

NO. 35

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, MARCH 7, 2017
(STATEWIDE SESSION)

Tuesday, March 7, 2017
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from 2 Peter 1:19: "Lord, help us to pay attention to your word so that faith shines forth from our hearts."

Let us pray. Lord, help us to pay attention to Your word so that faith shines forth in our hearts. Grant these Representatives the power and courage to find the best solutions to the problems they deal with every day. Bless those who lead us in this Nation and State, the President, Governor, Speaker, and those who serve on staff to accomplish those needful things. Protect 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 prayer. 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 Friday, the SPEAKER ordered it confirmed.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., March 7, 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. COLLINS the invitation was accepted.

TUESDAY, MARCH 7, 2017

REPORT OF STANDING COMMITTEE

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3792 -- Reps. Thayer, Funderburk and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-23-245 SO AS TO PROVIDE MINIMUM STANDARDS FOR THE NUMBERS OF TOILETS AND LAVATORIES AVAILABLE FOR MEN AND WOMEN AT MIDDLE SCHOOL FOOTBALL STADIUMS AND HIGH SCHOOL FOOTBALL STADIUMS, AND TO PROVIDE THESE STANDARDS APPLY NOTWITHSTANDING OTHERWISE APPLICABLE BUILDING CODES AND PLUMBING CODES, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3234 -- Reps. McEachern and Sandifer: A BILL TO AMEND SECTION 27-40-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS TO THE PROVISIONS OF THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO DELETE OCCUPANCY UNDER A RENTAL AGREEMENT COVERING THE PREMISES USED BY THE OCCUPANT PRIMARILY FOR AGRICULTURAL PURPOSES AS AN EXEMPTION UNDER THE ACT.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3649 -- Reps. Crawford and Sandifer: A BILL TO AMEND SECTION 40-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND OFFICERS OF THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY PROVIDE ADVICE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING THE DEVELOPMENT OF STATUTORY REVISIONS AND OTHER MATTERS AS THE DEPARTMENT REQUESTS CONCERNING

TUESDAY, MARCH 7, 2017

THE ADMINISTRATION OF CHAPTER 3, TITLE 40; TO AMEND SECTION 40-3-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO REVISE THIS JURISDICTION; AND TO AMEND SECTION 40-3-290, RELATING TO EXCEPTIONS FROM CHAPTER 3, TITLE 40, SO AS TO REVISE CRITERIA FOR CERTAIN EXEMPT BUILDINGS AND DETACHED SINGLE-FAMILY OR TWO-FAMILY DWELLINGS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 3653 -- Reps. Forrester, Yow, Loftis, Henegan, Spires, Anderson, Burns, V. S. Moss, Crawford, Hamilton, Felder, Norman, Anthony, Chumley, Erickson, Gagnon, Hayes, Henderson, Hosey, Jefferson, S. Rivers, Ryhal, Sandifer, Thayer, Willis, Atkinson, Alexander and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 31 SO AS TO PROVIDE THE OPERATIONS OR EXPANSIONS OF MANUFACTURING AND INDUSTRIAL FACILITIES MAY NOT BE CONSIDERED PUBLIC OR PRIVATE NUISANCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE RELATED FINDINGS, TO EXPLICITLY PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES TO THE CONTRARY, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE CONSTRUED TO MODIFY STATUTORY EMINENT DOMAIN LAWS OR ENVIRONMENTAL LAWS, AND TO PROVIDE THE PROVISIONS OF THIS ACT DO NOT APPLY TO NUISANCE ACTIONS COMMENCED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS CHAPTER.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 3861 -- Reps. Hixon, Hamilton, Crawford and Sandifer: A BILL TO AMEND SECTION 40-57-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE REAL ESTATE COMMISSION TO RECOGNIZE NONRESIDENT REAL ESTATE LICENSES ON ACTIVE STATUS

TUESDAY, MARCH 7, 2017

FROM OTHER JURISDICTIONS WHICH RECIPROCATE, SO AS TO REMOVE THE REQUIREMENT THAT SUCH NONRESIDENT APPLICANTS SEEKING LICENSURE IN THIS STATE FIRST MUST COMPLETE SUCCESSFULLY THE STATE PORTIONS OF THE APPLICABLE EXAMINATIONS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

S. 218 -- Senators Massey, Bennett, Alexander, Bryant, Rice, Gregory, Corbin, Martin, Campsen, Turner and Young: A BILL TO AMEND CHAPTER 1, TITLE 41 OF THE 1976 CODE, RELATING TO LABOR AND EMPLOYMENT GENERALLY, BY ADDING SECTION 41-1-25, TO PROVIDE THAT A POLITICAL SUBDIVISION OF THIS STATE MAY NOT ESTABLISH, MANDATE, OR OTHERWISE REQUIRE AN EMPLOYEE BENEFIT; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3892 -- Reps. Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, 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. 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 DECLARE MARCH 2017 AS KIDNEY MONTH IN THE PALMETTO STATE

TUESDAY, MARCH 7, 2017

TO HELP RAISE AWARENESS OF THE RISK FACTORS, TREATMENT, AND PREVENTION OF CHRONIC KIDNEY DISEASE, AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE THE IMPORTANCE OF MAINTAINING GOOD KIDNEY HEALTH.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3893 -- Rep. King: A HOUSE RESOLUTION TO CONGRATULATE PENINNAH BOWEN LOWRY OF YORK COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3894 -- Reps. G. R. Smith, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, 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. M. 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 DECLARE MAY 7-14, 2017, MUSIC WEEK IN SOUTH CAROLINA, IN

TUESDAY, MARCH 7, 2017

COORDINATION WITH NATIONAL MUSIC WEEK, AND TO ENCOURAGE ALL CITIZENS OF THE PALMETTO STATE TO MAKE MUSIC AN IMPORTANT PART OF THEIR LIVES.

The Resolution was adopted.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 303 -- Senators Bryant, Alexander, Bennett, Campbell, Campsen, Climer, Corbin, Courson, Cromer, Davis, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Leatherman, Martin, Massey, Peeler, Rankin, Rice, Senn, Shealy, Talley, Timmons, Turner, Verdin and Young: A CONCURRENT RESOLUTION TO INVITE THE HONORABLE DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES OF AMERICA, TO ADDRESS THE SOUTH CAROLINA GENERAL ASSEMBLY IN JOINT ASSEMBLY IN THE CHAMBER OF THE HOUSE OF REPRESENTATIVES AT A TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 502 -- Senators Courson, Setzler, J. Matthews, Hembree and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE SOUTH CAROLINA EDUCATION ASSOCIATION ON ITS MANY YEARS OF COMMITMENT TO QUALITY EDUCATION IN THE PUBLIC SCHOOLS AND TO CONGRATULATE THE ORGANIZATION AT THE CELEBRATION OF ITS FIFTY-YEAR ANNIVERSARY OF UNIFICATION.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

TUESDAY, MARCH 7, 2017

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 509 -- Senator Hembree: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MRS. JANELLE LEWIS FOR HER SIGNIFICANT PARTICIPATION IN THE HORRY ELECTRIC COOPERATIVE, INC., AND TO CONGRATULATE HER UPON BEING NAMED THE COOPERATIVE'S 2017 RURAL LADY OF THE YEAR.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 510 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR VANESSA MARTIN AND SHANNON TAYLOR, FACULTY ADVISORS FOR THE FAIRFIELD CENTRAL HIGH SCHOOL BETA CLUB, AND TO CONGRATULATE THEM AND THE BETA CLUB MEMBERS FOR THEIR EXCEPTIONAL YEAR OF GROWTH AND SUCCESS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 513 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LAMAR RICHARDS, A SOPHOMORE AT FAIRFIELD CENTRAL HIGH SCHOOL, AND TO CONGRATULATE HIM FOR BEING NAMED PRESIDENT OF THE SOUTH CAROLINA SENIOR BETA CLUB.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

TUESDAY, MARCH 7, 2017

INTRODUCTION OF BILLS

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

H. 3720 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Without Reference

H. 3721 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2016-2017, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Without Reference

H. 3895 -- Rep. Herbkersman: A BILL TO AMEND ARTICLES 9 AND 11 OF CHAPTER 9, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVENUE AND FISCAL AFFAIRS, SO AS TO REORGANIZE THE ARTICLES, TO ELIMINATE CERTAIN DIVISIONS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 2-7-71 AND 2-7-78, RELATING TO CERTAIN IMPACT STATEMENTS, SO AS TO REQUIRE THE STATEMENTS TO BE CERTIFIED BY THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 2-7-73, AS AMENDED, RELATING TO HEALTH COVERAGE IMPACT STATEMENTS, SO AS TO REQUIRE THE DEPARTMENT OF INSURANCE TO CONDUCT THE ANALYSIS; TO AMEND SECTION 4-10-790, RELATING TO DISTRIBUTIONS FROM A LOCAL OPTION SALES AND USE TAX, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FURNISH DATA TO THE STATE TREASURER, AND TO REQUIRE THE REVENUE AND FISCAL AFFAIRS OFFICE TO PROVIDE CERTAIN ASSISTANCE; TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO FINANCIAL REPORTS FROM COUNTIES AND MUNICIPALITIES, SO AS TO

TUESDAY, MARCH 7, 2017

DELAY THE REPORTS UNTIL MARCH FIFTEENTH; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO ALLOW THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE TO APPOINT A MEMBER; TO AMEND SECTIONS 27-2-85 AND 27-2-95, RELATING TO THE SOUTH CAROLINA GEODETIC SURVEY, SO AS TO DELETE OBSOLETE REFERENCES; TO AMEND SECTION 44-6-170, RELATING TO THE DATA OVERSIGHT COUNCIL, SO AS TO DELETE OBSOLETE REFERENCES, AND TO REVISE THE COMPOSITION OF THE COUNCIL; TO AMEND SECTION 44-6-5, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE AN OBSOLETE REFERENCE; TO REDESIGNATE CERTAIN SECTIONS OF THE CODE; AND TO REPEAL SECTIONS 1-11-360, 2-7-62, 44-6-175, AND 48-22-20 ALL RELATING TO THE DUTIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE.

Referred to Committee on Ways and Means

H. 3896 -- Reps. Duckworth, Kirby, Johnson, Hardee, Hosey, Crosby, S. Rivers, Arrington, Daning, V. S. Moss, Elliott, Bales, Bannister, Bennett, Dillard, Hamilton, G. R. Smith and Willis: A BILL TO AMEND SECTION 4-9-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF A COUNTY GOVERNMENT, SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH AND TO PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE.

Referred to Committee on Judiciary

H. 3897 -- Rep. D. C. Moss: A BILL TO AMEND SECTION 15-49-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITION REQUIREMENTS FOR A NAME CHANGE, SO AS TO ESTABLISH THAT A PETITIONER MUST ATTACH AN AFFIDAVIT PROVIDING PROOF OF RESIDENCY FOR AT LEAST ONE YEAR TO THE PETITION FOR A NAME CHANGE.

Referred to Committee on Judiciary

TUESDAY, MARCH 7, 2017

H. 3898 -- Reps. Knight, Henegan, Spires, King, Douglas, Robinson-Simpson, Felder, Hosey, Clyburn, Mack, Kirby, Alexander, Bennett, Whipper, Collins, Arrington, Loftis and Pitts: A BILL TO AMEND SECTION 63-9-780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACCESS TO AND DISCLOSURE OF NONIDENTIFYING AND IDENTIFYING INFORMATION ABOUT ADOPTEES, BIOLOGICAL PARENTS, AND BIOLOGICAL SIBLINGS, SO AS TO APPLY ALSO TO BIOLOGICAL GRANDPARENTS, AND FOR OTHER PURPOSES.

Referred to Committee on Judiciary

H. 3899 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO HOTELS, MOTELS, AND SIMILAR FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4664, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3900 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO CIGARETTE TAXES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4702, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3901 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO EXEMPTION MEALS SOLD TO SCHOOL CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 4731, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3902 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO INVESTIGATION AND PRODUCTION OF EVIDENCE, DESIGNATED AS REGULATION DOCUMENT

TUESDAY, MARCH 7, 2017

NUMBER 4677, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3903 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO ISSUANCE OF COMPLAINT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4679, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3904 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PLEADINGS, MOTIONS AND DISCOVERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4680, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3905 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PRESERVATION OF RECORDS IN EVENT OF CHARGE OF DISCRIMINATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4681, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3906 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PROCEDURE FOR THE INSTITUTION OF CIVIL ACTIONS AS PROVIDED IN SECTION 1-13-90(d) OF THE ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4682, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

TUESDAY, MARCH 7, 2017

H. 3907 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF AMUSEMENT RIDES, RELATING TO PURPOSE AND DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4712, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3908 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO STATE EMERGENCY MANAGEMENT STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4703, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3909 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO COMPLAINT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4675, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3910 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO EMPLOYMENT RECORDS TO BE RETAINED FOR SIX MONTHS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4676, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

S. 381 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIGARETTES FOUND NOT HAVING AFFIXED TO THE PACKAGE CERTAIN STAMPS, SO AS TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT NOT HAVING AFFIXED

TUESDAY, MARCH 7, 2017

TO THE PACKAGE CERTAIN STAMPS ARE CONSIDERED CONTRABAND.

Referred to Committee on Ways and Means

S. 394 -- Senators Sheheen, Jackson, Nicholson, Scott, Bennett and Gambrell: A BILL TO AMEND SECTION 9-1-1085, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM EMPLOYER AND EMPLOYEE CONTRIBUTION RATES, SO AS TO CHANGE FUTURE EMPLOYER AND EMPLOYEE CONTRIBUTION RATES AND TO REQUIRE THAT THE UNFUNDED LIABILITIES OF THE SYSTEM MUST BE ON A CERTAIN AMORTIZATION SCHEDULE; TO AMEND SECTION 9-11-225, RELATING TO THE POLICE OFFICERS RETIREMENT SYSTEM EMPLOYER AND EMPLOYEE CONTRIBUTION RATES, SO AS TO CHANGE FUTURE EMPLOYER AND EMPLOYEE CONTRIBUTION RATES AND TO REQUIRE THAT THE UNFUNDED LIABILITIES OF THE SYSTEM MUST BE ON A CERTAIN AMORTIZATION SCHEDULE; TO AMEND SECTION 9-16-335, RELATING TO THE ASSUMED RATE OF RETURN, SO AS TO CHANGE THE ASSUMED RATE OF RETURN TO SEVEN AND ONE QUARTER PERCENT AND TO PROVIDE THAT THE ASSUMED RATE OF RETURN EXPIRES EVERY FOUR YEARS; TO AMEND SECTION 9-4-10, RELATING TO THE TERM OF MEMBERS OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA), SO AS TO CHANGE THE TERM FROM TWO TO FIVE YEARS AND TO REQUIRE THE BOARD TO EMPLOY AN EXECUTIVE DIRECTOR; TO AMEND SECTION 9-4-40, RELATING TO THE AUDIT OF PEBA, SO AS TO REQUIRE PEBA TO BE AUDITED EVERY FOUR YEARS; TO AMEND SECTION 9-16-10, AS AMENDED, RELATING TO RETIREMENT SYSTEM FUNDS "FIDUCIARY" DEFINITION, SO AS TO ADD THE COMMISSION'S "CHIEF EXECUTIVE OFFICER" TO THE DEFINITION; TO AMEND SECTION 9-16-90, AS AMENDED, RELATING TO CERTAIN INVESTMENT REPORTS, SO AS TO PROVIDE THAT CERTAIN REPORTS MUST CONTAIN A SCHEDULE OF NET MANAGER FEES AND EXPENSES; TO AMEND SECTION 9-16-315, AS AMENDED, RELATING TO THE RETIREMENT SYSTEM INVESTMENT COMMISSION, SO AS TO CHANGE CERTAIN MEMBERS OF THE COMMISSION, TO ADD QUALIFICATIONS, AND TO REQUIRE THE COMMISSION TO

TUESDAY, MARCH 7, 2017

EMPLOY AN EXECUTIVE DIRECTOR; TO AMEND SECTION 9-16-330, AS AMENDED, RELATING TO CERTAIN STATEMENTS OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO ALLOW FOR CERTAIN DELEGATIONS TO THE CHIEF INVESTMENT OFFICER, AND TO REQUIRE THE INVESTMENT PLAN TO INCLUDE THE FINAL AUTHORITY TO INVEST MADE BY THE COMMISSION; TO AMEND SECTION 9-16-380, RELATING TO THE AUDIT OF THE RETIREMENT SYSTEM INVESTMENT COMMISSION, SO AS TO PROVIDE THAT THE RETIREMENT SYSTEM INVESTMENT COMMISSION BE AUDITED EVERY FOUR YEARS; BY ADDING SECTION 9-16-100 SO AS TO PLACE CERTAIN RESTRICTIONS ON LOBBYISTS AND TO PROHIBIT THE COMMISSION FROM MAKING CERTAIN INVESTMENTS; TO AMEND SECTION 9-1-1310, AS AMENDED, RELATING TO THE TRUSTEE OF THE RETIREMENT SYSTEM, SO AS TO CHANGE A TRUSTEE FROM THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO THE RETIREMENT SYSTEM INVESTMENT COMMISSION; TO AMEND SECTION 9-1-1320, RELATING TO THE CUSTODY OF THE ASSETS OF THE RETIREMENT SYSTEM, SO AS TO CHANGE THE CUSTODIAN OF THE ASSETS FROM THE STATE TREASURER TO THE BOARD OF DIRECTORS OF PEBA; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE SOUTH CAROLINA RETIREMENT INVESTMENT COMMISSION MEMBERS AND THE SOUTH CAROLINA PUBLIC BENEFIT AUTHORITY MEMBERS; AND TO REPEAL SECTIONS 9-4-45, 9-8-170, 9-9-160, 9-10-80, AND 9-11-250 RELATING TO POLICY DETERMINATIONS AND THE CUSTODY OF FUNDS FOR THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, THE NATIONAL GUARD RETIREMENT SYSTEM, AND THE POLICE OFFICERS RETIREMENT SYSTEM.

