

NO. 43

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

**WEDNESDAY, MARCH 22, 2017
(STATEWIDE SESSION)**

Wednesday, March 22, 2017
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 121:8: "The Lord will watch over your going out and your coming in from this time on forevermore."

Let us pray. We give You thanks, O God, that You have cared for us and bring us to a new day. Give these Representatives and staff a fresh start in doing the work assigned to them. Bless them as they work together to accomplish great things for this State. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all those who serve and advise these leaders. 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 prayers. Amen.

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

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

INVITATIONS

On motion of Rep. RYHAL, with unanimous consent, the following were taken up for immediate consideration and accepted:

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Governmental Affairs Committee of The Citadel Alumni Association, the Members the House of Representatives are invited to a legislative reception. This event will be held on April 4,

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2017, from 6:00 p.m. to 8:00 p.m., in the Goodman Building at the State Fairgrounds.

Sincerely,
Sara A. Roth
Assistant Director
Citadel Alumni Association

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Technical College System, the Members the House of Representatives are invited to a legislative luncheon. This event will be held on April 5, 2017, from 12:00 p.m. to 2:00 p.m., on the State House grounds.

Sincerely,
Karen Taylor
Project Coordinator

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Board of Trustees of the University of South Carolina, the Members the House of Representatives and staff are invited to a legislative reception. This event will be held on April 5, 2017, from 6:00 p.m. to 8:00 p.m., at 1801 Grille, 700 Lincoln Street.

Sincerely,
Shirley D. Mills
Director

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March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Office of the State Treasurer, the Members the House of Representatives and staff are invited to a legislative breakfast. This event will be held on April 6, 2017, from 8:00 a.m. to 10:00 a.m., in room 112 in the Blatt building.

Sincerely,
Jenny McGill
College Savings Program Director

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the PAFIC, the Members the House of Representatives and staff are invited to a legislative luncheon. This event will be held on April 18, 2017, from 12:00 p.m. to 2:00 p.m., on the State House grounds.

Sincerely,
Jackie Moore
SC Department of Agriculture

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the Jasper County Chamber of Commerce Shrimp Boil, the Members the House of Representatives and staff are invited to a

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legislative luncheon. This event will be held on April 19, 2017, from 12:00 p.m. to 2:00 p.m., on the State House grounds.

Sincerely,
Kendall Malphrus
Executive Director

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the SC Clean Energy Business Alliance, the Members of the House of Representatives and staff are invited to a legislative breakfast. This event will be held on April 20, 2017, from 8:00 a.m. to 10:00 a.m., in room 112 in the Blatt building.

Sincerely,
Patty Pierce
Executive Director

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the SC Manufacturers Alliance, Boeing, BMW, and General Electric, the Members of the House of Representatives and staff are invited to a legislative reception. This event will be held on April 25, 2017, from 6:00 p.m. to 8:00 p.m., at the SC State Museum.

Sincerely,
Lewis F. Gossett
President and CEO

March 21, 2017
The Honorable Jimmy Bales

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Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of Absolute Total Care, the Members the House of Representatives and staff are invited to a legislative breakfast. This event will be held on April 26, 2017, from 8:00 a.m. to 10:00 a.m., in room 112 in the Blatt building.

Sincerely,
Crystal Freie
Absolute Total Care

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Restaurant and Lodging Association, the Members the House of Representatives and staff are invited to a legislative luncheon. This event will be held on April 26, 2017, from 12:00 p.m. to 2:00 p.m., on the State House grounds.

Sincerely,
Douglas OFlaherty
Director of Operations

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Hospital Association (SCHA), the Members the House of Representatives and staff are invited to a legislative reception. This event will be held on April 26, 2017, from 6:00 p.m. to 8:00 p.m., at the Palmetto Club.

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Sincerely,
Thornton Kirby, FACHE
President and CEO

March 21, 2017
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:

On behalf of the South Carolina Association of Convenience Stores (SCACS), the Members the House of Representatives and staff are invited to a legislative breakfast. This event will be held on April 27, 2017, from 8:00 a.m. to 10:00 a.m., in room 112 in the Blatt building.

Sincerely,
Hannah Lorance
SCACS Account Executive

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4691

Agency: Department of Employment and Workforce
Statutory Authority: 1976 Code Sections 41-29-110 and 41-35-720
Appeals to Appeal Tribunal
Received by Speaker of the House of Representatives January 10, 2017
Referred to Regulations and Administrative Procedures Committee
Legislative Review Expiration May 10, 2017

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4692

Agency: Department of Employment and Workforce
Statutory Authority: 1976 Code Sections 4-29-110 and 41-35-720
Appeals to the Appellate Panel
Received by Speaker of the House of Representatives January 10, 2017
Referred to Regulations and Administrative Procedures Committee
Legislative Review Expiration May 10, 2017

WEDNESDAY, MARCH 22, 2017

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 532 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 5, 2017, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING AN AT-LARGE MEMBER OF THE BOARD OF VISITORS OF THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2023; FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2021; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2021; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2021, AND AT-LARGE MEMBERS FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2021; FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FROM THE THIRD CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2020; FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FROM AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2018; FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERMS OF THE HEALTH PROFESSION MEMBERS FROM THE THIRD AND SIXTH CONGRESSIONAL DISTRICTS WHOSE TERMS WILL EXPIRE JUNE 30, 2018; FOR THE PURPOSE OF ELECTING AN AT-LARGE MEMBER FROM SEAT 8 FROM WINTHROP UNIVERSITY FOR A TERM TO EXPIRE JUNE 30, 2023; AND FOR THE PURPOSE OF ELECTING FOUR AT-LARGE MEMBERS OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2021; AND FOR THE PURPOSE OF ELECTING AN AT-LARGE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM AMONG THE CANDIDATES

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NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL
NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-20,
FOR A TERM TO EXPIRE ON JUNE 30, 2023.

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

INTRODUCTION OF BILLS

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

H. 4020 -- Reps. Johnson and Hardee: A BILL TO AMEND SECTION 28-2-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO A CONDEMNOR'S RIGHT TO ENTER ON REAL PROPERTY SUBJECT TO CONDEMNATION FOR CERTAIN PURPOSES, SO AS TO REQUIRE THE CONDEMNOR TO PROVIDE NOTICE TO THE LANDOWNER OF APPLICATION FOR AN EX PARTE ORDER TO GAIN ENTRY.

Referred to Committee on Judiciary

H. 4021 -- Rep. Finlay: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CERTAIN FUEL AND ELECTRICITY USED IN PERISHABLE PREPARED FOOD MANUFACTURING AND TO EXEMPT CERTAIN CLOTHING WORN AT PERISHABLE PREPARED FOOD MANUFACTURING FACILITIES.

Referred to Committee on Ways and Means

H. 4022 -- Rep. Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-33-440 SO AS TO SPECIFY THE PROVISIONS OF LAW APPLICABLE TO BASE LOAD REVIEW ORDERS AND PROJECT DEVELOPMENT ORDERS ISSUED FOR CERTAIN UTILITY FACILITY CONSTRUCTION PROJECTS BEFORE JANUARY 1, 2017; TO AMEND SECTION 58-33-220, RELATING TO DEFINITIONS IN THE BASE LOAD REVIEW ACT, SO AS TO REVISE DEFINITIONS; TO AMEND SECTION 58-33-240, RELATING TO THE BURDEN OF ESTABLISHING THE PRUDENCE OF UTILITIES PLAN CONSTRUCTION PROJECTS, SO AS TO REVISE THE SCOPE AND SPECIFIC REQUIREMENTS OF THIS

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BURDEN, AND TO INCLUDE PROVISIONS CONCERNING CONTRACTUAL DELEGATIONS OF DECISION MAKING AUTHORITY TO THIRD PARTIES; TO AMEND SECTION 58-33-250, RELATING TO APPLICATIONS FOR BASE LOAD REVIEW ORDERS, SO AS TO REVISE REQUIREMENTS FOR INFORMATION CONCERNING ANTICIPATED CONSTRUCTION SCHEDULES AND TO REQUIRE ANTICIPATED PAYMENT SCHEDULES; TO AMEND SECTION 58-33-270, RELATING TO BASE LOAD REVIEW ORDER CONTENTS, SO AS TO REQUIRE ANTICIPATED CONSTRUCTION SCHEDULES AND ANTICIPATED PAYMENT SCHEDULES, TO REQUIRE ITEMIZATION OF CAPITAL COSTS BY SCOPE OF WORK, AND TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF MAY PETITION THE PUBLIC SERVICE COMMISSION FOR ORDERS MODIFYING RETURNS ON EQUITY TO BE APPLIED TO FUTURE RATES, SUBJECT TO CERTAIN LIMITATIONS AND NOTICE REQUIREMENTS; TO AMEND SECTION 58-33-275, RELATING TO ADDITIONAL BASE LOAD REVIEW ORDER CONTENTS, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE THE EXTENT TO WHICH THE COMMISSION MAY GRANT PETITIONS OF THE OFFICE OF REGULATORY STAFF INTENDED TO SAFEGUARD THE PUBLIC INTEREST, AND TO DELETE EXISTING LANGUAGE CONCERNING SANCTIONS INVOLVING CAPITAL COSTS AND COSTS OF CAPITAL THAT THE COMMISSION MAY IMPOSE FOR DEVIATIONS FROM BASE LOAD REVIEW ORDERS; TO AMEND SECTION 58-33-280, RELATING TO UTILITY REQUESTS FOR APPROVAL OF REVISED RATES, SO AS TO MAKE CONFORMING CHANGES BY LIMITING THE APPLICABILITY OF REVISED RATES FOR BASE LOAD REVIEW ORDERS ISSUED AFTER DECEMBER 31, 2017, TO REVISE CERTAIN PROCEDURAL DEADLINES, AND TO DELETE PROVISIONS CONCERNING THE EXTENT TO WHICH CAPITAL COSTS AND COSTS OF CAPITAL MAY BE RECOVERED IN ASSOCIATION WITH IMPRUDENT COSTS, AMONG OTHER THINGS; AND TO AMEND SECTION 58-33-298, RELATING TO TIME LIMITS FOR BASE LOAD RATE CHANGE FILINGS, SO AS TO APPLY THE SAME TIME LIMITS APPLICABLE TO CERTAIN OTHER RATE CHANGES.

Referred to Committee on Labor, Commerce and Industry

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S. 114 -- Senators Bennett and Senn: A BILL TO AMEND CHAPTERS 4 AND 6, TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-555 AND SECTION 61-6-2001, RELATING TO SPECIAL AND TEMPORARY PERMITS TO SELL ALCOHOLIC BEVERAGES AT CERTAIN EVENTS, SO AS TO ALLOW MANUFACTURERS OR PRODUCERS OF BEER, ALE, PORTER, WINE, OR ALCOHOLIC LIQUORS TO DONATE THEIR PRODUCTS AND FURNISH EQUIPMENT AND REPRESENTATIVES TO DISPENSE AND PROMOTE THEIR BEVERAGES TO QUALIFIED NONPROFIT ORGANIZATIONS THAT INTEND TO SELL THESE PRODUCTS AT PERMITTED EVENTS ORGANIZED TO RAISE FUNDS FOR THE NONPROFIT ORGANIZATION OR OTHER CHARITABLE PURPOSE.

Referred to Committee on Judiciary

S. 116 -- Senators Rankin and Malloy: 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 BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION SHALL MAINTAIN LIABILITY INSURANCE WITH COVERAGE OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE PERMIT OR LICENSE.

Referred to Committee on Judiciary

S. 173 -- Senators Sheheen, Turner and Timmons: A BILL TO AMEND SECTION 23-23-10 OF THE 1976 CODE, RELATING TO THE PURPOSE OF THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE NEW DEFINITIONS; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-23-55 TO PROVIDE THAT A CLASS 1-LE LAW ENFORCEMENT OFFICER MUST COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN MENTAL HEALTH OR ADDICTIVE DISORDERS; TO AMEND SECTION 23-23-80 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO ESTABLISH AND MAINTAIN A CRISIS INTERVENTION TRAINING CENTER AND TO GOVERN AND SUPERVISE CRISIS INTERVENTION TEAM

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TRAINING; TO AMEND TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 52 TO CREATE A CRISIS INTERVENTION TRAINING COUNCIL, TO PROVIDE FOR THE COUNCIL'S DUTIES, AND TO PROVIDE THAT EVERY COUNTY SHALL ESTABLISH AT LEAST ONE CRISIS INTERVENTION TEAM.

Referred to Committee on Judiciary

S. 359 -- Senator Cromer: A BILL TO AMEND SECTION 39-5-325, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNFAIR TRADE PRACTICES FOR MOTOR FUEL RETAILERS, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS.

