

**NO. 47**

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



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017**

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**WEDNESDAY, MARCH 29, 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 1 Peter 2:24: "Free from sins, we might live for righteousness."

Let us pray. O God, thank You for the forgiveness You give. Help us to forgive others as we work together to accomplish the tasks given to us as we serve the people of this State. Guide these Representatives, staff, and those who advise our leaders to always remember who we serve. Bless our leaders, the President, Governor, Speaker, and all who contribute to making South Carolina a better place. Protect our first responders and those who protect us at home and abroad. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

#### **MOTION ADOPTED**

Rep. ALLISON moved that when the House adjourns, it adjourn in memory of Tony Gene Gillespie, Sr., of Lyman, which was agreed to.

#### **SILENT PRAYER**

The House stood in silent prayer for the family and friends of the late Mary Pearson, Dorchester County Treasurer.

#### **COMMUNICATION**

The following was received:

Columbia, S.C., March 23, 2017

Mr. Speaker and Members of the House of Representatives:

**WEDNESDAY, MARCH 29, 2017**

I am transmitting the below appointments for the State Ethics Commission on behalf of the Senate in accordance with Section 8-13-310. This appointment is made with advice and consent of the General Assembly and is therefore submitted for your consideration.

State Ethics Commission  
Term Commencing: April 1, 2017  
Term Expiring: March 31, 2022  
Seat: Senate - Minority

Mr. McKinley Washington  
PO Box 247  
Ravenel, South Carolina 29470

Respectfully submitted on behalf of the Senate,  
Henry K. Leatherman, Sr.  
President *Pro Tempore*

Referred to Ethics Committee

**COMMUNICATION**

The following was received:

Columbia, S.C., March 23, 2017  
Mr. Speaker and Members of the House of Representatives:

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State Ethics Commission  
Term Commencing: April 1, 2017  
Term Expiring: March 31, 2020  
Seat: Senate - Majority

Mr. James F. "Rick" Reames III  
1230 Main Street, Suite 700  
Columbia, South Carolina 29201

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Respectfully submitted on behalf of the Senate,  
Henry K. Leatherman, Sr.  
President *Pro Tempore*

Referred to Ethics Committee

**REPORT OF STANDING COMMITTEE**

Rep. ALLISON, from the Committee on Education and Public Works,  
submitted a favorable report on:

H. 3743 -- Reps. Willis and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "POWERING THE PALMETTO STATE" SPECIAL LICENSE PLATES HONORING SOUTH CAROLINA'S ELECTRICAL LINEMEN.

Ordered for consideration tomorrow.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

S. 568 -- Senator Sabb: A BILL TO AMEND ACT 471 OF 2002, RELATING TO THE COMPOSITION OF THE WILLIAMSBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES, TO PROVIDE THAT THE BOARD SHALL INCLUDE TWO MEMBERS FROM THE COUNTY AT-LARGE, TO PROVIDE FOR THE MANNER OF INITIAL APPOINTMENT OF THE TWO AT-LARGE MEMBERS, TO PROVIDE FOR STAGGERED TERMS OF THE TWO AT-LARGE MEMBERS, AND TO CONFORM THE ADDITION OF TWO AT-LARGE MEMBERS TO THE ELECTION OF MEMBERS TO THE BOARD AND FILLING VACANCIES ON THE BOARD.

Rep. MCKNIGHT asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. ANDERSON objected.

Referred to Williamsburg Delegation

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**ROLL CALL**

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

|                  |             |             |
|------------------|-------------|-------------|
| Alexander        | Allison     | Anderson    |
| Anthony          | Arrington   | Atkinson    |
| Atwater          | Bales       | Ballentine  |
| Bamberg          | Bannister   | Bedingfield |
| Bennett          | Bernstein   | Blackwell   |
| Bowers           | Bradley     | Brown       |
| Burns            | Caskey      | Chumley     |
| Clary            | Clyburn     | Cobb-Hunter |
| Cogswell         | Cole        | Collins     |
| Crawford         | Crosby      | Daning      |
| Davis            | Delleney    | Dillard     |
| Douglas          | Duckworth   | Elliott     |
| Erickson         | Felder      | Finlay      |
| Forrest          | Forrester   | Fry         |
| Funderburk       | Gagnon      | Gilliard    |
| Govan            | Hamilton    | Hardee      |
| Hart             | Hayes       | Henderson   |
| Heneghan         | 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 | Ryhal       | Sandifer    |
| Simrill          | G. M. Smith | G. R. Smith |
| J. E. Smith      | Sottile     | Spires      |
| Stavrinakis      | Stringer    | Tallon      |
| Taylor           | Thayer      | Thigpen     |
| Weeks            | West        | Wheeler     |

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Whipper  
Williams

White  
Willis

Whitmire  
Yow

**Total Present--117**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day to address the United Nations with the World Jewish Congress.

**LEAVE OF ABSENCE**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**DOCTOR OF THE DAY**

Announcement was made that Dr. James L. "Jimmy" Wells of Columbia was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. S. RIVERS presented to the House the Goose Creek High School Girls Varsity Basketball Team, coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. ELLIOTT presented to the House Bob Jones University Men's Cross Country, Women's Soccer, and Men's Soccer Teams, coaches and 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

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or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR ADDED**

Bill Number: H. 3038  
Date: ADD:  
03/29/17 WHIPPER

**CO-SPONSORS ADDED**

Bill Number: H. 3061  
Date: ADD:  
03/29/17 JEFFERSON and WILLIAMS

**CO-SPONSOR ADDED**

Bill Number: H. 3233  
Date: ADD:  
03/29/17 WILLIS

**CO-SPONSOR ADDED**

Bill Number: H. 3240  
Date: ADD:  
03/29/17 FORREST

**CO-SPONSOR ADDED**

Bill Number: H. 3343  
Date: ADD:  
03/29/17 GOVAN

**CO-SPONSORS ADDED**

Bill Number: H. 3428  
Date: ADD:  
03/29/17 WILLIAMS and JEFFERSON

**CO-SPONSOR ADDED**

Bill Number: H. 3521  
Date: ADD:  
03/29/17 GOVAN

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**CO-SPONSORS ADDED**

Bill Number: H. 3548  
Date: ADD:  
03/29/17 WILLIS, ATWATER, BALLENTINE, SIMRILL and  
LOWE

**CO-SPONSORS ADDED**

Bill Number: H. 3559  
Date: ADD:  
03/29/17 WHIPPER and GOVAN

**CO-SPONSOR ADDED**

Bill Number: H. 3601  
Date: ADD:  
03/29/17 HIXON

**CO-SPONSORS ADDED**

Bill Number: H. 3747  
Date: ADD:  
03/29/17 MARTIN and TALLON

**CO-SPONSOR ADDED**

Bill Number: H. 3809  
Date: ADD:  
03/29/17 KNIGHT

**CO-SPONSORS ADDED**

Bill Number: H. 3886  
Date: ADD:  
03/29/17 MCKNIGHT, WHIPPER, BROWN, HIXON,  
TAYLOR, KING, DANING, SPIRES, HENDERSON,  
PITTS, V. S. MOSS, LOWE, JORDAN, KIRBY,  
WHITE, MCCRAVY, HILL, GAGNON, WEST,  
WHEELER, DAVIS, MURPHY, HAYES and OTT

**CO-SPONSOR ADDED**

Bill Number: H. 3965  
Date: ADD:  
03/29/17 HEWITT

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**CO-SPONSOR REMOVED**

Bill Number: H. 3886  
Date: REMOVE:  
03/29/17 S. RIVERS

**STATEMENT FOR THE JOURNAL**

I would like to take a moment today to remember a wonderful Christian lady from the area I represent. Her name was Debbie Funke and she went to be with the Lord on November 16, 2016. She was the wife of a good friend of mine, Dr. Andy Funke and she was loved by all who knew her. Dr. Funke also recently lost his mother, Katherine Funke, on March 1, 2017, so I ask that the Members of the South Carolina House of Representatives keep Dr. Funke in their prayers.

Respectfully submitted,  
Representative John R. McCravy III

**R. 6, S. 457--GOVERNOR'S VETO --DEBATE ADJOURNED**

The Veto on the following Act was taken up:

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

Rep. DOUGLAS moved to adjourn debate on the Veto until Tuesday, April 4, which was agreed to.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

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

H. 3125 -- Reps. McEachern, Pitts and Toole: 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 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.

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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 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.

H. 3055 -- Reps. Robinson-Simpson, Clyburn, Gilliard, Mack, King and Henegan: 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,

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TO PROVIDE CONTENT 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.

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.

H. 3685 -- Reps. Quinn and Whipper: 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".

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.

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.

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H. 4003 -- Reps. Hiott, Hewitt, Davis, Forrest, Bennett, West, Ott, Atkinson and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 26 TO TITLE 39 SO AS TO ENACT THE "PRODUCE SAFETY ACT", TO ESTABLISH THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE TO ENFORCE CERTAIN FOOD SAFETY STANDARDS APPLICABLE TO FARM PRODUCE INCLUDING, BUT NOT LIMITED TO, THE AUTHORITY TO INSPECT CERTAIN FARMS; TO SEIZE, CONDEMN, AND DESTROY COVERED PRODUCE; AND TO OBTAIN A COURT ORDER FOR FORFEITURE AND DESTRUCTION OF COVERED PRODUCE; TO PROVIDE FOR THE APPEAL OF COURT ORDERS; TO DEFINE CERTAIN TERMS, INCLUDING "FARM" AND "COVERED PRODUCE"; TO PROVIDE EXCEPTIONS FOR CERTAIN FARMS AND PRODUCE; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE REGULATIONS; TO ESTABLISH CERTAIN PENALTIES FOR VIOLATION OF THE CHAPTER; TO PROVIDE FOR THE REPEAL OF THE CHAPTER UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

H. 4048 -- Reps. Herbkersman, G. M. Smith and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-6-55 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE PERSONAL EMERGENCY RESPONSE SYSTEM (PERS) DEVICES TO MEDICAID RECIPIENTS THAT INCLUDE A NURSE TRIAGE COMPONENT.

**H. 3311--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3311 -- Reps. White, G. R. Smith, Clyburn, Cobb-Hunter, Pitts, G. M. Smith, West, V. S. Moss, Thayer, Putnam, Loftis, Whipper, Brown and Gilliard: 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 OPPORTUNITIES PROGRAM, AND TO ADMINISTER THE WORKFORCE SCHOLARSHIP AND GRANT

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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.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3311 (COUNCIL\SA\3311C003.DKA.SA17), which was adopted:

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

/ SECTION 1. Section 13-1-2030 of the 1976 Code, as added by Act 252 of 2016, is amended to read:

"Section 13-1-2030. (A) There is established the 'Coordinating Council for Workforce Development' which is created to engage in discussions, collaboration, and information sharing concerning the State's ability to prepare and train workers to meet current and future workforce needs. The coordinating council ~~shall be~~ is comprised of the following members:

- (1) the Secretary of the Department of Commerce or his designee;
- (2) the State Superintendent of Education or his designee;
- (3) the Executive Director of the State Board for Technical and Comprehensive Education or his designee;
- (4) the Executive Director of the Department of Employment and Workforce or his designee;
- (5) the Executive Director of the Commission on Higher Education or his designee;
- (6) the president or provost of a research university who ~~shall be~~ is selected by the presidents of the research universities;
- (7) the president or provost of a four-year college or university who ~~shall be~~ is selected by the presidents of the four-year universities;
- (8) the president of a technical college who ~~shall be~~ is appointed by the Chairman of the State Board for Technical and Comprehensive Education;
- (9) ~~a person appointed by the Superintendent of Education who has particularized the following members appointed by the State Superintendent of Education, who have expertise regarding Chapter 59, Title 59, the South Carolina Education and Economic Development Act;~~

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- (a) a school district superintendent;
- (b) a school counselor;
- (C) a career and technology education director; and

(10) a representative from the business community appointed by the President of the South Carolina Chamber of Commerce.

(B)(1) The coordinating council shall:

(a) develop and implement procedures for sharing information and coordinating efforts among stakeholders to prepare the State's current and emerging workforce to meet the needs of the State's economy. ~~The primary workforce focus of the council shall be on persons over age twenty one;~~

(b) make recommendations to the General Assembly concerning matters related to workforce development that exceed the council members' agencies' scope of authority to implement and legislation is required;

(c) recommend, to the General Assembly, programs intended to increase student access to and incentivize workforce training within state training programs or through programs offered by businesses through scholarships, grants, loans, tax credits, or other programs documented to be effective in addressing current and future workforce needs;

(d) develop a method for identifying and addressing long-term workforce needs;

(e) conduct an ongoing inventory of existing workforce programs to identify duplications among and within the programs and identify ineffective programs. The council may make recommendations concerning the appropriate actions necessary to eliminate duplication, improvements to ineffective programs so that the programs can achieve the desired result, or the elimination of programs that no longer meet workforce needs;

(f) advise appropriate agencies and governing boards to ensure the components of Chapter 59, Title 59, are implemented with fidelity to provide a better prepared workforce, student success in postsecondary education, and enhanced coordination between K-12, higher education, and employers. The council shall review accountability and performance measures for implementation of this article and make recommendations for the promulgation of regulations to carry out its provisions including, but not limited to, enforcement procedures, which may include monitoring and auditing functions, and addressing consequences for noncompliance; and

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(g) submit an annual progress report to the Governor and the General Assembly, by ~~July~~ September first of each fiscal year, concerning the actions taken by the council during the previous fiscal year, and any recommendations for legislation or agency action. The council may submit additional reports on an ongoing basis as deemed necessary by the council chairman.

(2) The coordinating council may create subcommittees or advisory groups comprised of community or state or local government stakeholders to assist the council in carrying out the council's duties as contained in item (1).

(C) The Secretary of the Department of Commerce or his designee to the coordinating council ~~shall be~~ is the coordinating council's chairman.

(D) The Department of Education, the Commission on Higher Education, the Department of Commerce, and the State Board for Technical and Comprehensive Education shall provide staff for the coordinating council."

SECTION 2. Chapter 53, Title 59 of the 1976 Code is amended by adding:

"Article 29

Pathways Initiative

Section 59-53-2620. (A) The member agencies of the Coordinating Council for Workforce Development, as designated in this article, shall define, develop, and implement a statewide Pathways Initiative in alignment with Chapter 59, Title 59, the South Carolina Education and Economic Development Act, to improve employment outcomes and address critical workforce needs. The Pathways Initiative consists of a Career Pathways program to facilitate a student's transition from education to employment and a Pathways to New Opportunities Initiative to provide career services, including education, training, and job search assistance to adults.

(B) The Coordinating Council for Workforce Development shall include an update on the Pathways Initiative in the progress report submitted annually by September fifteenth to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

Section 59-53-2630. The State Board for Technical and Comprehensive Education (SBTCE), in consultation with the Department of Education, shall develop, coordinate, and implement a statewide Career Pathways program to facilitate a seamless transition

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from secondary education and postsecondary technical education to employment in industry sectors with critical workforce needs.

Section 59-53-2640. (A) There is created a ‘Career Pathways Grant Fund’ administered by the SBTCE. The purpose of the fund is to award grants to eligible technical colleges in order to provide and support the infrastructure necessary to offer Pathways programs. Grants awarded to technical colleges must be used only for Pathways-specific expenses, to include program administration, career and technical equipment, facilities, instructional materials, transportation, and tuition grants. The SBTCE or board-appointed committee, in consultation with the Department of Education, shall develop and maintain eligibility criteria for these competitive grants.

(B) Funds available through these competitive grants are awarded to technical colleges that demonstrate the strongest ability to meet grant criteria. Funds may not be awarded to all colleges in a given year.

(C) Funds must be used to establish new pathways or enhance existing pathways that confer the necessary skills and training to prepare students for careers in high-demand fields. Funds only support career and technical education programs and courses in industry sectors with critical workforce needs.

(D) To qualify for Career Pathways grant funding as established pursuant to this section, the technical college and school or school district must enter into Memorandums of Understanding that meet the grant requirements.

(E) The SBTCE or board-appointed committee, in consultation with the State Department of Education, is responsible for determining if a pathway meets the established criteria and may promulgate regulations further enumerating the specifics of these criteria and the evaluation process.

(F) The SBTCE shall prepare an annual report on the Career Pathways program and grant awards by September first of each year. The report must be submitted to the Coordinating Council for Workforce Development for inclusion in its annual report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. The report must include, at minimum, an update of progress toward full statewide implementation of the Career Pathways program, and upon implementation, an analysis of program accountability measures and key performance indicators.

(G) As used in this section:

(1) ‘Industry sectors with critical workforce needs’ means the industry sectors as outlined by the member agencies of the Coordinating

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Council for Workforce Development and their business and industry partners.

(2) 'Pathways' means a partnership between a secondary education provider, a technical college, and a business or industry that incorporates the following elements:

(a) secondary and postsecondary education elements;

(b) coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education;

(c) opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits at no cost to the student; and

(d) student attainment of an industry-recognized credential, or a postsecondary certificate, diploma, or associate degree, with multiple entrance and exit points.

Section 59-53-2650. (A) The Department of Employment and Workforce, in coordination with the SBTCE and the Department of Commerce, shall develop, coordinate, and implement a Pathways to New Opportunities Initiative, which must leverage existing services and new resources to provide subsidized career training and certification and job placement assistance to adults throughout the State pursuing careers in high-demand occupations in industry sectors with critical workforce needs.

(B) The SBTCE shall administer the Workforce Opportunity Scholarship and Grant Fund, established pursuant to Section 59-53-110, to be used for tuition and education-related expenses for eligible career training and certification programs for qualifying individuals. The SBTCE, in consultation with the Department of Education and the Commission on Higher Education, shall develop and maintain eligibility criteria for scholarships and grants. Funds may be used to provide opportunities through existing programs.