Referred to Committee on Ways and Means

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson

TUESDAY, MARCH 7, 2017

Atwater	Bales	Bamberg
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	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
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	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
Yow		

Total Present--112

TUESDAY, MARCH 7, 2017

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. MURPHY a leave of absence for the day due to attending a judicial conference.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

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. QUINN a leave of absence for the day due to family medical reasons.

DOCTOR OF THE DAY

Announcement was made that Dr. Horace E. Walpole, Jr., of Piedmont was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED AND REMOVED

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

TUESDAY, MARCH 7, 2017

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. 3240
Date: ADD:
03/07/17 HERBKERSMAN

CO-SPONSOR ADDED

Bill Number: H. 3311
Date: ADD:
03/07/17 LOFTIS

CO-SPONSOR ADDED

Bill Number: H. 3322
Date: ADD:
03/07/17 FELDER

CO-SPONSOR ADDED

Bill Number: H. 3513
Date: ADD:
03/07/17 HAYES

CO-SPONSOR ADDED

Bill Number: H. 3587
Date: ADD:
03/07/17 FELDER

CO-SPONSOR ADDED

Bill Number: H. 3743
Date: ADD:
03/07/17 FELDER

CO-SPONSOR ADDED

Bill Number: H. 3786
Date: ADD:
03/07/17 TALLON

TUESDAY, MARCH 7, 2017

CO-SPONSOR ADDED

Bill Number: H. 3789
Date: ADD:
03/07/17 CLEMMONS

CO-SPONSORS ADDED

Bill Number: H. 3793
Date: ADD:
03/07/17 RYHAL, HEWITT and DAVIS

CO-SPONSORS ADDED

Bill Number: H. 3817
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, G. M. SMITH,
YOW, D. C. MOSS, WHEELER, ERICKSON,
V. S. MOSS, LONG, G. R. SMITH, MAGNUSON,
BRADLEY, WEEKS and TAYLOR

CO-SPONSORS ADDED

Bill Number: H. 3818
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, G. M. SMITH,
YOW, D. C. MOSS, MCCRAVY, KIRBY,
WHEELER, ERICKSON, RYHAL, JEFFERSON,
COBB-HUNTER, GOVAN, V. S. MOSS, LONG and
MAGNUSON

CO-SPONSORS ADDED

Bill Number: H. 3819
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, MCCRAVY,
WHEELER, ERICKSON, WEST, LOWE, RYHAL,
ATWATER, WILLIS, JEFFERSON, W. NEWTON,
THIGPEN, BENNETT, CROSBY and LONG

TUESDAY, MARCH 7, 2017

CO-SPONSORS ADDED

Bill Number: H. 3820
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, ERICKSON,
LOWE, ATWATER, WILLIS, JEFFERSON,
W. NEWTON, THIGPEN, BENNETT, CROSBY and
LONG

CO-SPONSORS ADDED

Bill Number: H. 3821
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, ERICKSON,
JEFFERSON, COBB-HUNTER, GOVAN and LONG

CO-SPONSORS ADDED

Bill Number: H. 3822
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, ERICKSON,
WEST, LOWE, RYHAL, ATWATER, WILLIS,
JEFFERSON, W. NEWTON, BENNETT, CROSBY
and LONG

CO-SPONSORS ADDED

Bill Number: H. 3823
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, ERICKSON,
V. S. MOSS, LONG, BRADLEY, WEEKS and
TAYLOR

CO-SPONSORS ADDED

Bill Number: H. 3824
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, ERICKSON,
JEFFERSON, COBB-HUNTER, GOVAN and LONG

CO-SPONSORS ADDED

Bill Number: H. 3825
Date: ADD:
03/07/17 JORDAN, B. NEWTON, MARTIN, ERICKSON,
LONG, BRADLEY, WEEKS and TAYLOR

TUESDAY, MARCH 7, 2017

CO-SPONSORS ADDED

Bill Number: H. 3826
Date: ADD:
03/07/17 B. NEWTON, MARTIN, ERICKSON, DILLARD,
G. R. SMITH, ROBINSON-SIMPSON, LONG,
TAYLOR, HIXON, ARRINGTON, BENNETT and
W. NEWTON

CO-SPONSORS ADDED

Bill Number: H. 3860
Date: ADD:
03/07/17 B. NEWTON, MARTIN, KIRBY, ERICKSON,
V. S. MOSS, G. R. SMITH, LONG, ELLIOTT,
TAYLOR, HIXON, ARRINGTON, BENNETT,
W. NEWTON, KNIGHT and CRAWFORD

CO-SPONSOR ADDED

Bill Number: H. 3879
Date: ADD:
03/07/17 ANDERSON

CO-SPONSORS ADDED

Bill Number: H. 3882
Date: ADD:
03/07/17 B. NEWTON, MARTIN, ERICKSON, V. S. MOSS,
G. R. SMITH, LONG, ELLIOTT, TAYLOR, HIXON,
ARRINGTON, BENNETT, W. NEWTON, KNIGHT
and HEWITT

CO-SPONSORS ADDED

Bill Number: H. 3927
Date: ADD:
03/07/17 J. E. SMITH and BERNSTEIN

CO-SPONSORS REMOVED

Bill Number: H. 3643
Date: REMOVE:
03/07/17 DILLARD and ROBINSON-SIMPSON

TUESDAY, MARCH 7, 2017

H. 3513--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3513 -- Reps. Anthony and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-45 SO AS TO PROVIDE RETIRED EDUCATOR TEACHING CERTIFICATES FOR PEOPLE WHO MEET CERTAIN CRITERIA, TO PROVIDE INITIAL RETIRED EDUCATOR CERTIFICATES ARE VALID FOR THIRTY YEARS AND MAY BE RENEWED, AND TO PROVIDE RELATED REQUIREMENTS AND CONDITIONS.

Rep. FELDER explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 101; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	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	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hardee
Hart	Hayes	Henderson
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Loftis	Long
Lowe	Lucas	Mack
Martin	McCoy	McCrary

TUESDAY, MARCH 7, 2017

McEachern	McKnight	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Ott	Pitts	Pope
Putnam	Ridgeway	S. Rivers
Robinson-Simpson	Ryhal	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stringer
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	Williams
Willis	Yow	

Total--101

Those who voted in the negative are:

Total--0

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

H. 3793--POINT OF ORDER

The following Bill was taken up:

H. 3793 -- Reps. Crawford, Clemons, Jordan, Johnson, Fry, Hardee, Bennett, Anderson, Alexander, Atkinson, Kirby, Crosby, Arrington, Sottile, McCoy, Daning, Duckworth, Hayes, Lowe, S. Rivers, Stavrinakis, Knight, Ryhal, Hewitt and Davis: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSION AND GOALS OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE CERTAIN DOCTORAL DEGREE PROGRAMS SO LONG AS STATE GENERAL FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3793 (COUNCIL\WAB\3793C001. AGM.WAB17):

Amend the bill, as and if amended, Section 59-103-15(B)(2), as contained in SECTION 1, page 2, lines 11-31, by deleting the item in its entirety and inserting:

/ (2) Four-year colleges and universities

TUESDAY, MARCH 7, 2017

(a) college-level baccalaureate education and selected master's degrees which lead to employment or continued education, or both, except for doctoral degrees currently being offered;

(b) doctoral degree in Marine Science approved by the Commission on Higher Education;

(c) subject to subsection (C), doctoral degree in Nursing Practice approved by the Commission on Higher Education at Francis Marion University;

(d) subject to subsection (C), doctor of philosophy degree in Education Administration approved by the Commission on Higher Education at Coastal Carolina University;

(e) subject to subsection (C), doctor of philosophy degree in Computer and Information Science approved by the Commission on Higher Education at the College of Charleston;

(f) limited and specialized research;

(g) public service to the State and the local community; /

Renumber sections to conform.

Amend title to conform.

Rep. TAYLOR explained the amendment.

POINT OF ORDER

Rep. GOVAN made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 3256--POINT OF ORDER

The following Bill was taken up:

H. 3256 -- Reps. Jefferson and Daning: 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 THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE PALMETTO CROSS SPECIAL LICENSE PLATES.

Rep. JEFFERSON explained the Bill.

TUESDAY, MARCH 7, 2017

POINT OF ORDER

Rep. WHITE made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 3587--AMENDED AND ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 3587 -- Reps. Henderson, Knight and Felder: A JOINT RESOLUTION TO CREATE THE "SEIZURE SAFETY IN SCHOOLS STUDY COMMITTEE" TO EXAMINE ISSUES RELATED TO EPILEPSY AND SEIZURE SAFETY AWARENESS IN PUBLIC SCHOOLS, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, AND TO PROVIDE FOR THE STUDY COMMITTEE'S TERMINATION.

Rep. HENDERSON proposed the following Amendment No. 1 to H. 3587 (COUNCIL\WAB\3587C001.AGM.WAB17), which was adopted:

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

/ SECTION 1. (A) There is created the "Seizure Safety in Schools Study Committee." The study committee shall review information concerning:

- (1) the state of epilepsy awareness among public school teachers, staff, and administrators;
- (2) basic training in seizure response appropriate for public school teachers, staff, and administrators;
- (3) existing laws, regulations, and policies affecting epilepsy and seizure safety in public schools; and
- (4) other areas related to epilepsy and seizure safety in public schools that the committee considers necessary and relevant to its work.

(B) The study committee must be composed of fourteen members, consisting of the following:

- (1) the Chairperson of the House of Representatives Committee on Education and Public Works or his designee;
- (2) the Chairperson of the Senate Education Committee or his designee;

TUESDAY, MARCH 7, 2017

(3) the Chairperson of the House of Representatives Medical, Military, Public and Municipal Affairs Committee or his designee;

(4) the Chairperson of the Senate Medical Affairs Committee or his designee;

(5) a member of the South Carolina Board of Nursing appointed by the board;

(6) a public school nurse appointed by South Carolina Board of Nursing;

(7) a member of the South Carolina Board of Medical Examiners appointed by the board;

(8) a physician who practices pediatric neurology appointed by the South Carolina Board of Medical Examiners;

(9) a teacher appointed by the State Superintendent of Education;

(10) the Director of the Department of Health and Environmental Control or his designee;

(11) a public school administrator, appointed by the Governor, who shall serve as committee chair;

(12) a director of a children's hospital appointed by the Governor;

(13) a parent of a public school student with a seizure disorder appointed by the Governor; and

(14) a representative from a statewide organization that supports families of children who have special medical needs appointed by the Governor.

(C) The Speaker of the House and the President *Pro Tempore* of the Senate shall provide staffing for the study committee.

(D) Before January 31, 2018, the study committee shall make a report of the committee's recommendations to the General Assembly at which time the study committee must be dissolved.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER explained the amendment.

The amendment was then adopted.

Rep. FELDER explained the Joint Resolution.

The question then recurred to the passage of the Joint Resolution.

TUESDAY, MARCH 7, 2017

The yeas and nays were taken resulting as follows:
Yea 93; Nays 6

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Bales	Bamberg	Bannister
Bernstein	Blackwell	Bowers
Bradley	Brown	Caskey
Clary	Clemonns	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Govan
Hamilton	Hardee	Hart
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Lucas	Mack	Martin
McCrary	McEachern	McKnight
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	S. Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
J. E. Smith	Sottile	Spires
Stringer	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	Whitmire
Williams	Willis	Yow

Total--93

TUESDAY, MARCH 7, 2017

Those who voted in the negative are:

Bedingfield	Chumley	Hill
Long	G. R. Smith	White

Total--6

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

S. 198--AMENDED AND POINT OF ORDER

The following Bill was taken up:

S. 198 -- Senators Shealy, Alexander, McElveen and Bryant: A BILL TO AMEND SECTION 56-1-100 OF THE 1976 CODE, RELATING TO DRIVERS' LICENSES, TO PROVIDE THAT A MINOR MAY APPLY FOR A BEGINNER'S PERMIT, INSTRUCTION PERMIT, OR DRIVER'S LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 198 (COUNCIL\CM\198C001.GT.CM17), which was adopted:

Amend the bill, as and if amended, Section 56-1-100(A)(5), as contained in SECTION 1, by deleting lines 39 and 40 on page 1 and inserting:

\ (5)an individual who has custody, care, and control of the minor; \

Amend the bill further, Section 56-1-100(A)(7), as contained in SECTION 1, by deleting lines 1 and 2 on page 2, and inserting:

\ (7)any person who has been standing in loco parentis of the minor for a continuous period of not less than sixty days; or \

Amend the bill further, Section 56-1-100(C)(3), as contained in SECTION 1, by deleting lines 16 through 28 on page 2, and inserting:

\ (3)the foster parent, pre-adoptive parent, or person responsible for the welfare of the child who resides in a child caring facility or residential group care home, upon written approval by the Department of Social Services. The disclosure of information by the Department of Social Services to the Department of Motor Vehicles in order to provide approval for the limited purpose of this code section shall not be a violation of Section 63-7-1990 or any other section of the Children's Code governing the dissemination of confidential information. The

TUESDAY, MARCH 7, 2017

foster parent, pre-adoptive parent, or person responsible for the welfare of the child who resides in a child caring facility or residential group care home must obtain approval from the Department of Social Services prior to the request for an extension of a permit pursuant to Section 56-1-50.

Renumber sections to conform.

Amend title to conform.

Rep. WILLIS explained the amendment.

The amendment was then adopted.

POINT OF ORDER

Rep. HILL made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 365--ORDERED TO THIRD READING

The following Bill was taken up:

S. 365 -- Senators Rankin, Hembree, Goldfinch, Sabb and Malloy: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 141, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE "COASTAL CAROLINA UNIVERSITY 2016 COLLEGE WORLD SERIES CHAMPIONS" SPECIAL LICENSE PLATES.

Rep. ALLISON explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 107; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Bamberg
Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Chumley	Clary

TUESDAY, MARCH 7, 2017

Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Loftis
Long	Lowe	Lucas
Mack	Martin	McCoy
McCrary	McEachern	McKnight
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Ott	Parks
Pitts	Pope	Putnam
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
White	Whitmire	Williams
Willis	Yow	

Total--107

Those who voted in the negative are:

Total--0

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

TUESDAY, MARCH 7, 2017

SENT TO THE SENATE

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

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.

