringer, Taylor, Thayer, White, Bannister, Tallon, McCravy, Quinn and McEachern: A BILL TO AMEND SECTION 1-23-600, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TIMELY REQUESTS FOR CONTESTED CASE HEARINGS UNDER THE ADMINISTRATIVE PROCEDURES ACT AND RELATED PROVISIONS, SO AS TO ESTABLISH AN AUTOMATIC STAY CONCERNING LICENSE ISSUANCES, RENEWALS AND THE LIKE, AND TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH THE AUTOMATIC STAY MAY BE LIFTED.

Rep. FRY moved to adjourn debate on the Bill until Tuesday, February 28, which was agreed to.

**H. 3719--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3719 -- Reps. Burns, Hiott, Hixon, Chumley, Bannister and G. R. Smith: A BILL TO AMEND SECTION 48-35-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE FORESTER'S AUTHORITY TO DIRECT THAT CERTAIN FIRES NOT BE STARTED, SO AS TO PROVIDE THAT WHEN EXTREME CONDITIONS EXIST, THE STATE FORESTER MAY PROHIBIT ALL OPEN BURNING EXCEPT FIRES USED FOR NONRECREATIONAL PURPOSES; AND TO AMEND SECTION 48-35-60, RELATING TO PENALTIES ASSOCIATED WITH THE STARTING OF UNLAWFUL FIRES, SO AS TO REVISE THE PENALTIES.

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The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No.1 to H. 3719 (COUNCIL\CM\3719C001.GT.CM17), which was adopted:

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

\ SECTION 1. Section 48-35-50 of the 1976 Code is amended to read:

“Section 48-35-50. The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fires covered by this chapter not be started. The State Forester also may prohibit all open burning regardless of whether a permit or notification is required, including campfires, bonfires, and other fires for recreational purposes. This prohibition shall not apply to fires used for nonrecreational purposes such as those for human warmth or for the preparation of food for immediate consumption.”

SECTION 2. Section 48-35-60 of the 1976 Code is amended to read:

“Section 48-35-60. Any person violating the provisions of this chapter ~~shall~~ may be deemed guilty of a misdemeanor and, upon conviction, ~~shall~~ may be fined not ~~less than ten dollars nor more than one~~ two hundred dollars or imprisoned for not ~~less than ten days nor more than thirty days for a first offense.~~ For any second or subsequent offense, a fine of not less than ~~twenty-five~~ five hundred dollars ~~nor more than three hundred dollars~~ or imprisonment for not more than ~~six months~~ sixty days, or both may be imposed in the discretion of the court. ‘Subsequent offense’, as used in this section, shall mean an offense committed within ten years of a previous offense.”

SECTION 3. This act takes effect upon approval by the Governor.\

Renumber sections to conform.

Amend title to conform.

Rep. DILLARD explained the amendment.

The amendment was then adopted.

Rep. WILLIAMS proposed the following Amendment No. 2 to H. 3719 (COUNCIL\ZW\3719C001.GGS.ZW17), which was tabled:

Amend the bill, as and if amended, as contained in SECTION 2, starting on page 3719-1, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 48-35-60 of the 1976 Code is amended to read:



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“Section 48-35-60. Any person violating the provisions of this chapter ~~shall~~ may be deemed guilty of a misdemeanor and, upon conviction, ~~shall~~ may be fined not ~~less than ten dollars nor more than one~~ three hundred dollars or imprisoned for not ~~less than ten days nor more than thirty days for a first offense~~. For any second or subsequent offense, a fine of not less than ~~twenty-five~~ seven hundred fifty dollars ~~nor more than three hundred dollars~~ or imprisonment for not more than ~~six months~~ sixty days, or both may be imposed in the discretion of the court. ‘Subsequent offense’, as used in this section, shall mean an offense committed within ten years of a previous offense.” /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIAMS explained the amendment.

Rep. BURNS spoke against the amendment and moved to table the amendment.