(C) The Department of Employment and Workforce shall coordinate with the SBTCE to identify and refer qualifying individuals to the training programs and scholarship opportunities established in this section. The Department of Employment and Workforce, in consultation with the Department of Commerce, also shall develop and implement a plan to facilitate the job placement of qualifying individuals who have completed the necessary training and certification, to ensure that they are

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matched with available employment opportunities in industry sectors with critical workforce needs throughout the State.”

SECTION 3. Article 1, Chapter 53, Title 59 of the 1976 Code is amended by adding:

“Section 59-53-110. (A) There is created a ‘Workforce Scholarship and Grant Fund’ administered by the State Board for Technical and Comprehensive Education (SBTCE). The purpose of the fund is to provide financial assistance to qualifying individuals pursuing career education or professional certification through eligible programs.

(B) As used in this section:

(1) ‘Qualifying individual’ means a person who is a South Carolina resident and who is eligible to be enrolled in a South Carolina technical college or professional certification program.

(2) ‘Cost of attendance’ means the total amount of money charged for the cost of a qualifying individual to attend an eligible program including, but not limited to, tuition, fees for attending the school, textbooks, and school related transportation, less all federal grants, need based grants, and lottery tuition assistance.

(3) ‘Eligible program’ means a program that:

(a) does not discriminate on the basis of race, color, or national origin;

(b) is located in this State;

(c) has school facilities that are subject to applicable federal, state, and local laws; and

(d) meets all eligibility guidelines promulgated by the SBTCE;

(C) Grants may be awarded from the fund in an amount not exceeding the total cost of attendance for a qualifying individual to attend the eligible program of his choice. The cumulative grant award for each qualifying individual may not exceed ten thousand dollars.

(D)(1) The SBTCE, in consultation with the Department of Education and the Commission on Higher Education, is responsible for determining if a program meets the criteria established by subsection (B)(3), and shall publish an approved list of qualifying programs. For the purpose of this subsection, the board may promulgate regulations further enumerating the specifics of these criteria.

(2) By the first day of August for the current fiscal year, the SBTCE, on its website available to the general public, shall provide a list of approved programs that accept grants for eligible students and that in the board’s determination are in compliance with the requirements of subsection (B)(3).

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SECTION 4. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Rep. HAYES 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 105; Nays 1

Those who voted in the affirmative are:

|             |             |                  |
|-------------|-------------|------------------|
| Allison     | Anderson    | Anthony          |
| Arrington   | Atkinson    | Atwater          |
| Bales       | Ballentine  | Bannister        |
| Bedingfield | Bennett     | Bernstein        |
| Blackwell   | Bradley     | Burns            |
| Caskey      | Clary       | Clyburn          |
| Cobb-Hunter | Cogswell    | Cole             |
| Collins     | Crawford    | Crosby           |
| Daning      | Davis       | Delleney         |
| Dillard     | Douglas     | Duckworth        |
| Elliott     | Erickson    | Finlay           |
| Forrest     | Forrester   | Fry              |
| Funderburk  | Gagnon      | Gilliard         |
| Govan       | Hamilton    | Hardee           |
| Hart        | Hayes       | Henderson        |
| Henegan     | Herbkersman | Hewitt           |
| Hixon       | Hosey       | 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   | Ott              |
| Parks       | Pitts       | Pope             |
| Putnam      | Quinn       | Ridgeway         |
| M. Rivers   | S. Rivers   | Robinson-Simpson |

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|             |             |             |
|-------------|-------------|-------------|
| Ryhal       | Sandifer    | Simrill     |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile     | Spires      | Stavrinakis |
| Tallon      | Taylor      | Thayer      |
| Thigpen     | West        | Wheeler     |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Yow         |

**Total--105**

Those who voted in the negative are:

Hill

**Total--1**

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

**LEAVE OF ABSENCE**

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

**H. 3343--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3343 -- Reps. White, Allison, Daning, B. Newton and Govan: 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;

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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.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3343 (COUNCIL\SD\3343C002.NL.SD17), which was adopted:

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

/ SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 158

South Carolina Education School Facilities Act

Article 1

School Facilities Assistance

Section 59-158-110. This chapter is known and may be cited as the ‘South Carolina Education School Facilities Act’.

Section 59-158-120. As used in this chapter:

(1) ‘Authority’ means the South Carolina State Fiscal Accountability Authority.

(2) ‘Department’ means the State Department of Education of the State of South Carolina.

(3) ‘Facilities Plan’ means the report described in Section 59-158-180(B).

(4) ‘Facilities Study’ means that study described in Section 59-158-180(A).

(5) ‘Financing Agreement’ means an agreement entered into between the State Board and a School District pertaining to a Loan or Other Financial Assistance. A Financing Agreement may contain, in addition to financial terms, provisions relating to the regulation and supervision of a Qualified School Project, and those other provisions as the State Board may determine.

(6) ‘Loan’ means an obligation subject to repayment which is provided by the State Board to a School District for all or a part of the eligible cost of a Qualified School Project. A Loan may be disbursed in anticipation of reimbursement for or direct payment of eligible costs of a Qualified School Project.

(7) ‘Other Financial Assistance’ means, but is not limited to, grants, contributions, credit enhancement, capital or debt reserves for Bonds or debt instrument financing, interest rate subsidies, provision of

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letters of credit and credit instruments, provision of Bond or other debt financing instrument security, and other lawful forms of financing and methods of leveraging funds that are approved by the State Board, and in the case of federal funds, as allowed by federal law.

(8) 'Prioritization Report' means the report described in Section 59-158-180, and which is prepared by the Department and approved by the State Board.

(9) 'Qualified School Projects' or 'Projects' mean School Facilities that are constructed, renovated or equipped with money generated under the provisions of this chapter and in accordance with the provisions of this chapter.

(10) 'School District' or 'District' means a public body corporate and politic operating as a School District under the provisions of Chapter 17, Title 59, and charter schools within the meaning of Chapter 40, Title 59.

(11) 'School Facilities' or 'Facilities' means only facilities necessary for instructional and related supporting purposes including, but not limited to, classrooms, libraries, media centers, laboratories, cafeterias, physical education spaces, related interior and exterior facilities, and the conduit, wiring, and powering of hardware installations for classroom computers or for area network systems. School Facilities under this chapter also include:

- (a) health and safety upgrades;
- (b) technology upgrades inside School Facilities;
- (c) upgrades associated with career and technology education programs; and
- (d) deferred maintenance needs as described in the District's capital improvement plan.

'School Facilities' does not include unimproved real property, centralized administration facilities of a District, or other facilities, including those normally identified with interscholastic sports activities.

(12) 'South Carolina Education School Facilities General Obligation Bonds' or 'Bonds' means Bonds issued under the authority of Article 5 of this chapter.

(13) 'State Board' means the State Board of Education.

Section 59-158-130. (A) Consistent with the definition of School Facilities in Section 59-158-120(11), funds made available through this chapter must be used for permanent school instructional facilities and related supporting purposes, health and safety upgrades, technology upgrades inside schools, upgrades associated with career and technology education programs, deferred maintenance needs as described in the

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District's Facilities Plan, and fixed building assets including the costs for construction, improvement, enlargement, or renovation of School Facilities.

(B) Funds made available under this chapter must be allocated to School Districts for School Facilities according to priorities established by the Office of School Facilities of the Department as approved by the State Board.

Section 59-158-140. (A) The State Board's responsibilities in regard to this chapter include:

(1) developing policies and standards for a uniform assessment of Facilities' needs and standardized cost allowances for estimating the cost in meeting these needs in order to provide for a systematic reporting of each District's needs to be used in calculating the priority allotment of funds under this chapter. Any standardized cost allowances must take into account regional variances that are beyond the control of individual Districts. Facilities' needs include, but are not limited to, capacity and condition, space requirements, program standards, and pupil growth. Cost allowances shall be developed to include such measures as costs per square foot, costs per pupil, or costs per teaching unit with such costs adjusted annually to reflect changes in the cost of labor and materials. These standards and cost allowances are to be used only for providing a uniform reporting of Districts' needs for allotment and priority purposes and are not intended to limit District options in determining the most appropriate manner in which to meet individual District needs; and

(2) adopting policies and standards to ensure the accuracy of District reporting required under this chapter and the use of funds disbursed under this chapter.

(B) In order to implement the provisions of this chapter, the State Board also shall:

(1) establish policies, procedures, and priorities for the making and administering of Loans and Other Financial Assistance or a combination of these to the various School Districts which policies, procedures, and priorities must be established by appropriate regulations of the State Board;

(2) enter into agreements with departments, agencies, or instrumentalities of the United States or of this State, including particularly the Offices of State Auditor, State Treasurer, and Comptroller General, for the purposes of administering operations and establishing fiscal controls and accounting procedures that promote financial integrity of the programs contemplated in this chapter;

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(3) maintain an application process for School Districts to request funding for Qualified School Projects;

(4) develop financial and operating conditions to which School Districts must agree prior to receiving financial assistance provided for in this chapter; and

(5) approve, without modification, the Prioritization Report prepared by the Department.

(C) In order to fulfill its duties set forth in this section, the State Board may:

(1) expend funds credited to the State Board as the State Board determines necessary for the costs of administering the operations of the State Board;

(2) establish advisory committees as the State Board determines appropriate, which may include individuals from the private sector with banking and financial expertise;

(3) collect fees and charges in connection with its Loans and Other Financial Assistance;

(4) apply for, receive and accept from any source, aid, grants, and contributions of money, property, labor, or other things of value to be used to carry out the purposes of this chapter subject to the conditions upon which the aid, grants, or contributions are made;

(5) enter into contracts or agreements for the servicing and processing of Financing Agreements;

(6) promulgate regulations considered necessary to effect the responsibilities set forth in this chapter; in order to aid the State Board in the performance of its duties, the Department shall provide staff and technical assistance as necessary; and

(7) do all other things necessary or convenient to exercise powers granted or reasonably implied by this chapter.

Section 59-158-150. The Department's responsibilities under this chapter to assist the State Board in the performance of its duties shall include:

(1) providing staffing assistance to the State Board in the development of policies and standards, and regulations implementing this chapter;

(2) ensuring compliance with state standards and requirements, inspecting construction of School Facilities, and approving completed construction pursuant to Chapter 23 of this title for Projects financed in whole or in part with funds allocated under this chapter;

(3) defining capital improvement plans that shall include maintenance and construction plans, student growth projections, cross

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District cooperation, partnership with local technical colleges and information technology needs; and

(4) preparing an annual Prioritization Report which ranks the Projects in priority order according to need and submitting the Prioritization Report for approval to the State Board.

Section 59-158-160. All money of the State Board received under this chapter, except as otherwise authorized by law or provided in this chapter, must be deposited with and invested by the State Treasurer. Funds of the State Board not needed for immediate use or disbursement may be invested by the State Treasurer in obligations or securities which are declared to be legal obligations by the provisions of Section 11-9-660.

Section 59-158-170. Following the close of each state fiscal year, the State Board shall submit an annual report of its activities for the preceding year to the Governor and to the General Assembly. An independent certified public accountant shall perform an audit of the books and accounts of the State Board with respect to the funds received under this chapter at least once in each state fiscal year.

Section 59-158-180. (A) The Department shall conduct a Facilities Study of all School Facilities and other physical assets of all School Districts. The Facilities Study shall provide an assessment of the School Facilities presently being utilized by the various School Districts and outline the required construction, renovation and equipping of the needs of each School District in order to enable each School District to provide for comparable access to school amenities, educational space and infrastructure, and safety to students regardless of their School District of residence. The Facilities Study shall be completed by October 1, 2017, and delivered to the State Board, and shall be utilized by the State Board in the performance of its duties and functions under this chapter. The Facilities Study shall be updated from time to time by the Department as necessary to enable the State Board to perform its duties and functions under this chapter.

(B) By October 1, 2017, and the first day of October of each year thereafter, each School District shall provide annually to the Department a thorough Facilities Plan that describes the School Facilities in that School District. Each Facilities Plan shall:

- (1) describe the present School Facilities being utilized by the School District;
- (2) describe the deficiencies of these School Facilities; and
- (3) provide the School District's recommendations to remedy these deficiencies, including appropriate designs, and an estimated cost

of implementing such recommendations, including a cost estimate of utility and other infrastructure to be provided by public entities necessary to serve each proposed Facility.

In doing so, the School Districts must undertake a study of future enrollment trends so that both the construction and closing of buildings is considered. Additionally, each School District's Facilities Plan shall ensure that each School District has a building maintenance plan. Failure on the part of a School District to prepare an annual Facilities Plan and deliver it to the Department and the State Board shall prohibit that School District from receiving funds provided in this chapter for such fiscal year.

(C) Upon completion of the Facilities Study and the Facilities Plans prepared by the School Districts, the Department annually shall prepare a Prioritization Report which ranks the needs of each School District beginning with those most in need of School Facilities in accordance with the provisions of this chapter. Factors which must be used by the Department in creating its ranking within the Prioritization Report are comprised of the following:

- (1) the current condition of School Facilities in each School District;
- (2) School District population trends;
- (3) School District millage and fee levels;
- (4) School District financial health which includes whether the School District has achieved balanced budgets;
- (5) ability of a School District to pay bonded indebtedness, including the value of a mill for the most recently completed tax year; and
- (6) ability of a School District to incur debt, without the necessity of a referendum, under the provisions of Section 15, Article X of the Constitution shown in tabular form setting forth the amount of principal outstanding in each year for all currently outstanding general obligation indebtedness.

(D) Each annual Prioritization Report shall list the Qualified School Projects required by each School District and a recommendation of those Qualified School Projects which should be undertaken immediately and cost in the aggregate not more than two hundred million dollars. The Department also shall provide a recommendation within the Prioritization Report whether assistance for a specific Qualified School Project of a particular School District shall be by way of a Loan or Other Financial Assistance or a combination of both.

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(E) All designs of Qualified School Projects are subject to approval by the Department, which may periodically amend design standards to improve the efficiency, safety, or effectiveness of each Qualified School Project.

(F) The Facilities Study, as originally completed and as amended, from time to time and updated, the Facilities Plans and Prioritization Reports, and related material prepared by the Department under this section must be submitted to the State Board for its approval and implementation.

Section 59-158-190. The State Board, with the assistance of the Department, by regulation shall develop and implement financial incentives in the form of additional allocations of School Facility funding under this chapter to encourage School Districts and their governing bodies to combine their purchasing, procurement, accounting, food service, transportation, human resources, or other noninstructional functions with another School District whether in the same county or an adjoining School District or Districts in another county, or to consolidate with one or more other School Districts in their county. Nothing in this section prevents a School District from receiving additional allocations in both categories. However, together with the additional allocations authorized by this section, the total allocations for all School Districts may not exceed in any year the total amount of Bonds authorized to be issued as provided by Article 5 hereof for that year.

Section 59-158-200. In addition to all other provisions of this chapter, as a condition of receiving funds from the State Board as provided in this chapter, the Department shall require Districts to undergo a thorough energy audit that highlights the operation of school buildings in terms of being energy efficient and as cost effective as possible. Designs for Projects to be built in whole or in part with funds provided under this chapter also must be as energy efficient and cost effective as possible. The State Board may require recommendations made by the energy audit to be incorporated into existing facilities and into new Facilities as a condition of receiving funds under this chapter to the extent funds are available to make these recommended energy improvements.

Section 59-158-210. To qualify for funding under this chapter, each School District shall meet the requirements of this chapter and any regulations promulgated pursuant to this chapter. Funds may be withheld from a School District by the State Board when the Department finds inappropriate reporting of needs of a School District, inappropriate

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use of funds, or other violations of this chapter, including the provisions of this section.

Section 59-158-220. Neither the State Board, the Department, nor any officer, employee, or committee of the State Board or Department acting on behalf of it, while acting within the scope of this authority, is subject to any liability resulting from carrying out any of the powers given in this chapter.

Section 59-158-230. By December 1, 2019, the State Board shall recommend to the General Assembly changes to be made to this chapter regarding program objectives, appropriate funding levels, and funding allotments formulas.

### Article 3

#### Process and Procedures

Section 59-158-310. (A) By January 1, 2018, and the first day of January of each year thereafter, the Facilities Study, as originally completed or updated from time to time, each Facilities Plan, as originally completed or as updated from time to time, and the Prioritization Report, as originally completed or as updated from time to time, must be submitted by the State Board to the following:

- (1) Governor of South Carolina;
- (2) President *Pro Tempore* of the South Carolina Senate;
- (3) Speaker of the South Carolina House of Representatives;
- (4) State Treasurer of South Carolina;
- (5) Chairman of the House Ways and Means Committee;
- (6) Chairman of the Senate Finance Committee;
- (7) Chairman of the House Education and Public Works Committee; and
- (8) Chairman of the Senate Education Committee.

(B) The above must be accompanied by a certificate of the State Board which contains the following information:

- (1) a description of each Qualified School Project;
- (2) an estimate of the cost of each Qualified School Project; and
- (3) certificates:
  - (a) of the State Auditor setting forth the five percent debt limitation of Section 13(6)(c) of Article X of the South Carolina Constitution (the "Five Percent Debt Limitation") and;
  - (b) of the State Treasurer setting forth the debt capacity currently available under the Five Percent Debt Limitation.

(C) Upon the review of the information provided within this section, the General Assembly may by proviso to the budget for the

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ensuing fiscal year or by joint resolution set the amount to be raised for Qualified School Projects.

Section 59-158-320. Within thirty days after the effective date of the general appropriations bill or a joint resolution setting forth the amount of Bond proceeds to be raised to defray the costs of Qualified School Projects, the Prioritization Report, together with the certificate of the State Board, must be submitted by the State Board to the Joint Bond Review Committee for its review.