TUESDAY, MARCH 7, 2017

H. 3856--ADOPTED

The following House Resolution was taken up:

H. 3856 -- Reps. Hewitt, Jordan, Clemons, Yow, Kirby and Lowe: A HOUSE RESOLUTION TO OPPOSE THE PRIVATIZATION OF SOUTH ATLANTIC FEDERAL FISHERY RESOURCES THROUGH CATCH SHARE MANAGEMENT AND EFFORTS THROUGH EXEMPTED FISHING PERMITS OR OTHER MEANS TO CONDUCT PILOT CATCH SHARE PROGRAMS OR STUDIES.

Rep. HEWITT explained the Resolution.

The Resolution was adopted.

Rep. HIXON moved that the House recede until 2:45 p.m., which was agreed to.

THE HOUSE RESUMES

At 2:45 p.m. the House resumed, ACTING SPEAKER BERNSTEIN in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

SPEAKER IN CHAIR

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

RATIFICATION OF ACTS

At 2:50 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolution were duly ratified:

(R. 5, S. 263) -- Senators Peeler, Malloy, Alexander, Grooms, Campbell, Turner, Corbin, Gambrell, Martin and Rice: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY

TUESDAY, MARCH 7, 2017

ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE "CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES.

(R. 6, S. 457) -- Senator Fanning: AN ACT TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO ALLOW BOARD MEMBERS TO RECEIVE A MONTHLY STIPEND IN AN AMOUNT TO BE DETERMINED BY THE BOARD, AND TO REQUIRE ACTUAL ATTENDANCE AT A DULY CONSTITUTED BOARD MEETING IN ORDER TO RECEIVE THE MONTHLY STIPEND.

(R. 7, H. 3677) -- Rep. Delleney: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 6 AND 16 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2017.

H. 3401--DEBATE ADJOURNED

The following Concurrent Resolution was taken up:

H. 3401 -- Rep. Clemons: 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 which was agreed to.

MOTION PERIOD

The motion period was dispensed with on motion of Rep. DELLENEY.

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, Bedingfield, Thayer and Putnam: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-35,

TUESDAY, MARCH 7, 2017

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, 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, which was agreed to.

H. 3247--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3247 -- Reps. Crosby, Collins, Daning, Knight and Clemmons: 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

TUESDAY, MARCH 7, 2017

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 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

TUESDAY, MARCH 7, 2017

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 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,

TUESDAY, MARCH 7, 2017

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 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

TUESDAY, MARCH 7, 2017

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.

The Education and Public Works Committee proposed the following Amendment No. 1 to H. 3247 (COUNCIL\3247C010.NBD.CZ17), which was adopted:

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

/ SECTION 1. Section 56-1-10 of the 1976 Code, as last amended by Act 216 of 2010, is further amended to read:

"Section 56-1-10. For the purpose of this title, unless otherwise indicated, the following words, phrases, and terms are defined as follows:

(1) 'Driver' means every person who drives or is in actual physical control of a vehicle.

(2) 'Operator' means every person who drives or is in actual physical control of a motor vehicle or who is exercising control over or steering a vehicle being towed by a motor vehicle.

TUESDAY, MARCH 7, 2017

(3) 'Owner' means a person, other than a lienholder, having the property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security. This term also includes a person to whom a moped is registered if the moped is not titled.

(4) 'Department' means the Department of Motor Vehicles when the term refers to the duties, functions, and responsibilities of the former Motor Vehicle Division of the Department of Public Safety and means the Department of Public Safety otherwise and in Section 56-3-840.

(5) 'State' means a state, territory, or possession of the United States and the District of Columbia, or the Commonwealth of Puerto Rico.

(6) 'Highway' means the entire width between the boundary lines of every way publicly maintained when any part of it is open to the use of the public for purposes of vehicular travel.

(7) 'Motor vehicle' means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

(8) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor and a moped.

(9) 'Nonresident' means every person who is not a resident of this State.

(10) 'Nonresident's operating privilege' means the privilege conferred upon a nonresident by the laws of this State pertaining to the operation by the person of a motor vehicle, or the use of a vehicle owned by the person, in this State.

(11) 'Conviction' means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(12) 'Cancellation of driver's license' means the annulment or termination by formal action of the Department of Motor Vehicles of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to the license; the

TUESDAY, MARCH 7, 2017

cancellation of a license is without prejudice, and application for a new license may be made at any time after the cancellation.

(13) 'Revocation of driver's license' means the termination by formal action of the Department of Motor Vehicles of a person's driver's license or privilege to operate a motor vehicle on the public highways, which privilege to operate is not subject to renewal or restoration, except that an application for a new license may be presented and acted upon by the department.

(14) 'Suspension of driver's license' means the temporary withdrawal by formal action of the Department of Motor Vehicles of a person's driver's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be as specifically designated.

(15) 'Automotive three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three-wheel vehicle.

(16) 'Alcohol' means a substance containing any form of alcohol including, but not limited to, ethanol, methanol, propanol, and isopropanol.

(17) 'Alcohol concentration' means:

(a) the number of grams of alcohol for each one hundred milliliters of blood by weight; or

(b) as determined by the South Carolina Law Enforcement Division for other bodily fluids.

(18) 'Motorcycle three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device but excluding a tractor or automotive three-wheel vehicle.

(19) 'Low speed vehicle' or 'LSV' means a four-wheeled motor vehicle, other than an all terrain vehicle, whose speed attainable in one mile is more than twenty miles an hour and not more than twenty-five miles an hour on a paved level surface, and whose ~~GVWR~~ gross vehicle weight rating (GVWR) is less than three thousand pounds.

(20) 'All terrain vehicle' or 'ATV' means a motor vehicle measuring fifty inches or less in width, designed to travel on three or more wheels and designed primarily for off-road recreational use, but

TUESDAY, MARCH 7, 2017

not including farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicles.

(21) 'Operator' or 'driver' means a person who is in actual physical control of a motor vehicle.

(22) 'Person' means every natural person, firm, partnership, trust, company, firm, association, or corporation. Where the term 'person' is used in connection with the registration of a motor vehicle, it includes any corporation, association, partnership, trust, company, firm, or other aggregation of individuals which owns or controls the motor vehicle as actual owner, or for the purpose of sale or for renting, as agent, salesperson, or otherwise.

(23) 'Office of Motor Vehicle Hearings' means the Office of Motor Vehicle Hearings created by Section 1-23-660. The Office of Motor Vehicle Hearings has exclusive jurisdiction to conduct all contested case hearings or administrative hearings arising from department actions.

(24) 'Administrative hearing' means a 'contested case hearing' as defined in Section 1-23-310. It is a hearing conducted pursuant to the South Carolina Administrative Procedures Act.

(25) 'Home jurisdiction' means the jurisdiction which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

(26) 'Moped' means a cycle, defined as a motor vehicle, with or without pedals, to permit propulsion by human power, that travels on not more than three wheels in contact with the ground whether powered by gasoline, electricity, alternative fuel, or a hybrid combination thereof. Based on the engine or fuel source, the moped must be equipped not to exceed the following limitations: a motor of fifty cubic centimeters; or designed to have an input exceeding 750 watts and no more than 1500 watts. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

(27) 'Daylight hours' means after six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, 'daylight hours' means after six o'clock a.m. and no later than eight o'clock p.m. All other hours are designated as nighttime hours.

(28) 'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks."

TUESDAY, MARCH 7, 2017

SECTION 2. Section 56-1-30 of the 1976 Code is amended to read:

“Section 56-1-30. The following persons are exempt from licenses under this article chapter:

(1) Any employee of the United States Government while operating a motor vehicle owned by or leased to the United States Government and being operated on official business, unless the employee is required by the United States Government or the Federal agency by which he is employed to have a State driver’s license;

(2) A nonresident who is at least sixteen years of age and who has in his immediate possession a valid operator’s or chauffeur’s license issued to him in his home state or country may operate a motor vehicle, but a person may not claim nonresidence exemption under this provision who does not maintain a permanent residence address in the state or country of which he holds a valid and current operator’s or chauffeur’s license at which he regularly receives his mail and which address is on file with the motor vehicle authorities of that state or country; also, a person may not claim nonresidence exemption under this provision who for all other intents and purposes has or may remove his residence into this State;

(3) Any nonresident who is at least eighteen years of age and whose home state or country does not require the licensing of operators may operate a motor vehicle for a period of not more than ninety days in any calendar year, if the motor vehicle is duly registered in the home state or country of the nonresident and a nonresident on active duty in the Armed Services of the United States who has a valid license issued by his home state and the nonresident’s spouse or dependent who has a valid license issued by his home state;

(4) A person operating or driving implements of husbandry temporarily drawn, propelled, or moved upon a highway. Implements of husbandry include, but are not limited to, farm machinery and farm equipment other than a passenger car.

(5) Any person on active duty in the Armed Services of the United States who has in his immediate possession a valid driver’s license issued in a foreign country or by the Armed Services of the United States may operate a motor vehicle in this State for a period of not more than ninety days from the date of his return to the United States; and

(6) A citizen of a foreign jurisdiction whose licensing procedure is at least as strict as South Carolina’s, as determined by the Department of Motor Vehicles, who is at least eighteen years of age, who is employed in South Carolina, and who has a valid driver’s license issued by that jurisdiction may drive in this State for five years if the foreign

TUESDAY, MARCH 7, 2017

jurisdiction provides a reciprocal arrangement for South Carolina residents. The provisions of this item also shall apply to the dependents of foreign nationals who qualify under this section."

SECTION 3. Section 56-1-50 of the 1976 Code, as last amended by Act 267 of 2016, is further amended to read:

"Section 56-1-50. (A) A person who is at least fifteen years of age may apply to the Department of Motor Vehicles for a beginner's permit. After the applicant has passed successfully all parts of the examination other than the driving test, the department may issue to the applicant a beginner's permit which entitles the applicant having the permit in his immediate possession to drive a motor vehicle under the conditions contained in this section on the public highways for not more than twelve months.

(B) The permit is valid only in the operation of:

(1) vehicles after six o'clock a.m. and not later than midnight. Except as provided in subsection (E), while driving, the permittee must be accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience. A permittee may not drive between midnight and six o'clock a.m. unless accompanied by the permittee's licensed parent or guardian;

(2) ~~motorcycles or mopeds after six o'clock a.m. and not later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the permittee may operate motorcycles or mopeds after six o'clock a.m. and not later than eight o'clock p.m. A permittee may not operate a motorcycle at any other time unless accompanied by a licensed motorcycle operator twenty-one years of age or older who has at least one year of driving experience. A permittee may not operate a moped at any other time unless accompanied by a licensed driver twenty-one years of age or older who has at least one year of driving experience.~~

(C) The accompanying driver must:

(1) occupy a seat beside the permittee when the permittee is operating a motor vehicle; or

(2) be within a safe viewing distance of the permittee when the permittee is operating a motorcycle or a moped.

(D) A beginner's permit may be renewed or a new permit issued for additional periods of twelve months, ~~but~~. However, the department may refuse to renew or issue a new permit where the examining officer has reason to believe the applicant has not made a bona fide effort to pass the required driver's road test or does not appear to the examining officer to have the aptitude to pass the road test. The fee for every

TUESDAY, MARCH 7, 2017

beginner's or renewal permit is two dollars and fifty cents, and the permit must bear the full name, date of birth, and residence address and a brief description and color photograph of the permittee and a facsimile of the signature of the permittee or a space upon which the permittee shall write his usual signature with pen and ink immediately upon receipt of the permit. A permit is not valid until it has been signed by the permittee.

(E) The following persons are not required to obtain a beginner's permit to operate a motor vehicle:

(1) a student at least fifteen years of age regularly enrolled in a high school of this State which conducts a driver's training course while the student is participating in the course and when accompanied by a qualified instructor of the course; and

(2) a person fifteen years of age or older enrolled in a driver training course conducted by a driver training school licensed under Chapter 23 of this title. However, this person at all times must be accompanied by an instructor of the school and may drive only an automobile owned or leased by the school which is covered by liability insurance in an amount not less than the minimum required by law.

(F) A person who has never held a form of license evidencing previous driving experience first must be issued a beginner's permit and must hold the permit for at least one hundred eighty days before being eligible for full licensure.

(G) The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund ~~as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles~~

Fees and Penalties General Fund	Department of	
Collected After	of the State	Transportation
		State Non Federal Aid
June 30, 2005	60 percent	40 percent
June 30, 2006	20 percent	80 percent
June 30, 2007	0 percent	100 percent."

Section 4. Section 56-1-175 of the 1976 Code is amended to read:

"Section 56-1-175. (A) The department of Motor Vehicles may issue a conditional driver's license to a person who is at least fifteen years of age and less than sixteen years of age, who has:

- (1) held a beginner's permit for at least one hundred eighty days;
- (2) passed a driver's education course as defined in subsection ~~(E)(D)~~;

TUESDAY, MARCH 7, 2017

(3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by the person's licensed parent or guardian;

(4) passed successfully the road tests or other requirements the department may prescribe; and

(5) satisfied the school attendance requirement contained in Section 56-1-176.

(B) A conditional driver's license is valid only in the operation of:

(+) vehicles during daylight hours. The holder of a conditional license must be accompanied by a licensed adult twenty-one years of age or older after six o'clock p.m. or eight o'clock p.m. during daylight saving time. A conditional driver's license holder may not drive between midnight and six o'clock a.m., unless accompanied by the holder's licensed parent or guardian. The accompanying driver must:

(1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or

(2) a motor scooter or light motor driven cycle of five brake horsepower or less, during daylight hours be within a safe viewing distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.

(C) A conditional driver's license holder may not transport more than two passengers who are under twenty-one years of age unless accompanied by a licensed adult who is twenty-one years of age or older. This restriction does not apply when the conditional driver's license holder is transporting family members, or students to or from school.

(D) ~~Daylight hours, as used in this section, means after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the holder of the conditional license may operate a vehicle after six o'clock a.m. and no later than eight o'clock p.m. For purposes of this section, all other hours are designated as nighttime hours.~~

(E) A driver training course, as used in this section, means a driver's training course administered by a driver's training school or a private, parochial, or public high school conducted by a person holding a valid driver's instructor permit contained in Section 56-23-85.

(F)(E) For purposes of issuing a conditional driver's license pursuant to this section, the department must accept a certificate of completion for a student who attends or is attending an out-of-state high school and passed a qualified driver's training course or program that is equivalent to an approved course or program in this State. The

TUESDAY, MARCH 7, 2017

department must establish procedures for approving qualified driver's training courses or programs for out-of-state students."

SECTION 5. Section 56-1-180 of the 1976 Code is amended to read:

"Section 56-1-180. (A) The department of Motor Vehicles may issue a special restricted driver's license to a person who is at least sixteen years of age and less than seventeen years of age, who has:

- (1) held a beginner's permit for at least one hundred eighty days;
- (2) passed a driver's education course as defined in subsection (F);
- (3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by the person's licensed parent or guardian;
- (4) passed successfully the road test or other requirements the department may prescribe; and
- (5) satisfied the school attendance requirement contained in Section 56-1-176.

(B) The A special restricted driver's license is valid only in the operation of:

(1) vehicles during daylight hours. During nighttime hours, The holder of a special restricted driver's license must be accompanied by a licensed adult, twenty-one years of age or older after six o'clock p.m. or eight o'clock p.m. during daylight savings time. The holder of a special restricted driver's license may not drive between midnight and six o'clock a.m., unless accompanied by the holder's licensed parent or guardian. The accompanying driver must:

- (1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or
- (2) be within a safe viewing distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.

(C) The restrictions in this section may be modified or waived by the department if the restricted licensee proves to the department's satisfaction that the restriction interferes or substantially interferes with:

- (a)(1) employment or the opportunity for employment;
- (b)(2) travel between the licensee's home and place of employment or school; or
- (c)(3) travel between the licensee's home or place of employment and vocational training;
- (4) travel between the licensee's church, church-related and church-sponsored activities; or

TUESDAY, MARCH 7, 2017

(5) travel between the licensee's parentally approved sports activities.