Rep. WILLIAMS demanded the yeas and nays which were taken, resulting as follows:

Yeas 57; Nays 33

Those who voted in the affirmative are:

Allison	Arrington	Bedingfield
Bernstein	Blackwell	Bowers
Bradley	Burns	Clary
Clemmons	Cogswell	Cole
Collins	Crawford	Crosby
Davis	Delleney	Duckworth
Elliott	Finlay	Forrest
Forrester	Fry	Gagnon
Hayes	Henderson	Hewitt
Hill	Hiott	Hixon
Hosey	Johnson	Loftis
Long	Lowe	Magnuson
Martin	McCravy	D. C. Moss
V. S. Moss	Murphy	B. Newton
Pitts	Pope	S. Rivers
Sandifer	G. M. Smith	G. R. Smith
Sottile	Spires	Tallon

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Taylor	Thayer	Toole
West	White	Willis

**Total--57**

Those who voted in the negative are:

Atkinson	Atwater	Brown
Clyburn	Daning	Douglas
Funderburk	Gilliard	Govan
Hart	Howard	Huggins
Jefferson	King	Kirby
Knight	Mack	McEachern
Norrell	Ott	Parks
Ridgeway	Robinson-Simpson	Rutherford
Ryhal	J. E. Smith	Stavrinakis
Thigpen	Weeks	Wheeler
Whipper	Williams	Yow

**Total--33**

So, the amendment was tabled.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 6

Those who voted in the affirmative are:

Allison	Anderson	Arrington
Atkinson	Atwater	Bamberg
Bannister	Bedingfield	Bernstein
Blackwell	Bowers	Bradley
Brown	Burns	Caskey
Clary	Clemmons	Clyburn
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan

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Hart	Hayes	Henderson
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lucas
Mack	Martin	McCravy
McEachern	McKnight	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Ott	Parks
Pope	Ridgeway	S. Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Weeks	West
Wheeler	Whipper	Whitmire
Willis		

**Total--94**

Those who voted in the negative are:

Hill	Lowe	Magnuson
White	Williams	Yow

**Total--6**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3719--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. BURNS, with unanimous consent, it was ordered that H. 3719 be read the third time tomorrow.

**RECURRENCE TO THE MORNING HOUR**

Rep. HOWARD moved that the House recur to the morning hour, which was agreed to.

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**HOUSE RESOLUTION**

The following was introduced:

H. 3844 -- Reps. Felder, Delleney, King, D. C. Moss, V. S. Moss, B. Newton, Pope and Simrill: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ROSS F. LORDO OF YORK COUNTY AND TO CONGRATULATE HIM FOR BEING ELECTED PRESIDENT OF THE STUDENT BODY OF THE UNIVERSITY OF SOUTH CAROLINA.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3845 -- Reps. Hill, Gagnon, Willis, G. R. Smith, Burns, Magnuson, Pitts and Ryhal: A BILL TO AMEND SECTION 44-89-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHAPTER DEFINITIONS, SO AS TO CHANGE THE DEFINITIONS OF "BIRTHING CENTER" AND "LAY MIDWIFE" AND ADD A DEFINITION FOR "CONSULTANT PHYSICIAN"; AND TO AMEND SECTION 44-89-60, RELATING TO THE REGULATION OF BIRTH CENTERS, SO AS TO REQUIRE A CONSULTANT PHYSICIAN TO BE AVAILABLE AT ALL TIMES A BIRTH CENTER IS CONDUCTING BUSINESS TO PROVIDE CONSULTATION AND/OR ACCEPT TRANSFERS OF MOTHERS AND BABIES, TO REQUIRE BIRTHS PLANNED TO OCCUR AT A BIRTH CENTER TO BE EVALUATED BY CLINICAL STAFF TO ASSESS FOR RISK STATUS AND TO DOCUMENT EVALUATIONS IN CLIENT FILES, TO ESTABLISH LICENSING AND CERTIFICATION REQUIREMENTS OF BIRTH CENTER CLINICAL STAFF, TO REQUIRE BIRTH CENTERS TO ESTABLISH AN ADVISORY COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP AND RESPONSIBILITIES, TO REQUIRE BIRTH CENTERS TO ADOPT POLICY AND PROCEDURES THAT ADDRESS THE TRANSFER OF CLIENTS AND NEWBORNS TO ACUTE CARE HOSPITALS, TO PROVIDE LIMITED IMMUNITY