Section 59-158-330. Thereafter, the Prioritization Report must be submitted to the Authority, together with a resolution providing for the issuance of Bonds, with a certificate of the State Board setting forth the following:

(1) that it is necessary for Bonds to be issued in the amount proposed; and

(2) that the Bonds are being issued in accordance with the Five Percent Debt Limitation provided in Section 13(6)(c), Article X of the South Carolina Constitution and Article 5 of this chapter.

Section 59-158-340. Those state entities charged with the responsibility of issuing or approving the issuance of these Bonds are directed to synchronize their duties and functions under this chapter so that a continuous stream of revenue will be available to the School Districts to defray the costs of Qualified School Projects.

**Article 5**

**Education School Facilities General Obligation Bonds**

Section 59-158-510. Following the receipt of the information presented pursuant to Section 59-158-330, the Authority, upon its approval, by resolution duly adopted, shall effect the issuance of the Bonds, or pending the issuance of the Bonds, effect the issuance of bond anticipation notes pursuant to Chapter 17, Title 11.

Section 59-158-520. In order to effect the issuance of the Bonds, the Authority shall adopt a resolution providing for the issuance of the Bonds pursuant to the provisions of this chapter. The authorizing resolution must include:

(1) the list of Qualified School Projects and the estimated cost of each as set forth in the Prioritization Report;

(2) schedules setting forth the Five Percent Debt Limitation;

(3) a schedule showing the aggregate of Bonds outstanding, the purposes for which they were issued, the annual payments required to retire the Bonds, the interest on the Bonds, and the amount of any special funds applicable to the retirement of outstanding Bonds;

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(4) a certificate of the State Auditor setting forth the Five Percent Debt Limitation;

(5) a schedule showing future, anticipated annual principal requirements and anticipated, estimated annual interest requirements on the Bonds to be issued; and

(6) a table demonstrating that all general obligation debt outstanding subject to the Five Percent Debt Limitation, together with the anticipated annual principal requirements and estimated annual interest requirements on the Bonds to be issued, may be issued within the Five Percent Debt Limitation.

Section 59-158-530. The Authority's resolution authorizing the issuance of the Bonds shall determine, or shall specify the method or manner of determining, the rates of interest the Bonds shall bear, the date and schedule of payments of principal and interest of the Bonds, the denominations of the Bonds, the medium of payment of the Bonds, the place and the times at which the Bonds are payable, redemption or repurchase provisions, and contain other provisions determined by the Authority. No Bond may mature more than thirty years from its date of issue.

Section 59-158-540. All Bonds issued under this chapter are exempt from taxation as provided in Section 12-2-50.

Section 59-158-550. All Bonds issued under this chapter must be signed by the Governor and the State Treasurer. The Governor and the State Treasurer may sign these obligations by a facsimile of their signatures. The Great Seal of the State must be affixed to, impressed on, or reproduced upon each of them and each must be attested by the manual or facsimile signature of the Secretary of State. The delivery of the Bonds executed and authenticated is valid notwithstanding changes in officers or seal occurring after the execution or authentication.

Section 59-158-560. For the payment of the principal and interest on all Bonds issued and outstanding pursuant to this chapter there is pledged the full faith, credit, and taxing power of the State of South Carolina, and in accordance with the provisions of Section 13(4), Article X of the South Carolina Constitution, the General Assembly hereby allocates on an annual basis sufficient tax revenues to provide for the punctual payment of the principal and interest on the Bonds authorized by this chapter.

Section 59-158-570. Bonds must be sold by the Governor and the State Treasurer at public sale, after publication of notice of the sale one or more times at least seven days before the sale, in a financial paper published in New York City which regularly publishes notices of sale of

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state or municipal bonds. The right is reserved to waive technicalities or to reject all bids and to readvertise the Bonds for sale. For the purpose of bringing about successful sales of the Bonds, the Authority may do all things ordinarily and customarily done in connection with the sale of state or municipal bonds. All expenses incident to the sale of the Bonds must be paid from the proceeds of the sale of the Bonds.

Section 59-158-580. The proceeds of the sale of Bonds must be received by the State Treasurer and applied to the purposes for which issued, except that the accrued interest, if any, must be used to discharge in part the first interest to become due on the Bonds, but the purchasers of the Bonds are not liable for the proper application of the proceeds to the purposes for which they are intended.

Section 59-158-590. It is lawful for all executors, administrators, guardians, and other fiduciaries to invest any monies in their hands in Bonds issued pursuant to this chapter.

Section 59-158-600. The financial assistance received for a particular Qualified School Project must be used by that School District and its governing body for that Qualified School Project. The State Board, together with the Office of State Treasurer, is responsible for establishing a program to ensure that the proceeds are utilized by the receiving School Districts in accordance with the requirements of this chapter.

Section 59-158-610. The Bonds are legal investments in which all public officers or public bodies of the State, its political subdivisions, all municipalities and political subdivisions, all insurance companies and associations and other persons carrying on insurance business, all banks, bankers, banking associations, trust companies, savings banks, savings associations, including savings and loan association investment companies, and other persons carrying on a banking business, all administrators, guardians, executors, trustees, and other fiduciaries, and all other persons who are now or may be authorized in the future to invest in Bonds or other obligations of the State, may invest funds in their control or belonging to them. The Bonds are also securities which may be deposited with and received by all public officers and bodies of the State or any agency or political subdivision of the State and all municipalities and public corporations for any purpose for which the deposit of bonds or other obligations of the State is now or may later be required by law.

Section 59-158-620. The provisions of paragraph 2 of Section 11-27-30 are inapplicable to the provisions of this Chapter.

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Article 7

Nonrecurring Maintenance Grants

Section 59-158-710. The State Board shall establish a revolving fund with such monies as may be appropriated by the General Assembly to operate a grant program to provide nonrecurring aid to School Districts for facility maintenance expenses to include fire alarm systems, fire sprinkler or suppression systems, roof and heating and air conditioning repairs or replacements. The State Board must manage the fund and promulgate regulations setting forth the requirements for a School District to become an aid recipient. In making aid determinations, the State Board by regulation must establish a priority system where School Districts with the most critical needs shall receive priority funding first, based on the requirements developed by the State Board.

SECTION 2. Chapter 146, Title 59 of the 1976 Code is repealed.

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

Renumber sections to conform.

Amend title to conform.

Rep. CLYBURN explained the amendment.

Rep. WHITE spoke in favor of 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 107; Nays 1

Those who voted in the affirmative are:

|             |            |             |
|-------------|------------|-------------|
| Alexander   | Allison    | Anderson    |
| Arrington   | Atkinson   | Atwater     |
| Bales       | Ballentine | Bannister   |
| Bedingfield | Bennett    | Bernstein   |
| Blackwell   | Bowers     | Brown       |
| Burns       | Caskey     | Chumley     |
| Clary       | Clyburn    | Cobb-Hunter |
| Cogswell    | Cole       | Collins     |
| Crawford    | Crosby     | Daning      |
| Davis       | Delleney   | Dillard     |
| Douglas     | Duckworth  | Elliott     |
| Erickson    | Finlay     | Forrest     |
| Forrester   | Fry        | Funderburk  |

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|             |             |                  |
|-------------|-------------|------------------|
| Gagnon      | Gilliard    | Govan            |
| Hamilton    | Hardee      | Hart             |
| Hayes       | Henderson   | Henegan          |
| Herbkersman | Hewitt      | Hiott            |
| Hixon       | Hosey       | Huggins          |
| Jefferson   | Johnson     | Jordan           |
| King        | Kirby       | Knight           |
| Long        | Lucas       | Mack             |
| Magnuson    | Martin      | McCoy            |
| McCrary     | McEachern   | McKnight         |
| Mitchell    | D. C. Moss  | V. S. Moss       |
| B. Newton   | 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 | Tallon      | Taylor           |
| Thayer      | Thigpen     | Weeks            |
| West        | Wheeler     | Whipper          |
| White       | Whitmire    | Williams         |
| Willis      | Yow         |                  |

**Total--107**

Those who voted in the negative are:

Hill

**Total--1**

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

**STATEMENT FOR THE HOUSE JOURNAL  
ABSTENTION FROM VOTING  
BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 3343 because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

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The reason for abstaining on the above referenced legislation is that a potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. Jeffrey A. Bradley

**H. 3150--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. HUGGINS proposed the following Amendment No. 1 to H. 3150 (COUNCIL\ZW\3150C001.GGS.ZW17), which was adopted:

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

/ SECTION \_\_\_\_\_. Section 7-13-10 of the 1976 Code is amended to read:

“Section 7-13-10. General elections for federal, state, and county, and municipal officers in this State shall must be held on the first Tuesday following the first Monday in November in each even-numbered year at such the voting places as that have been or may be established by law. All general or special elections held pursuant to the Constitution of this State shall must be regulated and conducted according to the rules, principles, and provisions herein prescribed set forth in this chapter and, in the case of municipal elections, in Chapter 15, Title 5. ”/

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

/ SECTION \_\_\_\_\_. Section 7-13-40 of the 1976 Code, as last amended by Act 61 of 2013, is further amended to read:

“Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county boards of voter registration and elections and municipal election commissions on the second Tuesday in June of each general election

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year, and a second and third primary each two weeks successively ~~thereafter~~ after that, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, ~~or~~ secretary to the State Election Commission, ~~or~~ the county board of voter registration and elections, or the municipal election commission whichever is responsible under law for preparing the ballot, not later than twelve o'clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o'clock noon on the following Monday. Political parties nominating candidates by party primary ~~must shall~~ verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. A political party must not certify ~~any a~~ candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate has filed, and ~~such the~~ candidate's name ~~shall must~~ not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater."/

Amend the bill further by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_\_\_. Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Article 2

Uniform Election Procedure Act

Section 7-13-210. (A) For purposes of this article, ‘governing body’ means the governing body of a municipality.

(B)(1) Notwithstanding another provision of law, beginning at the time of the general election of 2018, members of a governing body must be elected in elections conducted at the time of the general election.

(2) Terms of current members of a governing body expiring after December 31, 2017, must be extended until their successors are

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elected and qualify in the manner provided in this article at the general election.

Section 7-13-215. If a member of a governing body is elected at the time of the general election or on the first Tuesday following the first Monday in November, the provisions of this article control the election of that member.

Section 7-13-220. A member of a governing body elected in a nonpartisan election as provided by law must be elected in that manner except that the date of the nonpartisan election must be at the same time in the appropriate even-numbered year as provided in Section 7-13-210(B).

Section 7-13-225. The terms for a member elected to a governing body are as provided by law for that governing body.

Section 7-13-230. Candidates for these offices, which are filled in nonpartisan elections on the effective date of this article, must be nominated by the method provided by law for the office affected with the appropriate authority conducting the election.

Section 7-13-235. The cost of elections held pursuant to this article must be borne by the governing bodies elected at the times specified in this article on a pro rata basis determined by the entity charged by law with conducting the election.

Section 7-13-240. Members of a governing body must be elected from the district at large, from specified election districts, or in another manner as provided by law for that governing body.

Section 7-13-245. Vacancies in these offices must be filled as provided by law.

Section 7-13-250. The results of these elections must be determined in the manner provided by law for that governing body.” /

Renumber sections to conform.

Amend title to conform.

Rep. HUGGINS explained the amendment.

The amendment was then adopted.

Rep. FUNDERBURK explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 84; Nays 23

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Anderson    | Atkinson    |
| Atwater     | Bales       | Ballentine  |
| Bannister   | Bedingfield | Bennett     |
| Bernstein   | Blackwell   | Bowers      |
| Bradley     | Brown       | Burns       |
| Caskey      | Clary       | Clyburn     |
| Cobb-Hunter | Cogswell    | Collins     |
| Crawford    | Delleney    | Douglas     |
| Duckworth   | Elliott     | Erickson    |
| Felder      | Finlay      | Forrest     |
| Fry         | Funderburk  | Gilliard    |
| Govan       | Hamilton    | Hardee      |
| Hart        | Hayes       | Henderson   |
| Henegan     | Herbkersman | Hewitt      |
| Hill        | Hiott       | Hosey       |
| Huggins     | Jefferson   | Johnson     |
| Jordan      | King        | Kirby       |
| Knight      | Loftis      | Lowe        |
| Lucas       | Mack        | McCoy       |
| McEachern   | McKnight    | Mitchell    |
| D. C. Moss  | Murphy      | W. Newton   |
| Ott         | Pope        | Quinn       |
| Ridgeway    | M. Rivers   | Ryhal       |
| Sandifer    | Simrill     | G. R. Smith |
| J. E. Smith | Sottile     | Spires      |
| Stavrinakis | Taylor      | Thayer      |
| Thigpen     | Weeks       | Wheeler     |
| Whipper     | Whitmire    | Williams    |

**Total--84**

Those who voted in the negative are:

|           |           |            |
|-----------|-----------|------------|
| Allison   | Arrington | Chumley    |
| Cole      | Crosby    | Daning     |
| Davis     | Forrester | Gagnon     |
| Hixon     | Long      | Magnuson   |
| Martin    | McCrary   | V. S. Moss |
| B. Newton | Parks     | Pitts      |

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Putnam  
White

Tallon  
Willis

West

**Total--23**

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

**H. 3428--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3428 -- Reps. J. E. Smith, Gilliard, Mack, Williams and Jefferson:  
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.

Rep. J. E. SMITH 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 87; Nays 21

Those who voted in the affirmative are:

|            |             |             |
|------------|-------------|-------------|
| Alexander  | Anderson    | Arrington   |
| Atwater    | Bales       | Ballentine  |
| Bannister  | Bennett     | Blackwell   |
| Bowers     | Bradley     | Brown       |
| Burns      | Caskey      | Chumley     |
| Clary      | Clyburn     | Cobb-Hunter |
| Cogswell   | Cole        | Collins     |
| Crawford   | Crosby      | Daning      |
| Davis      | Delleney    | Dillard     |
| Douglas    | Duckworth   | Elliott     |
| Erickson   | Finlay      | Forrest     |
| Funderburk | Gilliard    | Govan       |
| Hamilton   | Hardee      | Hart        |
| Henderson  | Herbkersman | Hewitt      |

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|                  |             |             |
|------------------|-------------|-------------|
| Hiott            | Hixon       | Hosey       |
| Howard           | Huggins     | Jefferson   |
| Johnson          | Jordan      | King        |
| Kirby            | Knight      | Long        |
| Lucas            | Mack        | Magnuson    |
| McEachern        | McKnight    | Mitchell    |
| Murphy           | W. Newton   | Ott         |
| Parks            | Pope        | Quinn       |
| Ridgeway         | M. Rivers   | S. Rivers   |
| Robinson-Simpson | Ryhal       | Simrill     |
| G. M. Smith      | G. R. Smith | J. E. Smith |
| Sottile          | Spires      | Stavrinakis |
| Taylor           | Thayer      | Thigpen     |
| Weeks            | Wheeler     | Whipper     |
| Williams         | Willis      | Yow         |

**Total--87**

Those who voted in the negative are:

|            |           |             |
|------------|-----------|-------------|
| Allison    | Atkinson  | Bedingfield |
| Felder     | Forrester | Gagnon      |
| Hayes      | Henegan   | Hill        |
| Martin     | McCravy   | D. C. Moss  |
| V. S. Moss | B. Newton | Pitts       |
| Putnam     | Sandifer  | Tallon      |
| West       | White     | Whitmire    |

**Total--21**

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

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

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

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**REPORTS OF STANDING COMMITTEES**

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

H. 3209 -- Reps. Pope, Robinson-Simpson and Crosby: A BILL TO AMEND SECTION 17-22-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN OFFENSES, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT OF OFFENSES SUBSEQUENTLY REPEALED WHEN THE ELEMENTS OF THE OFFENSE ARE CONSISTENT WITH AN EXISTING SIMILAR OFFENSE WHICH IS SUBJECT TO EXPUNGEMENT, AND CLARIFY THAT EXPUNGEMENT PROVISIONS APPLY RETROACTIVELY TO THE OFFENSES DELINEATED.

Ordered for consideration tomorrow.

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

H. 3789 -- Reps. Govan, Yow, Henegan, J. E. Smith, Thigpen, Hart and Clemons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM EXPUNGEMENT ACT"; BY ADDING ARTICLE 10 TO CHAPTER 22, TITLE 17 SO AS TO PROVIDE THAT PERSONS ELIGIBLE FOR EXPUNGEMENT OF A CRIMINAL RECORD PURSUANT TO SECTION 17-22-910 WHO SUCCESSFULLY GRADUATE AND COMPLETE THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM ADMINISTERED BY THE SOUTH CAROLINA ARMY NATIONAL GUARD MAY APPLY TO HAVE THEIR RECORD EXPUNGED UPON SUCCESSFUL GRADUATION AND COMPLETION OF THE PROGRAMS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND TO AMEND SECTION 17-22-940, AS AMENDED, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE A REFERENCE TO THE DIRECTOR OF THE SOUTH CAROLINA YOUTH CHALLENGE

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ACADEMY ATTESTING TO THE ELIGIBILITY OF THE CHARGE  
FOR EXPUNGEMENT ON AN EXPUNGEMENT APPLICATION.

Ordered for consideration tomorrow.