~~(2) a motor scooter or light motor driven cycle of five brake horsepower or less during daylight hours.~~

~~(C)(D) The waiver or modification of restrictions provided for in item (1) subsection (C) must include a statement of the purpose of the waiver or modification executed by the parents or legal guardian of the holder of the restricted license and documents executed by the driver's employment or school official, as is appropriate, evidencing the holder's need for the waiver or modification.~~

~~(D)(E) A special restricted license holder may not transport more than two passengers who are under twenty-one years of age unless accompanied by a licensed adult twenty-one years of age or older. This restriction does not apply when the special restricted license holder is transporting family members or students to or from school.~~

~~(E) Daylight hours, as used in this section, means after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the holder of the special restricted license may operate a vehicle after six o'clock a.m. and no later than eight o'clock p.m. For purposes of this section, all other hours are designated as nighttime hours.~~

~~(F) A driver training course, as used in this section, means a driver's training course administered by a driver's training school or a private, parochial, or public high school conducted by a person holding a valid driver's instruction permit contained in Section 56-23-85.~~

~~(G) For purposes of issuing a special restricted driver's license pursuant to this section, the department must accept a certificate of completion for a student who attends or is attending an out-of-state high school and passed a qualified driver's training course or program that is equivalent to an approved course or program in this State. The department must establish procedures for approving qualified driver's training courses or programs for out-of-state students."~~

SECTION 6. Section 56-1-1710 of the 1976 Code is amended to read:

~~"Section 56-1-1710. For purposes of this article, 'moped' means a cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must~~

TUESDAY, MARCH 7, 2017

~~have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged~~ Reserved."

SECTION 7. Section 56-1-1720 of the 1976 Code is amended to read:

~~"Section 56-1-1720. Until January 1, 1987, no person under the age of twelve may operate a moped on the public highways and streets of this State. After December 31, 1986, to operate a moped on the public highways and streets of this State, a person must possess a valid driver's license issued under Article 1 of this chapter or a valid moped operator's license issued under this article, except that a person whose driver's license has been suspended for a period of six months or less is not required to obtain a moped operator's license or possess a valid driver's license during the period of suspension. From January 1, 1987, to December 31, 1987, the Department shall not issue a moped operator's license to any person who is less than thirteen years of age. After December 31, 1987, the~~

(A) To operate a moped on public highways, a person must possess a valid driver's license issued under Article 1 of this chapter or a valid moped operator's license issued under this article. The department of Motor Vehicles shall not may issue a moped operator's license to any a person who is less than fourteen fifteen years of age or older.

(B) A person younger than sixteen years of age with a moped operator's license may operate a moped:

(1) alone during daylight hours only; and

(2) during nighttime hours when accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience. The accompanying driver must be a passenger or within a safe viewing distance of the operator when the operator is operating a moped.

(C) A person sixteen years of age or older with a moped license may drive a moped alone any time.

(D) Any A person who violates operates a moped in violation of the provisions of this section is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not less than twenty five dollars nor more than fifty not more than one hundred dollars and, upon conviction of a second or subsequent offense, must be fined not less than fifty not more than two hundred dollars nor more than one hundred dollars.

~~The Department may not issue a beginner's permit or special restricted license as provided for in Sections 56-1-50 and 56-1-180 to~~

TUESDAY, MARCH 7, 2017

~~any person convicted of a second or subsequent violation of operating a moped on the public highways and roads of this State while under age, until that person is at least fifteen and one half years of age.~~

(E) The fee for every moped operator's license is twenty dollars . The fee collected must be credited to the Department of Motor Vehicles to offset costs. Any fees collected in excess of the costs must be credited to the Department of Transportation State Non-Federal Aid Highway Fund.”

SECTION 8. Section 56-1-1730 of the 1976 Code is amended to read:

“Section 56-1-1730. (A) A person is eligible for a moped operator's license without regard to his eligibility for or the status of any other driver's license or permit.

(B) The Department of Motor Vehicles may suspend, revoke, or cancel a moped operator's license only for violations committed while operating a moped. A moped operator's license may be suspended, revoked, or canceled in the same manner and upon the same grounds for which any other motor vehicle operator's license or permit may be suspended, revoked, or canceled.”

SECTION 9. Section 56-2-2740(C) of the 1976 Code is amended to read:

“(C) All validation decals must be issued for a period not to exceed twelve months, except for vehicles which do not require the payment of property taxes.”

SECTION 10. Chapter 2, Title 56 of the 1976 Code is amended by adding:

“Article 3
Mopeds

Section 56-2-3000. A person operating a moped on a public highway at all times must have in his possession a valid moped operator's license or valid driver's license and moped registration.

Section 56-2-3010. (A) A moped operated on a public highway must be registered and licensed with the department in the same fashion as passenger vehicles pursuant to this title.

(B) The department shall establish a special size and class of license plates for mopeds that clearly identifies the motor vehicle as a moped and distinctive numbering and/or lettering so as to be identifiable to law enforcement.

(C) Mopeds are not required to be titled in this State.

(D) If a manufacturer's certificate of origin states the vehicle is a 'motor scooter', 'motor-driven cycle', or any similar term, the

TUESDAY, MARCH 7, 2017

definitions of 'motorcycle' and 'moped', as shown in Section 56-1-10, must be used to determine whether the vehicle must be registered as a moped or must be titled and registered as a motorcycle.

Section 56-2-3020. (A) A privately owned and operated moped of a nonresident, otherwise subject to registration and license as provided by this chapter, may be operated within this State without being registered and licensed, provided the moped:

(1) is duly registered or licensed in the state, territory, district, or country of residence of the owner; and

(2) has displayed or issued a valid registration, registration card, license plate or decal, or other indicia satisfactorily evidencing compliance with the requirements of the owner's home jurisdiction.

(B) The moped of a nonresident must be registered and licensed pursuant to this article upon the earlier of a nonresident's:

(1) establishment of domicile in this State; or

(2) operation of the moped in this State for an accumulated period exceeding one hundred and eighty days.

Section 56-2-3030. An owner of a moped required to be registered in this State shall make application to the department for the registration and licensing of the moped. The application must be made upon the appropriate form furnished by the department. Every application must bear the signature of the owner.

Section 56-2-3040. (A) An application for registration and licensing of a moped shall contain:

(1) the name, bona fide residence and mailing address of the owner or business address of the owner if a firm, association or corporation;

(2) a description of the moped including, insofar as this exists with respect to a given moped, the make, model, type of body, serial number or other identifying number, whether the vehicle is new or used, and the date of sale by the manufacturer or seller to the person intending to operate the moped;

(3) other information that reasonably may be required by the department to enable the department to determine whether the moped is lawfully entitled to registration and licensing.

(B) The application shall be accompanied by a bill of sale and a vehicle registration certificate, manufacturer's certificate of origin, or an affidavit from the applicant certifying that he is the legal and rightful owner of the moped. The documentation provided must list the vehicle specifications, including the total cubic centimeters of the engine or wattage of the engine, as applicable.

TUESDAY, MARCH 7, 2017

Section 56-2-3050. The department, at the request of the owner, may issue a title for the moped in conjunction with the moped registration, provided that the owner makes application for title on the appropriate form and provides the department with a manufacturer's certificate of origin or a prior title. If an owner cannot provide a manufacturer's statement of origin or prior title, the moped may be registered, but not titled.

Section 56-2-3060. (A) A person is guilty of a misdemeanor who:

- (1) fraudulently uses or gives a false or fictitious name or address in an application required to be made under this article;
- (2) knowingly makes a false statement in an application; or
- (3) knowingly conceals a material fact in an application.

(B) A person who operates or an owner who permits the operation of a vehicle registered and licensed under a violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

Section 56-2-3070. A person may not ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. A moped may not be used to carry more persons at one time than the number for which it is designed and equipped by the manufacturer to carry.

Section 56-2-3080. A moped, while traveling along a multilane highway, must be operated in the farthest right lane except when making a left turn or when travel in the farthest right lane is unsafe.

Section 56-2-3090. (A) During nighttime hours, while operating a moped on a public highway, an operator and any passenger must each wear a reflective vest that at a minimum is ANSI/ISEA Class 1 standard.

(B) A person under the age of twenty-one may not operate or ride upon a moped unless he wears a protective helmet identical to underage motorcycle helmet requirements provided in Section 56-5-3660.

Section 56-2-3100. It is unlawful to operate a moped:

- (1) at a speed in excess of thirty-five miles per hour on a public highway; or
- (2) on a public highway having a speed limit of greater than forty-five miles per hour. However, a moped is not prohibited from crossing an intersection at a public road with a speed limit in excess of forty-five miles per hour.

Section 56-2-3110. The operator of a moped must have the head lights and operational lights turned on and in operation at all times while the moped is in operation on the public highways of this State.

TUESDAY, MARCH 7, 2017

Section 56-2-3120. (A) It is unlawful for a person in the business of selling, leasing or renting mopeds to sell, lease or rent a moped for use on the public highways of this State without:

- (1) operable pedals, if the moped is equipped with pedals;
- (2) at least one rearview mirror;
- (3) operable headlights and running lights; and
- (4) brake lights which are operable when either brake is deployed.

Section 56-2-3130. A person in the business of selling mopeds shall post, in a conspicuous place in his business, a sign that contains a brief explanation of the provisions of law governing the operation of mopeds including, but not limited to, age restriction, maximum speeds, and the definition of a moped.

Section 56-2-3140. A person or entity selling mopeds is not required to obtain a motor vehicle dealer's license."

SECTION 11. Chapter 2, Title 56 of the 1976 Code is amended by adding:

**"Article 4
Penalties**

Section 56-2-4000. It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony. A person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days."

SECTION 12. Section 56-3-20 of the 1976 is amended read:

"Section 56-3-20. For purposes of this chapter, the following words and phrases are defined as follows:

(1) ~~'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks~~ Reserved.

(2) ~~'Motor vehicle' means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails~~ Reserved.

(3) ~~'Motorcycle' means every motorcycle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor~~ Reserved.

(4) ‘Motor driven cycle’ means every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower Reserved.

(5) ‘Authorized emergency vehicle’ means vehicles of the fire department (fire patrol), police vehicles, and the ambulances and emergency vehicles of municipal departments or public service corporations designated or authorized by the department or the chief of police of an incorporated municipality.

(6) ‘School bus’ means every bus owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for the transportation of children to or from school.

(7) ‘Truck tractor’ means every motor vehicle designed and used primarily for drawing other vehicles and not constructed so as to carry a load other than a part of the weight of the vehicle and load drawn.

(8) ‘Farm tractor’ means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(9) ‘Road tractor’ means every motor vehicle designed and used for drawing other vehicles and not constructed so as to carry a load on it either independently or any part of the weight of a vehicle or load drawn.

(10) ‘Truck’ means every motor vehicle designed, used, or maintained primarily for the transportation of property.

(11) ‘Special mobile equipment’ includes every vehicle, with or without motive power, not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditchdigging apparatus, well-boring apparatus, truck cranes or mobile shovel cranes, and similar vehicles; this enumeration is deemed partial and does not operate to exclude other vehicles which are within the general terms of this definition.

(12) ‘Bus’ means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(13) ‘Trailer’ means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(14) ‘Semitrailer’ means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property

and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(15) 'Pole trailer' means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(16) 'Foreign vehicle' means every vehicle of a type required to be registered brought into this State from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this State.

(17) 'Implement of husbandry' means every vehicle which is designed for agricultural purposes and exclusively used by its owner in the conduct of his agricultural operations.

(18) 'Solid tire' means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(19) 'Gross weight' or 'gross weight vehicle' means the weight of a vehicle without load plus the weight of any load on it.

(20) 'Load capacity' means the maximum weight of the pay load of the property intended to be transported by a vehicle or combination of vehicles, exclusive of the weight of the vehicle or vehicles.

(21) 'Owner' means a person who holds the legal title of a vehicle or, in the event (a) a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or (b) a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor is deemed the owner for the purpose of this chapter.

(22) ~~'Nonresident' means every person who is not a resident of this State~~ Reserved.

(23) 'Dealer' or 'motor vehicle dealer' means both 'dealer' and 'wholesaler' as defined in Chapter 15 of this title.

(24) ~~{Deleted}~~ Reserved.

(25) 'Street' or 'highway' means the entire width between boundary lines of every way publicly maintained when any part of it is open to the use of the public for vehicular travel.

TUESDAY, MARCH 7, 2017

(26) 'Odometer' means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; it does not include an auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(27) 'Odometer reading' means actual cumulative distance traveled disclosed on the odometer.

(28) 'Odometer disclosure statement' means a statement, as prescribed by item (4) of Section 56-3-240, certified by the owner of the motor vehicle to the transferee or to the Department of Motor Vehicles as to the odometer reading.

(29) ~~'Moped' means every cycle with pedals to permit propulsion by human power and with a motor of not more than fifty cubic centimeters which produces not to exceed one and one half brake horsepower and which is not capable of propelling the vehicle at a speed in excess of twenty five miles per hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged~~ Reserved.

(30) 'Automotive three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three-wheel vehicle.

(31) ~~'Motorcycle three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device, but excluding a tractor or automotive three-wheel vehicle~~ Reserved."

SECTION 13. Section 56-3-200 of the 1976 Code is amended to read:

"Section 56-3-200. Except in the case of a moped or as otherwise provided for in Chapter 19 of this Title, the department ~~of Motor Vehicles~~ shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the department to the owner or an application ~~therefor~~ has been delivered by the owner to the department."

SECTION 14. Section 56-3-250 of the 1976 Code is amended to read:

"Section 56-3-250. No vehicle shall be registered and licensed by the department ~~of Motor Vehicles~~ unless a signed statement

TUESDAY, MARCH 7, 2017

accompanies the application certifying that all county and municipal taxes legally due by the applicant on the vehicle concerned have been paid and if such vehicle is legally subject to being returned by the applicant for county and municipal taxes such return has been made; that the applicant is not delinquent in the payment of any motor vehicle taxes in this State, and that the address and county shown on the application for license is the true legal residence of the applicant. A transfer between members of the same family shall not, for the purpose of this section, be considered a bona fide purchase. Any person falsely certifying as required in this section shall have his driver's license suspended for a period of six months.

The provisions of this section shall not apply to mopeds or to any citizen of this State on active duty with the Armed Forces of the United States when the vehicle to be registered and licensed is operated for more than six months each year outside the boundaries of this State, nor to any motor vehicle subject to assessment for ad valorem tax purposes by the State Tax Commission Department of Revenue."

SECTION 15. Section 56-3-630 of the 1976 Code, as last amended by Act 398 of 2006, is further amended to read:

"Section 56-3-630. The Department of Motor Vehicles shall classify as a private passenger motor vehicle every motor vehicle which is designed, used, and maintained for the transportation of ten or fewer persons and trucks having an empty weight of nine thousand pounds or less and a gross weight of eleven thousand pounds or less, except a motorcycle, motorcycle three-wheel vehicle, or ~~motor driven cycle~~ moped. The department shall classify a three-wheel vehicle by the ~~manufacturers statement~~ manufacturer's certificate of origin for the vehicles initial registration. For subsequent registration, the department shall classify the three-wheel vehicle by its title document. This section does not relieve or negate any applicable fees required under Section 56-3-660."

SECTION 16. Section 56-3-760 of the 1976 Code is amended to read:

"Section 56-3-760. For every motorcycle, motorcycle three-wheel vehicle, or ~~motor driven cycle~~ moped the biennial registration fee is ~~ten~~ twenty dollars."