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FROM CIVIL AND CRIMINAL LIABILITY FOR CONSULTANT PHYSICIANS, AND FOR OTHER PURPOSES.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3846 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 40-59-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM HOMEBUILDERS LICENSURE REQUIREMENTS FOR CERTAIN RESIDENTIAL PROPERTY IMPROVEMENTS MADE BY PROPERTY OWNERS FOR PERSONAL USE, SO AS TO REMOVE A PROVISION WHICH DISQUALIFIES PROPERTY OWNERS WHO SELL OR RENT SUCH AN IMPROVED PROPERTY WITHIN TWO YEARS AFTER THE IMPROVEMENTS ARE MADE FROM THIS EXCEPTION, AND TO MAKE A CONFORMING CHANGE IN A RELATED DISCLOSURE GIVEN TO PROPERTY OWNERS SEEKING TO QUALIFY FOR THE EXCEPTION.

Referred to Committee on Labor, Commerce and Industry

H. 3847 -- Reps. Funderburk and Norrell: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PROSTITUTION OFFENSES, SO AS TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE WHEN A VICTIM OF HUMAN TRAFFICKING IS CHARGED WITH A PROSTITUTION OFFENSE; TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY; TO ADD ADDITIONAL PENALTIES FOR OWNERS OF BUSINESS ESTABLISHMENTS WHO KNOWINGLY ALLOW THE BUSINESS ESTABLISHMENT TO BE USED IN VIOLATION OF A PROSTITUTION OFFENSE; TO ALLOW THE COURT TO ORDER A PERSON TO COMPLETE A PROGRAM DESIGNED SPECIFICALLY FOR PERSONS WHO SOLICIT OR PROCURE A PERSON FOR PROSTITUTION; AND TO REPEAL SECTION 16-15-110 RELATING TO PROSTITUTION.

Referred to Committee on Judiciary

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H. 3848 -- Reps. Tallon, Hixon, Arrington and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-19-365 SO AS TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO REPORT CHILD DEATHS TO A COUNTY CORONER AND LAW ENFORCEMENT AND TO ESTABLISH CRIMINAL PENALTIES.

Referred to Committee on Judiciary

H. 3849 -- Reps. Crawford, Jordan, Fry, Ott and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-15-80 SO AS TO ESTABLISH A RESIDENCY REQUIREMENT FOR CANDIDATES FOR LOCAL OFFICE THAT ARE ELECTED FROM SPECIFIC DISTRICTS.

Referred to Committee on Judiciary

H. 3850 -- Reps. Bernstein, Rutherford, Tallon, Bannister, McCoy, Simrill, Stavrinakis, Herbkersman, Cole, J. E. Smith and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-555 SO AS TO PROVIDE DEFINITIONS FOR "NONPROFIT ORGANIZATION" AND "NONPROFIT SPECIAL EVENT", AND TO PROVIDE THAT A NONPROFIT ORGANIZATION MAY BE ISSUED A LICENSE TO SERVE BEER AND WINE AT A NONPROFIT SPECIAL EVENT UNDER CERTAIN CONDITIONS.

Referred to Committee on Judiciary

H. 3851 -- Reps. Bernstein, Rutherford, Tallon, Bannister, McCoy, Simrill, Stavrinakis, Herbkersman, Cole, J. E. Smith and Finlay: A BILL TO AMEND SECTION 61-4-1515, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BREWERIES, SAMPLES AND SALES FOR ON- AND OFF-PREMISES CONSUMPTION, SO AS TO PROVIDE THAT A BREWERY BREWING AND SELLING BEER ON ITS LICENSED PREMISES IN THIS STATE MAY APPLY FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BY THE DRINK FOR CONSUMPTION WITHIN A SPECIFIED AREA UNDER CERTAIN CONDITIONS, AND TO PROVIDE THAT A BREWPUB MAY APPLY FOR A BREWERY PERMIT PROVIDED THAT IT SURRENDERS ITS BREWPUB PERMIT AT THE TIME THE BREWERY PERMIT IS ISSUED.