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

H. 3290 -- Reps. Stavrinakis and Clyburn: A BILL TO AMEND SECTION 56-7-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNIFORM TRAFFIC TICKETS, SO AS TO AUTHORIZE LAW ENFORCEMENT OFFICERS AND OTHER PERSONS AUTHORIZED TO PROSECUTE THOSE OFFENSES TO REISSUE A UNIFORM TRAFFIC TICKET FOR ANOTHER OFFENSE INCIDENT TO A PLEA NEGOTIATION OR AGREEMENT.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

H. 3823 -- Reps. Henderson, Bedingfield, Fry, Huggins, Johnson, Hewitt, Crawford, Duckworth, Allison, Forrester, Arrington, Tallon, Hamilton, Felder, Elliott, G. R. Smith, Jordan, B. Newton, Martin, Erickson, V. S. Moss, Long, Bradley, Weeks, Taylor, Putnam and Cogswell: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTING OF SUSPECTED CHILD ABUSE OR

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NEGLECT, SO AS TO REQUIRE REPORTING WHEN AN INFANT OR FETUS IS EXPOSED TO ALCOHOL OR CONTROLLED SUBSTANCES.

Ordered for consideration tomorrow.

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

H. 3549 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 61-6-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERMIT ISSUED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IN PROXIMITY TO A CHURCH, SCHOOL, OR PLAYGROUND, SO AS TO PROVIDE THAT THE DECISION-MAKING BODY OF THE LOCAL SCHOOL MUST AFFIRMATIVELY STATE THAT IT DOES NOT OBJECT TO THE ISSUANCE OF A LICENSE.

Ordered for consideration tomorrow.

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

H. 3817 -- Reps. Bedingfield, Fry, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Elliott, Jordan, B. Newton, Martin, G. M. Smith, Yow, D. C. Moss, Wheeler, Erickson, V. S. Moss, Long, G. R. Smith, Magnuson, Bradley, Weeks, Taylor, Putnam, Cogswell, Collins and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-362 SO AS TO ALLOW PHARMACIES AND OTHER ENTITIES TO REGISTER AS A COLLECTOR TO RECEIVE CONTROLLED SUBSTANCES AS PART OF LAW ENFORCEMENT CONTROLLED SUBSTANCE TAKE-BACK EVENTS AND OPERATE CONTROLLED SUBSTANCE MAIL-BACK PROGRAMS AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO FACILITATE AND ENCOURAGE REGISTRATION AND PARTICIPATION.

Ordered for consideration tomorrow.

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

H. 3865 -- Reps. Bernstein, Delleney, Ridgeway and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA PREGNANCY ACCOMMODATIONS ACT"; TO AMEND SECTION 1-13-30, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA HUMAN AFFAIRS LAWS, SO AS TO REVISE THE TERMS "BECAUSE OF SEX" OR "ON THE BASIS OF SEX" USED IN THE CONTEXT OF EQUAL TREATMENT FOR WOMEN AFFECTED BY PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS; TO AMEND SECTION 1-13-80, AS AMENDED, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES OF AN EMPLOYER, SO AS TO ADD CERTAIN OTHER UNLAWFUL EMPLOYMENT PRACTICES IN REGARD TO FAILURE TO PROVIDE REASONABLE ACCOMMODATIONS FOR AN APPLICANT FOR EMPLOYMENT OR EMPLOYEE WITH LIMITATIONS BECAUSE OF PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS, AND TO PROVIDE FOR NOTICE AND APPLICABILITY TO EMPLOYEES TO WHOM THE ABOVE PROVISIONS APPLY; AND TO PROVIDE NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ACT, THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION SHALL PROMULGATE REGULATIONS, WHICH SHALL IDENTIFY SOME REASONABLE ACCOMMODATIONS ADDRESSING KNOWN LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS THAT MUST BE PROVIDED TO A JOB APPLICANT OR EMPLOYEE, UNLESS THE EMPLOYER CAN DEMONSTRATE THAT DOING SO WOULD IMPOSE AN UNDUE HARDSHIP.

Ordered for consideration tomorrow.

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

H. 3864 -- Reps. Bernstein, Collins, Erickson, King and Elliott: A BILL TO AMEND SECTIONS 56-5-6410 AND 56-5-6420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT CERTAIN CHILDREN MUST BE

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SECURED IN A CHILD PASSENGER RESTRAINT SYSTEM WHILE TRAVELING IN A MOTOR VEHICLE, AND THE TRANSPORTATION OF CHILDREN IN A VEHICLE WITH AN INSUFFICIENT NUMBER OF CHILD RESTRAINT DEVICES, SO AS TO REVISE THE AGE, WEIGHT, AND POSITION OF A CHILD WHO MUST BE SECURED IN A CHILD PASSENGER RESTRAINT SYSTEM.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works submitted a favorable report with amendments on:

H. 4033 -- Reps. Hixon, Taylor, Blackwell, Clyburn, Allison, Daning, Yow, Erickson, B. Newton, Bennett and Arrington: 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.

Ordered for consideration tomorrow.

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

H. 3895 -- Rep. Herbkersman: A BILL TO AMEND ARTICLES 9 AND 11 OF CHAPTER 9, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVENUE AND FISCAL AFFAIRS, SO AS TO REORGANIZE THE ARTICLES, TO ELIMINATE CERTAIN DIVISIONS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 2-7-71 AND 2-7-78, RELATING TO CERTAIN IMPACT STATEMENTS, SO AS TO REQUIRE THE STATEMENTS TO BE CERTIFIED BY THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 2-7-73, AS AMENDED, RELATING TO HEALTH COVERAGE IMPACT STATEMENTS, SO AS TO REQUIRE THE DEPARTMENT OF INSURANCE TO CONDUCT THE ANALYSIS; TO AMEND SECTION 4-10-790, RELATING TO DISTRIBUTIONS FROM A LOCAL OPTION SALES AND USE TAX, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FURNISH DATA TO THE STATE TREASURER, AND TO REQUIRE THE REVENUE AND FISCAL AFFAIRS OFFICE TO PROVIDE CERTAIN ASSISTANCE; TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO FINANCIAL REPORTS FROM COUNTIES AND MUNICIPALITIES, SO AS TO DELAY THE REPORTS UNTIL MARCH FIFTEENTH; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO ALLOW THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE TO APPOINT A MEMBER; TO AMEND SECTIONS 27-2-85 AND 27-2-95, RELATING TO THE SOUTH CAROLINA GEODETIC SURVEY, SO AS TO DELETE OBSOLETE REFERENCES; TO AMEND SECTION 44-6-170, RELATING TO THE DATA OVERSIGHT COUNCIL, SO AS TO DELETE OBSOLETE REFERENCES, AND TO REVISE THE COMPOSITION OF THE COUNCIL; TO AMEND SECTION 44-6-5, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE AN OBSOLETE REFERENCE; TO REDESIGNATE CERTAIN SECTIONS OF THE CODE; AND TO REPEAL SECTIONS 1-11-360, 2-7-62, 44-6-175, AND 48-22-20 ALL RELATING TO THE DUTIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE.

Ordered for consideration tomorrow.

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

H. 3093 -- Reps. Loftis, Clyburn, Elliott, Long and G. M. Smith: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSESSMENT RATIOS, SO AS TO PROVIDE THAT WHEN AN OWNER RECEIVING THE FOUR PERCENT ASSESSMENT RATIO DIES, THE PROPERTY SHALL CONTINUE TO RECEIVE THE SPECIAL ASSESSMENT RATE UNTIL THE DECEASED'S ESTATE IS CLOSED, SO LONG AS THE PROPERTY IS NOT RENTED.

Ordered for consideration tomorrow.

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

H. 3867 -- Reps. Herbkersman, Pitts, Hayes, Anthony and Cobb-Hunter: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO EXEMPT ALL PROPERTY DEVOTED TO HOUSING LOW INCOME RESIDENTS IF THE PROPERTY IS OWNED BY AN INSTRUMENTALITY OF A NONPROFIT HOUSING CORPORATION.

Ordered for consideration tomorrow.

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

H. 3744 -- Reps. G. M. Smith and Pitts: A BILL TO AMEND SECTION 22-8-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FULL-TIME AND PART-TIME MAGISTRATES AND THEIR SALARIES, SO AS TO REVISE THE METHOD OF SETTING A BASE SALARY FOR MAGISTRATES AND PROVIDE ADDITIONAL SUPPLEMENTS TO FULL-TIME CHIEF AND ASSISTANT CHIEF MAGISTRATES; AND BY ADDING SECTION 22-3-315 SO AS TO ADD AN ASSESSMENT OF FIFTEEN DOLLARS TO ALL CIVIL FILINGS IN MAGISTRATES COURT AND PROVIDE FOR DISTRIBUTION OF THE PROCEEDS.

Ordered for consideration tomorrow.

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

H. 3566 -- Reps. Lowe, Pitts, Jordan and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-23-150 SO AS TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL SHALL DEVELOP GUIDELINES FOR A ONE-WEEK TRAINING PROGRAM OFFERED BY THE CRIMINAL JUSTICE ACADEMY TO SCHOOL FIRST RESPONDERS THAT CERTIFIES THEM TO POSSESS FIREARMS ON SCHOOL PREMISES, AND TO PROVIDE THE CONDITIONS UPON WHICH SCHOOL FIRST RESPONDERS MAY POSSESS FIREARMS ON SCHOOL PREMISES, AND TO PROVIDE FUNDING TO CREATE THIS PROGRAM.

Ordered for consideration tomorrow.

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

H. 3790 -- Rep. Erickson: A BILL TO AMEND SECTION 44-20-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE "SOUTH CAROLINA INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT", SO AS TO ADD A DEFINITION FOR "AUTISM SPECTRUM DISORDER"; TO AMEND SECTION 38-71-280, RELATING TO HEALTH INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59-21-510, AS AMENDED, RELATING TO SPECIAL EDUCATION PROGRAMS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

H. 3824 -- Reps. Henderson, Bedingfield, Fry, Huggins, Johnson, Hewitt, Crawford, Duckworth, Allison, Arrington, Forrester, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, Erickson,

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Jefferson, Cobb-Hunter, Govan, Long, Putnam, Cogswell and Collins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-1645 SO AS TO REQUIRE HEALTH CARE PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY, AS MAINTAINED IN THE PRESCRIPTION DRUG MONITORING PROGRAM, BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, WITH EXCEPTIONS; TO AMEND SECTION 44-53-1630, AS AMENDED, RELATING TO THE PRESCRIPTION DRUG MONITORING PROGRAM, SO AS TO ADD A DEFINITION OF "PRACTITIONER"; TO AMEND SECTION 44-53-1640, AS AMENDED, RELATING TO THE PRESCRIPTION DRUG MONITORING PROGRAM, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 44-53-1680, AS AMENDED, RELATING TO PENALTIES FOR VIOLATING REQUIREMENTS OF THE PRESCRIPTION DRUG MONITORING PROGRAM, SO AS TO ESTABLISH A PENALTY IF A PRACTITIONER OR AUTHORIZED DELEGATE FAILS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY, AS MAINTAINED IN THE PRESCRIPTION DRUG MONITORING PROGRAM, BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE; BY ADDING SECTION 40-15-145 SO AS TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR DENTISTS ADDRESSING THE PRESCRIPTION AND MONITORING OF CERTAIN CONTROLLED SUBSTANCES; TO AMEND SECTIONS 40-37-240, 40-47-965, AS AMENDED, AND 40-51-140, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR CERTAIN HEALTH CARE PRACTITIONERS, SO AS TO ADD REQUIREMENTS ADDRESSING THE PRESCRIPTION AND MONITORING OF CERTAIN CONTROLLED SUBSTANCES; AND TO AMEND SECTION 40-43-130, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR PHARMACISTS, SO AS TO ADD REQUIREMENTS ADDRESSING CERTAIN CONTROLLED SUBSTANCES.

Ordered for consideration tomorrow.

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Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3969 -- Reps. Felder and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1940 SO AS TO PROVIDE THE EDUCATION OVERSIGHT COMMITTEE SHALL DESIGN AND PILOT CERTAIN DISTRICT ACCOUNTABILITY MODELS THAT FOCUS ON COMPETENCY-BASED EDUCATION; BY ADDING SECTION 59-18-1950 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A STATE LONGITUDINAL DATA SYSTEM FOR MEASURING THE CONTINUOUS IMPROVEMENT OF PUBLIC EDUCATION AND THE COLLEGE READINESS AND CAREER READINESS OF PUBLIC SCHOOL GRADUATES, AND TO PROVIDE RELATED FINDINGS; BY ADDING SECTION 59-18-1960 SO AS TO PROVIDE THE MEASURING OF STUDENT PROGRESS OR GROWTH USING A VALUE-ADDED SYSTEM; TO AMEND SECTION 59-18-100, AS AMENDED, RELATING TO THE PURPOSE OF THE ACCOUNTABILITY SYSTEM IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO PROVIDE ADDITIONAL PURPOSES CONCERNING THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-120, AS AMENDED, RELATING TO DEFINITIONS IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE AND ADD DEFINED TERMS; TO AMEND SECTION 59-18-310, AS AMENDED, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM FOR MEASURING STUDENT PERFORMANCE, SO AS TO DELETE OBSOLETE LANGUAGE AND TO DELETE PROVISIONS CONCERNING THE TIMING FOR ADMINISTERING CERTAIN ASSESSMENTS; TO AMEND SECTION 59-18-320, AS AMENDED, RELATING TO THE ADMINISTRATION OF CERTAIN STATEWIDE STANDARDS-BASED ASSESSMENTS, SO AS TO DELETE OBSOLETE PROVISIONS CONCERNING THE NO CHILD LEFT BEHIND ACT, AND TO DELETE PROVISIONS CONCERNING PERFORMANCE LEVEL RESULTS IN VARIOUS CORE SUBJECT AREAS; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO COLLEGE AND CAREER READINESS SUMMATIVE ASSESSMENTS, SO AS TO REVISE PROCUREMENT AND ADMINISTRATION PROVISIONS AND THE TIME AFTER WHICH RESULTS OF SUCH ASSESSMENTS MAY BE INCLUDED

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IN SCHOOL RATINGS; TO AMEND SECTION 59-18-330, AS AMENDED, RELATING TO THE COORDINATION AND ADMINISTRATION OF THE NATIONAL ASSESSMENT OF EDUCATION PROGRESS, SO AS TO PROVIDE THE STATE SHALL PARTICIPATE AS AN INDIVIDUAL EDUCATION SYSTEM IN THE PROGRAM FOR INTERNATIONAL STUDENT ASSESSMENT AND TO PROVIDE ASSOCIATED RESPONSIBILITIES OF THE STATE DEPARTMENT OF EDUCATION; TO AMEND SECTION 59-18-340, AS AMENDED, RELATING TO THE MANDATORY PROVISION OF STATE-FUNDED ASSESSMENTS SO AS TO DELETE ONE SUCH ASSESSMENT AND INCLUDE TWO ADDITIONAL ASSESSMENTS; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE COMPREHENSIVE ANNUAL REPORT CARD FOR SCHOOLS, SO AS TO PROVIDE IT IS WEB-BASED, TO REVISE THE PURPOSES OF THE REPORT CARD, TO REVISE AND DEFINE CATEGORIES OF ACADEMIC PERFORMANCE RATINGS, TO PROVIDE THE SAME CATEGORIES ALSO MUST BE ASSIGNED TO INDIVIDUAL INDICATORS USED TO MEASURE SCHOOL PERFORMANCE, TO MAKE THE USE OF STUDENT SCORES IN CALCULATING SCHOOL RATINGS BE OPTIONAL INSTEAD OF MANDATORY, TO DELETE STUDENT PERFORMANCE LEVELS, TO PROVIDE THE REPORT CARD MUST INCLUDE INDICATORS THAT MEET FEDERAL LAW REQUIREMENTS, TO INCLUDE DROPOUT RETENTION DATA AND ACCESS TO TECHNOLOGY AMONG THE TYPES OF INFORMATION THAT SHOULD BE INCLUDED IN REPORT CARDS, AND TO REVISE REQUIREMENTS FOR RELATED SCHOOL IMPROVEMENT COUNCIL REPORTS; TO AMEND SECTION 59-18-910, AS AMENDED, RELATING TO COMPREHENSIVE CYCLICAL REVIEWS OF THE ACCOUNTABILITY SYSTEM, SO AS TO REQUIRE THE INCLUSION OF CERTAIN RECOMMENDATIONS DETERMINING THE READINESS OF GRADUATING STUDENTS IN CERTAIN CATEGORIES RELATED TO THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-920, AS AMENDED, RELATING TO CHARTER SCHOOLS, SO AS TO PROVIDE DATA REQUIRED OF A CHARTER SCHOOL MAY BE USED TO DEVELOP A RATING OF THE SCHOOL, TO DELETE EXISTING PROVISIONS CONCERNING THE CHARTER SCHOOL RATINGS, TO DELETE PROVISIONS PROHIBITING USE OF

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CHARTER SCHOOL STUDENT PERFORMANCE IN A DISTRICT'S OVERALL PERFORMANCE RATINGS; TO AMEND SECTION 59-18-930, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT ANNUALLY ISSUE AN EXECUTIVE SUMMARY OF THE REPORT CARD, SO AS TO PROVIDE THE DEPARTMENT INSTEAD MAY PUBLISH THE REPORT ON ITS WEBSITE IN A CERTAIN MANNER, AND TO PROVIDE CERTAIN NATIONAL ASSESSMENT SCORES MAY BE INCLUDED; AND TO REPEAL SECTION 59-18-950 RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS.

Ordered for consideration tomorrow.

**INTRODUCTION OF BILLS**

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

H. 3722 -- Ways and Means Committee: A BILL TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO THE ISSUANCE OF STATE CAPITAL IMPROVEMENT BONDS, SO AS TO AUTHORIZE ADDITIONAL PROJECTS AND CONFORM THE AGGREGATE PRINCIPAL INDEBTEDNESS AMOUNT TO THE ADDITIONAL AMOUNTS AUTHORIZED HEREBY, AND TO PROVIDE THAT THE PROVISIONS OF SECTION 2-7-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, DO NOT APPLY TO THE PROVISIONS OF THIS PART.