Referred to Committee on Judiciary

S. 404 -- Senators Campbell, Gregory, Reese, Williams and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3378 SO AS TO ALLOW A TAX CREDIT TO AN AGRIBUSINESS OPERATION OR AN AGRICULTURAL PACKAGING OPERATION THAT INCREASES ITS PURCHASES OF AGRICULTURAL PRODUCTS WHICH HAVE BEEN CERTIFIED AS SOUTH CAROLINA GROWN, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS ADMINISTERED; AND TO AMEND SECTION 12-10-80, RELATING TO THE JOBS DEVELOPMENT CREDIT, SO AS TO MAKE CERTAIN QUALIFYING SERVICE-RELATED FACILITIES ELIGIBLE FOR THE CREDIT.

Referred to Committee on Ways and Means

S. 543 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4624, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO

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MOTOR CLUB CERTIFICATE OF AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4708, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
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	McCrary
McEachern	McKnight	Mitchell
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Parks	Pitts
Pope	Putnam	Quinn
Ridgeway	S. Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer

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Simrill	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
Weeks	West	Whipper
White	Whitmire	Williams
Willis	Yow	

Total Present--116

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. ATWATER a leave of absence for the day due to business reasons.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. M. RIVERS a temporary leave of absence.

STATEMENTS OF ATTENDANCE

Reps. CRAWFORD and HART signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Tuesday, March 21.

DOCTOR OF THE DAY

Announcement was made that Dr. Bryant T. Green of Greenwood was the Doctor of the Day for the General Assembly.

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SPECIAL PRESENTATION

Reps. HUGGINS and BALLENTINE presented to the House the Ben Lippen School Varsity Football Team, coaches and other school officials.

SPECIAL PRESENTATION

Reps. YOW and HENEGAN presented to the House the Cheraw High School Wrestling Team, coaches and other school officials.

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 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. 3041
Date: ADD:
03/22/17 HAMILTON

CO-SPONSOR ADDED

Bill Number: H. 3126
Date: ADD:
03/22/17 PUTNAM

CO-SPONSORS ADDED

Bill Number: H. 3414
Date: ADD:
03/22/17 STAVRINAKIS and MCCOY

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CO-SPONSORS ADDED

Bill Number: H. 3415
Date: ADD:
03/22/17 STAVRINAKIS and MCCOY

CO-SPONSOR ADDED

Bill Number: H. 3521
Date: ADD:
03/22/17 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3548
Date: ADD:
03/22/17 G. R. SMITH

CO-SPONSORS ADDED

Bill Number: H. 3599
Date: ADD:
03/22/17 KING and HENEGAN

CO-SPONSORS ADDED

Bill Number: H. 3647
Date: ADD:
03/22/17 HEWITT and FORREST

CO-SPONSORS ADDED

Bill Number: H. 3653
Date: ADD:
03/22/17 HIXON, MURPHY, ARRINGTON, BENNETT and
CROSBY

CO-SPONSOR ADDED

Bill Number: H. 3809
Date: ADD:
03/22/17 DILLARD

CO-SPONSOR ADDED

Bill Number: H. 3817
Date: ADD:
03/22/17 KING

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CO-SPONSORS ADDED

Bill Number: H. 3864
Date: ADD:
03/22/17 KING and ELLIOTT

CO-SPONSOR ADDED

Bill Number: H. 3865
Date: ADD:
03/22/17 KING

CO-SPONSORS ADDED

Bill Number: H. 3932
Date: ADD:
03/22/17 COLLINS and ELLIOTT

CO-SPONSORS ADDED

Bill Number: H. 3945
Date: ADD:
03/22/17 BROWN, MACK and GILLIARD

CO-SPONSORS ADDED

Bill Number: H. 4003
Date: ADD:
03/22/17 HEWITT, DAVIS, FORREST, BENNETT, WEST,
OTT and ATKINSON

CO-SPONSOR REMOVED

Bill Number: H. 3829
Date: REMOVE:
03/22/17 CLARY

LEAVE OF ABSENCE

The SPEAKER granted Rep. KNIGHT a temporary leave of absence
to attend a funeral.

LEAVE OF ABSENCE

The SPEAKER granted Rep. WILLIS a leave of absence for the
remainder of the day to attend a funeral.

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SENT TO THE SENATE

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

H. 3427 -- Reps. Lucas, Loftis, Allison, Stringer, Erickson, Simrill, G. R. Smith, McKnight, Robinson-Simpson, Martin, West, Long, Burns, Atwater, McCoy, Hardee, Hewitt, Fry, Jordan, Murphy, Spires, G. M. Smith, McCravy, Clemons, McEachern, Taylor, Arrington, Johnson, Huggins, Hamilton, Elliott, Funderburk, Bales, Bannister, Blackwell, Bradley, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Crawford, Delleney, Dillard, Douglas, Forrest, Forrester, Hayes, Henderson, Herbkersman, Hiott, Lowe, D. C. Moss, B. Newton, W. Newton, Pope, Quinn, S. Rivers, Ryhal, Sandifer, Tallon, Thayer, Whitmire, Anderson, Anthony, Gagnon, Parks, Pitts, Ott, King, Henegan, Willis, Yow, Williams, Jefferson, Duckworth, White, Finlay, Bernstein, J. E. Smith, Bedingfield, Felder, Bennett, Davis, Mitchell, Rutherford, Neal, Stavrinakis, Govan, Putnam, Collins, Brown, Weeks, Hosey, Bowers, V. S. Moss, Howard, Kirby, Sottile, Whipper, Norrell, Ballentine, Toole, Thigpen, Cogswell, Daning, Crosby, Knight, Wheeler and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE THE PURPOSE OF THE SECTION, TO PROVIDE THAT, BEGINNING WITH THE 2018-2019 SCHOOL YEAR, PUBLIC HIGH SCHOOLS AND PUBLIC CHARTER HIGH SCHOOLS SHALL OFFER CERTAIN COMPUTER SCIENCE COURSEWORK, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND ENSURE IMPLEMENTATION OF GRADE-APPROPRIATE STANDARDS FOR COMPUTER SCIENCE AND COMPUTATIONAL THINKING FOR PUBLIC SCHOOL STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE, TO PROVIDE RELATED REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE REQUIREMENTS FOR THE OFFICE OF THE GOVERNOR TO ESTABLISH CRITERIA AND PROCESSES FOR DESIGNATING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH COMMUNITIES AND REGIONS, AND TO PROVIDE RELATED REQUIREMENTS OF SUCH COMMUNITIES AND REGIONS.

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H. 3879 -- Reps. Davis, Yow, Thayer, Anderson and Gilliard: A BILL TO AMEND SECTION 42-9-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM AMOUNT OF BURIAL EXPENSES PAYABLE UNDER WORKERS' COMPENSATION LAWS FOR ACCIDENTAL DEATH, SO AS TO INCREASE THE MAXIMUM PAYABLE AMOUNT TO SEVENTY-FIVE HUNDRED DOLLARS.

SPEAKER *PRO TEMPORE* IN CHAIR

H. 3352--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3352 -- Reps. W. Newton, Taylor, Norrell and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-665 SO AS TO CREATE THE OFFICE OF FREEDOM OF INFORMATION ACT REVIEW WITHIN THE ADMINISTRATIVE LAW COURT, AND TO PROVIDE FOR THE DUTIES AND FUNCTIONS OF THE OFFICE; TO AMEND SECTION 1-23-500, AS AMENDED, RELATING TO THE ADMINISTRATIVE LAW COURT, SO AS TO PROVIDE THE COURT, INCLUDING THE OFFICE OF FREEDOM OF INFORMATION ACT, IS CONSIDERED PART OF THE UNIFIED JUDICIAL SYSTEM FOR THE PURPOSES OF CERTAIN ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM STATUTES; TO AMEND SECTION 30-4-30, RELATING TO RIGHTS TO INSPECT PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE ELECTRONIC TRANSMISSIONS AMONG THE RECORD FORMATS AVAILABLE FOR INSPECTION, TO PROVIDE CERTAIN LIMITATIONS APPLICABLE TO PRISONERS, TO PROVIDE PUBLIC BODIES ARE NOT REQUIRED TO CREATE ELECTRONIC VERSIONS OF PUBLIC RECORDS TO FULFILL RECORDS REQUESTS, TO REVISE REQUIREMENTS CONCERNING FEES TO FULFILL RECORDS REQUESTS, AND TO REVISE THE MANNER FOR RESPONDING TO RECORDS REQUESTS; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE CERTAIN LAW ENFORCEMENT RECORDINGS; TO AMEND SECTION 30-4-50, RELATING TO CATEGORIES OF MATTERS

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DECLARED TO BE PUBLIC INFORMATION IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE LAW ENFORCEMENT VEHICLE MOUNTED VIDEO AND AUDIO RECORDINGS, AND TO PROVIDE THAT LAW ENFORCEMENT MAY APPLY FOR INJUNCTIVE RELIEF FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDING; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO REVISE THE AVAILABLE REMEDIES; TO AMEND SECTION 30-4-110, RELATING TO PENALTIES FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE CRIMINAL PENALTIES, TO VEST EXCLUSIVE JURISDICTION OVER CASES ARISING FROM REQUESTS FOR RECORDS AND EXEMPTIONS FROM DISCLOSURE, TO PROVIDE EXCEPTIONS TO THIS JURISDICTION, TO PROVIDE RELATED PROCEDURES FOR PERSONS ALLEGING VIOLATIONS, TO PROVIDE REVISED REMEDIES AND RELIEF AVAILABLE FOR VIOLATIONS, AND TO PROVIDE A PROCESS FOR APPEALS; TO AMEND SECTION 30-2-50, RELATING TO THE PROHIBITION ON OBTAINING PERSONAL INFORMATION FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO EXTEND THE PROHIBITION TO INFORMATION OBTAINED FROM LOCAL GOVERNMENTS AND POLITICAL SUBDIVISIONS OF THE STATE; AND TO PROVIDE THAT THESE MEASURES TAKE EFFECT OCTOBER 1, 2017.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3352 (COUNCIL\WAB\3352C001.AGM.WAB17), which was adopted:

Amend the bill, as and if amended, Section 30-4-30(A)(1), as contained in SECTION 3, page 4, by deleting the item in its entirety and inserting:

/ (1) Any A person has a right to inspect or, copy, or receive an electronic transmission of any public record of a public body, except as otherwise provided by Section 30-4-40, or other state and federal laws, in accordance with reasonable rules concerning time and place of access. This right does not extend to individuals serving a sentence of imprisonment in a state or county correctional facility in this State, in another state, or in a federal correctional facility; however, this may not

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be construed to prevent those individuals from exercising their constitutionally protected rights, including, but not limited to, their right to call for evidence in their favor in a criminal prosecution under the South Carolina Rules of Criminal Procedure. /

Renumber sections to conform.

Amend title to conform.

Rep. W. NEWTON explained the amendment.

The amendment was then adopted.

Rep. HILL proposed the following Amendment No. 3 to H. 3352 (COUNCIL\WAB\3352C003.AGM.WAB17), which was tabled:

Amend the bill, as and if amended, Section 30-4-30(B), as contained in SECTION 3, by deleting the subsection in its entirety and inserting:

/ (b)(B)(1) The public body may establish and collect fees ~~not to~~ exceed the actual cost of searching for or making copies of records as provided for in this section. The public body may establish and collect reasonable fees not to exceed the actual cost of the search, retrieval, and redaction of records. The public body shall develop a fee schedule to be posted online. The fee for the search, retrieval, or redaction of records shall not exceed the prorated hourly salary of the lowest paid employee who, in the reasonable discretion of the custodian of the records, has the necessary skill and training to perform the request. Fees charged by a public body must be uniform for copies of the same record or document and may not exceed the prevailing commercial rate for the producing of copies. Copy charges may not apply to records that are transmitted in an electronic format. If records are not in electronic format and the public body agrees to produce them in electronic format, the public body may charge for the staff time required to transfer the documents to electronic format. However, members of the General Assembly may receive copies of records or documents at no charge from public bodies when their request relates to their legislative duties. The records must be furnished at the lowest possible cost to the person requesting the records. Records must be provided in a form that is both convenient and practical for use by the person requesting copies of the records concerned, if it is equally convenient for the public body to provide the records in this form. Documents may be furnished when appropriate without charge or at a reduced charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Fees may not be charged for examination and review to

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determine if the documents are subject to disclosure. ~~Nothing in this chapter prevents the custodian of the public records from charging a reasonable hourly rate for making records available to the public nor requiring a reasonable deposit of these costs before searching for or making copies of the records. A deposit not to exceed twenty-five percent of the total reasonably anticipated cost for reproduction of the records may be required prior to the public body searching for or making copies of records.~~ (2) With respect to public records containing data subject to copyright protection because the data contains original material, research, and creative compilation, a public body may not charge the public more than the actual cost of printing such records provided to fulfil a request made pursuant to this chapter. The public body may not factor in the value of the original material, research, and creative compilation or the like that produced the data subject to disclosure under the provisions of this chapter. The provisions of this item only apply when the requester certifies that the information is not for commercial use. The public body providing such copyrightable information obtained for noncommercial use may stamp or watermark the documents with the words, 'not for commercial use'. The provisions of this item apply notwithstanding the provisions of item (1) concerning the amount public bodies may charge the public for searching, retrieving, redacting, and reproducing records. /

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. HILL moved to table the amendment, which was agreed to.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 93; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bernstein
Blackwell	Bowers	Bradley
Brown	Burns	Caskey

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Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Gagnon	Gilliard	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Johnson	Jordan
King	Long	Lowe
Lucas	Mack	Magnuson
Martin	McCoy	McCrary
McEachern	D. C. Moss	B. Newton
W. Newton	Norrell	Ott
Parks	Pope	Putnam
S. Rivers	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Whipper	White
Whitmire	Williams	Yow

Total--93

Those who voted in the negative are:

Total--0

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3352. If I had been present, I would have voted in favor of the Bill.