Referred to Committee on Judiciary

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**MOTION ADOPTED**

Rep. HIOTT moved that when the House adjourn today, it stand adjourned to meet in Local Session on Friday, February 24, and to next meet in Statewide Session on Tuesday, February 28 at 11:30 a.m., which was agreed to.

Rep. HIOTT moved that the House do now adjourn, which was agreed to.

**RATIFICATION OF ACTS  
FOR FEBRUARY 23, 2017**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 23, 2017, at 11:50 A.M. and the following Acts and Joint Resolutions were ratified:

(R. 1, S. 42) -- Senators Bryant, Gambrell and Hembree: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED BY STUDENTS ATTENDING TOWNVILLE ELEMENTARY SCHOOL IN ANDERSON COUNTY SCHOOL DISTRICT 4, FOLLOWING THE TRAGIC EVENTS THAT OCCURRED ON SEPTEMBER 28, 2016, ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO DISRUPTIONS BE MADE UP.

(R. 2, S. 310) -- Senator Sheheen: AN ACT TO PERMIT THE TOWN OF CAMDEN TO ANNEX CERTAIN REAL PROPERTY BY ORDINANCE UPON FINDING THAT THE PROPERTY IS BLIGHTED.

(R. 3, S. 338) -- Senators Hembree, Courson, J. Matthews, Setzler and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE OPENING DATE FOR STUDENTS TO ATTEND PUBLIC SCHOOLS DURING THE 2017-2018 SCHOOL YEAR MAY BE AS EARLY AS THURSDAY, AUGUST SEVENTEENTH, IN THE DISCRETION OF THE SCHOOL DISTRICT BOARD OF TRUSTEES.

(R. 4, H. 3462) -- Reps. Kirby, Jordan, Williams, Alexander and Lowe: AN ACT TO AMEND ACT 84 OF 2011, AS AMENDED,

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RELATING TO THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE, SO AS TO EXTEND THE TERMS OF THE MEMBERS OF THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE TO FOUR YEARS, TO STAGGER THE TERMS OF THE MEMBERS, TO REQUIRE THAT THE MEMBERS BE ELECTED AT A GENERAL ELECTION HELD IN AN EVEN-NUMBERED YEAR, AND TO PROVIDE THE PROCESS BY WHICH A VACANCY IS FILLED.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3813 -- Reps. Clyburn, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CELEBRATE AND REMEMBER THE LIFE OF GLOVER MOORE ELIJAH HICKSON III FOR HIS DEDICATED AND FAITHFUL SERVICE TO THE AIKEN COMMUNITY AND TO EXTEND HEARTFELT SYMPATHY TO HIS LOVING FAMILY AND FRIENDS.

H. 3676 -- Reps. Murphy, Knight, Arrington, Bennett, Whipper, Mack and Jefferson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD ORANGEBURG ROAD IN SUMMERVILLE FROM ITS INTERSECTION WITH BUTTERNUT ROAD WESTWARD TO ITS



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INTERSECTION WITH WILLOW OAKS LANE "COACH PAT EIDSON WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

H. 3016 -- Reps. V. S. Moss, Atwater, Long and Magnuson: A CONCURRENT RESOLUTION TO REAFFIRM "IN GOD WE TRUST" AS THE OFFICIAL MOTTO OF THE UNITED STATES OF AMERICA AND TO SUPPORT AND ENCOURAGE THE DISPLAY OF THE MOTTO IN HOMES, HOUSES OF WORSHIP, AND IN ALL PUBLIC BUILDINGS, PUBLIC SCHOOLS, AND OTHER GOVERNMENTAL INSTITUTIONS.

**ADJOURNMENT**

At 11:54 a.m. the House, in accordance with the motion of Rep. NORRELL, adjourned in memory of Lanny Ross Stover of Heath Springs, brother of Chief Amendment Clerk of the House of Representatives, Mag Rigby, to meet at 10:00 a.m. tomorrow.

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