SECTION 17. Section 56-5-120 of the 1976 Code is amended to read:

"Section 56-5-120. ~~Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except~~

TUESDAY, MARCH 7, 2017

~~devices moved by human power or used exclusively upon stationary rails or tracks, is a 'vehicle' Reserved."~~

SECTION 18. Section 56-5-130 of the 1976 Code is amended to read:

~~"Section 56-5-130. Every vehicle which is self propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, is a "motor vehicle" Reserved."~~

SECTION 19. Section 56-5-140 of the 1976 Code is amended to read:

~~"Section 56-5-140. Every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor, is a "motorcycle" Reserved."~~

SECTION 20. Section 56-5-150 of the 1976 Code is amended to read:

~~"Section 56-5-150. Every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower is a "motor driven cycle" Reserved."~~

SECTION 21. Section 56-5-155 of the 1976 Code is amended to read:

~~"Section 56-5-155. A motorcycle three wheel vehicle means a motor vehicle having no more than three permanent functional wheels in contact with the ground and includes motorcycles with detachable side cars, having a saddle type seat for the operator, and handle bars or a motorcycle type steering device, but excludes a tractor or automotive three wheel vehicle Reserved."~~

SECTION 22. Section 56-5-165 of the 1976 Code is amended to read:

~~"Section 56-5-165. Notwithstanding the provisions of Section 56-5-160, every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground is a moped. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged Reserved."~~

SECTION 23. Section 56-5-361 of the 1976 Code is amended to read:

TUESDAY, MARCH 7, 2017

“Section 56-5-361. Every motor vehicle except motorcycles and ~~motor driven cycles~~ mopeds, designed for carrying ten passengers or less and used for the transportation of persons is a ‘passenger car’.”

SECTION 24. Section 56-5-410 of the 1976 Code is amended to read:

“Section 56-5-410. An “owner” is a person, other than a ~~lienholder, having the property or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security~~ Reserved.”

SECTION 25. Section 56-5-1550 of the 1976 Code is amended to read:

“Section 56-5-1550. ~~No person shall operate any motor driven cycle at any time mentioned in Section 56-5-4450 at a speed greater than thirty five miles per hour unless such motor driven cycle is equipped with head lamps which are adequate to reveal a person or vehicle at a distance of three hundred feet ahead~~ Reserved.”

SECTION 26. Section 56-5-1555 of the 1976 Code is amended to read:

“Section 56-5-1555. ~~No person may operate a moped at a speed in excess of twenty five miles an hour. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days~~ Reserved.”

SECTION 27. Section 56-5-4450 of the 1976 Code is amended to read:

“Section 56-5-4450. (A) Every vehicle upon a street or highway within this State shall display lighted lamps and illuminating devices, excluding parking lights, from a half hour after sunset to a half hour before sunrise, and at any other time when windshield wipers are in use as a result of rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or highway at a distance of five hundred feet ahead as required in this article for different classes of vehicles, subject to exceptions with respect to parked vehicles as provided in this article; provided, however, the provisions of this section requiring use of lights in conjunction with the use of windshield wipers shall not apply to instances when windshield wipers are used intermittently in misting rain, sleet, or snow.

~~Until January 1, 1989, any person who fails to display the lights of a vehicle he is operating when lights are required by this section due to~~

TUESDAY, MARCH 7, 2017

~~inclement weather or environmental factors may be issued only a warning ticket.~~

(B) Any person who violates this section is guilty of a misdemeanor and, upon conviction, may be fined up to twenty-five dollars."

SECTION 28. Section 56-9-110 of the 1976 Code is amended to read:

~~"Section 56-9-110. This chapter shall not apply with respect to any accident or judgment arising therefrom or violation of the motor vehicle laws of this State, occurring prior to January 1, 1953. Reserved."~~

SECTION 29. Section 56-15-10(a) of the 1976 Code is amended to read:

~~"(a) 'Motor vehicle', any motor driven vehicle required to be registered under Section 56-3-110. This definition does not include motorcycles or mopeds."~~

SECTION 30. Section 56-16-10(a) of the 1976 Code is amended to read:

~~"(a) 'Motorcycle' means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than two wheels in contact with the ground is defined in Section 56-1-10. This section shall chapter does not apply to bicycles with helper motors or vehicles defined in Section 56-1-1710."~~

SECTION 31. Section 56-19-10 of the 1976 Code, as last amended by Act 245 of 2017, is further amended to read:

~~"Section 56-19-10. For the purposes of this chapter and Chapter 21 of Title 16, the following terms are defined as follows:~~

(1) 'Authorized emergency vehicle' means vehicles of the fire department, police vehicles, and the ambulances and emergency vehicles of municipal departments or public service corporations designated or authorized by the chief of police or governing body of a municipality.

(2) 'Bicycle' means a device propelled solely by pedals, operated by one or more persons, and having two or more wheels, except children's tricycles.

(3) 'Bus' means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(4) 'Dealer' or 'motor vehicle dealer' means both 'dealer' and 'wholesaler', as defined in Chapter 15 of this title.

(5) 'Driver' means every person who drives or is in actual physical control of a vehicle. Reserved.

(6) 'Essential parts' means all integral and body parts of a vehicle of a type required to be registered under this title, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.

(7) ~~Deleted~~ Reserved.

(8) 'Farm tractor' means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(9) 'Foreign vehicle' means every vehicle of a type required to be registered under this title brought into this State from another state, territory, or country, other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this State.

(10) 'House trailer' means:

(a) a trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets and highways; or

(b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in subitem (a) of this item, but which is used instead permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services or for another commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(11) 'Identifying number' means the numbers and letters, if any, on a vehicle designated by the Department of Motor Vehicles for the purpose of identifying the vehicle.

(12) 'Implement of husbandry' means every vehicle, including mobile barns, designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(13) 'Lienholder' means a person holding a security interest in a vehicle.

(14) 'Mail' means to deposit in the United States mail, properly addressed and with postage prepaid.

(15) 'Manufacturer' means every person engaged in the business of constructing or assembling vehicles of a type required to be registered under this title at an established place of business in this State.

(16) ~~'Motor vehicle' means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power~~

~~obtained from overhead trolley wires, but not operated upon rails.~~
Reserved.

(17) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor.
Reserved.

(18) 'Motor driven cycle' means every motorcycle, including every motor scooter with a motor which produces not to exceed five horsepower. Reserved.

(19) 'Nonresident' means every person who is not a resident of this State. Reserved.

(20) 'Operator' means every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle. Reserved.

(21) 'Owner' means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security. Reserved.

(22) 'Pole trailer' means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(23) 'Previously registered vehicle' means a vehicle registered in this State on January 1, 1958, or a vehicle whose last registration before that date was in this State.

(24) 'Reconstructed vehicle' means every vehicle of a type required to be registered under this title materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

(25) 'Registration' means the registration certificate or certificates and registration plates issued under the laws of this State pertaining to the registration of vehicles.

(26) 'Road tractor' means every motor vehicle designed and used for drawing other vehicles and not constructed to carry any load on it, either independently or any part of the weight of a vehicle or load drawn.

TUESDAY, MARCH 7, 2017

(27) 'School bus' means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school.

(28) 'Security agreement' means a written agreement which reserves or creates a security interest.

(29) 'Security interest' means an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation, conditional sale contract, conditional lease, chattel mortgage, or other lien or encumbrance, except taxes or attachment liens provided for in Section 29-15-20. The term includes the interest of a lessor under a lease intended as security. A security interest is 'perfected' when it is valid against third parties generally, subject only to specific statutory exceptions.

(30) 'Semitrailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(31) 'Special mobile equipment' means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway including, but not limited to: ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes, or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(32) 'Specifically constructed vehicle' means every vehicle of a type required to be registered under this title not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction.

(33) 'Trackless trolley coach' means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

TUESDAY, MARCH 7, 2017

(34) 'Trailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(35) 'Transporter' means every person engaged in the business of delivering vehicles of a type required to be registered under this title from a manufacturing, assembling, or distributing plant to dealers or sales agents of a manufacturer.

(36) 'Truck' means every motor vehicle designed, used, or maintained primarily for the transportation of property.

(37) 'Truck tractor' means every motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

(38) ~~'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks. Reserved.~~

(39) 'Mobile home' means every vehicle which is designed, constructed, and equipped principally as a permanent dwelling place and is equipped to be moved on streets and highways, but which exceeds the size limitations prescribed in Section 56-3-710 and which cannot be licensed and registered by the Department of Motor Vehicles as a 'house trailer'.

(40) 'Odometer' means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; it does not include an auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(41) 'Odometer reading' means actual cumulative distance traveled disclosed on the odometer.

(42) 'Odometer disclosure statement' means a statement, as prescribed by item (d) of subsection (1) of Section 56-19-240, certified by the owner of the motor vehicle to the transferee or to the Department of Motor Vehicles as to the odometer reading.

(43) ~~'Moped' means, notwithstanding item (2), every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must have a power~~

~~drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.~~ Reserved.

(44) 'Automotive three wheel vehicle' means a motor vehicle ~~having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor and a motorcycle three wheel vehicle.~~ Reserved.

(45) 'Motorcycle three wheel vehicle' a motor vehicle ~~having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and handlebars or a motorcycle type steering device, but excluding a tractor or automotive three wheel vehicle.~~ Reserved.

(46) 'Commercial truck' or 'commercial motor vehicle (CMV)' as defined by the Federal Motor Carrier Safety Administration (FMCSA) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater;

(b) has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater;

(c) is designed to transport sixteen or more passengers, including the driver; or

(d) is of any size and is used in the transportation of hazardous materials as that term is defined in 49 C.F.R. Section 390.5.

(47) 'Motor home' means a vehicular unit designed to provide temporary living quarters built into an integral part of or permanently attached to a self-propelled motor vehicle chassis or van which unit contains permanently installed independent life support systems other than low voltage meeting the American National Standards Institute (ANSI) A119.2 Standard for Recreational Vehicles and provides at least four of the following facilities: cooking with onboard power source; gas or electric refrigerator; toilet with exterior evacuation; heating or air conditioning with onboard power source separate from the vehicle engine; a potable water supply system including a faucet, sink, and water tank with an exterior service connection; or separate 110-125 volt electric power supply. For purposes of this definition, a

TUESDAY, MARCH 7, 2017

passenger-carrying automobile, truck, or van without permanently installed independent life support systems, including at least four of the indicated facilities, does not constitute a motor home.

(48) 'Permanently installed' means built into or attached as an integral part of a chassis or van and designed not to be removed except for repair or replacement. A system which is readily removable or held in place by clamps or tie downs is not permanently installed.

(49) 'Low voltage' means twenty-four volts or less.

(50) 'Special mobile equipment' means every vehicle, with or without motive power, not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditch-digging apparatus, well-boring apparatus, truck cranes or mobile shovel cranes, and similar vehicles; this enumeration is deemed partial and does not operate to exclude other vehicles which are within the general terms of this definition."

SECTION 32. Section 56-19-220 of the 1976 Code is amended to read:

"Section 56-19-220. No certificate of title need be obtained for:

(1) A vehicle owned by the United States unless it is registered in this State;

(2) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, or a vehicle used by the manufacturer solely for testing;

(3) A vehicle owned by a nonresident of this State and not required by law to be registered in this State;

(4) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(5) A vehicle moved solely by animal power;

(6) An implement of husbandry;

(7) Special mobile equipment not required to be registered and licensed in this State;

(8) A pole trailer; ~~and~~

(9) ~~Vehicles~~ A vehicle not required to be licensed and registered in this State, except mobile homes;₁

(10) A vehicle used by its manufacturer in a benefit program for the manufacturer's employees;₁

TUESDAY, MARCH 7, 2017

(11) A vehicle used by its manufacturer for testing, distribution, evaluation, and promotion, subject to the limitation in Section 56-3-2332(B)(2); or

(12) A moped."

SECTION 33. Section 38-77-30(9), (14), and (15) of the 1976 Code is amended to read:

"(9) 'Motor vehicle' means every self-propelled vehicle which is designed for use upon a highway, including trailers and semitrailers designed for use with these vehicles but excepting traction engines, road rollers, farm trailers, tractor cranes, power shovels and well-drillers, and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails. Mopeds are considered to be motor vehicles for the purposes of uninsured motor vehicle insurance coverage and underinsured motor vehicle insurance coverage only. For purposes of this chapter, the term automobile has the same meaning as motor vehicle.

(14) 'Uninsured motor vehicle' means a motor vehicle as defined in item (9) as to which:

(a) there is not bodily injury liability insurance and property damage liability insurance both at least in the amounts specified in Section 38-77-140; or

(b) there is nominally that insurance, but the insurer writing the same successfully denies coverage thereunder; or

(c) there was that insurance, but the insurer who wrote the same is declared insolvent, or is in delinquency proceedings, suspension, or receivership, or is proven unable fully to respond to a judgment; and

(d) there is no bond or deposit of cash or securities in lieu of the bodily injury and property damage liability insurance;

(e) the owner of the motor vehicle has not qualified as a self-insurer in accordance with the applicable provisions of law.

A motor vehicle is considered uninsured if the owner or operator is unknown. However, recovery under the uninsured motorist provision is subject to the conditions set forth in this chapter.

Any motor vehicle owned by the State or any of its political subdivisions is considered an uninsured motor vehicle when the vehicle is operated by a person without proper authorization.

(15) 'Underinsured motor vehicle' means a motor vehicle as defined in item (9) as to which there is bodily injury liability insurance or a bond applicable at the time of the accident in an amount of at least that specified in Section 38-77-140 and the amount of the insurance or bond is less than the amount of the insureds' damages."

TUESDAY, MARCH 7, 2017

SECTION 34. Section 56-5-2941(A) of the 1976 Code, as last amended by Act 34 of 2015, is further amended to read:

“(A) The Department of Motor Vehicles shall require a person who is a resident of this State and who is convicted of violating the provisions of ~~Section~~ Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, to have installed on any motor vehicle the person drives, except a moped, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one-hundredths of one percent or more. The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person’s driver’s license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person’s medical condition has improved to the extent that the person has become capable of properly operating an installed device. The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver’s license suspension or denial of the issuance of a driver’s license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped.

The length of time that a device is required to be affixed to a motor vehicle as set forth in Sections 56-1-286, 56-5-2945, 56-5-2947 except if the conviction was for Sections 56-5-750, 56-5-2951, and 56-5-2990.”

SECTION 35. Article 30, Chapter 5, Title 56 of the 1976 Code is repealed.

SECTION 36. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining

TUESDAY, MARCH 7, 2017

any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 37. This act takes effect twelve months after approval by the Governor. The provisions of this act amending Section 38-77-30 apply to automobile insurance coverage issued or renewed on or after twelve months following approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

Rep. DANING spoke in favor of the amendment.

The amendment was then adopted.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

Rep. KIRBY proposed the following Amendment No. 2 to H. 3247 (COUNCIL\WAB\3247C003.AGM.WAB17), which was adopted:

Amend the bill, as and if amended, Section 56-2-3100, as contained in SECTION 10, by deleting Section 56-2-3100 in its entirety and inserting:

/ “Section 56-2-3100. It is unlawful to operate a moped:

(1) at a speed in excess of thirty-five miles per hour on a public highway; or

(2) on a public highway having a speed limit of greater than fifty-five miles per hour. However, a moped is not prohibited from crossing an intersection at a public road with a speed limit in excess of fifty-five miles per hour.” /

Renumber sections to conform.

Amend title to conform.

Rep. KIRBY explained the amendment.

The amendment was then adopted.

TUESDAY, MARCH 7, 2017

Rep. DANING proposed the following Amendment No. 3 to H. 3247 (COUNCIL\DG\3247C001.BBM.DG17), which was adopted:

Amend the bill, as and if amended, SECTION 7, by striking Section 56-1-1720(E) and inserting:

/ (E) The fee for every moped operator's license is twenty dollars. The fee must be collected by the Department of Motor Vehicles and credited to the Department of Transportation State Non-Federal Aid Highway Fund." /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 75; Nays 29

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Bales	Bennett	Blackwell
Bradley	Burns	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hardee	Hayes
Henderson	Hewitt	Hill
Hixon	Hosey	Howard
Jefferson	Johnson	Jordan
Kirby	Knight	Loftis
Lowe	Lucas	Mack
Martin	McCoy	McKnight
V. S. Moss	B. Newton	Ott
Ridgeway	S. Rivers	Ryhal
Sandifer	Sottile	Spires

TUESDAY, MARCH 7, 2017

Stavrinakis	Tallon	Taylor
Thayer	Weeks	West
Whipper	White	Whitmire
Williams	Willis	Yow

Total--75

Those who voted in the negative are:

Atwater	Bedingfield	Bernstein
Caskey	Chumley	Delleney
Erickson	Hamilton	Henegan
Herbkersman	Huggins	King
Long	Magnuson	McCrary
D. C. Moss	W. Newton	Parks
Pitts	Pope	Robinson-Simpson
Rutherford	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Thigpen
Toole	Wheeler	

Total--29

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

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 3911 -- Reps. Rutherford, McCoy, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, 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,

TUESDAY, MARCH 7, 2017

Magnuson, Martin, 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, 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 CONGRATULATE MR. AND MRS. CHRISTOPHER JOSEPH PINCKNEY OF CHARLESTON COUNTY ON THE OCCASION OF THEIR GOLDEN ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3912 -- Reps. Govan, Ott, Cobb-Hunter, Hosey, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, 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, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF JACQUELINE "CINDY" CLARK OF ORANGEBURG COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND FRIENDS.