Rep. Roger K. Kirby

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RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3352. If I had been present, I would have voted in favor of the Bill.

Rep. Jason Elliott

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3352. If I had been present, I would have voted in favor of the Bill.

Rep. Chip Huggins

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. ANTHONY a leave of absence for the remainder of the day.

H. 3647--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3647 -- Reps. Sandifer, Clemons, Bedingfield, Forrester, Rutherford, Duckworth, Ott, Williams, Atwater, McCravy, Erickson, Jefferson, King, Anderson, Simrill, Hixon, Bowers, Hewitt and Forrest: A BILL TO AMEND SECTION 27-32-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING VACATION TIME SHARING PLANS, SO AS TO DEFINE AND REDEFINE CERTAIN TERMS; TO AMEND SECTION 27-32-55, RELATING TO FEES FOR THE RESALE OF INTERESTS IN VACATION TIMESHARES, SO AS TO PROVIDE REQUIREMENTS OF RESALE VACATION TIMESHARE SERVICES AND PROVIDERS OF THESE SERVICES; AND TO AMEND SECTION 27-32-130, RELATING TO ENFORCEMENT AND IMPLEMENTATION PROVISIONS, SO AS TO MAKE THE PROVISIONS APPLICABLE TO VACATION TIME SHARING ASSOCIATIONS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3647 (COUNCIL\WAB\3647C002.AGM.WAB17), which was adopted:

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

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/ SECTION 1. Section 27-32-10 of the 1976 Code, as last amended by Act 310 of 2006, is further amended to read:

“Section 27-32-10. For purposes of this chapter:

(1) ‘Accommodations’ means any hotel or motel room, condominium or cooperative unit, cabin, lodge, apartment, or other private or commercial structure designed for occupancy by one or more individuals or a recreational vehicle campsite or campground.

(2) ‘Person’ means any individual, corporation, firm, association, joint venture, partnership, trust estate, business trust, syndicate, fiduciary, and any other group or combination.

(3) ‘Contract’ means the agreement between the seller and a purchaser: (a) setting forth the terms and conditions of the purchase and sale of an ownership interest in a vacation time sharing ownership plan, or (b) setting forth the terms and conditions of the purchase and sale of a lease or other right-to-use interest in a vacation time sharing lease plan.

(4) ‘Commission’ means the South Carolina Real Estate Commission.

(5) ‘Facilities’ means a structure, service, or property, whether improved or unimproved, made available to the purchaser for recreational, social, family, or personal use.

(6) ‘Seller’ means a person who creates a vacation time sharing plan or is in the business of selling interests in a vacation timeshare plan, or employs agents to do the same, or a person who succeeds to the interest of a seller by sale, lease, assignment, mortgage, or other transfer; except that, the term includes only a person who offers interests in vacation time sharing plans in the State of South Carolina in the ordinary course of business. The term ‘seller’ does not include the following:

(a) an owner of a time sharing interest who has acquired the time sharing interest for his own use and occupancy and who later offers it for resale on his own behalf or through a real estate broker;

(b) a managing entity or owners’ association of a time sharing plan, not otherwise a seller, that offers on the association’s behalf time sharing interests in the time sharing plan transferred to the association through foreclosure, deed in lieu of foreclosure, or gratuitous transfer; or

(c) a person who owns or is conveyed, assigned, or transferred time sharing interests, and who subsequently conveys, assigns, or transfers all acquired time sharing interests to a single purchaser in a single transaction, which transaction may occur in stages.

(7) ‘Vacation time sharing ownership plan’ means any arrangement, plan, or similar devise, whether by tenancy in common,

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sale, term for years, deed, or other means, in which the purchaser receives an ownership interest in real property and the right to use accommodations or facilities, or both, for a period or periods of time during a given year, but not necessarily for consecutive years, which extends for a period of more than one year. A vacation time sharing ownership plan may be created in a condominium established on a term for years or leasehold interest having an original duration of thirty years or longer. An interest in a vacation time sharing ownership plan is recognized as an interest in real property for all purposes pursuant to the laws of this State.

(8) 'Vacation time sharing lease plan' means any arrangement, plan, or similar devise, whether by membership agreement, lease, rental agreement, license, use agreement, security, or other means, in which the purchaser receives a right to use accommodations or facilities, or both, but does not receive an ownership interest in real property, for a period or periods of time during a given year, but not necessarily for consecutive years, which extends for a period of more than three years. These lease plans do not include an arrangement or agreement in which a purchaser in exchange for an advance fee and yearly dues is entitled to select from a designated list of facilities located in more than one state, accommodations of companies that operate nationwide in at least nine states in the United States through franchises or ownership, for a specified time period and at reduced rates and under which an interest in real property is not transferred.

(9) 'Vacation time sharing plan' means either a vacation time sharing ownership plan or a vacation time sharing lease plan.

(10) 'Substantially complete' means all structural components and mechanical systems of all buildings containing or comprising facilities or accommodations are finished in accordance with the plans or specifications of the vacation time sharing plan, as evidenced by a recorded certificate of completion executed by an independent registered surveyor, architect, or engineer.

(11) 'Unit week' means a number of consecutive days, normally seven consecutive days in duration, which may reasonably be assigned to purchasers of vacation time sharing plans by the seller.

(12) 'Escrow agent' means a bank or trust company doing business in this State or a bonded trust agent bonded in at least the amount of the trust; except, that nothing contained in this chapter prevents investment of funds escrowed pursuant to this chapter by the bank, trust company, or bonded agent, with payment of all interest and dividends to the seller of vacation time sharing plans. For purposes of Section 27-32-55,

escrow agent also means a licensed South Carolina attorney in good standing, a licensed South Carolina real estate broker in good standing, or a licensed South Carolina title insurance agent in good standing.

(13) 'Escrow account' means funds held or maintained by an escrow agent.

(14) 'Fund' and 'recovery fund' means the South Carolina Vacation Time Sharing Recovery Fund.

(15) 'Claim' means a monetary loss sustained or allegedly sustained by a person due to the wrongdoing of a registrant or licensee.

(16) 'Real estate broker's trust account' means a demand account in a bank or savings institution in this State held by a duly licensed South Carolina real estate broker.

(17) 'Resale vacation time sharing interest' means a vacation time sharing interest, including all or substantially all ownership, rights, or interests associated with the vacation time sharing interest that has been previously acquired by an owner for his own use and occupancy and is later offered or advertised for sale or rent, or legal ownership is transferred by or with the assistance of a resale service provider.

(18) 'Resale service provider' means any person or entity, including any agent or employee of such person or entity, who, directly or indirectly, offers or uses telemarketing, direct mail, email, or any other forms of communication in connection with offering of vacation time sharing resale services. This term does not include the following:

(a) a newspaper, periodical, or publisher, unless the newspaper, periodical, or publisher derives more than ten percent of its gross revenue from vacation time sharing resale services. For purposes of this chapter, the calculation of gross revenue derived from providing vacation time sharing resale services includes revenue of any affiliate, parent, agent, and subsidiary of the newspaper, periodical, or publisher, so long as the resulting percentage of gross revenue is not decreased by the inclusion of such affiliate, parent, subsidiary, or agent in the calculation;

(b) a seller, vacation time sharing association, managing entity, or other person responsible for managing or operating the vacation time sharing plan to the extent they offer vacation time sharing resale services to owners of vacation time sharing interests in such a vacation time sharing plan;

(c) a consumer vacation time sharing reseller who, in a given calendar year, sells seven or fewer resale vacation time sharing interests;

(d) a licensed South Carolina attorney in good standing providing only those services provided under Section 27-32-410; or

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(e) a licensed South Carolina real estate broker in good standing operating within the scope of activities specified in Chapter 57, with respect to the sale of a resale vacation time sharing interest, as long as the real estate broker does not collect a fee in advance. To the extent a real estate broker is engaged in activities outside the scope of activities specified in Chapter 57, collects an advance fee, or is an agent, employee of, or has an affiliated business arrangement with a party to the sale of a resale vacation time sharing interest, this exemption does not apply.

(19) 'Vacation time sharing resale service' means:

(a) the advertising of, or an offer to advertise, any resale vacation time sharing interest for resale or rent; or

(b) the transfer or offer to assist in the transfer of legal ownership of any resale vacation time sharing interest.

(20) 'Vacation time sharing association' means an association made up of all owners of vacation time sharing interests in a vacation time sharing plan, including sellers and owners of such vacation time sharing plan.

(21) 'Consumer vacation time sharing reseller' means an owner of a resale vacation time sharing interest."

SECTION 2. Section 27-32-55 of the 1976 Code is amended to read:

~~"Section 27-32-55. An owner of an interest in a vacation time sharing plan may not be charged an up front appraisal fee for the resale of his interest but may be charged only an up front marketing fee or commission upon the resale of the interest in an amount stipulated by written agreement between the owner and his sales agent. A person violating the provisions of this section has committed an unfair trade practice pursuant to Section 39-5-20 and is subject to all penalties and remedies provided by law for this violation.~~

(A) Before engaging in any vacation time sharing resale services, a resale service provider must provide a written contract to the consumer vacation time sharing reseller that includes:

(1) The name, physical address, telephone number, and website address, if any, of the resale service provider and any other agent or third party who will provide any of the vacation time sharing resale services on behalf of the resale service provider.

(2) The name, physical address, telephone number, and email address of the escrow agent, if applicable, that will be used to hold funds or other property pursuant to this section.

(3) A complete description of the vacation timesharing resale services.

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(4) The duration of the contract for vacation time sharing resale services expressed in days, weeks, months or years.

(5) A description of any fees, costs, or other consideration to be paid to the resale service provider or any agent or third party of it. These fees must include marketing and advertising fees or commissions that are paid upon the sale of a resale vacation time sharing interest.

(6) A statement, if applicable, that the resale service provider will deliver to the consumer vacation time sharing reseller all documentation evidencing the transfer of legal ownership of the resale vacation time sharing interest as provided in subsection (B).

(7) A statement, if applicable, that the consumer time sharing reseller shall have five business days from the date they receive the notice of right to dispute the release funds from the escrow agent as referenced in subsection (B).

(8) The internet addresses and telephone numbers for both the Department of Consumer Affairs and the commission.

(9) A statement printed in at least 12-point boldfaced type immediately preceding the space in the contract provided for the consumer time sharing reseller's signature in substantially the following form:

'You have an unwaivable right to cancel this contract for any reason within 5 business days after the date you sign this contract. If you decide to cancel this contract, you must notify (name of resale service provider) in writing of your intent to cancel. Your notice of cancellation must be effective upon the date sent and must be sent to (resale service provider's mailing address) or to (resale service provider's e-mail address). Your refund will be made within 20 days after receipt of notice of cancellation or within 5 days after receipt of funds from your cleared check, whichever is later. You are not obligated to pay (name of resale service provider) any money unless you sign this contract and return it to (name of resale service provider).'

'Before signing this contract, you should carefully review your original vacation time sharing purchase contract and other project documents to determine whether there are any restrictions or special conditions applicable to the resale or rental of your vacation time sharing interest. You may also wish to contact your resort management company or your vacation time sharing association to learn about resale or rental options that may be available to you.'

(B) With respect to all fees, costs and compensation paid to a resale service provider, the following shall apply:

(1) A consumer vacation time sharing reseller may not be charged an appraisal fee in connection with the sale or rental of a resale vacation time sharing interest.

(2) A consumer vacation time sharing reseller may be charged marketing or advertising fees prior to the sale or rental of a resale vacation time sharing interest.

(3) A consumer vacation time sharing reseller shall not pay any advance fee, cost or compensation for vacation time sharing resale services, except as provided in item (2), unless one hundred percent of all funds are deposited into an escrow account until the vacation time sharing resale service is completed and all other requirements of this section have been met.

(a) The funds or other property required to be escrowed hereunder may only be released from escrow to or on the order of the person providing the vacation time sharing resale services upon completion of all of the following:

(i) Presentation by the vacation time sharing resale services provider of an affidavit by such person to the escrow agent that all promised vacation time sharing resale services have been performed, including delivery to both the consumer vacation time sharing reseller and the vacation time sharing plan association or managing entity of a copy of the recorded instrument or other legal document evidencing the transfer of ownership or of legal title to the resale vacation time sharing interest completed in accordance with Section 27-32-40, to the transferee.