Without Reference

H. 4067 -- Rep. Kirby: A BILL 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.

On motion of Rep. KIRBY, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

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H. 4068 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ENACT "ALLI'S LAW" OR THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO PROVIDE DEFINITIONS; TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE EMPLOYED AS AN ALCOHOL SERVER OR A MANAGER ON PERMITTED OR LICENSED PREMISES UNTIL AN ALCOHOL SERVER CERTIFICATE IS OBTAINED; TO PROVIDE FOR THE COLLABORATION WITH THE DEPARTMENT OF REVENUE (DOR), THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES (DAODAS), AND THE STATE LAW ENFORCEMENT DIVISION (SLED) FOR THE AUTHORIZATION TO APPROVE ALCOHOL SERVER TRAINING PROGRAMS, THE COST, CURRICULA, AND SUSPENSION OR REVOCATION OF AN ALCOHOL SERVER TRAINING PROGRAM; TO PROVIDE A PROVIDER OF A TRAINING PROGRAM SHALL PAY A FEE TO BE DEPOSITED IN THE RESPONSIBLE ALCOHOL SERVER TRAINING FUND", AND TO PROVIDE DOR, WITH THE ASSISTANCE OF SLED, TO PREPARE AND DELIVER EACH YEAR A REPORT OF ALL INCOME AND EXPENDITURES TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT *PRO TEMPORE* OF THE SENATE; TO PROVIDE FOR THE ISSUANCE OF AN ALCOHOL SERVER CERTIFICATION; TO PROVIDE FOR FINES AND PENALTIES; TO PROVIDE FOR REQUIREMENTS FOR RENEWAL OF A PERMIT OR LICENSE FOR ON-PREMISES CONSUMPTION UNDER CHAPTERS 4 AND 6, TITLE 61; TO PROVIDE THAT SLED AND DOR ARE RESPONSIBLE FOR ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER; TO AMEND SECTION 61-2-60, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO PROVIDE FOR DOR AND SLED TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; TO AMEND SECTION 61-4-50, RELATING TO SALES OF BEER, ALE, PORTER, WINE, OR OTHER SIMILAR MALT OR FERMENTED BEVERAGE TO UNDERAGE PERSONS, SO AS TO INCLUDE IN EACH OFFENSE THE SUSPENSION OF THE ALCOHOL SERVER CERTIFICATE AND REQUIREMENTS TO OBTAIN A NEW ALCOHOL SERVER CERTIFICATE; TO AMEND SECTION 61-4-90, RELATING TO

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THE TRANSFER OF BEER OR WINE FOR UNDERAGE PERSON CONSUMPTION, SO AS TO INCLUDE IN EACH OFFENSE THE SUSPENSION OF THE ALCOHOL SERVER CERTIFICATE; TO AMEND SECTION 61-4-580, AS AMENDED, RELATING TO PROHIBITED ACTS REGARDING THE SALE OF BEER AND WINE, SO AS TO PROVIDE FOR THE REVOCATION OR SUSPENSION OF THE HOLDER'S PERMIT TO SELL BEER OR WINE AND TO IMPOSE PENALTIES FOR A PERSON HOLDING AN ALCOHOL SERVER CERTIFICATE; TO AMEND SECTION 61-6-2220, RELATING TO SALES TO AN INTOXICATED PERSON, SO AS TO INCLUDE IN EACH OFFENSE THE SUSPENSION OF THE ALCOHOL SERVER CERTIFICATE; TO AMEND SECTION 61-6-4070, RELATING TO TRANSFERRING OR GIVING ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY-ONE, SO AS TO INCLUDE IN EACH OFFENSE THE SUSPENSION OF THE ALCOHOL SERVER CERTIFICATE; TO AMEND SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY-ONE YEARS AND ITS PENALTIES AND COMPLETION OF A MERCHANT ENFORCEMENT PROGRAM, SO AS TO INCLUDE IN EACH OFFENSE THE SUSPENSION OF THE ALCOHOL SERVER CERTIFICATE AND REQUIREMENTS TO OBTAIN A NEW ALCOHOL SERVER CERTIFICATE; AND TO PROVIDE THAT THE DAODAS SHALL PROVIDE ALCOHOL SERVER TRAINING UNDER CERTAIN CONDITIONS.

Referred to Committee on Judiciary

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3809--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3809 -- Reps. Finlay, Bernstein, Collins, Spires, J. E. Smith, Ridgeway, Clary, Dillard, Gilliard, Huggins and Knight: 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

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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.

Rep. FINLAY explained the Bill.

Reps. FINLAY, BERNSTEIN, CLARY, TAYLOR, HIXON, BEDINGFIELD, TALLON, SANDIFER, FORRESTER, G. R. SMITH, ALLISON, LOFTIS, BURNS, BROWN, MACK, COGSWELL, J. E. SMITH, CROSBY, BENNETT, ARRINGTON, HUGGINS, HOSEY, S. RIVERS, DOUGLAS, RIDGEWAY, KNIGHT, WEST and WILLIAMS requested debate on the Bill.

**H. 3601--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3601 -- Reps. Clemons, Pitts, Hiott, Hardee, Duckworth, Crawford, Yow, Delleney, Lowe, White, Hewitt and Hixon: A BILL TO AMEND SECTION 50-9-665, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BEAR HUNTING TAGS BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO INCREASE THE NONRESIDENT FEE TO OBTAIN A BEAR TAG, TO DELETE THE PROVISION THAT PROVIDES FOR THE RANDOM DRAWING OF TAGS BY BEAR TAG APPLICANTS IN GAME ZONES OTHER THAN GAME ZONE 1, AND TO ELIMINATE THE APPLICATION FEE; AND TO AMEND SECTION 50-11-430, AS AMENDED, RELATING TO THE HUNTING OF BEARS, SO AS TO ESTABLISH AN OPEN SEASON FOR HUNTING AND TAKING BEAR FOR STILL GUN HUNTS IN GAME ZONE 4, TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT TO ISSUE PERMITS TO ALLOW THE HUNTING AND TAKING OF BEAR, TO ESTABLISH A SEASON FOR THE HUNTING AND TAKING OF BEAR ON PRIVATE LANDS AND ALL LANDS UNDER THE DEPARTMENT'S CONTROL IN GAME ZONES 2, 3, AND 4, AND TO DELETE THE PROVISION THAT PROHIBITS THE HUNTING AND TAKING OF BEAR BY THE USE OR AID OF BAIT.

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The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3601 (COUNCIL\CM\3601C001.GT.CM17), which was adopted:

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

/SECTION 1. Section 50-9-665 of the 1976 Code, as last amended by Act 94 of 2013, is further amended to read:

“Section 50-9-665. (A) For the privilege of hunting bear, in addition to the required hunting license and big game permit the licensee must obtain a bear tag issued in his name, and the fee:

(1) for a resident is twenty-five dollars per tag, one dollar of which may be retained by the license sales vendor;

(2) for a nonresident is one hundred dollars per tag, two dollars of which may be retained by the license sales vendor.

(B) ~~In game zones other than Game Zone 1, applicants for bear tags must be chosen by a random drawing. The application fee is ten dollars per applicant and is nonrefundable. Tags are only valid for the specified game zone.~~

(C) Youth under the age of sixteen are required to obtain youth tags for bear from the department at its designated licensing locations at no cost.”

SECTION 2. Section 50-11-430 of the 1976 Code, as last amended by Act 227 of 2014, if further amended to read:

“Section 50-11-430. (A)(1) The open season for hunting and taking bear in Game Zone 1 for still gun hunts is October 17 through October 23; for party dog hunts is October 24 through October 30. A party dog hunt in Game Zone 1 may not exceed twenty-five participants per party and shall register with the department by September first. Party participants, except those not required to have licenses shall submit their hunting license number in order to register.

(2) In all other game zones, the General Assembly finds it in the best interest of the State to allow the taking of black bear under strictly controlled conditions and circumstances. The department may establish a bear management program that allows for hunting and selective removal of bear in order to provide for the sound management of the animals and to ensure the continued viability of the species. The department must promulgate regulations to set the conditions for taking, including methods of take, areas, times, limits, and seasons, and other conditions to properly control the harvest of bear. ~~The department may issue bear permits to allow hunting and taking of bear in any game zone where bear occur. In Game Zones 2, 3, and 4 a person desiring to hunt~~

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~~and take bear must apply to the department. The application fee is ten dollars and is nonrefundable. Successful applicants must be randomly selected for the permit, and must pay a twenty five dollar fee for residents and one hundred dollar fee for nonresidents.~~

(B) In Game Zones 2, 3, and 4 where the department declares an open season, the department shall promulgate regulations necessary to properly control the harvest of bear.

(C) In Game Zones 2, 3, and 4 where the department declares an open season for hunting and taking bears on wildlife management areas, and all other areas under the ownership, control, or lease of the department, the season will be set by the department.

(D) Any bear taken must be tagged with a valid bear tag and reported to the department as prescribed. The tag must be attached to the bear as prescribed by the department before being moved from the point of kill.

(D)(E) It is unlawful to:

(1) hunt, take, or attempt to take a bear except during the open season;

(2) possess an untagged bear;

(3) take more than one bear per person during all seasons. In Game Zone 1 a registered party dog hunt may take up to five bear per season per party; a person who has taken a bear during the season may participate in a registered party hunt as long as the hunting license shows the bear tag endorsement, but the person may not take another bear;

(4) take or attempt to take a sow bear with cubs;

(5) possess or transport a freshly killed bear or bear part except during the open season for hunting and taking bear. This prohibition does not apply to bear lawfully taken in other jurisdictions. The department may issue a special permit for possession or transportation of a freshly killed bear or bear part outside of the season;

(6) possess a captive bear except pursuant to a permit issued by the department. A violation of the terms of the permit may result in revocation or a civil penalty of up to five thousand dollars, or both. An appeal must be made in accordance with the Administrative Procedures Act;

(7) pursue bear with dogs; except during the open season for hunting and taking bear with dogs;

(8) hunt or take bear by the use or aid of bait; or attempt to hunt or take bear by use or aid of bait; hunt or take bear on or over a baited area. As used in this item:

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(a) ‘Bait’ means salt or shelled, shucked, or unshucked corn, wheat or other grain, or other foodstuffs that could constitute a lure, attraction, or enticement for bear.

(b) ‘Baiting’ or ‘to bait’ means placing, depositing, exposing, distributing, or scattering bait.

(c) ‘Baited area’ means an area where bait is directly or indirectly placed, exposed, deposited, distributed, or scattered, and the area remains a baited area for ten days following complete removal of all bait. Nothing in this section prohibits the hunting and taking of bear on or over lands or areas that are not otherwise baited and where:

(i) there are standing crops on the field where grown, including crops grown for wildlife management purposes; or

(ii) shelled, shucked, or unshucked corn, wheat or other grain, or seeds that have been distributed or scattered solely as the result of a normal agricultural practice as prescribed by the Clemson University Extension Service or its successor;

(9) buy, sell, barter, or exchange or attempt to buy, sell, barter, or exchange a bear or bear part; or

(10) take or attempt to take a bear from a watercraft or other water conveyance or molest, take, or attempt to take a bear while the bear is swimming in a lake or river.

(F)(1) Each of the acts provided for in subsection (D) is a violation of this section and is a separate offense.

(2) A person violating the provisions of this section or a regulation pertaining to bear hunting is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned not more than two years, or both. Hunting and fishing privileges of a person convicted under the provisions of this section must be suspended for three years. In addition, each person convicted of a violation of this section shall pay restitution to the department of not less than one thousand five hundred dollars for each bear or bear part that is the subject of a violation of this section. The magistrate’s court retains concurrent jurisdiction for offenses contained in this section.”

SECTION 3. The department shall provide a report of a one-year study by July 1, 2018, to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee. The report will include, but will not be limited to, the harvest summary of Black Bear in Game Zones 1-4.

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

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Renumber sections to conform.  
Amend title to conform.

Rep. HIXON 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 107; Nays 0

Those who voted in the affirmative are:

|             |            |             |
|-------------|------------|-------------|
| Alexander   | Allison    | Anderson    |
| Arrington   | Atkinson   | Atwater     |
| Bales       | Ballentine | Bannister   |
| Bedingfield | Bennett    | Bernstein   |
| Blackwell   | Bowers     | Bradley     |
| Brown       | Burns      | Caskey      |
| Chumley     | Clary      | Clyburn     |
| Cobb-Hunter | Cogswell   | Cole        |
| Collins     | Crawford   | Crosby      |
| Daning      | Davis      | Delleney    |
| Dillard     | Douglas    | Duckworth   |
| Elliott     | Erickson   | Felder      |
| Finlay      | Forrest    | Forrester   |
| Fry         | Funderburk | Gagnon      |
| Gilliard    | Govan      | Hamilton    |
| Hardee      | Hart       | Hayes       |
| Henderson   | Henegan    | Herbkersman |
| Hewitt      | Hill       | Hiott       |
| Hixon       | Hosey      | Howard      |
| Huggins     | Johnson    | Jordan      |
| Kirby       | Loftis     | Long        |
| Lowe        | Lucas      | Mack        |
| Magnuson    | Martin     | McCoy       |
| McCravy     | McEachern  | McKnight    |
| Mitchell    | D. C. Moss | V. S. Moss  |
| Murphy      | B. Newton  | W. Newton   |
| Ott         | Parks      | Pitts       |
| Pope        | Putnam     | Quinn       |
| Ridgeway    | M. Rivers  | S. Rivers   |

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|             |             |             |
|-------------|-------------|-------------|
| Rutherford  | Ryhal       | Sandifer    |
| Simrill     | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile     | Spires      |
| Stavrinakis | Tallon      | Taylor      |
| Thayer      | Thigpen     | Weeks       |
| White       | Whitmire    | Williams    |
| Willis      | Yow         |             |

**Total--107**

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. 3559--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3559 -- Reps. Pitts, Ott, Putnam, Gagnon, Atkinson, Dillard, Martin, West, Hill, Bedingfield, Gilliard, Kirby, Davis, King and Whipper: A BILL TO AMEND CHAPTER 55, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CULTIVATION OF INDUSTRIAL HEMP, SO AS TO REVISE THE DEFINITIONS OF TERMS CONTAINED IN THIS CHAPTER, TO PROVIDE A DEFINITION FOR THE TERM "HUMAN CONSUMPTION", TO CREATE THE SOUTH CAROLINA INDUSTRIAL HEMP PROGRAM, TO PROVIDE THAT INDUSTRIAL HEMP IS AN AGRICULTURAL CROP UPON WHICH AN INSTITUTION OF HIGHER EDUCATION MAY CONDUCT RESEARCH, TO PROVIDE THAT INDUSTRIAL HEMP OR HEMP PRODUCTS MAY NOT BE CONSIDERED AN ADULTERANT, TO PROVIDE PROVISIONS THAT REGULATE THE GROWING, SELLING, AND IMPORTATION OF INDUSTRIAL HEMP AND HEMP SEED, TO DELETE THE PROVISION THAT EXCLUDES INDUSTRIAL HEMP FROM THE DEFINITION OF MARIJUANA, TO REVISE THE PROVISION THAT SPECIFIES THAT CERTAIN CONDUCT REGARDING THE MANUFACTURING, DISTRIBUTION, PURCHASE, AND OTHER ACTIVITIES RELATING TO DISGUIISING MARIJUANA TO

MAKE IT APPEAR TO BE INDUSTRIAL HEMP, AND TO PROVIDE FOR LABORATORY TESTING OF INDUSTRIAL HEMP.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3559 (COUNCIL\CM\3559C002.GT.CM17), which was adopted:

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

\ SECTION 1. Chapter 55, Title 46 of the 1976 Code is amended to read:

“CHAPTER 55

Industrial Hemp Cultivation

Section 46-55-10. For the purposes of this chapter:

(1) ‘Industrial hemp products’ means all products made from any part of industrial hemp, including, but not limited to, cannabinoids cloth, construction materials, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed meal, supplements, and seed oil for consumption, and seed for cultivation if the seeds originate from industrial hemp varieties.

(2) ‘Industrial hemp’ means all parts and varieties of the plant cannabis sativa, cultivated or possessed by a licensed grower, whether growing or not, that contain of no more tetrahydrocannabinol concentration than adopted by federal law in the Controlled Substances Act, 21 U.S.C. 801, et seq the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dried weight basis.

(3) ‘Tetrahydrocannabinol delta-9 tetrahydrocannabinol’ means the natural or synthetic equivalents or substances contained in the plant, or in the resinous extractives of cannabis, or any synthetic substances, compounds, salts, or derivatives of the plant or chemicals and their isomers with similar chemical structure and pharmacological activity.

(4) ‘Human consumption’ means to ingest or topically apply to the skin or hair.

Section 46-55-20. (1) The South Carolina Industrial Hemp Program is created.

(2) Industrial hemp is an agricultural crop. Any land grant university or research university throughout the State may conduct research, pursuant to Public Law 113-79, contingent upon funding. The university may conduct research and, or pilot programs as an agriculture commodity and may work with growers located in South Carolina. Once a university engages in research on industrial hemp, the university shall

work in conjunction with the Department of Agriculture to identify solutions for applications, applicants, and new market opportunities for industrial hemp growers. The purchaser or manufacture will be included under the provisions of this chapter.

(3) The Department of Agriculture will allow up to fifteen permits to be issued annually, to South Carolina residents, for the purposes of a pilot program. Each permittee is permitted to grow industrial hemp on up to twenty acres of land. When applying for a permit, each applicant, at a minimum must submit to the department, global positioning system coordinates of where the industrial hemp will be grown and must submit any and all information, including, but not limited to fingerprints and the appropriate fees, required by the South Carolina Law Enforcement Division (SLED) to perform a fingerprint based state criminal records check and for the Federal Bureau of Investigation to perform a national fingerprint based criminal records check.