The Resolution was adopted.

[HJ]

70

TUESDAY, MARCH 7, 2017

HOUSE RESOLUTION

The following was introduced:

H. 3913 -- Reps. Funderburk, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, 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 HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA CIVIL AIR PATROL MAKES TO SUPPORT THE CITIZENS OF THE PALMETTO STATE DURING EMERGENCY AND DISASTER SITUATIONS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3914 -- Reps. Knight, Jefferson, Whipper, Mack, Arrington, Bennett, Alexander, Allison, Anderson, Anthony, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, 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, Johnson, Jordan, King, Kirby, Loftis, Long, Lowe, Lucas, Magnuson,

TUESDAY, MARCH 7, 2017

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, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE DORCHESTER ACADEMY GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 SCISA CLASS A CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3915 -- Reps. Knight, Jefferson, Whipper, Mack, Arrington and Bennett: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE DORCHESTER ACADEMY GIRLS BASKETBALL TEAM OF DORCHESTER COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SCISA CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Dorchester Academy girls basketball team of Dorchester County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 SCISA Class A State Championship title.

The Resolution was adopted.

TUESDAY, MARCH 7, 2017

CONCURRENT RESOLUTION

The following was introduced:

H. 3916 -- Reps. Erickson, Collins, Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, 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, 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 RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM, TO COMMEND THE IMPORTANT WORK BEING DONE TO COMBAT THIS SERIOUS PROBLEM, AND TO DECLARE TUESDAY, APRIL 4, 2017, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 3917 -- Reps. J. E. Smith, Bedingfield, Forrester, G. M. Smith, Williams, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins,

TUESDAY, MARCH 7, 2017

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, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE TUESDAY, MARCH 21, 2017, "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

INTRODUCTION OF BILLS

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

H. 3918 -- Reps. Clemons and Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 32 TO TITLE 17 SO AS TO ENACT THE "ASSET FORFEITURE AND PRIVATE PROPERTY PROTECTION ACT", TO DEFINE NECESSARY TERMS, TO ESTABLISH THAT CERTAIN PROPERTY IS SUBJECT TO FORFEITURE AFTER CRIMINAL CONVICTION, TO ALLOW THE STATE TO PETITION FOR SUBSTITUTE PROPERTY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH WHEN A STATE ENTITY MAY TRANSFER A CRIMINAL INVESTIGATION TO THE FEDERAL GOVERNMENT, TO REQUIRE PROPERTY SUBJECT TO FORFEITURE TO BE IDENTIFIED IN AN INDICTMENT OR BY INFORMATION IN THE COURT AMONG OTHER THINGS, TO ESTABLISH WHEN PROPERTY MAY BE SEIZED OTHER THAN THROUGH A FORFEITURE ORDER, TO REQUIRE THE LAW ENFORCEMENT OFFICER WHO SEIZES PROPERTY TO GIVE AN ITEMIZED RECEIPT OF THE PROPERTY SEIZED, TO GRANT PROVISIONAL TITLE TO THE STATE AT THE TIME OF SEIZURE AND TO DEFINE WHAT RECORDS MUST BE KEPT, TO ALLOW

TUESDAY, MARCH 7, 2017

FOR THE OWNER OF SEIZED PROPERTY TO POST BOND OR GIVE SUBSTITUTE PROPERTY IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A PERSON WITH AN INTEREST IN SEIZED PROPERTY MAY PETITION THE ATTORNEY GENERAL TO REMIT OR MITIGATE PROPERTY IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A DEFENDANT MAY MOVE TO SEPARATE THE TRIAL OF THE ALLEGED CRIME AND FORFEITURE AND DESIGNATE CERTAIN PROCEDURES AND RULES FOR THE TRIALS, TO ALLOW A PROPERTY OWNER TO APPEAL A FORFEITURE ON THE GROUNDS THAT IT IS UNCONSTITUTIONALLY EXCESSIVE, TO ESTABLISH THAT A BONA FIDE SECURITY INTEREST IS NOT SUBJECT TO FORFEITURE EXCEPT IN CERTAIN CIRCUMSTANCES, TO REQUIRE THE STATE TO MAKE REASONABLE EFFORTS TO NOTIFY INNOCENT THIRD PARTIES WHO MAY HAVE AN INTEREST IN FORFEITED PROPERTY AMONG OTHER THINGS, TO PROHIBIT THE FORFEITURE OF PROPERTY OF AN INNOCENT PARTIAL OR JOINT OWNER AND TO ESTABLISH STANDARDS THAT THE STATE MUST OVERCOME TO ALLOW THE PROPERTY TO BE FORFEITED, TO REQUIRE THE STATE TO RETURN SEIZED PROPERTY TO THE OWNER WITHIN THREE BUSINESS DAYS UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH HOW FORFEITED PROPERTY IS TO BE DISBURSED, AND TO REQUIRE ALL STATE LAW ENFORCEMENT AGENCIES TO SUBMIT ANNUAL SEIZURE AND FORFEITURE REPORTS TO THE OFFICE OF THE ATTORNEY GENERAL AND TO INSTRUCT THE DEPARTMENT TO DEVELOP FORMS AND PROCESSES FOR THE LAW ENFORCEMENT AGENCIES.

Referred to Committee on Judiciary

H. 3919 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE

TUESDAY, MARCH 7, 2017

THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Referred to Committee on Judiciary

H. 3920 -- Reps. Felder and Funderburk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-85 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018-2019 SCHOOL YEAR, ALL PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, SHALL POST AT LEAST FIVE SIGNS THAT PROVIDE TELEPHONE NUMBERS AND RELATED INFORMATION FOR REPORTING INCIDENTS OF CHILD ABUSE, NEGLECT, AND EXPLOITATION; AND TO PROVIDE DETAILS CONCERNING THE CONTENT, PLACEMENT, AND APPEARANCE OF THE SIGNS; AND BY AMENDING SECTION 63-7-910, RELATING TO A TOLL-FREE NUMBER FOR THE REFERRAL OF INCIDENTS OF CHILD ABUSE OR NEGLECT THAT THE DEPARTMENT OF SOCIAL SERVICES MAY MAINTAIN, SO AS TO REQUIRE THE DEPARTMENT TO MAINTAIN SUCH A SERVICE AND TO INCLUDE CHILD EXPLOITATION AMONG THE CATEGORIES OF REPORTABLE INCIDENTS FOR WHICH THE SERVICE IS INTENDED.

Referred to Committee on Education and Public Works

H. 3921 -- Rep. Clemons: A BILL TO AMEND ACT 266 OF 2016, RELATING TO THE SOUTH CAROLINA ANTI-MONEY LAUNDERING ACT, SO AS TO REVISE THE ACT'S EFFECTIVE DATE IN ORDER TO GIVE IMMEDIATE EFFECT TO SPECIFIED PROVISIONS.

Referred to Committee on Judiciary

H. 3922 -- Reps. Anthony, White, Cobb-Hunter, Yow, Ott, Atkinson and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-240 SO AS TO CREATE THE RURAL COUNTY TRANSFORMATION FUND, TO PROVIDE THAT THE FUND IS TO BE USED ONLY TO PROVIDE FINANCIAL ASSISTANCE TO RURAL COUNTIES, TO PROVIDE FOR THE DISBURSEMENT OF FUNDS, TO REQUIRE EACH ELIGIBLE COUNTY TO FORM A PROJECT COMMITTEE TO

TUESDAY, MARCH 7, 2017

SUBMIT PROJECTS TO THE COUNTY COUNCIL FOR APPROVAL, AND TO PROVIDE FOR REPORTING.

Referred to Committee on Ways and Means

H. 3923 -- Rep. Weeks: A BILL TO AMEND SECTION 12-6-3310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS, SO AS TO AUTHORIZE A NONPROFIT CORPORATION TO TRANSFER CREDITS UNLESS THE TRANSFER OF A CREDIT IS SPECIFICALLY PROHIBITED.

Referred to Committee on Ways and Means

H. 3924 -- Rep. Hardee: A BILL TO AMEND SECTION 16-11-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL LITTERING AND PENALTIES AND OTHER PROVISIONS REGARDING LITTERING, SO AS TO REVISE PENALTIES FOR VIOLATION WHERE THE LITTER INVOLVED IS A CIGARETTE OR CIGARETTE COMPONENT; AND BY ADDING SECTION 16-11-705 SO AS TO MAKE UNLAWFUL DUMPING OF EGREGIOUS LITTER BY MEANS OF A TRUCK OR OTHER MOTORIZED VEHICLE OR CONVEYANCE A SEPARATE OFFENSE, AND PROVIDE PENALTIES FOR VIOLATION TO INCLUDE MAKING THIRD OR SUBSEQUENT VIOLATIONS A FELONY.

Referred to Committee on Judiciary

H. 3925 -- Rep. Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 20-1-110 SO AS TO PROVIDE THAT COMMON-LAW MARRIAGE IS NOT VALID IN THE STATE ON OR AFTER JANUARY 1, 2018, AND THAT OTHERWISE VALID COMMON-LAW MARRIAGES ESTABLISHED BEFORE JANUARY 1, 2018, CONTINUE TO BE RECOGNIZED IN THE STATE; AND TO REPEAL SECTION 20-1-360 RELATING TO THE VALIDITY OF A MARRIAGE CONTRACTED WITHOUT THE ISSUANCE OF A LICENSE.

Referred to Committee on Judiciary

H. 3926 -- Rep. Spires: A BILL TO AMEND SECTION 40-43-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-43-86, RELATING TO COMPOUNDING

TUESDAY, MARCH 7, 2017

PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PREPARATION COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND-USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40-43-88, RELATING TO THE HANDLING OF STERILE PREPARATION BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

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

H. 3927 -- Reps. Simrill, Herbkersman, J. E. Smith and Bernstein: A BILL TO AMEND SECTION 41-43-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY APPROVE INTEREST RATES ON BONDS ISSUED TO FINANCE INDUSTRIAL DEVELOPMENT PROJECTS UNDER THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT FUND ACT, SO AS TO DELETE THE REQUIREMENT AND TO SPECIFY APPROVAL OF THESE INTEREST RATES BY THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT IS NOT REQUIRED; AND TO AMEND SECTION 41-43-110, AS AMENDED, RELATING TO THE POWER OF THE AUTHORITY TO ISSUE CERTAIN BONDS, SO AS TO MAKE CONFORMING AND RELATED CHANGES.

Referred to Committee on Ways and Means

TUESDAY, MARCH 7, 2017

H. 3928 -- Reps. Loftis, G. R. Smith, Burns, Crawford, Lucas, Bradley, Clemons, Delleney, Henderson, Hixon, Pope, Simrill, G. M. Smith, Stavrinakis and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-437 SO AS TO REQUIRE ALL STATE AGENCIES TO USE A SINGLE THIRD PARTY ORIGINAL SOURCE COMPILER AND PUBLISHER OF UNENCUMBERED ADDRESS DATA FOR PURPOSES OF VALIDATING AND VERIFYING STATE RESIDENTS, HOUSEHOLDS, AND BUSINESSES, AND TO DIRECT THE CHIEF INFORMATION OFFICER OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY, WITH THE INPUT OF AFFECTED AGENCIES, TO PROCURE SUCH A COMPILER AND PUBLISHER IN THE MANNER REQUIRED BY THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE.

Referred to Committee on Ways and Means

H. 3929 -- Reps. Hiott, Pitts, Kirby, Toole, Forrest, Yow, Sandifer, Atkinson, Hayes, Hixon and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-65 SO AS TO ESTABLISH SPECIFIC REQUIREMENTS FOR THE REVIEW AND APPEAL OF DECISIONS BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) REGARDING THE PERMITTING OF CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO APPEALS FROM DHEC DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEWING PERMITS FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 46-45-60, RELATING TO APPLICABILITY OR LOCAL ORDINANCES TO AGRICULTURAL OPERATIONS, SO AS TO CHANGE CERTAIN EXCEPTIONS; AND TO AMEND SECTION 46-45-80, RELATING TO SETBACK DISTANCES FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES, SO AS TO PROHIBIT DHEC FROM REQUIRING ADDITIONAL SETBACK DISTANCES IF ESTABLISHED DISTANCES ARE ACHIEVED, TO PROHIBIT THE WAIVER OR REDUCTION OF SETBACK DISTANCES IF THEY ARE ACHIEVED, WITH EXCEPTIONS, WITHOUT

TUESDAY, MARCH 7, 2017

WRITTEN CONSENT OF ADJOINING PROPERTY OWNERS, AND TO ALLOW DHEC TO REQUIRE CERTAIN BUFFERS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3930 -- Reps. Pitts, Delleney, Clemons and McCravy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-23-510 SO AS TO PROHIBIT A PERSON FROM CARRYING A HANDGUN INTO CERTAIN PLACES WITHOUT PERMISSION OF THE OWNER OR A PERSON IN CONTROL OF THE PREMISES; TO AMEND SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO REVISE THE PROVISIONS THAT PROVIDE WHEN A PERSON MAY LAWFULLY CARRY A HANDGUN; TO AMEND SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO REVISE THE PROVISIONS REGARDING THE LAWFUL POSSESSION OF A FIREARM ON SCHOOL PROPERTY; TO AMEND SECTION 16-23-430, RELATING TO THE CARRYING OF A WEAPON ON SCHOOL PROPERTY, SO AS TO REVISE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO CARRY A WEAPON ON SCHOOL PROPERTY; TO AMEND SECTION 16-23-460, RELATING TO CARRYING A DEADLY CONCEALED WEAPON, SO AS TO REQUIRE AN ELEMENT OF INTENT; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A WEAPON ONTO PREMISES THAT SELL ALCOHOLIC BEVERAGES, SO AS TO REVISE THE ELEMENTS OF THE OFFENSE; TO AMEND SECTION 23-31-215, AS AMENDED, RELATING TO THE ISSUANCE OF CONCEALABLE WEAPON PERMITS, SO AS TO REVISE THE PROVISIONS RELATING TO THE ISSUANCE OF PERMITS; TO AMEND SECTION 23-31-220, RELATING TO THE RIGHTS OF A PROPERTY OWNER TO ALLOW OR PERMIT A PERSON CARRYING A CONCEALED WEAPON ON HIS PROPERTY, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 23-31-225, RELATING TO A PERSON CARRYING A CONCEALABLE WEAPON INTO THE RESIDENCE OR DWELLING PLACE OF ANOTHER PERSON, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN CERTAIN PERSONS WHO CARRY A CONCEALABLE WEAPON MUST LEAVE OR REMOVE THE WEAPON FROM THE PREMISES AND TO MAKE A CONFORMING CHANGE; AND TO

TUESDAY, MARCH 7, 2017

PROVIDE THAT THIS ACT APPLIES ONLY TO INDIVIDUALS WHO LEGALLY MAY PURCHASE A FIREARM FROM A PROPERLY LICENSED AND CERTIFIED FIREARMS DEALER.

Referred to Committee on Judiciary

H. 3931 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO REQUIRE CERTAIN NONPROFIT CORPORATIONS THAT RECEIVE MORE THAN ONE HUNDRED DOLLARS IN PUBLIC FUNDS TO SUBMIT A QUARTERLY EXPENDITURE REPORT TO THE AWARDING JURISDICTION, AND TO PROVIDE THAT THE AWARDING JURISDICTION MUST MAKE THE REPORTS AVAILABLE TO THE PUBLIC.