(ii) The escrow agent's submission of the affidavit and a notice of right to dispute the release of funds or property in escrow to the consumer vacation time sharing reseller. The notice shall state the consumer vacation time sharing reseller shall have five business days after receipt of such affidavit to submit a written dispute to the escrow agent that all promised vacation time sharing resale services have in fact not been fully performed by the resale service provider. The consumer vacation time sharing reseller may submit the dispute by electronic mail or regular mail. The dispute is effective upon the date sent.

(iii) Failure of the consumer vacation time sharing reseller to submit a dispute pursuant to subsubitem (ii).

(iv) Should the escrow agent receive conflicting demands for funds or other property held in escrow, the escrow agent must immediately notify the commission of the dispute and either promptly submit the matter to arbitration or, by interpleader or otherwise, seek an adjudication of the matter by court.

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(b) The commission may audit or examine the escrow account. The resale service provider must make available documents relating to the escrow account or escrow obligation to the commission upon the commission's request.

(c) The escrow agent must retain all resale transfer agreements, escrow account records, affidavits and notices of dispute received pursuant to this subsection for a period of three years.

(C) No person shall knowingly participate, for consideration or with the expectation of consideration, in any plan or scheme, a purpose of which is to transfer a resale vacation time sharing interest to a person or entity that the person knows or reasonably should know does not have the ability, means, or intent to pay all assessments and taxes associated with ownership of the resale vacation time sharing interest that are due or that come due during the transferee's ownership. Failure to pay assessments or taxes that are due or that come due within four years after acquisition of a resale vacation time sharing interest by a transferee who acquires the resale vacation time sharing interest for commercial purposes and not for personal use and enjoyment creates a rebuttable presumption of a violation of this subsection. It is considered a violation of this section if there is any transfer, series of transfers, or other action made or taken by any person for the purpose of circumventing this section.

(D) No individual consumer vacation timesharing reseller who sells or transfers five or fewer resale vacation time sharing interests owned by that consumer vacation timesharing reseller in a given calendar year shall be subject to liability under subsection (C) above.

(E) Engagement in any vacation time sharing resale service, or receipt of consideration in connection with, any vacation time sharing resale service without an executed written contract as provided in this section or the transfer of a resale vacation time sharing interest to a person who the resale service provider knows or should have known has demonstrated a pattern of nonpayment of assessments, taxes, or fees associated with the obligations of ownership, creates a rebuttable presumption of this a violation of this section.

(F) Providing vacation time sharing resale services with respect to a consumer resale vacation time sharing interest in a vacation time sharing property located or offered within this State or required to be registered in this State, including acting as an agent or third-party service provider for a resale service provider, constitutes operating, conducting, engaging in, or carrying on a business or business venture in this State.

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(G) A contract for vacation time sharing resale services resulting from conduct in violation of this section is voidable by the consumer vacation time sharing reseller and the resale service provider shall return all consideration received pursuant to the contract to the consumer vacation time sharing reseller.

(H) A person violating the provisions of this section has committed an unfair trade practice pursuant to Title 39, Chapter 5 of the Unfair Trade Practices Act and is subject to all civil penalties and remedies provided by law for this violation. The criminal penalty provisions of Title 39, Chapter 5 do not apply to this section.

(I) The Department of Consumer Affairs may enforce this section, and impose penalties, including those provided in Section 27-32-120(A), a warning notice of deficiency, a cease and desist order and a refund of fees, costs or compensation assessed and/or received in violation of the section. A person aggrieved by the department's final administrative order may request a contested case hearing before the Administrative Law Court pursuant to the court's rules of procedure. If the person fails to timely request a contested case hearing, the department may bring an action to enforce its order pursuant to Chapter 23, Title 1. The criminal penalty provisions of Section 27-32-120(B) do not apply to this section."

SECTION 3. Section 27-32-130 of the 1976 Code is amended to read:

“Section 27-32-130. The Real Estate Commission is responsible for the enforcement and implementation of this chapter and the Department of Labor, Licensing and Regulation, at the request of the Real Estate Commission, shall prosecute a violation under this chapter. The commission shall promulgate regulations for the implementation of this chapter, subject to the State Administrative Procedures Act. The provisions of this section do not limit the right of a purchaser or lessee or a vacation time sharing association to bring a private action to enforce the provisions of this chapter.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. CRAWFORD explained the amendment.

The amendment was then adopted.

Rep. WILLIAMS proposed the following Amendment No. 4 to H. 3647 (COUNCIL\WAB\3647C006.AGM.WAB17), which was adopted:

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Amend the bill, as and if amended, by Section 27-32-55, as contained in SECTION 2, is amended by adding an appropriately lettered subsection at the end to read:

/ () Vacation time sharing interests are subject to the protections of the Service Members Civil Relief Act.” /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIAMS 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 103; Nays 0

Those who voted in the affirmative are:

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

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W. Newton	Norrell	Ott
Parks	Pitts	Pope
Putnam	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	Whipper
White	Whitmire	Williams
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

H. 3886--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3886 -- Reps. Crawford, Ryhal, Hamilton, Sandifer, Fry, Putnam, Clemmons, Yow, Anderson, Johnson, Hardee, Huggins, Hewitt, Duckworth, Bowers, Sottile, Crosby, Felder, Bennett and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 30 TO TITLE 27 SO AS TO ENTITLE THE CHAPTER "HOMEOWNERS ASSOCIATIONS"; TO DEFINE NECESSARY TERMS; TO REQUIRE OWNERS OF PROPERTY SUBJECT TO A HOMEOWNERS ASSOCIATION TO DISCLOSE THE ASSOCIATION'S GOVERNING DOCUMENTS TO PROSPECTIVE OWNERS, TO PROVIDE HOMEOWNERS ASSOCIATIONS SHALL PROVIDE HOMEOWNERS WITH PRINTED OR ELECTRONIC COPIES OF FINANCIAL INFORMATION AND THE GOVERNING DOCUMENTS OF THE ASSOCIATION UPON REQUEST AT NO CHARGE, TO PROVIDE HOMEOWNERS ASSOCIATION BOARDS MAY NOT TAKE ACTION TO ADD OR INCREASE FEES AND THE LIKE WITHOUT GIVING CERTAIN NOTICE TO HOMEOWNERS AND TO

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PROVIDE HOMEOWNERS MAY ATTEND MEETINGS AT WHICH SUCH ACTIONS ARE TO BE TAKEN, TO INSTRUCT THE SOUTH CAROLINA REAL ESTATE COMMISSION TO OFFER AN ONLINE INSTRUCTIONAL COURSE COVERING THE BASICS OF HOMEOWNERS' ASSOCIATION MANAGEMENT AND THE RIGHTS AND RESPONSIBILITIES OF HOMEOWNERS, TO GRANT CONCURRENT CIVIL JURISDICTION IN CERTAIN ACTIONS BETWEEN HOMEOWNERS ASSOCIATIONS AND HOMEOWNERS, AND TO CREATE THE OFFICE OF HOMEOWNERS ASSOCIATION OMBUDSMAN IN THE DEPARTMENT OF CONSUMER AFFAIRS, TO PROVIDE QUALIFICATIONS, POWERS, AND DUTIES OF THE OMBUDSMAN, AMONG OTHER THINGS; AND TO AMEND SECTION 27-50-40, AS AMENDED, RELATING TO MANDATORY DISCLOSURE STATEMENTS SELLERS OF REAL PROPERTY MUST PROVIDE PURCHASERS, SO AS TO INCLUDE PROVISIONS CONCERNING DISCLOSURES OF PROPERTY SUBJECT TO HOMEOWNERS ASSOCIATION GOVERNANCE.

Reps. CRAWFORD, SANDIFER, B. NEWTON, TALLON, NORRELL, MACK, WHITMIRE, FORRESTER, HAMILTON, G. R. SMITH, LOFTIS, CROSBY, CLARY, MAGNUSON, MCKNIGHT, HOSEY, KIRBY, CLEMMONS, W. NEWTON, DOUGLAS, WILLIAMS, JEFFERSON, OTT, KING, COBB-HUNTER, FINLAY, HART, THIGPEN, YOW, JOHNSON, HENEGAN, WEST, CASKEY and HEWITT requested debate on the Bill.

H. 3034--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3034 -- Rep. Daning: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELIGIBILITY FOR IN-STATE COLLEGE TUITION RATES OF VETERANS AND RELATED PERSONS COVERED BY CERTAIN FEDERAL EDUCATION ASSISTANCE PROGRAMS, SO AS TO ELIMINATE ENROLLMENT TIME LIMITS FOR THESE RELATED PERSONS.

Rep. DANING proposed the following Amendment No. 1 to H. 3034 (COUNCIL\WAB\3034C001.AGM.WAB17), which was adopted:

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

/ SECTION 1. Section 59-112-50(C)(2) and (4) of the 1976 Code, as added by Act 11 of 2015, is amended to read:

“(2) For purposes of this subsection, a covered individual is defined as:

(a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, ~~and or~~ the National Guard and who enrolls within three years of discharge; ~~or~~

(b) a person who is entitled to and receiving assistance under Section ~~3311(b)(9)~~ ~~or~~ 3319, Title 38 of the United States Code by virtue of the person’s relationship to the veteran described in subitem (a) who enrolls within three years of the veteran’s discharge;:

(c) a person using transferred benefits under Section 3319, Title 38 of the United States Code while the transferor is on active duty in the Uniformed Service of the United States, their respective Reserve forces, or the National Guard; or

(d) a person who is entitled to and receiving assistance under Section 3311(b)(9), Title 38 of the United States Code.

(4) At the conclusion of the applicable three year period in subsection (C)(2)(a) ~~or~~ (C)(2)(b), a covered individual shall remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution or transfers to another in-state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in-state institution. In the event of a transfer, the in-state institution receiving the covered individual shall verify the covered individual’s eligibility for in-state rates with the covered individual’s prior in-state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in-state institution.”

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

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.

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The yeas and nays were taken resulting as follows:

Yea 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Arrington	Atkinson	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brown	Burns	Caskey
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Loftis	Long
Lowe	Lucas	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	D. C. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Weeks	West
Whipper	White	Whitmire
Williams	Yow	

Total--104

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Those who voted in the negative are:

Total--0

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

H. 3132--POINT OF ORDER

The following Bill was taken up:

H. 3132 -- Reps. G. M. Smith and B. Newton: A BILL TO AMEND CHAPTER 71, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOSPICE PROGRAMS, SO AS TO ADD DEFINITIONS; TO ESTABLISH CERTAIN LICENSING REQUIREMENTS; TO PROVIDE FOR THE REGISTRATION OF MULTIPLE OFFICE LOCATIONS OF LICENSED HOSPICES; TO PROVIDE FOR EXPANSION OF HOSPICE SERVICE AREAS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE APPLICATIONS FOR REGISTRATION OF MULTIPLE OFFICE LOCATIONS AND FOR EXPANSION OF HOSPICE SERVICE AREAS, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.

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. 496--RECALLED FROM COMMITTEE ON
REGULATIONS AND ADMINISTRATIVE PROCEDURES**

On motion of Rep. BEDINGFIELD, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Regulations and Administrative Procedures:

S. 496 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SHELLFISH, DESIGNATED AS REGULATION DOCUMENT NUMBER 4736,

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

R. 4, H. 3462--GOVERNOR'S VETO --DEBATE ADJOURNED

The Veto on the following Act was taken up:

(R. 4) H. 3462 -- Reps. Kirby, Jordan, Williams, Alexander and Lowe:
AN ACT TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING
TO THE BOARD OF TRUSTEES OF FLORENCE COUNTY
SCHOOL DISTRICT NUMBER THREE, SO AS TO EXTEND THE
TERMS OF THE MEMBERS OF THE BOARD OF TRUSTEES OF
FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE TO
FOUR YEARS, TO STAGGER THE TERMS OF THE MEMBERS,
TO REQUIRE THAT THE MEMBERS BE ELECTED AT A
GENERAL ELECTION HELD IN AN EVEN-NUMBERED YEAR,
AND TO PROVIDE THE PROCESS BY WHICH A VACANCY IS
FILLED.

Rep. KIRBY moved to adjourn debate until Tuesday, January 8, 2019,
which was agreed to.

H. 3726--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for
consideration:

H. 3726 -- Reps. Herbkersman, Cobb-Hunter, Anthony, Whitmire,
Stringer, Bradley, Lucas and White: 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

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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 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

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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.

Rep. HERBKERSMAN moved to adjourn debate upon the Senate Amendments until Wednesday, March 29, which was agreed to.

S. 198--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

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.

Rep. CLARY moved to adjourn debate on the Senate Amendments, which was agreed to.

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.

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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.

RECURRENCE TO THE MORNING HOUR

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

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. LOFTIS a temporary leave of absence.