(4) The department shall require a state criminal records check, supported by fingerprints, by the SLED, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. SLED is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. No person who has been convicted of any felony, or any person convicted of any drug-related misdemeanor or violation in the previous ten years from the date of the application, shall be eligible to obtain a permit.

(5) Before the department will issue a permit to the applicant, the applicant must have proof of a signed purchaser with a contract.

(6) Industrial hemp is an agriculture crop subject to regulations by the Department of Agriculture.

(7) To grow industrial hemp, a person must be registered with the department as a grower.

(8) To register, an applicant, under this section must submit to the department, in a manner prescribed by the department, the following information:

- (a) the name and address of the applicant;
- (b) the name and address of the industrial hemp operation of the applicant;
- (c) the Global Positioning System coordinates of the land on which the industrial hemp will be planted, grown, cultivated, or processed;

(d) any other information required by the department through regulations; and

(e) written consent allowing SLED to enter onto all premises where industrial hemp is cultivated, processed, or stored for the purpose of conducting physical inspections or ensuring compliance with the Industrial Hemp Pilot Program.

(9) A grower may renew a registration under this section in a manner prescribed by the department.

(10) The department may charge growers application, registration and renewal of registration fees reasonably calculated by the department to pay the cost of administering the South Carolina Industrial Hemp Program, but not to exceed two hundred and fifty dollars annually per registrant. Moneys from fees collected under this subitem shall be continuously appropriated to the department for purposes of carrying out the duties of the South Carolina Industrial Hemp Program under this section.

(11) It is lawful for ~~an~~ a permitted individual to cultivate, produce, or otherwise grow industrial hemp in this State to be used for any lawful purpose, including, but not limited to, the manufacture of industrial hemp products, and scientific, agricultural, or other research related to other lawful applications for industrial hemp.

(12) For the purposes of Chapter 25, Title 39, industrial hemp or industrial hemp products may not be considered to be an adulterant.

Section 46-55-30. Industrial hemp is excluded from the definition of marijuana in Section 44-53-110.

(1) A grower may use any propagation method including, but not limited to, planting seeds or starts or the use of clones or cuttings, to produce industrial hemp. Nothing in this article limits or precludes a grower from propagating or cultivating noncertified industrial hemp seed.

(2) Notwithstanding any other provision of law, except subject to federal law, a person engaged in cultivating, processing, selling, transporting, possessing, or otherwise distributing industrial hemp, or selling industrial hemp products from industrial hemp, is not subject to any civil or criminal actions under South Carolina law for engaging in these activities. Nothing in this chapter limits or precludes the importation or exportation of industrial hemp or industrial hemp products. The provisions of the chapter create a three-year pilot program as contained in 7 U.S.C. Section 5940.

Section 46-55-40. An individual who manufactures, distributes, dispenses, delivers, purchases, aids, abets, attempts, or conspires to

~~manufacture, distribute, dispense, deliver, purchase, or possesses with the intent to manufacture, distribute, dispense, deliver, or purchase marijuana on property used for industrial hemp production, or in a manner intended to disguise the marijuana due to its proximity to industrial hemp, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than three thousand dollars, or both. The penalty provided for in this section may be imposed in addition to any other penalties provided by law.~~ (A)

For purposes of this section:

(1) 'Independent testing laboratory' means any facility, entity, or site that offers or performs tests of industrial hemp or industrial hemp-based products that has been accredited by an independent accreditation body.

(2) 'Accreditation body' means an impartial organization that provides accreditation to ISO/IEC 17025 requirements and is a signatory to the International Laboratory Accreditation Corporation Mutual Recognition Arrangement for Testing.

(3) 'Scope of accreditation' means a document issued by the accreditation body which describes the methodologies, range, and parameters for testing for which the accreditation has been granted.

(B) Independent testing laboratories may test industrial hemp and industrial hemp products produced or processed by a grower or processor.

(C) All testing performed to meet regulatory requirements shall be included in an independent testing laboratory's scope of accreditation.

(D) An independent testing laboratory shall demonstrate the ability to accurately quantitate individual cannabinoids in both their acidic and neutral forms down to 0.05 percent by weight including, but not limited to, delta9-THC, delta9-THCA, cannabidiol (CBD) and CBDA.

(E) Testing is required by an International Organization for Standardization (ISO) Certified Laboratory Facility as approved by an accredited body. The test results must be retained by the grower or processor for at least three years, and be made readily available to any state law enforcement agency upon request. Any industrial hemp sample testing over three-tenths of one percent delta-9 tetrahydrocannabinol must be destroyed in a controlled environment with law enforcement present.

(F) Registered growers shall have a minimum of four random samples per grow tested for delta-9 THC concentration not more than thirty days prior to harvest. If the grower has planted different varieties,

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at least one sample from each variety must be tested for delta-9 THC concentrations.

(G) Industrial hemp or industrial hemp products, intended by a processor for sale for human consumption, shall be tested by an independent testing laboratory to confirm products are fit for human consumption and meet United States Food Industry standards for food products. Testing shall confirm safe levels of potential contaminants including, but not limited to, pesticides, heavy metals, residual solvents, and microbiological contaminants.

(H) All test results and corresponding product batch numbers shall be retained by the registered processor for at least three years.

Section 46-55-50. Industrial hemp is excluded from the definition of marijuana in Section 44-53-110.

Section 46-55-60. An individual who manufactures, distributes, dispenses, delivers, purchases, aids, abets, attempts, or conspires to manufacture, distribute, dispense, deliver, purchase, or possesses with the intent to manufacture, distribute, dispense, deliver, or purchase marijuana in a manner intended to disguise the marijuana due to its proximity to industrial hemp, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than three thousand dollars, or both. The penalty provided for in this section may be imposed in addition to any other penalties provided by law.”

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

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

Rep. OTT spoke in favor of the amendment.

The amendment was then adopted.

Rep. PITTS proposed the following Amendment No. 2 to H. 3559 (COUNCIL\AHB\3559C001.BH.AHB17):

Amend the bill, as and if amended, SECTION 1, by deleting Section 46-55-20(3) and (10) and inserting:

/ (3) The Department of Agriculture will allow up to fifty permits to be issued annually, to South Carolina residents, for the purposes of a pilot program. Each permittee is permitted to grow industrial hemp on up to fifty acres of land. When applying for a permit, each applicant, at a minimum must submit to the department, global positioning system coordinates of where the industrial hemp will be grown and must submit

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any and all information, including, but not limited to fingerprints and the appropriate fees, required by the South Carolina Law Enforcement Division (SLED) to perform a fingerprint based state criminal records check and for the Federal Bureau of Investigation to perform a national fingerprint based criminal records check.

(10) The department may charge growers application, registration and renewal of registration fees reasonably calculated by the department to pay the cost of administering the South Carolina Industrial Hemp Program, but not to exceed one thousand dollars annually per registrant. Moneys from fees collected under this subitem shall be continuously appropriated to the department for purposes of carrying out the duties of the South Carolina Industrial Hemp Program under this section. /

Amend the bill further, as and if amended, SECTION 1, by deleting Section 46-55-40(E) and inserting:

/ (E) Testing is required by an International Organization for Standardization (ISO) Certified Laboratory Facility as approved by an accredited body. The test results must be retained by the grower or processor for at least three years, and be made readily available to any state law enforcement agency upon request. /

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

Rep. V. S. MOSS moved to table the amendment.

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

Yea 32; Nays 74

Those who voted in the affirmative are:

|           |            |             |
|-----------|------------|-------------|
| Allison   | Atwater    | Ballentine  |
| Blackwell | Burns      | Caskey      |
| Chumley   | Cogswell   | Cole        |
| Davis     | Delleney   | Felder      |
| Forrester | Hardee     | Hayes       |
| Hewitt    | Hixon      | Johnson     |
| Jordan    | Kirby      | Loftis      |
| Long      | D. C. Moss | V. S. Moss  |
| B. Newton | Ott        | Pope        |
| Ryhal     | Simrill    | G. R. Smith |

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Tallon

Taylor

**Total--32**

Those who voted in the negative are:

|             |                  |             |
|-------------|------------------|-------------|
| Alexander   | Anderson         | Arrington   |
| Atkinson    | Bales            | Bannister   |
| Bedingfield | Bennett          | Bernstein   |
| Bowers      | Bradley          | Brown       |
| Clary       | Clyburn          | Cobb-Hunter |
| Collins     | Daning           | Dillard     |
| Douglas     | Duckworth        | Elliott     |
| Erickson    | Forrest          | Fry         |
| Funderburk  | Gagnon           | Gilliard    |
| Govan       | Hamilton         | Henderson   |
| Henegan     | Herbkersman      | Hill        |
| Hosey       | Howard           | Huggins     |
| King        | Knight           | Lowe        |
| Lucas       | Mack             | Magnuson    |
| Martin      | McCoy            | McCrary     |
| McKnight    | Mitchell         | W. Newton   |
| Parks       | Pitts            | Putnam      |
| Quinn       | Ridgeway         | M. Rivers   |
| S. Rivers   | Robinson-Simpson | Rutherford  |
| Sandifer    | G. M. Smith      | J. E. Smith |
| Sottile     | Spires           | Stavrinakis |
| Thayer      | Thigpen          | Weeks       |
| West        | Wheeler          | Whipper     |
| White       | Whitmire         | Williams    |
| Willis      | Yow              |             |

**Total--74**

So, the House refused to table the amendment.

Reps. TALLON, BURNS, LOFTIS, G. R. SMITH, LONG, PITTS, RYHAL, HEWITT and WEST requested debate on the Bill.

**SPEAKER IN CHAIR**

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Further proceedings were interrupted by expiration of time on the uncontested Calendar.

Rep. G. R. SMITH moved that the House recede until 2:15 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:15 p.m. the House resumed, the SPEAKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**H. 3726--NON-CONCURRENCE IN SENATE AMENDMENTS**

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 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

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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 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

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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 explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 0; Nays 99

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|             |            |           |
|-------------|------------|-----------|
| Allison     | Anderson   | Arrington |
| Atkinson    | Atwater    | Bales     |
| Ballentine  | Bamberg    | Bannister |
| Bedingfield | Bennett    | Blackwell |
| Bradley     | Burns      | Caskey    |
| Chumley     | Clary      | Clyburn   |
| Cobb-Hunter | Cogswell   | Cole      |
| Collins     | Crawford   | Daning    |
| Davis       | Delleney   | Dillard   |
| Douglas     | Duckworth  | Elliott   |
| Erickson    | Felder     | Finlay    |
| Forrest     | Forrester  | Fry       |
| Funderburk  | Gilliard   | Hardee    |
| Hayes       | Henderson  | Henegan   |
| Herbkersman | Hewitt     | Hill      |
| Hiott       | Hixon      | Hosey     |
| Howard      | Huggins    | Johnson   |
| Jordan      | King       | Kirby     |
| Knight      | Loftis     | Long      |
| Lucas       | Mack       | Magnuson  |
| Martin      | McCoy      | McCrary   |
| McEachern   | V. S. Moss | Murphy    |
| B. Newton   | W. Newton  | 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      |
| Sottile    | Spires      | Stavrinakis      |
| Stringer   | Tallon      | Taylor           |
| Thayer     | Thigpen     | West             |
| Wheeler    | Whipper     | White            |
| Williams   | Willis      | Yow              |

**Total--99**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3358--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3358 -- Reps. Willis, Allison, Collins, Knight, West, Felder and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-87 SO AS TO PROVIDE THAT A PERSON MAY HOLD ONLY ONE DEPARTMENT OF MOTOR VEHICLES-ISSUED CREDENTIAL AT A TIME, TO PROVIDE THAT A REAL ID CARD MAY BE A DRIVER'S LICENSE OR IDENTIFICATION CARD, AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A COMPLIANT OR NON-COMPLIANT CREDENTIAL TO A PERSON WHO PRESENTS CERTAIN DOCUMENTS TO THE DEPARTMENT; TO AMEND SECTION 56-1-85, RELATING TO THE STATE'S NON-PARTICIPATION IN THE FEDERAL REAL ID ACT, SO AS TO PROVIDE THAT THE STATE SHALL MEET ALL THE REQUIREMENTS OF THE FEDERAL REAL ID ACT; TO AMEND SECTION 56-1-90, RELATING TO IDENTIFICATION NECESSARY TO OBTAIN A DRIVER'S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET TO PROVE THE EXISTENCE AND VALIDITY OF A PERSON'S SOCIAL SECURITY NUMBER; TO AMEND SECTION 56-1-140, AS AMENDED, RELATING TO THE ISSUANCE OF A DRIVER'S LICENSE, SO AS TO REVISE THE COST AND FREQUENCY OF

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THE RENEWAL PERIOD FOR A DRIVER'S LICENSE, TO REVISE THE CONTENT OF A DRIVER'S LICENSE, AND TO ELIMINATE THE FEE ASSOCIATED WITH THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE; TO AMEND SECTION 56-1-210, RELATING TO THE EXPIRATION OF A DRIVER'S LICENSE, SO AS TO REVISE THE EXPIRATION DATE OF A LICENSE ISSUED AFTER OCTOBER 1, 2017, AND TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO HAVE HIS LICENSE RENEWED; AND TO AMEND SECTION 56-1-220, AS AMENDED, RELATING TO VISION SCREENINGS REQUIRED FOR RENEWAL OF A DRIVER'S LICENSE, SO AS TO REVISE THE CRITERIA THAT MUST BE MET BY A PERSON WHO SEEKS TO RENEW HIS DRIVER'S LICENSE.

Rep. WILLIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 100; Nays 3

Those who voted in the affirmative are:

|            |             |             |
|------------|-------------|-------------|
| Allison    | Anderson    | Arrington   |
| Atkinson   | Atwater     | Bales       |
| Ballentine | Bannister   | Bennett     |
| Bernstein  | Blackwell   | Bradley     |
| Burns      | Caskey      | Chumley     |
| Clary      | Clyburn     | Cobb-Hunter |
| Cogswell   | Cole        | Collins     |
| Crawford   | Daning      | Davis       |
| Delleney   | Dillard     | Douglas     |
| Duckworth  | Elliott     | Erickson    |
| Felder     | Finlay      | Forrest     |
| Forrester  | Fry         | Funderburk  |
| Gagnon     | Gilliard    | Govan       |
| Hardee     | Hayes       | Henderson   |
| Henegan    | Herbkersman | Hewitt      |
| Hiott      | Hixon       | Hosey       |
| Howard     | Huggins     | Johnson     |
| Jordan     | King        | Kirby       |
| Knight     | Loftis      | Long        |
| Lowe       | Lucas       | Mack        |
| Martin     | McCoy       | McCrary     |

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|            |             |                  |
|------------|-------------|------------------|
| McEachern  | D. C. Moss  | V. S. Moss       |
| Murphy     | B. Newton   | W. Newton        |
| Ott        | Parks       | Pitts            |
| Pope       | Putnam      | Ridgeway         |
| M. Rivers  | S. Rivers   | Robinson-Simpson |
| Rutherford | Ryhal       | Sandifer         |
| Simrill    | G. M. Smith | G. R. Smith      |
| Sottile    | Spires      | Stavrinakis      |
| Stringer   | Tallon      | Taylor           |
| Thayer     | Thigpen     | West             |
| Wheeler    | Whipper     | White            |
| Whitmire   | Williams    | Willis           |
| Yow        |             |                  |

**Total--100**

Those who voted in the negative are:

|             |      |          |
|-------------|------|----------|
| Bedingfield | Hill | Magnuson |
|-------------|------|----------|

**Total--3**

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.

**H. 3962--ADOPTED**

The following House Resolution was taken up:

H. 3962 -- Reps. Putnam, Thayer, Gagnon, Yow, West, Taylor, Loftis, Toole, Felder, Simrill, Burns, Long, V. S. Moss, Pope, Magnuson, Chumley, Hamilton, G. R. Smith, Elliott, Arrington, Bennett, McCoy, Jordan, Allison, Sottile, Atwater, Bradley, S. Rivers, Davis, Erickson, B. Newton, Martin, Bedingfield, Crawford, Fry, W. Newton, Murphy, Spires, Bannister, Blackwell, Clemons, Cogswell, Cole, Crosby, Daning, Delleney, Forrest, Forrester, Henderson, Herbkersman, Hill, Hiott, Hixon, Lowe, D. C. Moss, Pitts, Sandifer, Tallon, Whitmire and Willis: A HOUSE RESOLUTION TO MEMORIALIZE THE PRESIDENT OF THE UNITED STATES, THE SOUTH CAROLINA CONGRESSIONAL DELEGATION, AND THE UNITED STATES SECRETARY OF TRANSPORTATION TO SUPPORT AND ENACT LEGISLATION THAT GIVES THE STATES MORE FLEXIBILITY

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IN SPENDING FEDERAL DOLLARS ON TRANSPORTATION  
INFRASTRUCTURE PROJECTS.

The Resolution was adopted.

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**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. FORREST moved to adjourn debate on the Resolution until Thursday, March 30, which was agreed to.