Referred to Committee on Ways and Means

H. 3932 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-145 SO AS TO REQUIRE THAT A PERSON PERMITTED OR LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION SHALL MAINTAIN A LIQUOR LIABILITY INSURANCE POLICY OR A GENERAL LIABILITY INSURANCE POLICY WITH A LIQUOR LIABILITY ENDORSEMENT FOR A TOTAL COVERAGE OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE BIENNIAL PERMIT OR LICENSE.

Referred to Committee on Labor, Commerce and Industry

H. 3933 -- Rep. Willis: A BILL TO AMEND SECTION 56-3-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF DEALER LICENSE PLATES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL SUPPLY AN ADDITIONAL TWO LICENSE PLATES TO A FULL-SERVICE DEALER WHO CAN DEMONSTRATE THE PRESENCE OF A SERVICE GARAGE AT HIS DEALERSHIP.

Referred to Committee on Education and Public Works

H. 3934 -- Rep. S. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3690 SO AS TO PROVIDE UP TO A FIVE THOUSAND DOLLAR CREDIT FOR A PARENT OR GUARDIAN WHO TEACHES A

TUESDAY, MARCH 7, 2017

QUALIFYING STUDENT AT HOME FOR INSTRUCTION-RELATED EXPENSES, TO PROVIDE UP TO A FIVE THOUSAND DOLLAR CREDIT FOR A PARENT FOR TUITION PAID TO AN INDEPENDENT SCHOOL ON BEHALF OF THEIR CHILD, AND TO PROVIDE THE MANNER IN WHICH THE CREDIT MAY BE CLAIMED.

Referred to Committee on Ways and Means

H. 3935 -- Reps. S. Rivers, G. R. Smith, Hamilton, Burns, Bennett, Bannister, Taylor and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CHOICE SCHOLARSHIP ACT"; BY ADDING CHAPTER 12 TO TITLE 59 SO AS TO ENABLE NONPROFIT ORGANIZATIONS TO PROVIDE SCHOLARSHIPS TO PAY THE EDUCATION COSTS OF A STUDENT TO ATTEND PUBLIC SCHOOLS OR NONPUBLIC SCHOOLS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE PROVISIONS OF THIS CHAPTER AND IMPOSE RELATED REQUIREMENTS OF THE DEPARTMENT, TO PROVIDE THESE SCHOLARSHIPS MAY NOT BE TREATED AS INCOME OR A RESOURCE FOR THE PURPOSES OF QUALIFYING FOR ANY OTHER FEDERAL OR STATE GRANT OR PROGRAM ADMINISTERED BY THE STATE OR A POLITICAL SUBDIVISION, AND TO PROVIDE RELATED DEFINITIONS, CRITERIA, AND PROCEDURES.

Referred to Committee on Ways and Means

H. 3936 -- Reps. Whipper, Gilliard, Mack and Brown: A BILL TO AMEND SECTION 7-7-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHARLESTON COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THE CHARLESTON COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO STRIKE OBSOLETE REFERENCES TO THE OFFICE OF RESEARCH AND STATISTICS.

Referred to Charleston Delegation

H. 3937 -- Reps. Allison, Tallon, Cole and Forrester: A BILL TO AMEND SECTION 56-3-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF

TUESDAY, MARCH 7, 2017

MOTOR VEHICLE DEALERS' LICENSE AND DEMONSTRATION PLATES, SO AS TO PROVIDE THAT A DEALER LICENSE PLATE MAY BE USED BY A PERSON WHOSE VEHICLE IS BEING SERVICED OR REPAIRED BY THE DEALERSHIP, PROVIDED THE VEHICLE DISPLAYING THE LICENSE PLATE IS GIVEN TO THE PERSON BY THE DEALER AT NO CHARGE TO THE CONSUMER AND ONLY FOR THE DURATION OF THE SERVICE OR REPAIR, AND TO PROVIDE THAT A DEALER MAY BE ISSUED TWO PLATES FOR THE FIRST TWENTY VEHICLES SOLD DURING THE PRECEDING YEAR AND TWO ADDITIONAL PLATES FOR EACH FIFTEEN VEHICLES SOLD BEYOND THE INITIAL TWENTY DURING THE PRECEDING YEAR.

Referred to Committee on Education and Public Works

LEAVE OF ABSENCE

The SPEAKER granted Rep. POPE a temporary leave of absence.

OBJECTION TO RECALL

Rep. CLEMMONS asked unanimous consent to recall H. 3643 from the Committee on Judiciary.

Rep. HILL objected.

H. 3401--DEBATE ADJOURNED

The following Concurrent Resolution was taken up:

H. 3401 -- Rep. Clemons: 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 Wednesday, March 8, which was agreed to.

MOTION PERIOD

The motion period was dispensed with on motion of Rep. HOSEY.

TUESDAY, MARCH 7, 2017

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, Bedingfield, Thayer and Putnam: 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. DELLENEY moved to adjourn debate on the Bill until Wednesday, March 8, which was agreed to.

H. 3529--AMENDED AND CONTINUED

The following Bill was taken up:

H. 3529 -- Reps. Bedingfield, Sandifer, Hamilton, Forrester, Atwater, Yow, Clemons, 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.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3529 (COUNCIL\SA\3529C002.DKA.SA18), which was adopted:

Amend the bill, as and if amended, by striking in its entirety Section 37-77-20, SECTION 1, and inserting:

/ Section 39-77-20. As used in this chapter, 'auxiliary container' means a bag, cup, package, container, bottle, or other packaging that is:

- (1) designed to be either reusable or single-use;

TUESDAY, MARCH 7, 2017

(2) made of cloth, paper, plastic, including foamed or expanded plastic, cardboard, expanded polystyrene, corrugated material, aluminum, glass, postconsumer recycled, or similar material or substrates, including coated, laminated, or multilayer substrates; and

(3) designed for, but not limited to, consuming, transporting, or protecting merchandise, food, or beverages from or at a food service or retail facility. /

Amend further, page 2, by striking in its entirety Section 39-77-30, SECTION 1, and inserting:

/ Section 39-77-30. (A) 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. This chapter supersedes and preempts any ordinance enacted by a political subdivision that purports to regulate the use, disposition, sale, or any imposition of any prohibition, restriction, fee imposition, or taxation of auxiliary containers at the retail, manufacturer, or distributor level.

(B) Nothing in this chapter may be construed to prohibit or limit any county or municipal ordinance regulating solid waste, any agreement pertaining to the disposal of solid waste, curbside recycling program, designated residential or commercial recycling locations, or commercial recycling program.

(C) The provisions of this chapter do not apply to the use of auxiliary containers on a property owned by a county or municipality.

(D) The provisions of this chapter apply to auxiliary container regulations enacted after January 1, 2017. /

Renumber sections to conform.

Amend title to conform.

Rep. BEDINGFIELD explained the amendment.

The amendment was then adopted.

LEAVE OF ABSENCE

The SPEAKER granted Rep. G. M. SMITH a leave of absence for the remainder of the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. SPIRES a temporary leave of absence.

TUESDAY, MARCH 7, 2017

LEAVE OF ABSENCE

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

Reps. BEDINGFIELD, MAGNUSON and DUCKWORTH proposed the following Amendment No. 2 to H. 3529 (COUNCIL\CZ\3529C004. NBD.CZ17), which was adopted:

Amend the bill, as and if amended, by striking Section 39-77-30(C), as contained in SECTION 1, and inserting:

/ (C) The provisions of this chapter do not apply to the use of auxiliary containers within the boundaries of a State park, on a property owned by a county or municipality including, but not limited to, coastal tidelands and wetlands, or on a public beach maintained by a coastal county or municipality. /

Renumber sections to conform.

Amend title to conform.

Rep. BEDINGFIELD explained the amendment.

Rep. BEDINGFIELD spoke in favor of the amendment.

Rep. ERICKSON spoke against the amendment.

Rep. RYHAL spoke upon the amendment.

Rep. ATWATER spoke upon the amendment.

The amendment was then adopted.

Rep. MCKNIGHT proposed the following Amendment No. 4 to H. 3529 (COUNCIL\WAB\3529C001.AGM.WAB17), which was ruled out of order:

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

/ Section 1. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2-1-300. Notwithstanding another provision of law, no county, municipality, or other local government may enact any ordinance, regulation, or other law. Such ordinances, regulations, or laws are void in ab initio.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. MCKNIGHT explained the amendment.

TUESDAY, MARCH 7, 2017

POINT OF ORDER

Rep. ATWATER raised the Point of Order that under Rule 9.3 that Amendment No. 4 to H. 3529 was out of order in that it was not germane to the Bill. Rep. ATWATER stated that the provision was overly broad and not specifically draw to the Bill itself, and it is all provisions of the law and no county or local government ordinance, regulation, or law.

Rep. MCKNIGHT spoke to the Point.

The SPEAKER sustained the Point of Order and ruled the Amendment to be non-germane to the Bill.

Rep. HERBKERSMAN spoke against the Bill.

Rep. W. NEWTON spoke against the Bill.

Rep. ERICKSON moved to recommit the Bill to the Committee on Labor, Commerce and Industry.

Rep. BEDINGFIELD moved to table the motion.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yea 51; Nays 50

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Atwater	Bales	Bedingfield
Burns	Chumley	Clemmons
Cole	Crawford	Delleney
Duckworth	Elliott	Felder
Forrester	Fry	Hamilton
Hardee	Hayes	Henderson
Henegan	Hill	Hixon
Huggins	Jefferson	Johnson
Jordan	Loftis	Long
Lowe	Lucas	Magnuson
Martin	McCrary	D. C. Moss
V. S. Moss	B. Newton	Pitts
Ryhal	Sandifer	G. R. Smith
Spires	Tallon	Taylor

TUESDAY, MARCH 7, 2017

Thayer	Weeks	West
White	Whitmire	Willis

Total--51

Those who voted in the negative are:

Alexander	Anthony	Arrington
Bennett	Bernstein	Blackwell
Bradley	Brown	Caskey
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	Crosby
Daning	Davis	Dillard
Douglas	Erickson	Forrest
Funderburk	Gagnon	Gilliard
Govan	Herbkersman	Hewitt
Hosey	Howard	King
Kirby	Knight	Mack
McCoy	McEachern	McKnight
W. Newton	Ott	Parks
Ridgeway	Robinson-Simpson	Rutherford
J. E. Smith	Sottile	Stavrinakis
Thigpen	Toole	Wheeler
Whipper	Williams	

Total--50

So, the motion to recommit the Bill was tabled.

Rep. BROWN spoke against the Bill.

Rep. BEDINGFIELD spoke in favor of the Bill.

Rep. MCCOY moved to continue the Bill.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yea 50; Nays 49

Those who voted in the affirmative are:

Alexander	Anthony	Arrington
Bennett	Bernstein	Bradley
Brown	Caskey	Clary

TUESDAY, MARCH 7, 2017

Clyburn	Cobb-Hunter	Cogswell
Collins	Crosby	Daning
Davis	Dillard	Douglas
Erickson	Funderburk	Gilliard
Govan	Herbkersman	Hewitt
Hosey	Howard	King
Kirby	Knight	Mack
Magnuson	McCoy	McEachern
McKnight	W. Newton	Ott
Parks	Ridgeway	S. Rivers
Robinson-Simpson	Rutherford	J. E. Smith
Sottile	Stavrinakis	Thigpen
Toole	Weeks	Wheeler
Whipper	Williams	

Total--50

Those who voted in the negative are:

Allison	Anderson	Atkinson
Atwater	Bales	Bedingfield
Blackwell	Burns	Chumley
Clemmons	Cole	Crawford
Delleney	Duckworth	Elliott
Felder	Forrester	Fry
Hamilton	Hardee	Hayes
Henderson	Henegan	Hill
Hixon	Jefferson	Johnson
Jordan	Loftis	Long
Lowe	Lucas	Martin
McCrary	D. C. Moss	V. S. Moss
B. Newton	Pitts	Ryhal
Sandifer	G. R. Smith	Spires
Tallon	Taylor	Thayer
West	White	Whitmire
Willis		

Total--49

So, the Bill was continued.

TUESDAY, MARCH 7, 2017

H. 3529--MOTION TO RECONSIDER REJECTED

Rep. COBB-HUNTER moved to reconsider the vote whereby the following Bill was continued:

H. 3529 -- Reps. Bedingfield, Sandifer, Hamilton, Forrester, Atwater, Yow, Clemons, 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. COBB-HUNTER moved to table the motion.

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

Yea 49; Nays 53

Those who voted in the affirmative are:

Alexander	Anthony	Arrington
Bennett	Bernstein	Bradley
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Cogswell
Collins	Crosby	Daning
Davis	Dillard	Douglas
Erickson	Forrest	Funderburk
Gilliard	Govan	Herbkersman
Hewitt	Hosey	Howard
King	Kirby	Knight
Mack	McCoy	McEachern
McKnight	W. Newton	Ott
Parks	Ridgeway	S. Rivers
Robinson-Simpson	Rutherford	J. E. Smith
Sottile	Stavrinakis	Thigpen

TUESDAY, MARCH 7, 2017

Toole
Williams

Wheeler

Whipper

Total--49

Those who voted in the negative are:

Allison	Anderson	Atkinson
Atwater	Bales	Bedingfield
Blackwell	Burns	Chumley
Clemmons	Cole	Crawford
Delleney	Duckworth	Elliott
Felder	Forrester	Fry
Gagnon	Hamilton	Hardee
Hayes	Henderson	Henegan
Hill	Hixon	Huggins
Jefferson	Johnson	Jordan
Loftis	Long	Lowe
Lucas	Magnuson	Martin
McCrary	D. C. Moss	V. S. Moss
B. Newton	Pitts	Ryhal
Sandifer	G. R. Smith	Spires
Tallon	Taylor	Thayer
Weeks	West	White
Whitmire	Willis	

Total--53

So, the House refused to table the motion to reconsider.

The question then recurred to the motion to reconsider.

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

Yea 51; Nays 51

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Atwater	Bales	Bedingfield
Blackwell	Burns	Chumley
Clemmons	Cole	Crawford
Delleney	Duckworth	Elliott

TUESDAY, MARCH 7, 2017

Felder	Forrester	Fry
Gagnon	Hamilton	Hardee
Hayes	Henderson	Henegan
Hill	Hixon	Huggins
Jefferson	Johnson	Jordan
Loftis	Long	Lowe
Lucas	Martin	McCravy
D. C. Moss	V. S. Moss	B. Newton
Pitts	Ryhal	Sandifer
G. R. Smith	Spires	Tallon
Taylor	Thayer	West
White	Whitmire	Willis

Total--51

Those who voted in the negative are:

Alexander	Anthony	Arrington
Bennett	Bernstein	Bradley
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Cogswell
Collins	Crosby	Daning
Davis	Dillard	Douglas
Erickson	Forrest	Funderburk
Gilliard	Govan	Herbkersman
Hewitt	Hosey	Howard
King	Kirby	Knight
Mack	Magnuson	McCoy
McEachern	McKnight	W. Newton
Ott	Parks	Ridgeway
S. Rivers	Robinson-Simpson	Rutherford
J. E. Smith	Sottile	Stavrinakis
Thigpen	Toole	Weeks
Wheeler	Whipper	Williams

Total--51

So, the motion to reconsider was rejected.