REPORTS OF STANDING COMMITTEES

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

S. 250 -- Senators Leatherman, Setzler and Alexander: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2016 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3311 -- Reps. White, G. R. Smith, Clyburn, Cobb-Hunter, Pitts, G. M. Smith, West, V. S. Moss, Thayer, Putnam and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 29 TO CHAPTER 53, TITLE 59 SO AS TO DEVELOP AND IMPLEMENT A CAREER PATHWAYS INITIATIVE, TO ESTABLISH A PATHWAYS TO FIRST CAREERS PROGRAM, TO ESTABLISH A PATHWAYS TO NEW

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OPPORTUNITIES PROGRAM, AND TO ADMINISTER THE WORKFORCE SCHOLARSHIP AND GRANT FUND; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO HIRE AN APPRENTICE; BY ADDING SECTION 59-53-110 SO AS TO CREATE A "WORKFORCE SCHOLARSHIP AND GRANT FUND"; AND BY ADDING SECTION 12-6-3765 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO CONTRIBUTE TO THE WORKFORCE SCHOLARSHIP AND GRANT FUND.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3343 -- Reps. White, Allison, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 158 TO TITLE 59 SO AS TO ENACT THE "SOUTH CAROLINA EDUCATION SCHOOL FACILITIES ACT" TO PROVIDE FINANCIAL ASSISTANCE TO SCHOOL DISTRICTS IN ORDER TO ACQUIRE SCHOOL FACILITIES BY USING GENERAL OBLIGATION BONDS, AND OTHER FORMS OF ASSISTANCE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL DETERMINE AND SELECT ON A PRIORITY BASIS, QUALIFIED SCHOOL PROJECTS WHICH SHALL RECEIVE FINANCIAL ASSISTANCE FROM THE STATE, TO PROVIDE FOR THE POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION IN THIS REGARD, AND TO PROVIDE FOR OTHER RELATED PROVISIONS IN CONNECTION WITH THE CONSTRUCTION OR RENOVATION OF SCHOOL FACILITIES; AND TO REPEAL CHAPTER 146, TITLE 59 RELATING TO THE STATE SCHOOL FACILITIES BONDS ACT WHICH AUTHORIZED THE ISSUANCE OF SPECIFIC DOLLAR AMOUNTS OF STATE SCHOOL FACILITIES BONDS WITHIN A SPECIFIED TIME PERIOD.

Ordered for consideration tomorrow.

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Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3463 -- Reps. Martin, B. Newton, V. S. Moss, G. R. Smith, Arrington, Elliott, Ott, West, Bennett, Atkinson, Govan, Hill, McCravy, Hosey, Davis, Magnuson, Bedingfield, Felder, Blackwell, Brown, Clemmons, Forrest, Gagnon, Hayes, Hiott, Hixon, Norrell, Pope, Putnam and Wheeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-235 SO AS TO PROVIDE THAT IF PROPERTY WAS ASSESSED AS AGRICULTURAL PROPERTY OR AS FARM MACHINERY AND EQUIPMENT IN 2016, THE PROPERTY MUST CONTINUE TO BE ASSESSED WITH THE SAME ASSESSMENT RATIO UNLESS A CHANGE OF USE OCCURS.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3666 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE STATE CERTIFICATION OF NEED AND HEALTH FACILITIES LICENSURE ACT, SO AS TO DEFINE "CRISIS STABILIZATION UNIT FACILITY"; TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO THE APPLICABILITY OF THE CERTIFICATE OF NEED PROCESS TO CERTAIN PROJECTS, SO AS TO MAKE THE PROCESS INAPPLICABLE TO CRISIS STABILIZATION UNIT FACILITIES; AND TO AMEND SECTION 44-7-260, AS AMENDED, RELATING TO REQUIREMENTS FOR LICENSURE FOR HEALTH FACILITIES, SO AS TO REQUIRE CRISIS STABILIZATION UNIT FACILITIES TO OBTAIN A LICENSE FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3742 -- Rep. Pitts: A BILL TO AMEND SECTIONS 24-21-230 AND 24-21-280, BOTH AS AMENDED, CODE OF LAWS OF

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SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT, DUTIES, AND POWERS OF DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES' AGENTS, HEARING OFFICERS, AND STAFF, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT MAY EMPLOY OFFENDER SUPERVISION SPECIALISTS, TO PROVIDE THAT THE DEPARTMENT SHALL PROMULGATE REGULATIONS REGARDING THE QUALIFICATIONS FOR THESE EMPLOYEES, AND PROCEDURES FOR CLASSIFYING OFFENDERS AS STANDARD AND LOW-RISK, AND TO PROVIDE THE DUTIES AND AUTHORITY OF AN OFFENDER SUPERVISION SPECIALIST.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3927 -- Reps. Simrill, Herbkersman, J. E. Smith, Bernstein, G. M. Smith and Weeks: 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.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3318 -- Reps. Pitts, G. R. Smith, Long and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 23, SO AS TO ESTABLISH THE ILLEGAL IMMIGRATION ENFORCEMENT

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UNIT WITHIN THE STATE LAW ENFORCEMENT DIVISION; TO REPEAL SECTION 23-6-60 RELATING TO THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT ESTABLISHED WITHIN THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER ALL THE ASSOCIATED EMPLOYEES, AUTHORIZED APPROPRIATIONS, ASSETS, AND LIABILITIES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3548 -- Reps. Bennett, Delleney, Yow, Stringer, Hardee, Erickson, Long, Fry, Daning, S. Rivers, Davis, Allison, Hill, Crosby, B. Newton, McCoy, West, McCravy, Tallon, Elliott, Henderson, V. S. Moss and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA UNBORN CHILD PROTECTION FROM DISMEMBERMENT ABORTION ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO PROHIBIT DISMEMBERMENT ABORTIONS, WITH EXCEPTIONS, AND TO DEFINE RELEVANT TERMS; TO PROVIDE FOR INJUNCTIVE RELIEF AND CIVIL REMEDIES TO ENFORCE THE PROVISIONS OF THE ARTICLE; TO CREATE CRIMINAL PENALTIES; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3930 -- Reps. Pitts, Delleney, Clemons, McCravy, Bennett, Forrest, Crawford, Lowe, Jordan, Duckworth, White, Henderson, Loftis, Burns, Chumley, Long, G. R. Smith, Bedingfield, Stringer, Bannister, Fry, Elliott, Hixon, Thayer, Collins, Yow, West, S. Rivers, V. S. Moss, Pope, Simrill, Martin and Atwater: 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-

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

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3804 -- Reps. D. C. Moss, Chumley, Delleney, Burns, Long, G. R. Smith, Bedingfield, V. S. Moss, Herbkersman, Yow, Hixon and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE

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TRAILING VEHICLE, AND TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3019 -- Reps. Rutherford and Robinson-Simpson: A BILL TO AMEND SECTION 17-5-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A PERSON WHO IS ELECTED AS CORONER AND COMPLETES NECESSARY TRAINING IS QUALIFIED TO SERVE AS CORONER.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3116 -- Reps. Crawford, Norrell, Felder, Pitts, Yow, King and Henegan: A BILL TO AMEND SECTION 63-7-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF INFANTS AT DESIGNATED LOCATIONS WITHOUT CRIMINAL LIABILITY, SO AS TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN AND TO CHANGE THE DEFINITION OF "INFANT".

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3125 -- Reps. McEachern and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-645 SO AS TO ALLOW TEMPORARY PLACEMENT OF A CHILD WITH A RELATIVE OR ALTERNATIVE CAREGIVER PURSUANT TO A SAFETY PLAN, TO PROVIDE REQUIREMENTS FOR A SAFETY PLAN, AND TO LIMIT THE DURATION OF A SAFETY PLAN TO NINETY DAYS, WITH EXCEPTIONS; BY ADDING SUBARTICLE 10 TO ARTICLE 3, CHAPTER 7, TITLE 63 SO AS TO ALLOW DSS TO OFFER PROTECTIVE SERVICES PURSUANT TO A CHILD AND FAMILY

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PLAN IN CERTAIN CHILD ABUSE OR NEGLECT MATTERS, TO PROVIDE REQUIREMENTS FOR A CHILD AND FAMILY PLAN, TO LIMIT THE DURATION OF A CHILD AND FAMILY PLAN TO SIX MONTHS, WITH EXCEPTIONS, AND TO PROVIDE FOR TERMINATION OF FAMILY PRESERVATION SERVICES; TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO DEFINITIONS USED IN CHAPTER 7, TITLE 63, SO AS TO ADD DEFINITIONS FOR "SAFETY PLAN", "PLACEMENT PLAN", AND "TREATMENT PLAN"; TO AMEND SECTION 63-7-650, RELATING TO REQUIREMENTS BEFORE PLACING A CHILD WITH A RELATIVE OR OTHER PERSON WHEN THE CHILD IS TAKEN INTO EMERGENCY PROTECTIVE CUSTODY, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-690, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE OR OTHER PERSON INSTEAD OF TAKING THE CHILD INTO DSS CUSTODY, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3538 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PERSONS WITH DISABILITIES RIGHT TO PARENT ACT" BY ADDING CHAPTER 21 TO TITLE 63 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES, LAW ENFORCEMENT, AND THE FAMILY AND PROBATE COURTS, AMONG OTHERS, TO PROTECT THE PARENTING RIGHTS OF PERSONS WITH A DISABILITY BY ESTABLISHING CERTAIN REQUIREMENTS AND SAFEGUARDS APPLICABLE IN CHILD CUSTODY, CHILD PROTECTION, AND PROBATE GUARDIANSHIP PROCEEDINGS TO ENSURE THAT PERSONS WITH DISABILITIES ARE NOT DENIED THE RIGHT TO PARENT OR TO HAVE CUSTODY OF OR VISITATION WITH A CHILD BECAUSE OF THE DISABILITY; AND TO PROHIBIT CHILD PLACING AGENCIES AND ADOPTION SERVICE PROVIDERS FROM DENYING PERSONS WITH A DISABILITY THE RIGHT TO ACCESS SERVICES BECAUSE OF THE PERSON'S DISABILITY, WITH EXCEPTIONS; TO AMEND SECTION 63-7-720, RELATING TO REASONABLE EFFORTS REQUIREMENTS FOR PROBABLE CAUSE HEARINGS,

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SO AS TO REQUIRE CERTAIN EFFORTS IF A PARENT OR LEGAL GUARDIAN HAS A DISABILITY TO INCLUDE REFERRALS FOR SERVICES PROVIDING INSTRUCTION ON ADAPTIVE PARENTING TECHNIQUES AND OTHER REASONABLE ACCOMMODATIONS WITH REGARD TO ACCESSING SERVICES; TO AMEND SECTION 63-7-1640, AS AMENDED, RELATING TO FAMILY COURT DETERMINATIONS WHETHER TO REQUIRE REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY WHEN THE PARENT OR LEGAL GUARDIAN HAS A DISABILITY, SO AS TO REQUIRE THE COURT TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO PRESERVE OR REUNIFY THE FAMILY; TO AMEND SECTION 63-7-2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, SO AS TO PROHIBIT TERMINATION OF PARENTAL RIGHTS SOLELY ON THE BASIS OF A DISABILITY.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3137 -- Reps. Stavrinakis, McCoy, Bales and J. E. Smith: A BILL TO AMEND SECTIONS 61-6-1140 AND 61-6-1150, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATED TO TASTINGS AND RETAIL SALES OF ALCOHOLIC LIQUORS AT LICENSED PREMISES OF A MICRO-DISTILLERY OR MANUFACTURER, SO AS TO REVISE THE OUNCE AMOUNT OF ALCOHOLIC LIQUORS DISPENSED AT LICENSED PREMISES AND TO REVISE THE SALE AT RETAIL OF ALCOHOLIC LIQUORS AT LICENSED PREMISES AND TO ALLOW MIXERS TO BE USED IN TASTINGS.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3885 -- Reps. Bannister, Bedingfield, G. R. Smith, Loftis and Hamilton: A BILL TO AMEND SECTION 44-7-3420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE LEWIS BLACKMAN

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HOSPITAL PATIENT SAFETY ACT, SO AS TO ADD DEFINITIONS FOR "HEALTH CARE PRACTITIONER" AND "HEALTH CARE FACILITY"; AND BY ADDING SECTION 44-7-3435 SO AS TO REQUIRE HEALTH CARE PRACTITIONERS TO WEAR IDENTIFICATION BADGES DISPLAYING CERTAIN INFORMATION.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3055 -- Reps. Robinson-Simpson and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "STOP THE SCHOOL HOUSE TO JAIL HOUSE PIPELINE ACT" BY CREATING THE RESTORATIVE JUSTICE STUDY COMMITTEE TO REVIEW THE JUVENILE JUSTICE LAWS OF THE STATE AND MAKE RECOMMENDATIONS CONCERNING PROPOSED CHANGES TO FACILITATE AND ENCOURAGE DIVERSION OF JUVENILES FROM THE JUVENILE JUSTICE SYSTEM TO RESTORATIVE JUSTICE PRACTICES FOR SPECIFIC PURPOSES AND IN CERTAIN CIRCUMSTANCES, TO PROVIDE THE STUDY COMMITTEE SHALL MAKE RECOMMENDATIONS CONCERNING A RELATED PILOT PROGRAM, TO PROVIDE SPECIFIC REQUIREMENTS FOR THE PILOT PROGRAM, AND TO DEFINE A NECESSARY TERM; BY ADDING SECTION 59-63-212 SO AS TO PROVIDE THAT SCHOOL DISTRICTS SHALL ADOPT ZERO-TOLERANCE POLICIES THAT NOT BE RIGOROUSLY APPLIED TO PETTY ACTS OF MISCONDUCT AND MISDEMEANORS, MUST APPLY EQUALLY TO ALL STUDENTS REGARDLESS OF THEIR ECONOMIC STATUS, RACE, OR DISABILITY, AND THAT ARE INTENDED TO PROMOTE SAFE AND SUPPORTIVE LEARNING ENVIRONMENTS IN SCHOOLS, PROTECT STUDENTS AND STAFF FROM CONDUCT THAT POSES A SERIOUS THREAT TO SCHOOL SAFETY, ENCOURAGES SCHOOLS TO USE ALTERNATIVES TO EXPULSION OR REFERRAL, AMONG OTHER THINGS; BY ADDING SECTION 23-23-117 SO AS TO PROVIDE THAT THE CRIMINAL JUSTICE ACADEMY SHALL DEVELOP AND IMPLEMENT A CULTURAL COMPETENCY MODEL TRAINING PROGRAM CURRICULUM FOR SCHOOL RESOURCE OFFICERS, TO PROVIDE CONTENT