**H. 3965--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3965 -- Reps. Hardee, Johnson, Clemons, Crawford, Duckworth, Fry, Atkinson, Hayes, Ryhal and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND THE SOUTH CAROLINA - NORTH CAROLINA STATE LINE, AT THE INTERSECTION OF UNITED STATES HIGHWAY 701 AND THE SOUTH CAROLINA - NORTH CAROLINA STATE LINE, AT THE INTERSECTION OF UNITED STATES HIGHWAY 701 AND THE Horry-Georgetown County Line, along United States Highway 501 in Galivants Ferry, at the intersection of United States Highway 378 and the Horry - Marion County Line, and at the intersection of South Carolina Highway 905 and the South Carolina - North Carolina line that contain the words "HOME OF THE 2016 NATIONAL BASEBALL CHAMPIONS COASTAL CAROLINA UNIVERSITY CHANTICLEERS".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3878--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3878 -- Reps. Stavrinakis, McCoy, Gilliard, Crosby, Arrington, Whipper, Bennett, Brown, Cogswell, Daning, Davis, Mack and S. Rivers: A CONCURRENT RESOLUTION TO REQUEST THE

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DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 171 AND CARRIAGE LANE IN CHARLESTON COUNTY "DEPUTY SHERIFF JOSEPH J. MATUSKOVIC MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 303--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

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

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**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,

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Hixon, Daning, Hamilton, Hardee, Crosby, Martin, V. S. Moss, Blackwell, Henderson, Herbkersman, Willis and Forrest: 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 30, 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 PROVISIONS, SO AS TO ESTABLISH AN AUTOMATIC STAY CONCERNING LICENSE ISSUANCES, RENEWALS AND THE LIKE, AND TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH THE AUTOMATIC STAY MAY BE LIFTED.

Rep. FRY moved to adjourn debate on the Bill until Thursday, March 30, which was agreed to.

**H. 3886--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3886 -- Reps. Crawford, Ryhal, Hamilton, Sandifer, Fry, Putnam, Clemons, Yow, Anderson, Johnson, Hardee, Huggins, Hewitt,

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Duckworth, Bowers, Sottile, Crosby, Felder, Bennett, Thigpen, Whipper, Brown, Hixon, Taylor, King, Daning, Spires, Henderson, Pitts, Kirby, White, McCravy, Hill, Gagnon, West, Wheeler, Davis, Murphy, Hayes, Ott, V. S. Moss, Lowe and Jordan: 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 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.

Rep. CRAWFORD moved to adjourn debate on the Bill until Thursday, March 30, which was agreed to.

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**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3450--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 3450 (COUNCIL\WAB\3450C001.AGM.WAB17), which was adopted:

Amend the bill, as and if amended, Section 40-47-1720(A), as contained in SECTION 1, page 3, by deleting the subsection in its entirety and inserting:

/ (A)(1) There is created the Electrology Licensure Committee, an advisory committee under the auspices of the board. The committee shall consist of five members appointed by the Governor and who are residents of the State, including:

(a) three electrologists who have actively been engaged in the practice of electrology for at least three years and are licensed by the committee;

(b) one physician licensed by the State; and

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(c) a public member who has not practiced electrology, who is not in training to become an electrologist, who does not participate in the electrology field, and who is not immediately related to anyone who has practiced electrology, trained to become an electrologist, or participates in the electrology field.

(2) In nominating the three initial electrologist members of the board, the Governor must accept nominations for appointment from the South Carolina Association of Electrologists. If the Governor does not approve the recommendations, the association may provide the Governor with another list of nominees. The Governor may select a nominee from the second list provided, if any, or appoint another suitable candidate of the Governor's choice. /

Amend the bill further, Section 40-47-1740(2), as contained in SECTION 1, page 6, by deleting the item in its entirety and inserting:

/ (2) have practiced electrology actively for at least four years before applying; /

Renumber sections to conform.

Amend title to conform.

Rep. YOW explained the amendment.

The amendment was then adopted.

Rep. YOW explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 94; Nays 10

Those who voted in the affirmative are:

|             |           |           |
|-------------|-----------|-----------|
| Allison     | Anderson  | Arrington |
| Atkinson    | Atwater   | Bales     |
| Ballentine  | Bamberg   | Bannister |
| Bedingfield | Bennett   | Bernstein |
| Blackwell   | Bradley   | Burns     |
| Chumley     | Clary     | Clyburn   |
| Cobb-Hunter | Cogswell  | Cole      |
| Collins     | Crawford  | Daning    |
| Davis       | Delleney  | Dillard   |
| Douglas     | Duckworth | Elliott   |
| Erickson    | Felder    | Finlay    |

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|                  |             |             |
|------------------|-------------|-------------|
| Forrest          | Forrester   | Fry         |
| Funderburk       | Gilliard    | Govan       |
| Hardee           | Hayes       | Henderson   |
| Henegan          | Herbkersman | Hewitt      |
| Hiott            | Hixon       | Hosey       |
| Howard           | Huggins     | Johnson     |
| Jordan           | King        | Kirby       |
| Knight           | Loftis      | Long        |
| Lowe             | Lucas       | Mack        |
| Martin           | McCoy       | McEachern   |
| D. C. Moss       | V. S. Moss  | Murphy      |
| B. Newton        | Ott         | Parks       |
| Pitts            | Pope        | Quinn       |
| Ridgeway         | M. Rivers   | S. Rivers   |
| Robinson-Simpson | Rutherford  | Ryhal       |
| Sandifer         | Simrill     | G. M. Smith |
| Sottile          | Spires      | Stavrinakis |
| Stringer         | Tallon      | Taylor      |
| Thigpen          | West        | Wheeler     |
| Whitmire         | Williams    | Willis      |
| Yow              |             |             |

**Total--94**

Those who voted in the negative are:

|        |             |          |
|--------|-------------|----------|
| Caskey | Gagnon      | Hamilton |
| Hill   | Magnuson    | McCrary  |
| Putnam | G. R. Smith | Thayer   |
| White  |             |          |

**Total--10**

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

**H. 3548--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3548 -- Reps. Bennett, Delleney, Yow, Stringer, Hardee, Erickson, Long, Fry, Daning, S. Rivers, Davis, Allison, Hill, Crosby, B. Newton, McCoy, West, McCrary, Tallon, Elliott, Henderson, V. S. Moss,

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G. R. Smith, Pope, Toole, Huggins, Hamilton, Bedingfield, Atwater, Ballentine, Willis, Simrill and Lowe: 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.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3548 (COUNCIL\VR3548C001.CC.VR17), which was adopted:

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

/ SECTION 1. Chapter 41, Title 44 of the 1976 Code is amended by adding:

**“Article 6**

**South Carolina Unborn Child Protection from Dismemberment  
Abortion Act**

Section 44-41-610. This article may be cited as the South Carolina Unborn Child Protection from Dismemberment Abortion Act.

(A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent serious health risk to the unborn child's mother is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. ‘Serious health risk to the unborn child's mother’ means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(B) As used in this section:

(1) 'Dismemberment abortion' means, with the intention of causing the death of an unborn child, knowingly to dismember a living unborn child and extract him or her one piece at a time from the uterus through use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush, and/or grasp a portion of the unborn child's body to cut or rip it off.

(2) The term 'physician' means a physician, surgeon, or osteopath authorized to practice medicine in this State and licensed pursuant to Chapter 47, Title 40. However, an individual who is not a physician, but who directly and knowingly performs a dismemberment abortion is also subject to the provisions of this section.

(3) The term 'dismemberment abortion' does not include an abortion which uses suction to dismember the body of the unborn child by sucking fetal parts into a collection container, although it does include an abortion in which a dismemberment abortion, as defined in item (1) is used to cause the death of an unborn child but suction is subsequently used to extract fetal parts after the death of the unborn child.

(C)(1) The father, if married to the mother at the time she receives a dismemberment abortion, and if the mother has not attained the age of eighteen years at the time of the abortion, the maternal grandparents of the fetus have a cause of action against the physician or other person unlawfully performing a dismemberment abortion and may obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

(2) Such relief includes, but is not limited to:

(a) actual damages which shall be trebled;  
(b) punitive damages for all injuries, psychological and physical, occasioned by the violation of this section; and  
(c) reasonable costs and attorney's fees.

(D) A woman upon whom a dismemberment abortion is performed may not be prosecuted for a violation of this section, for a conspiracy to violate this section, or for any other offense which is based on a violation of this section.

(E) This article does not prevent abortion for any reason including rape and incest by any other method.

Section 44-41-620. (A) A cause of action for injunctive relief against a person who has performed or attempted to perform a dismemberment abortion in violation of Section 44-41-610 may be maintained by:

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(1) a woman upon whom such a dismemberment abortion was performed;

(2) if the woman is a minor, a person who is the parent or guardian of a woman upon whom such a dismemberment abortion was performed; or

(3) a prosecuting attorney with appropriate jurisdiction.

(B) The injunction shall prevent the defendant from performing further dismemberment abortions in violation of Section 44-41-610 in this State.

(C) A cause of action may not be maintained by a plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

Section 44-41-630. Nothing in this article shall be construed as creating or recognizing a right to abortion, nor a right to a particular method of abortion."

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. BENNETT explained the amendment.

**SPEAKER IN CHAIR**

Rep. BENNETT continued speaking.

Rep. COBB-HUNTER moved to table the amendment.

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

Yea 15; Nays 85

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Those who voted in the affirmative are:

|             |             |            |
|-------------|-------------|------------|
| Alexander   | Bales       | Bamberg    |
| Bernstein   | Cobb-Hunter | Dillard    |
| Gilliard    | King        | Mack       |
| Parks       | M. Rivers   | Rutherford |
| J. E. Smith | Whipper     | Williams   |

**Total--15**

Those who voted in the negative are:

|                  |             |             |
|------------------|-------------|-------------|
| Allison          | Arrington   | Atkinson    |
| Atwater          | Ballentine  | Bannister   |
| Bedingfield      | Bennett     | Blackwell   |
| Bradley          | Burns       | Caskey      |
| Chumley          | Clary       | Cole        |
| Collins          | Crawford    | Daning      |
| Davis            | Delleney    | Douglas     |
| Duckworth        | Elliott     | Erickson    |
| Felder           | Finlay      | Forrest     |
| Forrester        | Fry         | Gagnon      |
| Govan            | Hamilton    | Hardee      |
| Hayes            | Henderson   | Herbkersman |
| Hewitt           | Hill        | Hiott       |
| Hixon            | Hosey       | Huggins     |
| Johnson          | Jordan      | Knight      |
| Loftis           | Long        | Lowe        |
| Lucas            | Magnuson    | Martin      |
| McCoy            | McCravy     | McEachern   |
| D. C. Moss       | V. S. Moss  | Murphy      |
| B. Newton        | W. Newton   | Ott         |
| Pitts            | Pope        | Putnam      |
| Quinn            | Ridgeway    | S. Rivers   |
| Robinson-Simpson | Ryhal       | Sandifer    |
| Simrill          | G. M. Smith | G. R. Smith |
| Sottile          | Spires      | Stringer    |
| Tallon           | Taylor      | Thayer      |
| Weeks            | West        | Wheeler     |
| White            | Whitmire    | Willis      |
| Yow              |             |             |

**Total--85**

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So, the House refused to table the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. DELLENEY spoke in favor of the amendment.

Rep. RUTHERFORD spoke against the amendment.

Rep. BAMBERG spoke against the amendment.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. COBB-HUNTER spoke against the amendment.

Rep. COBB-HUNTER spoke against the amendment.

Rep. BALES spoke upon the amendment.

Rep. WHIPPER spoke against the amendment.

Rep. WHIPPER spoke against the amendment.

The question then recurred to the adoption of the amendment.

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

Yea 85; Nay 20

Those who voted in the affirmative are:

|             |            |            |
|-------------|------------|------------|
| Allison     | Arrington  | Atkinson   |
| Atwater     | Ballentine | Bannister  |
| Bedingfield | Bennett    | Blackwell  |
| Bradley     | Burns      | Caskey     |
| Chumley     | Clary      | Cole       |
| Collins     | Crawford   | Daning     |
| Davis       | Delleney   | Douglas    |
| Duckworth   | Elliott    | Erickson   |
| Felder      | Finlay     | Forrest    |
| Forrester   | Fry        | Funderburk |
| Gagnon      | Govan      | Hamilton   |
| Hardee      | Hayes      | Henderson  |
| Herbkersman | Hewitt     | Hill       |
| Hiott       | Hixon      | Huggins    |
| Johnson     | Jordan     | Knight     |
| Loftis      | Long       | Lowe       |
| Lucas       | Magnuson   | Martin     |
| McCoy       | McCrary    | McEachern  |

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|                  |             |             |
|------------------|-------------|-------------|
| D. C. Moss       | V. S. Moss  | Murphy      |
| B. Newton        | W. Newton   | Ott         |
| Pitts            | Pope        | Putnam      |
| Quinn            | Ridgeway    | S. Rivers   |
| Robinson-Simpson | Ryhal       | Sandifer    |
| Simrill          | G. M. Smith | G. R. Smith |
| Sottile          | Spires      | Stringer    |
| Tallon           | Taylor      | Thayer      |
| Weeks            | West        | Wheeler     |
| White            | Whitmire    | Willis      |
| Yow              |             |             |

**Total--85**

Those who voted in the negative are:

|            |             |             |
|------------|-------------|-------------|
| Alexander  | Anderson    | Bales       |
| Bamberg    | Bernstein   | Cobb-Hunter |
| Dillard    | Gilliard    | Henegan     |
| Jefferson  | King        | Mack        |
| McKnight   | Parks       | M. Rivers   |
| Rutherford | J. E. Smith | Stavrinakis |
| Whipper    | Williams    |             |

**Total--20**

So, the amendment was adopted.

Rep. RIDGEWAY proposed the following Amendment No. 2 to H. 3548 (COUNCIL\VR\3548C006.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-41-610(B), page 3548-2, by striking item (3) in its entirety and inserting:

/ (3) The term 'dismemberment abortion' does not include:

(a) an abortion which uses suction to dismember the body of the unborn child by sucking fetal parts into a collection container, although it does include an abortion in which a dismemberment abortion, as defined in item (1) is used to cause the death of an unborn child but suction is subsequently used to extract fetal parts after the death of the unborn child; and

(b) an abortion when the unborn child has a profound and irremediable congenital or chromosomal anomaly that, with or without

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the provision of life-preserving treatment, would be incompatible with sustaining life after birth. /

Renumber sections to conform.

Amend title to conform.

Rep. RIDGEWAY explained the amendment.

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

**LEAVE OF ABSENCE**

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

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 3 to H. 3548 (COUNCIL\VR\3548C003.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-41-610, beginning on page 3548-1, by striking Section 44-41-610(A) and inserting:

/ (A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent serious health risk to the unborn child's mother or, in the professional medical judgment of the physician, the procedure is the best method for that individual patient, is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. 'Serious health risk to the unborn child's mother' means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Rep. J. E. SMITH spoke in favor of the amendment.

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Rep. BAMBERG spoke in favor of the amendment.  
Rep. BAMBERG spoke in favor of the amendment.  
Rep. DELLENEY moved to table the amendment.

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

Yea 79; Nays 24

Those who voted in the affirmative are:

|             |                  |            |
|-------------|------------------|------------|
| Allison     | Arrington        | Atkinson   |
| Atwater     | Ballentine       | Bannister  |
| Bedingfield | Bennett          | Blackwell  |
| Bradley     | Burns            | Caskey     |
| Chumley     | Clary            | Cole       |
| Collins     | Crawford         | Daning     |
| Davis       | Delleney         | Duckworth  |
| Elliott     | Erickson         | Felder     |
| Finlay      | Forrest          | Forrester  |
| Fry         | Funderburk       | Gagnon     |
| Hamilton    | Hardee           | Hayes      |
| Henderson   | Herbkersman      | Hewitt     |
| Hill        | Hiott            | Hixon      |
| Huggins     | Johnson          | Jordan     |
| Loftis      | Long             | Lowe       |
| Lucas       | Magnuson         | Martin     |
| McCoy       | McCrary          | D. C. Moss |
| V. S. Moss  | Murphy           | B. Newton  |
| W. Newton   | Ott              | Pitts      |
| Pope        | Putnam           | Quinn      |
| S. Rivers   | Robinson-Simpson | Rutherford |
| Ryhal       | Sandifer         | Simrill    |
| G. M. Smith | G. R. Smith      | Sottile    |
| Spires      | Stringer         | Tallon     |
| Taylor      | Thayer           | West       |
| White       | Whitmire         | Willis     |
| Yow         |                  |            |

**Total-79**

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Those who voted in the negative are:

|             |           |             |
|-------------|-----------|-------------|
| Alexander   | Bales     | Bamberg     |
| Bernstein   | Brown     | Cobb-Hunter |
| Dillard     | Gilliard  | Govan       |
| Henegan     | Jefferson | King        |
| Mack        | McKnight  | Parks       |
| Ridgeway    | M. Rivers | J. E. Smith |
| Stavrinakis | Thigpen   | Weeks       |
| Wheeler     | Whipper   | Williams    |

**Total--24**

So, the amendment was tabled.

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 4 to H. 3548 (COUNCIL\VR\3548C002.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, page 3548-3, after line 22 by inserting:

/ Section 44-41-640. No public funds shall be appropriated or allocated to defend this law in the event it is challenged in court. In the event this law is challenged in court, the Taxpayer Defense Litigation Fund shall be established in the amount of one million dollars. The Taxpayer Defense Litigation Fund shall be funded solely from the salaries of members of the House or Senate who approved this bill in equal amounts." /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

**POINT OF ORDER**

Rep. G. R. SMITH raised the Point of Order that under Rule 9.3 that Amendment No. 4 to H. 3548 was out of order in that it was not germane to the Bill.

Rep. J. E. SMITH spoke to the Point of Order.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and ruled that Amendment No. 4 was germane to the Bill.

Rep. J. E. SMITH spoke in favor of the amendment.

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Rep. SIMRILL moved cloture on the entire matter, which was agreed to.

The question then recurred to the adoption of the amendment.

Rep. BAMBERG spoke in favor of the amendment.

Rep. COBB-HUNTER spoke against the amendment.

Rep. TAYLOR moved to table the amendment.