RECURRENCE TO THE MORNING HOUR

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

TUESDAY, MARCH 7, 2017

HOUSE RESOLUTION

The following was introduced:

H. 3938 -- Reps. Forrester, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, 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 HOUSE RESOLUTION TO CONGRATULATE THE DORMAN HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2017 CLASS AAAAA STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3939 -- Rep. Forrester: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE DORMAN HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON THEIR IMPRESSIVE SEASON AND FOR CAPTURING THE 2017 CLASS AAAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

TUESDAY, MARCH 7, 2017

That the privilege of the floor of the South Carolina House of Representatives be extended to the Dorman High School boys basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended on their impressive season and for capturing the 2017 Class AAAAA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3940 -- Reps. D. C. Moss and V. S. Moss: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REVEREND STUART ASHBY KERSEY AFTER MANY YEARS OF OUTSTANDING SERVICE TO THE SPIRITUAL WELL-BEING OF SOUTH CAROLINIANS, AND TO WISH HIM HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3941 -- Reps. Gilliard, Mack, Whipper, Brown, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, 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, 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, White, Whitmire, Williams, Willis and Yow: A HOUSE

TUESDAY, MARCH 7, 2017

RESOLUTION TO RECOGNIZE AND HONOR THE BURKE HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 CLASS AA CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3942 -- Reps. Gilliard, Mack, Whipper and Brown: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE BURKE HIGH SCHOOL BOYS BASKETBALL TEAM OF CHARLESTON COUNTY WITH THE TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Burke High School boys basketball team of Charleston County with the team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 Class AA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3943 -- Reps. McKnight and Anderson: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE HEMINGWAY HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM OF WILLIAMSBURG COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO

TUESDAY, MARCH 7, 2017

BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Hemingway High School boys varsity basketball team of Williamsburg County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 South Carolina Class A State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3944 -- Reps. McKnight, Anderson, Alexander, Allison, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, 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, 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 HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HEMINGWAY HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND

TUESDAY, MARCH 7, 2017

TO CONGRATULATE THEM FOR SECURING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 3945 -- Reps. Robinson-Simpson and Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-67-75 SO AS TO PROVIDE THAT ALL SCHOOL BUSES PUT INTO SERVICE AFTER AUGUST 1, 2020, MUST BE EQUIPPED WITH LAP SEAT BELTS FOR ALL PERMANENT SEATING ACCOMMODATIONS, TO PROVIDE THIS REQUIREMENT IS IN ADDITION TO EXISTING SCHOOL BUS SAFETY REQUIREMENTS, TO PROVIDE THESE SEAT BELTS MUST BE PROPERLY FASTENED ABOUT PASSENGERS DURING VEHICLE OPERATION, TO PROVIDE SCHOOL BUS DRIVERS SHALL ENSURE THAT THESE SEAT BELTS ARE FASTENED ABOUT EACH PASSENGER, AND TO PROVIDE NO CLAIMS FOR DAMAGES MAY ARISE FROM THE FAILURE OF SCHOOL BUS DRIVERS TO ENSURE PASSENGERS WEAR THESE SEAT BELTS; TO AMEND SECTION 59-67-10, RELATING TO DEFINITIONS CONCERNING THE TRANSPORTATION OF STUDENTS AND SCHOOL BUSES, SO AS TO DEFINE THE TERM "LAP SEAT BELT"; AND TO AMEND SECTION 59-67-40, RELATING TO THE APPLICABILITY OF CERTAIN REQUIREMENTS OF PUBLIC SCHOOL BUSES TO PRIVATE SCHOOL BUSES, SO AS INCLUDE LAP SEAT BELT REQUIREMENTS.

Referred to Committee on Education and Public Works

H. 3946 -- Reps. Erickson, Cobb-Hunter, King, Collins, Bernstein, Yow, Whipper, Knight, Spires, Arrington, Anderson, McKnight, Jefferson, Anthony, Clemons, Funderburk, Hamilton, Henegan, Loftis, Ridgeway, Thayer, Whitmire and Willis: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF

TUESDAY, MARCH 7, 2017

TIME THAT A CHILD MAY BE HELD FOR VIOLATION OF COURT ORDER REGARDING A STATUS OFFENSE; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, AS AMENDED, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Referred to Committee on Judiciary

H. 3947 -- Reps. Erickson, Collins, Bernstein, Yow, Wheeler, Spires, Hosey, Henegan, Jefferson, V. S. Moss, Alexander, Clemons and Hayes: 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 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

TUESDAY, MARCH 7, 2017

POWER OF ATTORNEY EXECUTED PURSUANT TO ARTICLE 7,
CHAPTER 15, TITLE 63.

Referred to Committee on Judiciary

H. 3948 -- Reps. Erickson, Collins, Bernstein, Robinson-Simpson, Yow, Willis, Spires, Hosey, Jefferson, Alexander and Clemons: A BILL TO AMEND SECTION 23-3-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO GIVE FAMILY COURTS THE DISCRETION WHETHER TO REQUIRE A CHILD FOURTEEN YEARS OR OLDER TO BE PLACED ON THE REGISTRY, TO PROHIBIT FAMILY COURTS FROM PLACING A CHILD UNDER FOURTEEN YEARS ON THE REGISTRY, AND TO ALLOW PERSONS REQUIRED TO BE PLACED ON THE REGISTRY TO PETITION THE COURT FOR REMOVAL UPON REACHING TWENTY-ONE YEARS OF AGE; TO AMEND SECTION 23-3-490, AS AMENDED, RELATING TO PUBLIC INSPECTION OF SEX OFFENDER REGISTRY RECORDS, SO AS TO LIMIT PUBLIC ACCESS TO VICTIMS, WITNESSES, SCHOOLS, CHILDCARE FACILITIES, AND OTHER BUSINESSES THAT PRIMARILY SERVE CHILDREN, WOMEN, OR VULNERABLE ADULTS; AND TO AMEND SECTION 63-3-510, AS AMENDED, RELATING TO FAMILY COURT JURISDICTION OVER CHILDREN, SO AS TO RETAIN JURISDICTION TO REVIEW PETITIONS FOR REMOVAL FROM THE SEX OFFENDER REGISTRY.

Referred to Committee on Judiciary

S. 79 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-220 SO AS TO DESIGNATE THE MONTH OF JULY OF EACH YEAR AS "FIBROID TUMOR AWARENESS MONTH" AND RAISE AWARENESS OF THE IMPACT UTERINE FIBROID TUMORS HAVE ON WOMEN'S HEALTH.

Referred to Committee on Education and Public Works

S. 213 -- Senators Peeler, Alexander and Scott: A BILL TO AMEND CHAPTER 20, TITLE 2, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONJUDICIAL SCREENING AND ELECTION, SO AS TO CREATE THE COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION TO CONSIDER THE QUALIFICATIONS OF CANDIDATES FOR

TUESDAY, MARCH 7, 2017

TRUSTEES TO STATE-SUPPORTED COLLEGES AND UNIVERSITIES, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND TO PROVIDE FOR THE INVESTIGATIVE, NOMINATION, AND ELECTION PROCESSES.

Referred to Committee on Judiciary

S. 315 -- Senator Cromer: A BILL TO AMEND SECTION 38-75-470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HURRICANE, EARTHQUAKE, AND FIRE ADVISORY COMMITTEE, SO AS TO AUTHORIZE THE ADVISORY COMMITTEE TO ADDRESS THE MITIGATION OF PROPERTY LOSSES DUE TO FLOOD; TO AMEND SECTION 38-75-480, RELATING TO THE LOSS MITIGATION GRANT PROGRAM, SO AS TO ESTABLISH THAT GRANTS MAY BE MADE TO LOCAL GOVERNMENTS TO MITIGATE LOSSES AND PROVIDE TECHNICAL ASSISTANCE FOR THE DEVELOPMENT OF PROACTIVE HAZARD MITIGATION STRATEGIES AND TO ALLOW THE DEPARTMENT OF INSURANCE TO ACCEPT GRANTS IN AID FOR THE MITIGATION OF LOSSES FOR ELIGIBLE PROPERTIES; AND TO AMEND SECTION 38-75-485, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, SO AS TO ESTABLISH CERTAIN CRITERIA THAT A RESIDENTIAL PROPERTY MUST MEET IN ORDER TO BE ELIGIBLE FOR A NONMATCHING GRANT, TO PROHIBIT THE PROGRAM FROM ISSUING A GRANT FOR A RESIDENTIAL PROPERTY FROM EXCEEDING FIVE THOUSAND DOLLARS, TO ALLOW FOR MATCHING GRANT FUNDS TO BE MADE AVAILABLE TO LOCAL GOVERNMENTS AND NONPROFIT ENTITIES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH A FORMULA FOR DETERMINING NONMATCHING GRANT AWARDS BASED ON AN APPLICANT'S HOUSEHOLD INCOME.

Referred to Committee on Labor, Commerce and Industry

S. 340 -- Senator Sheehan: A BILL TO AMEND SECTION 1-3-230 OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF SOUTH CAROLINA'S POET LAUREATE, TO PROVIDE THAT THE SOUTH CAROLINA ARTS COMMISSION SHALL PROVIDE THE GOVERNOR WITH RECOMMENDATIONS OF QUALIFIED

TUESDAY, MARCH 7, 2017

CANDIDATES AND TO ESTABLISH TERMS OF OFFICE AND DUTIES.

Referred to Committee on Judiciary

S. 366 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MORTGAGE LENDING DEFINITIONS, SO AS TO MAKE CERTAIN CHANGES AND DEFINE THE TERM "LOAN CORRESPONDENT"; TO AMEND SECTION 37-22-140, RELATING TO MORTGAGE LENDING LICENSE APPLICATIONS, SO AS TO REMOVE THE STATE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK REQUIREMENT, TO REQUIRE THREE HOURS OF PRELICENSING EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS, TO ALLOW THE LICENSURE OF A PERSONAL RESIDENCE UNDER CERTAIN CIRCUMSTANCES, AND TO ALLOW FOR THE GRANT OF TRANSITIONAL LICENSES PURSUANT TO THE SAFE ACT; TO AMEND SECTION 37-22-150, RELATING TO EXPIRATION AND RENEWAL OF LICENSES, SO AS TO REMOVE REFERENCES TO A STATE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK; TO AMEND SECTION 37-22-160, RELATING TO CONTINUING PROFESSIONAL EDUCATION, SO AS TO REQUIRE AT LEAST ONE HOUR OF ANNUAL CONTINUING PROFESSIONAL EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 37-22-190, RELATING TO PROHIBITED ACTIVITIES, SO AS TO REMOVE A REFERENCE TO THE SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; TO AMEND SECTION 37-22-210, RELATING TO THE COMMISSIONER'S RECORDS, SO AS TO UPDATE A REFERENCE; TO AMEND SECTION 37-22-240, RELATING TO CRIMINAL BACKGROUND CHECKS, SO AS TO REMOVE CERTAIN REQUIREMENTS AND TO AUTHORIZE THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES; TO AMEND SECTION 37-22-270, RELATING TO PARTICIPATION IN THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY, SO AS TO DELETE REFERENCES TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION; TO AMEND SECTION 37-23-75, RELATING TO LOAN DISCLOSURES, SO AS TO REQUIRE A

TUESDAY, MARCH 7, 2017

LOAN ESTIMATE TO BE MADE UNDER THE TILA-RESPA INTEGRATED DISCLOSURE RULE, TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS CONCERNING THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO MAKE CERTAIN CHANGES AND DEFINE THE TERM "LOAN CORRESPONDENT"; TO AMEND SECTION 40-58-50, AS AMENDED, RELATING TO MORTGAGE BROKER LICENSE APPLICATIONS, SO AS TO REMOVE THE STATE CRIMINAL BACKGROUND CHECK REQUIREMENT, TO AUTHORIZE THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, AND TO REQUIRE AT LEAST THREE HOURS OF PRELICENSING EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 40-58-60, RELATING TO THE ISSUING OF A MORTGAGE BROKERS LICENSE, SO AS TO AUTHORIZE THE GRANT OF TRANSITIONAL LICENSES; TO AMEND SECTION 40-58-65, RELATING TO THE MAINTENANCE OF RECORDS, SO AS TO REMOVE CERTAIN PHYSICAL PRESENCE REQUIREMENTS; TO AMEND SECTION 40-58-67, RELATING TO CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, SO AS TO REQUIRE AT LEAST ONE HOUR OF ANNUAL CONTINUING PROFESSIONAL EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 40-58-110, RELATING TO LICENSE APPLICATIONS AND RENEWAL FEES, SO AS TO ALLOW FOR THE DEPARTMENT TO LICENSE A PERSONAL RESIDENCE UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 48-58-130, RELATING TO PARTICIPATION IN THE NATIONWIDE MORTGAGE LICENSING SYSTEM REGISTRY, SO AS TO DELETE REFERENCES TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION.

Referred to Committee on Labor, Commerce and Industry

S. 421 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO GENERAL REGULATIONS; AND ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4686, PURSUANT TO THE

TUESDAY, MARCH 7, 2017

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

S. 422 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4741, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

S. 423 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF REGISTRATION FOR FORESTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4721, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3808 -- Reps. Clemons, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, 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,

TUESDAY, MARCH 7, 2017

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 HONOR CANCER PATIENTS, SURVIVORS AND THEIR FAMILIES, TO REMEMBER THOSE PEOPLE WHO HAVE BEEN LOST TO CANCER, AND TO DECLARE TUESDAY, MARCH 7, 2017, AS "SUITS AND SNEAKERS DAY" IN SOUTH CAROLINA.

H. 3540 -- Rep. Bales: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE CHARLES E. SCHMIDT, TO SOUTH CAROLINA AND INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 8, 2017.

H. 3657 -- Reps. Stavrinakis, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, 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, Neal, B. Newton, W. Newton, Norman, 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, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME RACE STREET IN THE CITY OF CHARLESTON "FATHER NICHOLAS C. TRIVELAS MEMORIAL BOULEVARD" AND ERECT APPROPRIATE MARKERS OR

TUESDAY, MARCH 7, 2017

SIGNS ALONG THIS STREET CONTAINING THIS
DESIGNATION.

ADJOURNMENT

At 5:31 p.m. the House in accordance with the motion of Rep.
ARRINGTON adjourned to meet at 10:00 a.m. tomorrow.

TUESDAY, MARCH 7, 2017

H. 3204	31, 83	H. 3895	7
H. 3234	2	H. 3896	8
H. 3240	16	H. 3897	8
H. 3247	32, 36, 66, 67	H. 3898	9
H. 3256	22	H. 3899	9
H. 3311	16	H. 3900	9
H. 3322	16	H. 3901	9
H. 3358	29	H. 3902	9
H. 3401	31, 82	H. 3903	10
H. 3513	16, 20	H. 3904	10
H. 3529	32, 83, 85, 86	H. 3905	10
H. 3529	89	H. 3906	10
H. 3540	103	H. 3907	11
H. 3587	16, 23	H. 3908	11
H. 3643	19, 82	H. 3909	11
H. 3649	2	H. 3910	11
H. 3653	3	H. 3911	68
H. 3657	103	H. 3912	69
H. 3677	31	H. 3913	70
H. 3720	7	H. 3914	70
H. 3721	7	H. 3915	71
H. 3743	16	H. 3916	72
H. 3786	16	H. 3917	72
H. 3789	17	H. 3918	73
H. 3792	2	H. 3919	74
H. 3793	17, 21	H. 3920	75
H. 3808	102	H. 3921	75
H. 3817	17	H. 3922	75
H. 3818	17	H. 3923	76
H. 3819	17	H. 3924	76
H. 3820	18	H. 3925	76
H. 3821	18	H. 3926	76
H. 3822	18	H. 3927	19, 77
H. 3823	18	H. 3928	78
H. 3824	18	H. 3929	78
H. 3825	18	H. 3930	79
H. 3826	19	H. 3931	80
H. 3856	30	H. 3932	80
H. 3860	19	H. 3933	80
H. 3861	3	H. 3934	80
H. 3879	19	H. 3935	81
H. 3882	19	H. 3936	81
H. 3892	4	H. 3937	81
H. 3893	5	H. 3938	92
H. 3894	5	H. 3939	92

TUESDAY, MARCH 7, 2017

H. 3940 93
H. 3941 93
H. 3942 94
H. 3943 94
H. 3944 95
H. 3945 96
H. 3946 96
H. 3947 97
H. 3948 98

S. 79 98
S. 198 26
S. 213 98
S. 218 4
S. 263 30
S. 303 6
S. 315 99
S. 340 99
S. 365 27
S. 366 100
S. 381 11
S. 394 12
S. 421 101
S. 422 102
S. 423 102
S. 457 31
S. 502 6