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REQUIREMENTS FOR THE CURRICULUM, AND TO REQUIRE SCHOOL RESOURCE OFFICERS TO COMPLETE TRAINING BASED ON THE CURRICULUM; AND TO REPEAL SECTIONS 59-63-235 AND 59-63-240 BOTH RELATING TO STUDENT EXPULSIONS.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3215 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-770 SO AS TO CREATE THE OFFENSE OF IMPERSONATING A LAWYER AND PROVIDE GRADUATED PENALTIES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3685 -- Rep. Quinn: A BILL TO AMEND SECTION 7-13-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADJUST THE DATES ON WHICH PRIMARIES, RUNOFF PRIMARIES, AND SPECIAL ELECTIONS MUST BE HELD IN ORDER TO COMPLY WITH THE "SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT".

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3150 -- Rep. Funderburk: A BILL TO AMEND SECTION 7-13-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICES, SO AS TO REMOVE A MUNICIPALITY'S AUTHORITY NOT TO CONDUCT GENERAL ELECTIONS UNDER CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

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HOUSE RESOLUTION

The following was introduced:

H. 4023 -- Reps. Hiott, 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, 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 STAN D. BUTLER FOR EARNING THE LAUDABLE TITLE OF 2017 REGION 1-AAAA ATHLETIC DIRECTOR OF THE YEAR.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4024 -- Reps. Govan, 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, 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,

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Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR WILLIE JENNINGS FOR HIS DEDICATED COMMUNITY SERVICE TO THE PEOPLE OF ORANGEBURG COUNTY AND FOR HIS OUTSTANDING CAREER IN BUSINESS AND TO WISH HIM MUCH CONTINUED SUCCESS AND FULFILLMENT IN THE DAYS AHEAD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4025 -- Rep. Stavrinakis: A HOUSE RESOLUTION TO AUTHORIZE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STUDENT GOVERNMENT TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, SEPTEMBER 15, 2017; HOWEVER, THE CHAMBER MAY NOT BE USED IF THE HOUSE OF REPRESENTATIVES IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, authorize South Carolina Independent School Association Student Government to use the chamber of the South Carolina House of Representatives for its annual State House meeting on Friday, September 15, 2017; however, the chamber may not be used if the House of Representatives is in session or the chamber is otherwise unavailable.

Be it further resolved that the State House security forces shall provide assistance and access as necessary for this meeting in accordance with previous procedures.

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Be it further resolved that no charges may be made for the use of the House chamber by South Carolina Independent School Association Student Government on this date.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4026 -- Reps. Kirby, 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, 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 AND HONOR THE MEMORY OF DR. RONALD E. MCNAIR, RENOWNED PHYSICIST AND ASTRONAUT WHO LOST HIS LIFE IN THE CHALLENGER SPACE SHUTTLE TRAGEDY, AND TO DECLARE OCTOBER 21, 2017, "DR. RONALD E. MCNAIR DAY" IN SOUTH CAROLINA.

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. 4027 -- Reps. Lucas, Simrill, Delleney, Pope and Finlay: A BILL TO AMEND SECTION 8-13-100, AS AMENDED, CODE OF LAWS

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OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO ETHICS AND GOVERNMENT ACCOUNTABILITY, SO AS TO REVISE THE DEFINITION OF "BUSINESS WITH WHICH HE IS ASSOCIATED"; AND TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REVISE THE FORM AND REQUIRED CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS.

Referred to Committee on Judiciary

H. 4028 -- Reps. Simrill and Loftis: A BILL TO AMEND SECTION 12-20-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANNUAL REPORTS FILED BY CORPORATIONS, SO AS TO SPECIFY THAT A CORPORATION MUST FILE ITS ANNUAL REPORT BY THE DATE THE CORPORATION'S RETURN IS DUE.

Referred to Committee on Ways and Means

H. 4029 -- Rep. Simrill: A BILL TO AMEND SECTION 12-43-335, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND TO REPEAL SECTION 12-39-70 RELATING TO APPRAISING AND ASSESSING PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.

Referred to Committee on Ways and Means

H. 4030 -- Reps. Simrill and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

Referred to Committee on Ways and Means

H. 4031 -- Reps. Tallon, Allison, Long, Crawford, Magnuson, Forrester, Funderburk, Henderson and Simrill: A BILL TO AMEND

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THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-25-130 SO AS TO PROVIDE FOR ADMINISTRATIVE, CIVIL, AND CRIMINAL IMMUNITY FOR PHYSICIANS WHO REPORT DOMESTIC VIOLENCE OR PARTICIPATE IN INVESTIGATIONS AND JUDICIAL PROCEEDINGS RESULTING FROM A REPORT INVOLVING DOMESTIC VIOLENCE.

Referred to Committee on Judiciary

H. 4032 -- Rep. McKnight: A BILL TO AMEND SECTION 59-149-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRITERIA FOR LIFE SCHOLARSHIP ELIGIBILITY, SO AS TO REVISE THE CRITERIA ONLY TO INCLUDE STUDENTS IN THE TOP THIRTY PERCENT OF THEIR GRADUATING CLASSES, AND TO MAKE THE PROVISIONS APPLICABLE BEGINNING WITH FRESHMEN ENTERING FOUR-YEAR INSTITUTIONS IN THE 2018-2019 SCHOOL YEAR.

Referred to Committee on Education and Public Works

H. 4033 -- Reps. Hixon, Taylor, Blackwell, Clyburn and Allison: A BILL TO AMEND SECTION 56-5-1535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, SO AS TO DELETE THIS PROVISION AND PROVIDE A DEFINITION FOR THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER", TO CREATE THE OFFENSE OF "ENDANGERMENT OF A HIGHWAY WORKER", AND TO PROVIDE A PENALTY FOR THIS OFFENSE; TO AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, SO AS TO PROVIDE THAT THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER RESULTING IN NO INJURY IS A TWO POINT VIOLATION, THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER IN WHICH INJURY OCCURS IS A FOUR POINT VIOLATION, AND THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER IN WHICH GREAT BODILY INJURY OCCURS IS A SIX POINT VIOLATION; AND TO REPEAL SECTION 56-5-1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

Referred to Committee on Education and Public Works

H. 4034 -- Reps. Taylor and W. Newton: A BILL TO AMEND SECTION 30-4-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE EXISTING EXEMPTIONS FOR MEMBERS OF THE GENERAL ASSEMBLY AND THEIR IMMEDIATE STAFF, AND TO INSTEAD ONLY PROVIDE A LIMITED EXEMPTION FOR DRAFTS OF POTENTIAL ORDINANCES, LEGISLATION, AMENDMENTS TO LEGISLATION, AND RELATED DEVELOPMENTAL DOCUMENTS IN THE POSSESSION OF ANY INDIVIDUAL ELECTED OR APPOINTED OFFICIAL OR HIS STAFF; TO PROVIDE AN EXEMPTION FOR WRITTEN OR ELECTRONIC CORRESPONDENCE FROM A MEMBER OF THE PUBLIC; AND TO PROVIDE THAT NEITHER OF THESE EXEMPTIONS LIMIT OR RESTRICT PUBLIC ACCESS TO SOURCE DOCUMENTS OR RECORDS, FACTUAL DATA OR SUMMARIES OF FACTUAL DATA, PAPERS, MINUTES, OR REPORTS OTHERWISE CONSIDERED TO BE PUBLIC INFORMATION UNDER THESE PROVISIONS.

Referred to Committee on Judiciary

H. 4035 -- Reps. Henderson, Loftis, G. R. Smith, Bedingfield, Willis, Elliott, Bannister, Finlay, Hamilton, Burns, Allison, Fry, Ballentine, Cole, Delleney, Erickson, Forrester, Gagnon, Herbkersman, Lucas, Pope, Sandifer, Simrill and Tallon: A BILL TO AMEND SECTION 11-44-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT, SO AS TO ALLOW INDIVIDUALS NOT SUBJECT TO THE SOUTH CAROLINA INCOME TAX TO CLAIM THE CREDIT, TO SPECIFY SERVICES FOR WHICH CONTRIBUTIONS ARE NOT ELIGIBLE FOR THE CREDIT, AND TO SUBSTITUTE 'CONVERTIBLE' FOR 'SUBORDINATED' IN THE DEFINITION OF QUALIFIED INVESTMENT; TO AMEND SECTIONS 11-44-40 AND 11-44-50, BOTH RELATING TO THE CREDIT, SO AS TO INCREASE THE ANNUAL AGGREGATE CREDIT FROM FIVE MILLION DOLLARS TO TEN MILLION DOLLARS, AND TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 11-44-60, RELATING TO THE REGISTRATION OF A QUALIFIED BUSINESS, SO AS TO ELIMINATE THE REQUIREMENT THAT

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CERTAIN INFORMATION BE CONTAINED IN A REPORT TO THE GENERAL ASSEMBLY AND GOVERNOR; TO REPEAL SECTION 11-44-65 RELATING TO THE TAX TREATMENT OF CERTAIN CAPITAL GAINS OR LOSSES; AND TO AMEND ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT, SO AS TO REAUTHORIZE THE ACT FOR SIX MORE YEARS.

Referred to Committee on Ways and Means

H. 4036 -- Reps. Murphy, Arrington, Bennett, Daning, Crosby, Sottile, Cogswell, McCoy, Collins, Clary, Davis, Putnam, S. Rivers and Thayer: A BILL TO AMEND SECTION 2-15-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE LEGISLATIVE AUDIT COUNCIL, SO AS TO EXPAND THE DEFINITION OF "STATE AGENCIES" TO INCLUDE SCHOOL DISTRICTS.

Referred to Committee on Judiciary

Rep. MARTIN moved that the House recede until 1:30 p.m., which was agreed to.

THE HOUSE RESUMES

At 1:30 p.m. the House resumed, ACTING SPEAKER DAVIS in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

SPEAKER IN CHAIR

**S. 198--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

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

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RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

Rep. ALLISON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 83; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bales	Ballentine	Bamberg
Bennett	Blackwell	Bradley
Brown	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Douglas	Duckworth	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hardee	Henderson	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Lucas
Mack	Magnuson	Martin
McCrary	D. C. Moss	V. S. Moss
Murphy	W. Newton	Ott
Pope	Putnam	Quinn
Ridgeway	S. Rivers	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Tallon	Taylor
Thayer	Thigpen	Weeks
West	Whipper	Whitmire
Williams	Yow	

Total--83

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Those who voted in the negative are:

Total--0

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 198. If I had been present, I would have voted in favor of the Bill.

Rep. Carl L. Anderson

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 Thursday, March 23, which was agreed to.

MOTION PERIOD

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

H. 3204--RECOMMITTED

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

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CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY.

Rep. DELLENEY moved to recommit the Bill to the Committee on Judiciary, which was agreed to by a division vote of 44 to 16.

H. 3240--DEBATE ADJOURNED

The following Bill was taken up:

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

Rep. DELLENEY moved to adjourn debate on the Bill until Thursday, March 23, which was agreed to.

H. 3565--DEBATE ADJOURNED

The following Bill was taken up:

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

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PROVISIONS, SO AS TO ESTABLISH AN AUTOMATIC STAY CONCERNING LICENSE ISSUANCES, RENEWALS AND THE LIKE, AND TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH THE AUTOMATIC STAY MAY BE LIFTED.

Rep. DELLENEY moved to adjourn debate on the Bill until Thursday, March 23, which was agreed to.

H. 3653--ORDERED TO THIRD READING

The following Bill was taken up:

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, West, Hixon, Murphy, Arrington, Bennett and Crosby: 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.

POINT OF ORDER

Rep. J. E. SMITH raised the Point of Order that under Rule 4.3, that the Labor, Commerce and Industry Committee (LCI) did not have jurisdiction over H. 3563 and that the Speaker should order the Bill committed to the House Judiciary Committee.

The SPEAKER stated that he had reviewed the Bill before initially referring it to the LCI Committee and that he felt the Bill could have been referred to either the LCI Committee or the Judiciary Committee. He stated that he chose to refer it to the LCI Committee and found no error in that decision and overruled the Point of Order.

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Rep. CLARY proposed the following Amendment No. 1 to H. 3653 (COUNCIL\WAB\3653C001.AGM.WAB17), which was tabled:

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

/ SECTION 1. Title 31 of the 1976 Code is amended by adding:

“CHAPTER 24

Nuisance Suits Related to Manufacturing and Industrial Uses of Real Property

Section 31-24-110. The General Assembly finds that manufacturing and industrial operations are a vital part of the economy of South Carolina, and that it is in the best interests of the State to induce the retention, location, expansion, and improvement of manufacturing, processing, distribution, warehousing, and technology intensive projects within the State. The General Assembly recognizes that, when nonindustrial land uses extend into industrial areas, manufacturing or industrial facilities may become the subject of nuisance suits despite having located first in time. As a result, such facilities may be forced to cease operations or may be discouraged from making investments or improvements to their facilities. It is the intent of the General Assembly to reduce the loss to the State of its manufacturing and industrial resources by limiting the circumstances under which a manufacturing or industrial facility may be deemed to be a nuisance when such plaintiffs came to the nuisance, and it is the General Assembly’s intent to generally codify the common law doctrine of ‘coming to the nuisance’ to promote economic development.

Section 31-24-120. For purposes of this chapter:

(1) ‘Manufacturing or industrial facility’ means any facility that operates under North American Industry Classification System codes 31-33 (Manufacturing) and 48-49 (Transportation and Warehousing) including, but not limited to, any land, building, structure, pond, impoundment, appurtenance, machinery, or equipment used for manufacturing, processing, distribution, warehousing, and technology intensive operations.

(2) ‘Expansion’ means the increase of physical footprint of a facility and does not include any operational changes to a facility including, but not limited to, a change in time of operations, a change in process, or a change of product.

(3) ‘Reasonably expand’ means the increase of the physical footprint of a facility by no more than a total of fifty percent within a period of five years.

(4) 'Temporary cessation' means a facility that ceases to operate for twelve months or less.

(5) 'Diminishing the size' means a reduction in the physical footprint of a facility or reduction in the quantity of outputs produced.

Section 31-24-130. (A) A manufacturing or industrial facility, or expansion of such a facility, may not be found to be a public or private nuisance by reason of the operation of that facility if the manufacturing or industrial facility is operating pursuant to the issuance of requisite licenses, permits, certifications, or authorizations under applicable federal and state environmental law only if such licenses, permits, certifications, or authorizations establish enforceable requirements for noise, odor, light, and other public and private nuisance claims.

(B) No person or entity who purchases property or initiates change in the land use of a property within one quarter mile of an existing manufacturing or industrial facility within the meaning of this chapter after that facility has commenced operation shall have standing to bring a private or public nuisance claim if the facility is operating pursuant to subsection (A).

(C) A manufacturing or industrial facility protected pursuant to the provisions of this section may reasonably expand its operation or facilities without losing its protected status if all county, municipal, state, and federal environmental codes, laws, or regulations are met by the manufacturing or industrial operation only if the licenses, permits, certifications, or authorizations issued under these codes, laws, or regulations establish enforceable requirements for noise, odor, light, and other public and private nuisance claims. This protected status of a manufacturing or industrial facility, once acquired:

(1) is assignable, alienable, and inheritable to the extent that the licenses, permits, certifications, or authorizations for the existing manufacturing facility are assignable, alienable, and inheritable; and

(2) may not be waived by the temporary cessation of operation or by diminishing the size of the operation as defined by this Chapter.

Section 31-24-140. A city, county, taxing district, or other political subdivision of this State may not adopt an ordinance or resolution that declares a manufacturing or industrial facility, or an expansion of such a facility, that is operated in accordance with this chapter to be a nuisance, nor may a zoning ordinance that forces the closure of a manufacturing or industrial facility be adopted. Such an ordinance is void and has no force or effect.

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Section 31–24–150. The provisions of this chapter may not be construed to modify a provision of existing statutory eminent domain or environmental law.

Section 31–24–160. The provisions of this chapter do not apply to nuisance actions commenced within one year after the effective date of this chapter, but no nuisance actions may be commenced on or after one year after the effective date of this act.”

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

Renumber sections to conform.

Amend title to conform.

Rep. CLARY explained the amendment.

Rep. CLARY spoke in favor of the amendment.

Rep. RYHAL moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yea 68; Nays 28

Those who voted in the affirmative are:

Alexander	Anderson	Arrington
Atkinson	Bales	Ballentine
Bannister	Blackwell	Bradley
Burns	Chumley	Clemmons
Cole	Collins	Crawford
Crosby	Davis	Delleney
Duckworth	Erickson	Felder
Finlay	Forrester	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hayes	Henderson

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Henegan	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Jordan
King	Loftis	Long
Lucas	Martin	McEachern
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	Parks
Pitts	Pope	Putnam
S. Rivers	Ryhal	Sandifer
Simrill	G. R. Smith	Spires
Tallon	Taylor	Thayer
West	White	Whitmire
Williams	Yow	

Total--68

Those who voted in the negative are:

Bedingfield	Bennett	Bernstein
Brown	Clary	Clyburn
Cobb-Hunter	Cogswell	Daning
Dillard	Douglas	Elliott
Forrest	Fry	Funderburk
Johnson	Kirby	McCrary
W. Newton	Norrell	Ott
Quinn	Ridgeway	G. M. Smith
J. E. Smith	Thigpen	Weeks
Whipper		

Total--28

So, the amendment was tabled.

Rep. J. E. SMITH moved to commit the Bill to the Committee on Judiciary.

Rep. SIMRILL moved to table the motion.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yea 68; Nays 34

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Arrington	Atkinson	Bales
Ballentine	Bannister	Bedingfield
Bennett	Blackwell	Bradley
Burns	Chumley	Clemons
Cole	Collins	Crawford
Crosby	Davis	Delleney
Duckworth	Erickson	Felder
Forrester	Gagnon	Govan
Hamilton	Hardee	Hayes
Henderson	Henegan	Hewitt
Hiott	Hixon	Huggins
Jefferson	Jordan	Loftis
Long	Lowe	Lucas
Martin	McEachern	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	Pitts	Pope
Putnam	Quinn	S. Rivers
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Tallon	Taylor
Thayer	West	White
Whitmire	Yow	

Total--68

Those who voted in the negative are:

Bamberg	Bernstein	Brown
Clary	Clyburn	Cobb-Hunter
Cogswell	Daning	Dillard
Douglas	Elliott	Forrest
Fry	Funderburk	Gilliard
Hill	Hosey	Howard
Johnson	King	Kirby
Magnuson	McCrary	W. Newton
Norrell	Ott	Parks

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Ridgeway	Robinson-Simpson	J. E. Smith
Thigpen	Weeks	Whipper
Williams		

Total--34

So, the motion to commit the Bill was tabled.

Rep. FORRESTER spoke in favor of the Bill.
Rep. J. E. SMITH spoke against the Bill.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. J. E. SMITH continued speaking.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 78; Nays 27

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Arrington	Atkinson	Bales
Ballentine	Bannister	Bennett
Blackwell	Bradley	Burns
Caskey	Chumley	Clemonns
Cole	Collins	Crawford
Crosby	Davis	Delleney
Duckworth	Elliott	Erickson
Felder	Finlay	Forrester
Fry	Gagnon	Govan
Hamilton	Hardee	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Loftis	Long	Lowe
Lucas	Mack	Martin
McCoy	McEachern	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	Ott	Pitts

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Pope	Putnam	Quinn
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Spires
Tallon	Taylor	Thayer
Weeks	West	White
Whitmire	Williams	Yow

Total--78

Those who voted in the negative are:

Bamberg	Bedingfield	Bernstein
Brown	Clary	Clyburn
Cobb-Hunter	Cogswell	Daning
Dillard	Douglas	Forrest
Funderburk	Gilliard	Hart
Hill	Hosey	Howard
Magnuson	McCravy	W. Newton
Norrell	Ridgeway	Robinson-Simpson
J. E. Smith	Sottile	Whipper

Total--27

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

LEAVE OF ABSENCE

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

S. 218--ORDERED TO THIRD READING

The following Bill was taken up:

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.

Rep. SANDIFER explained the Bill.

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Rep. BAMBERG spoke against the Bill.
Rep. MACK spoke against the Bill.
Rep. WILLIAMS spoke against the Bill.
Rep. GOVAN spoke against the Bill.

Rep. BAMBERG moved to adjourn debate on the Bill.

Rep. SANDIFER moved to table the motion.

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

Yea 68; Nays 34

Those who voted in the affirmative are:

Allison	Arrington	Bales
Ballentine	Bannister	Bedingfield
Bennett	Bernstein	Blackwell
Bradley	Burns	Chumley
Clary	Clemons	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Duckworth	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Gagnon
Hamilton	Hardee	Henderson
Herbkersman	Hewitt	Hill
Hiott	Hixon	Huggins
Johnson	Jordan	Loftis
Long	Lowe	Lucas
Magnuson	Martin	McCoy
McCravy	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Pope	Quinn	S. Rivers
Ryhal	Sandifer	G. R. Smith
Sottile	Spires	Tallon
Taylor	Thayer	West
Whitmire	Yow	

Total--68

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Those who voted in the negative are:

Anderson	Atkinson	Bamberg
Brown	Clyburn	Cobb-Hunter
Dillard	Douglas	Funderburk
Gilliard	Govan	Hart
Hayes	Henegan	Hosey
Howard	Jefferson	King
Kirby	Knight	Mack
McEachern	Mitchell	Norrell
Ott	Parks	Ridgeway
Robinson-Simpson	J. E. Smith	Stavrinakis
Thigpen	Weeks	Whipper
Williams		

Total--34

So, the motion to adjourn debate was tabled.

Rep. BAMBERG proposed the following Amendment No. 1 to S. 218 (COUNCIL\cz\218C001.NBD.CZ17), which was tabled:

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

/ SECTION 1. Chapter 1, Title 41 of the 1976 Code is amended by adding:

“Section 41-1-25. (A) For purposes of this section:

(1) ‘Employee benefit’ means anything of value that an employee may receive from an employer in addition to wages. This term includes, but is not limited to, any health benefits, disability benefits, death benefits, group accidental death and dismemberment benefits, paid days off for holidays, paid sick leave, paid vacation leave, paid personal necessity leave, retirement benefits, and profit-sharing benefits.

(2) ‘Political subdivision’ includes, but is not limited to, a municipality, county, school district, special purpose district, or public service district.

(B) A political subdivision of this State may not establish, mandate, or otherwise require an employee benefit.

(C) This section does not limit the authority of political subdivisions to establish employee benefits in employment relationships to which they are a party.

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(D) Notwithstanding another provision of law, a political subdivision may opt to establish, mandate, or otherwise require an employee benefit if approved by two-thirds vote of the governing body./

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

Rep. BAMBERG spoke in favor of the amendment.

Rep. RYHAL moved to table the amendment.

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

Yea 68; Nays 31

Those who voted in the affirmative are:

Allison	Arrington	Atkinson
Bales	Ballentine	Bannister
Bedingfield	Bennett	Blackwell
Bradley	Burns	Caskey
Clary	Clemonns	Cogswell
Cole	Collins	Crosby
Daning	Davis	Delleney
Duckworth	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Gagnon	Hamilton
Hardee	Hayes	Henderson
Herbkersman	Hewitt	Hill
Hiott	Hixon	Huggins
Johnson	Jordan	Loftis
Lucas	Magnuson	Martin
McCoy	McCravy	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Pope	Quinn
S. Rivers	Ryhal	Sandifer
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	West
Whitmire	Yow	

Total--68

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Those who voted in the negative are:

Anderson	Bamberg	Bernstein
Brown	Clyburn	Cobb-Hunter
Dillard	Douglas	Funderburk
Gilliard	Govan	Hart
Henegan	Hosey	Howard
Jefferson	King	Kirby
Knight	Mack	McEachern
Mitchell	Norrell	Ott
Parks	Ridgeway	Robinson-Simpson
Rutherford	Weeks	Whipper
Williams		

Total--31

So, the amendment was tabled.

Rep. HILL spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 73; Nays 29

Those who voted in the affirmative are:

Allison	Arrington	Atkinson
Bales	Ballentine	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bradley	Burns
Caskey	Chumley	Clary
Clemmons	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Duckworth	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Gagnon	Hamilton
Hardee	Hayes	Henderson
Herbkersman	Hewitt	Hill
Hiott	Hixon	Huggins
Johnson	Jordan	Loftis
Lowe	Lucas	Magnuson

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Martin	McCoy	McCrary
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Pope
Quinn	S. Rivers	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	West	Whitmire
Yow		

Total--73

Those who voted in the negative are:

Bamberg	Brown	Clyburn
Cobb-Hunter	Dillard	Douglas
Funderburk	Gilliard	Govan
Hart	Henegan	Hosey
Howard	Jefferson	King
Kirby	Knight	Mack
McEachern	Norrell	Ott
Parks	Ridgeway	Robinson-Simpson
Rutherford	J. E. Smith	Weeks
Whipper	Williams	

Total--29

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

RECURRANCE TO THE MORNING HOUR

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

REPORTS OF STANDING COMMITTEE

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3064 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-185 SO AS TO PROVIDE THE BOARD OF PHARMACY SHALL ISSUE A WRITTEN PROTOCOL IN COMPLIANCE WITH WHICH

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PHARMACISTS, WITHOUT AN ORDER OF A PRACTITIONER, MAY PRESCRIBE AND DISPENSE HORMONAL CONTRACEPTIVE PATCHES AND SELF-ADMINISTERED ORAL HORMONAL CONTRACEPTIVES; TO PROVIDE THE BOARD ALSO SHALL ADOPT CERTAIN RULES TO ESTABLISH STANDARD PROCEDURES FOR THESE PRESCRIPTIONS AND DISPENSATIONS; AND TO PROVIDE THAT LAWS GOVERNING INSURANCE COVERAGE OF CONTRACEPTIVE DRUGS, DEVICES, PRODUCTS, AND SERVICES MUST BE CONSTRUED TO APPLY TO HORMONAL CONTRACEPTIVE PATCHES AND SELF-ADMINISTERED ORAL HORMONAL CONTRACEPTIVES PRESCRIBED AND DISPENSED PURSUANT TO THIS ACT.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3428 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-11-65 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DIVISION OF VETERANS' AFFAIRS SHALL RECEIVE AND RESPOND TO COMPLAINTS FROM VETERANS REGARDING COUNTY VETERANS' AFFAIRS OFFICERS.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3440 -- Reps. Henderson and W. Newton: A BILL TO AMEND SECTION 43-25-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA COMMISSION FOR THE BLIND, SO AS TO REQUIRE THREE MEMBERS OF THE COMMISSION TO MEET THE LEGAL DEFINITION OF BLINDNESS; TO AMEND SECTION 43-25-30, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION, SO AS TO MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43-25-60, RELATING TO TEACHERS OF STUDENTS WITH CERTAIN VISUAL IMPAIRMENTS, SO AS TO PROVIDE USE OF COUNSELORS TO ASSIST THOSE TEACHERS.

Ordered for consideration tomorrow.

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Rep. HOWARD for the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments. Rep. HILL for the minority, submitted an unfavorable report on:

H. 3450 -- Rep. Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTROLOGY PRACTICE ACT" BY ADDING ARTICLE 11 TO CHAPTER 47, TITLE 40 SO AS TO PROVIDE A CITATION, TO PROVIDE PURPOSES, TO PROVIDE NECESSARY DEFINITIONS, TO PROHIBIT CERTAIN CONDUCT CONCERNING THE PRACTICE AND TEACHING OF ELECTROLOGY WITHOUT LICENSURE, TO CREATE THE ELECTROLOGY LICENSURE COMMITTEE AS AN ADVISORY BOARD UNDER THE AUSPICES OF THE COSMETOLOGY BOARD, TO PROVIDE FOR THE COMPOSITION AND ORGANIZATION OF THE COMMITTEE, TO PROVIDE THE POWERS AND DUTIES OF THE COMMITTEE, TO PROVIDE REQUIREMENTS FOR LICENSURE AS AN ELECTROLOGIST AND REQUIREMENTS FOR LICENSURE AS AN ELECTROLOGY INSTRUCTOR, TO PROVIDE REQUIREMENTS FOR THE CONDUCT OF LICENSEES, TO PROVIDE PROCEDURES FOR VOLUNTARY SURRENDER OF A LICENSE AND SUBSEQUENT REINSTATEMENT, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE DISCIPLINARY PROCEDURES FOR VIOLATIONS, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3487 -- Reps. Ridgeway, Govan, Duckworth, Hardee and Douglas: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45, ALL AS AMENDED, 44-78-50, AND SECTION 44-78-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DO NOT RESUSCITATE ORDERS, SO AS TO ALLOW A PARENT OR LEGAL GUARDIAN OF A PATIENT WHO IS A CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD.

Ordered for consideration tomorrow.

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Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3809 -- Reps. Finlay, Bernstein, Collins, Spires, J. E. Smith, Ridgeway, Clary and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-120 SO AS TO ESTABLISH THAT AN INDIVIDUAL OR GROUP HEALTH INSURANCE POLICY PROVIDING COVERAGE FOR CONTRACEPTIVE DRUGS MUST PROVIDE REIMBURSEMENT FOR A TWELVE-MONTH REFILL OF CONTRACEPTIVE DRUGS OBTAINED AT ONE TIME; AND BY ADDING SECTION 44-6-120 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAKE ARRANGEMENTS FOR ALL MEDICAID PROGRAMS OFFERED THROUGH MANAGED CARE PLANS OR FEE-FOR-SERVICE PROGRAMS TO REQUIRE THE DISPENSING OF CONTRACEPTIVE DRUGS WITH A TWELVE-MONTH SUPPLY PROVIDED AT ONE TIME.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4037 -- Reps. Norrell, B. Newton, Yow, Lucas, 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, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, W. Newton, 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 and Willis: A HOUSE RESOLUTION TO COMMEND AND APPLAUD SINDARIUS THORNWELL OF

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LANCASTER COUNTY FOR EARNING THE CONSIDERABLE HONOR OF SEC PLAYER OF THE YEAR.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4038 -- Rep. Collins: A HOUSE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE BLATT BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 13 THROUGH FRIDAY, NOVEMBER 17, 2017. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE HOUSE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Whereas, forty-two states have successful Youth in Government programs; and

Whereas, the Youth in Government program is designed to provide first-hand experience in the state legislature and government affairs for high school and middle school students; and

Whereas, students taking part in the program will run for statewide office, enact legislation, and organize their own government; and

Whereas, the purpose of the Young Men's Christian Association Youth in Government program is to encourage our youth to develop enthusiasm and appreciation for government and community affairs; and

Whereas, almost one thousand five hundred students in the State are expected to participate this year, making the South Carolina Youth in Government program one of the largest per capita in the nation. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, authorize the Greenville Young Men's Christian

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Association to use the chamber of the South Carolina House of Representatives and any available committee hearing rooms in the Blatt Building for its Youth in Government program on Monday, November 13 through Friday, November 17, 2017. However, the chamber may not be used if the House is in session or the chamber is otherwise unavailable.

Be it further resolved that the use of the chamber and the available committee hearing rooms by the Greenville Young Men's Christian Association must be in strict accordance with policies and the Rules of the House of Representatives.

Be it further resolved that the Office of the Sergeant at Arms of the House of Representatives shall provide assistance and access as necessary for this meeting in accordance with applicable procedures of the Rules of the House of Representatives.

Be it further resolved that a copy of this resolution be forwarded to the Executive Director of the YMCA Youth in Government program and to House of Representatives Sergeant at Arms Mitchell G. Dorman.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4039 -- Reps. Govan, Gilliard, Thigpen, Mack, Jefferson, Knight, Douglas, Bennett, Robinson-Simpson, Martin, Norrell, Brown, Cobb-Hunter, Dillard, Funderburk, Herbkersman, King, B. Newton, Ridgeway and Thayer: A BILL TO AMEND SECTION 59-65-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPULSORY ATTENDANCE REQUIREMENT IN SCHOOLS, SO AS TO INCREASE FROM SEVENTEEN TO EIGHTEEN THE AGE OF THE CHILD AT WHICH A PARENT OR GUARDIAN NO LONGER HAS RESPONSIBILITY TO CAUSE THE CHILD TO ATTEND SCHOOL.

Referred to Committee on Education and Public Works

H. 4040 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE

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INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO HAVE CERTAIN HEARING AND SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO HAVE CERTAIN HEARING IMPAIRMENTS, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS.

Referred to Committee on Education and Public Works

H. 4041 -- Reps. Chumley, Burns, Toole, Long, Loftis, G. R. Smith and Elliott: A BILL TO AMEND SECTION 12-28-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PORTION OF THE MOTOR FUEL USER FEE CREDITED TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF THAT DEPARTMENT, SO AS TO PROHIBIT THE EXPENDITURE OF THE FUNDS ON EMPLOYEE COMPENSATION, INCLUDING EMPLOYEE BENEFITS; AND BY ADDING SECTION 12-28-2760 SO AS TO PROHIBIT CERTAIN MOTOR FUEL USER FEE PROCEEDS FROM BEING EXPENDED ON NEW ROAD CONSTRUCTION PROJECTS, AND TO PROHIBIT THE EXPENDITURE OR TRANSFER OF SUCH FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; AND TO AMEND SECTION 57-1-410, AS AMENDED, RELATING TO THE SECRETARY OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE SECRETARY INSTEAD OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION.

Referred to Committee on Ways and Means

H. 4042 -- Rep. Hill: A BILL TO AMEND SECTION 2-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF JUDGES BY THE GENERAL ASSEMBLY, SO AS TO REQUIRE THE INDIVIDUAL VOTE OF EACH MEMBER OF THE GENERAL ASSEMBLY TO BE RECORDED FOR EACH ELECTION, TO PROVIDE THAT A MEMBER OF THE GENERAL

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ASSEMBLY THAT ACCEPTS A CAMPAIGN CONTRIBUTION FROM THE JUDICIAL CANDIDATE OR THE JUDICIAL CANDIDATE'S FAMILY MUST RECUSE HIMSELF FROM VOTING IN THE JUDICIAL ELECTION INVOLVING THE JUDICIAL CANDIDATE, AND TO REQUIRE A MEMBER OF THE GENERAL ASSEMBLY WHO IS A LICENSED ATTORNEY TO RECUSE HIMSELF FROM VOTING IN A JUDICIAL ELECTION FOR A COURT IN WHICH HE PRACTICES LAW.

Referred to Committee on Judiciary

H. 4043 -- Reps. Hill, Putnam and Thayer: A BILL TO AMEND SECTIONS 2-19-10, 2-19-70, AND 2-19-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO ALTER THE MEMBERSHIP OF THE COMMISSION AND TO REQUIRE THE COMMISSION TO RELEASE A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY RATHER THAN NOMINATING CANDIDATES.

Referred to Committee on Judiciary

H. 4044 -- Reps. G. M. Smith, Erickson, White, Anthony, McEachern, Bannister and Bernstein: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-220 SO AS TO REQUIRE CHILDCARE FACILITIES TO BE LICENSED OR REGISTERED BY THE DEPARTMENT OF SOCIAL SERVICES TO RECEIVE ABC CHILDCARE PROGRAM VOUCHERS; BY ADDING SECTION 63-13-230 SO AS TO ALLOW CERTAIN INDIVIDUALS UNDER THE AGE OF EIGHTEEN YEARS TO BE EMPLOYED BY OR VOLUNTEER WITH CERTAIN CHILDCARE FACILITIES, TO ESTABLISH SUPERVISION AND OTHER REQUIREMENTS APPLICABLE TO THESE INDIVIDUALS, AND FOR OTHER PURPOSES; BY ADDING SECTION 63-13-470 SO AS TO PROVIDE FOR LICENSING AND APPROVAL REQUIREMENTS FOR PRIVATE CHILDCARE CENTERS AND GROUP CHILDCARE HOMES; TO AMEND SECTION 63-13-20, AS AMENDED, RELATING IN PART TO THE DEFINITION OF CHILDCARE FACILITIES, SO AS TO CLARIFY THE TYPES OF DAYTIME PROGRAMS, DAY CAMPS, AND FACILITIES TO WHICH THE DEFINITION DOES NOT APPLY, TO ESTABLISH REQUIREMENTS APPLICABLE TO CERTAIN CHILDCARE FACILITIES THAT CHOOSE NOT TO BECOME LICENSED, AND

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FOR OTHER PURPOSES; AND TO AMEND SECTION 63-13-210, RELATING TO INSURANCE REQUIREMENTS FOR CERTAIN CHILDCARE FACILITIES, SO AS TO REQUIRE THESE FACILITIES TO CARRY LIABILITY INSURANCE.

Referred to Committee on Judiciary

S. 428 -- Senator Reese: A BILL TO AMEND SECTION 12-6-2295(A) OF THE 1976 CODE, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM TERMS "SALES" AND "GROSS RECEIPTS", TO PROVIDE THAT RECEIPTS FROM THE PROVISION OF DIRECT BROADCAST SATELLITE SERVICE ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

Referred to Committee on Labor, Commerce and Industry

Rep. PARKS 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. 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, 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

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THE SOUTH CAROLINA NATIONAL GUARD MAKES TO
PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF
OUR STATE AND NATION.

ADJOURNMENT

At 4:21 p.m. the House, in accordance with the motion of Rep.
PARKS, adjourned to meet at 10:00 a.m. tomorrow.

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