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

Yea 84; Nays 16

Those who voted in the affirmative are:

|             |             |                  |
|-------------|-------------|------------------|
| Allison     | Arrington   | Atkinson         |
| Atwater     | Ballentine  | Bannister        |
| Bedingfield | Bennett     | Blackwell        |
| Bradley     | Burns       | Chumley          |
| Clary       | Clyburn     | Cobb-Hunter      |
| Cole        | Collins     | Crawford         |
| Daning      | Davis       | Delleney         |
| Dillard     | Douglas     | Duckworth        |
| Elliott     | Erickson    | Felder           |
| Forrest     | Forrester   | Fry              |
| Funderburk  | Gagnon      | Govan            |
| Hamilton    | Hardee      | Hayes            |
| Henderson   | Herbkersman | Hewitt           |
| Hill        | Hiott       | Hixon            |
| Huggins     | Johnson     | Jordan           |
| Knight      | Loftis      | Long             |
| Lowe        | Lucas       | Magnuson         |
| Martin      | McCoy       | McCrary          |
| D. C. Moss  | V. S. Moss  | Murphy           |
| B. Newton   | W. Newton   | Ott              |
| Parks       | Pope        | Putnam           |
| Quinn       | S. Rivers   | Robinson-Simpson |
| Ryhal       | Sandifer    | Simrill          |
| G. M. Smith | G. R. Smith | Sottile          |
| Spires      | Stringer    | Tallon           |
| Taylor      | Thayer      | West             |

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|          |        |          |
|----------|--------|----------|
| Wheeler  | White  | Whitmire |
| Williams | Willis | Yow      |

**Total--84**

Those who voted in the negative are:

|             |           |            |
|-------------|-----------|------------|
| Alexander   | Bamberg   | Bernstein  |
| Brown       | Finlay    | Gilliard   |
| Jefferson   | King      | McKnight   |
| Ridgeway    | M. Rivers | Rutherford |
| J. E. Smith | Thigpen   | Weeks      |
| Whipper     |           |            |

**Total--16**

So, the amendment was tabled.

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 5 to H. 3548 (COUNCIL\VR\3548C004. CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-41-610, beginning on page 3548-1, by striking Section 44-41-610(A) and inserting:

/ (A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent any health risks to the unborn child's mother is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. COBB-HUNTER spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yea 99; Nays 4

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Those who voted in the affirmative are:

|                  |             |             |
|------------------|-------------|-------------|
| Allison          | Arrington   | Atkinson    |
| Atwater          | Bales       | Ballentine  |
| Bamberg          | Bannister   | Bedingfield |
| Bennett          | Blackwell   | Bradley     |
| Brown            | Burns       | Caskey      |
| Chumley          | Clary       | Cobb-Hunter |
| Cole             | Collins     | Crawford    |
| Daning           | Davis       | Delleney    |
| Dillard          | Douglas     | Duckworth   |
| Elliott          | Erickson    | Felder      |
| Finlay           | Forrest     | Forrester   |
| Fry              | Gagnon      | Gilliard    |
| Govan            | Hamilton    | Hardee      |
| Hayes            | Henderson   | Henegan     |
| Herbkersman      | Hewitt      | Hill        |
| Hiott            | Hixon       | Huggins     |
| Jefferson        | Johnson     | Jordan      |
| King             | Kirby       | Knight      |
| Loftis           | Long        | Lowe        |
| Lucas            | Mack        | Magnuson    |
| Martin           | McCoy       | McCrary     |
| McKnight         | D. C. Moss  | V. S. Moss  |
| Murphy           | B. Newton   | W. Newton   |
| Ott              | Parks       | Pitts       |
| Pope             | Putnam      | Quinn       |
| Ridgeway         | M. Rivers   | S. Rivers   |
| Robinson-Simpson | Ryhal       | Sandifer    |
| Simrill          | G. M. Smith | G. R. Smith |
| Sottile          | Spires      | Stavrinakis |
| Stringer         | Tallon      | Taylor      |
| Thayer           | Thigpen     | West        |
| Wheeler          | White       | Whitmire    |
| Williams         | Willis      | Yow         |

**Total--99**

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Those who voted in the negative are:

|           |            |             |
|-----------|------------|-------------|
| Bernstein | Rutherford | J. E. Smith |
| Weeks     |            |             |

**Total--4**

So, the amendment was tabled.

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 6 to H. 3548 (COUNCIL\VR\3548C005. CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, page 3548-3, after line 22 by inserting:

/ Section 44-41-650. When physicians are prohibited from providing the best medical care to patients, and patients are forced to undergo alternative abortion procedures, all health insurance plans in this State and Medicaid must pay the full costs of additional, medically unnecessary procedures required by this article including, but not limited to, hospitalizations, anesthesia, pharmaceuticals, surgeons, anesthesiologists, professional nursing care, mental health counseling, and all other medical care as deemed necessary by the attending physician." /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. KING moved that the House do now adjourn.

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

Yea 26; Nays 74

Those who voted in the affirmative are:

|             |           |          |
|-------------|-----------|----------|
| Alexander   | Bales     | Bamberg  |
| Bernstein   | Brown     | Clyburn  |
| Cobb-Hunter | Dillard   | Douglas  |
| Funderburk  | Gilliard  | Henegan  |
| Hosey       | Jefferson | King     |
| Kirby       | Mack      | McKnight |

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|             |                  |            |
|-------------|------------------|------------|
| Ott         | Parks            | Ridgeway   |
| M. Rivers   | Robinson-Simpson | Rutherford |
| J. E. Smith | Williams         |            |

**Total--26**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Arrington   | Atwater     |
| Ballentine  | Bannister   | Bedingfield |
| Bennett     | Blackwell   | Bradley     |
| Burns       | Caskey      | Chumley     |
| Clary       | Cole        | Collins     |
| Crawford    | Daning      | Davis       |
| Delleney    | Duckworth   | Elliott     |
| Erickson    | Felder      | Finlay      |
| Forrest     | Forrester   | Fry         |
| Gagnon      | Hamilton    | Hardee      |
| Henderson   | Herbkersman | Hewitt      |
| Hill        | Hiott       | Hixon       |
| Howard      | Huggins     | Johnson     |
| Jordan      | Loftis      | Long        |
| Lowe        | Lucas       | Magnuson    |
| Martin      | McCoy       | McCravy     |
| D. C. Moss  | V. S. Moss  | Murphy      |
| B. Newton   | W. Newton   | Pitts       |
| Pope        | Putnam      | S. Rivers   |
| Ryhal       | Sandifer    | Simrill     |
| G. M. Smith | G. R. Smith | Sottile     |
| Spires      | Stringer    | Tallon      |
| Taylor      | Thayer      | West        |
| Wheeler     | White       | Whitmire    |
| Willis      | Yow         |             |

**Total--74**

So, the House refused to adjourn.

The question then recurred to the adoption of the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yea 83; Nays 16

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Arrington   | Atkinson    |
| Atwater     | Bales       | Ballentine  |
| Bamberg     | Bannister   | Bedingfield |
| Bennett     | Blackwell   | Bradley     |
| Burns       | Caskey      | Chumley     |
| Clary       | Cole        | Collins     |
| Crawford    | Daning      | Davis       |
| Delleney    | Douglas     | Duckworth   |
| Elliott     | Erickson    | Felder      |
| Finlay      | Forrest     | Forrester   |
| Fry         | Funderburk  | Gagnon      |
| Govan       | Hamilton    | Hardee      |
| Hayes       | Henderson   | Herbkersman |
| Hewitt      | Hill        | Hiott       |
| Hixon       | Huggins     | Jefferson   |
| Johnson     | Jordan      | Kirby       |
| Knight      | Loftis      | Long        |
| Lowe        | Lucas       | Magnuson    |
| Martin      | McCoy       | McCrary     |
| D. C. Moss  | V. S. Moss  | B. Newton   |
| W. Newton   | Pitts       | Pope        |
| Putnam      | Ridgeway    | S. Rivers   |
| Ryhal       | Sandifer    | Simrill     |
| G. M. Smith | G. R. Smith | Sottile     |
| Spires      | Stringer    | Tallon      |
| Taylor      | Thayer      | West        |
| Wheeler     | White       | Whitmire    |
| Willis      | Yow         |             |

**Total--83**

Those who voted in the negative are:

|             |         |           |
|-------------|---------|-----------|
| Bernstein   | Brown   | Clyburn   |
| Cobb-Hunter | Dillard | Gilliard  |
| Henegan     | King    | Mack      |
| McKnight    | Parks   | M. Rivers |

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Robinson-Simpson      Rutherford      J. E. Smith  
Williams

**Total-16**

So, the amendment was tabled.

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 7 to H. 3548 (COUNCIL\cz\3548C002. NBD.CZ17), which was tabled:

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

/ SECTION 1. Chapter 41, Title 44 of the 1976 Code is amended by adding:

**“Article 6**

**South Carolina Unborn Child Protection from Dismemberment  
Abortion Act**

Section 44-41-610. This article may be cited as the South Carolina Unborn Child Protection from Dismemberment Abortion Act.

(A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent serious health risk to the unborn child's mother is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. ‘Serious health risk to the unborn child's mother’ means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(B) As used in this section:

(1) ‘Dismemberment abortion’ means, with the intention of causing the death of an unborn child, knowingly to dismember a living unborn child and extract the unborn child one piece at a time from the uterus through use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush, or grasp a portion of the unborn child's body to cut or rip it off.

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(2) The term ‘physician’ means a physician, surgeon, or osteopath authorized to practice medicine in this State and licensed pursuant to Chapter 47, Title 40. However, an individual who is not a physician, but who directly and knowingly performs a dismemberment abortion is also subject to the provisions of this section.

(3) The term ‘dismemberment abortion’ does not include an abortion which uses suction to dismember the body of the unborn child by sucking fetal parts into a collection container, although it does include an abortion in which a dismemberment abortion, as defined in item (1) is used to cause the death of an unborn child but suction is subsequently used to extract fetal parts after the death of the unborn child.

(C) A woman upon whom a dismemberment abortion is performed may not be prosecuted for a violation of this section, for a conspiracy to violate this section, or for any other offense which is based on a violation of this section.

(D) This article does not prevent abortion for any reason including rape and incest by any other method.

Section 44-41-620. (A) A cause of action for injunctive relief against a person who has performed or attempted to perform a dismemberment abortion in violation of Section 44-41-610 may be maintained by:

(1) a woman upon whom such a dismemberment abortion was performed;

(2) if the woman is a minor, a person who is the parent or guardian of a woman upon whom such a dismemberment abortion was performed; or

(3) a prosecuting attorney with appropriate jurisdiction.

(B) The injunction shall prevent the defendant from performing further dismemberment abortions in violation of Section 44-41-610 in this State.

(C) A cause of action may not be maintained by a plaintiff if the pregnancy resulted from the plaintiff’s criminal conduct.

Section 44-41-630. Nothing in this article shall be construed as creating or recognizing a right to abortion, nor a right to a particular method of abortion.” /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

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Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 8 to H. 3548 (COUNCIL\3548C003. NBD.CZ17), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-610(A), as contained in SECTION 1, in its entirety and inserting:

/ (A) Notwithstanding any other provision of law, a physician may not knowingly perform or attempt to perform a dismemberment abortion unless necessary to prevent serious health risk to the pregnant woman. 'Serious health risk to the pregnant woman' means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yea 73; Nays 23

Those who voted in the affirmative are:

|             |            |             |
|-------------|------------|-------------|
| Allison     | Arrington  | Atkinson    |
| Atwater     | Ballentine | Bannister   |
| Bedingfield | Bennett    | Blackwell   |
| Bradley     | Burns      | Caskey      |
| Chumley     | Clary      | Cole        |
| Collins     | Crawford   | Daning      |
| Davis       | Delleney   | Duckworth   |
| Elliott     | Erickson   | Felder      |
| Forrest     | Forrester  | Fry         |
| Gagnon      | Hamilton   | Hardee      |
| Hayes       | Henderson  | Herbkersman |
| Hewitt      | Hill       | Hiott       |
| Hixon       | Huggins    | Johnson     |
| Jordan      | Kirby      | Loftis      |

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|          |             |            |
|----------|-------------|------------|
| Long     | Lowe        | Lucas      |
| Magnuson | Martin      | McCoy      |
| McCrary  | D. C. Moss  | V. S. Moss |
| Murphy   | B. Newton   | W. Newton  |
| Ott      | Pitts       | Pope       |
| Putnam   | S. Rivers   | Sandifer   |
| Simrill  | G. M. Smith | Sottile    |
| Spires   | Stringer    | Tallon     |
| Taylor   | Thayer      | West       |
| White    | Whitmire    | Willis     |
| Yow      |             |            |

**Total--73**

Those who voted in the negative are:

|                  |            |             |
|------------------|------------|-------------|
| Bales            | Bamberg    | Bernstein   |
| Brown            | Clyburn    | Cobb-Hunter |
| Dillard          | Douglas    | Gilliard    |
| Henegan          | Hosey      | Jefferson   |
| King             | Mack       | McKnight    |
| Parks            | Ridgeway   | M. Rivers   |
| Robinson-Simpson | Rutherford | Wheeler     |
| Whipper          | Williams   |             |

**Total--23**

So, the amendment was tabled.

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 9 to H. 3548 (COUNCIL\3548C004. NBD.CZ17), which was tabled:

Amend the bill, as and if amended, by adding an appropriately lettered subsection to Section 44-41-620, as contained in SECTION 1, to read:

/ ( ) Funds collected from the sale of the Choose Life license plate shall be set aside to defend this law if it is challenged in court. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. MCCRARY spoke against the amendment.

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Rep. DELLENEY moved to table the amendment.

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

Yea 75; Nays 27

Those who voted in the affirmative are:

|             |                  |             |
|-------------|------------------|-------------|
| Allison     | Arrington        | Atkinson    |
| Atwater     | Bales            | Ballentine  |
| Bannister   | Bedingfield      | Bennett     |
| Blackwell   | Bradley          | Burns       |
| Caskey      | Chumley          | Clary       |
| Cole        | Collins          | Crawford    |
| Daning      | Davis            | Delleney    |
| Duckworth   | Elliott          | Erickson    |
| Felder      | Forrest          | Forrester   |
| Fry         | Funderburk       | Gagnon      |
| Hamilton    | Hardee           | Hayes       |
| 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             | Putnam      |
| S. Rivers   | Robinson-Simpson | Ryhal       |
| Sandifer    | Simrill          | G. M. Smith |
| G. R. Smith | Sottile          | Spires      |
| Stringer    | Tallon           | Taylor      |
| Thayer      | West             | White       |
| Whitmire    | Willis           | Yow         |

**Total--75**

Those who voted in the negative are:

|         |             |         |
|---------|-------------|---------|
| Bamberg | Bernstein   | Brown   |
| Clyburn | Cobb-Hunter | Dillard |
| Douglas | Gilliard    | Henegan |
| Hosey   | Jefferson   | King    |
| Kirby   | Knight      | Mack    |

[HJ]

100

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|            |             |           |
|------------|-------------|-----------|
| McKnight   | Ott         | Parks     |
| Pitts      | Ridgeway    | M. Rivers |
| Rutherford | J. E. Smith | Weeks     |
| Wheeler    | Whipper     | Williams  |

**Total--27**

So, the amendment was tabled.

Rep. KING moved that the House do now adjourn.

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

Yea 21; Nays 71

Those who voted in the affirmative are:

|                  |             |             |
|------------------|-------------|-------------|
| Bamberg          | Bernstein   | Brown       |
| Clyburn          | Cobb-Hunter | Dillard     |
| Gilliard         | Henegan     | Hosey       |
| Jefferson        | King        | Mack        |
| McKnight         | Parks       | M. Rivers   |
| Robinson-Simpson | Rutherford  | J. E. Smith |
| Weeks            | Wheeler     | Williams    |

**Total--21**

Those who voted in the negative are:

|             |             |            |
|-------------|-------------|------------|
| Allison     | Arrington   | Atkinson   |
| Atwater     | Bales       | Ballentine |
| Bannister   | Bedingfield | Bennett    |
| Blackwell   | Bradley     | Burns      |
| Chumley     | Clary       | Cole       |
| Collins     | Crawford    | Daning     |
| Davis       | Delleney    | Duckworth  |
| Elliott     | Erickson    | Forrest    |
| Forrester   | Fry         | Gagnon     |
| Hamilton    | Hardee      | Henderson  |
| Herbkersman | Hewitt      | Hill       |
| Hiott       | Hixon       | Huggins    |
| Johnson     | Jordan      | Kirby      |
| Loftis      | Long        | Lowe       |

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|             |           |             |
|-------------|-----------|-------------|
| Lucas       | Magnuson  | Martin      |
| McCoy       | McCravy   | D. C. Moss  |
| V. S. Moss  | Murphy    | B. Newton   |
| W. Newton   | Pitts     | Pope        |
| Putnam      | S. Rivers | Ryhal       |
| Sandifer    | Simrill   | G. M. Smith |
| G. R. Smith | Sottile   | Stringer    |
| Tallon      | Taylor    | Thayer      |
| Whipper     | White     | Whitmire    |
| Willis      | Yow       |             |

**Total--71**

So, the House refused to adjourn.

Reps. J. E. SMITH, COBB-HUNTER and RUTHERFORD proposed the following Amendment No. 10 to H. 3548 (COUNCIL\3548C001.NBD.CZ17), which was tabled:

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

/ SECTION 1. Chapter 41, Title 44 of the 1976 Code is amended by adding:

**“Article 6**

South Carolina Fetus Protection from Dismemberment Abortion Act

Section 44-41-610. This article may be cited as the South Carolina Fetus Protection from Dismemberment Abortion Act.

(A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills a fetus unless necessary to prevent serious health risk to the fetus's mother is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. ‘Serious health risk to the fetus's mother’ means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

(B) As used in this section:

(1) 'Dismemberment abortion' means, with the intention of causing the death of a fetus, knowingly to dismember a living fetus and extract the fetus one piece at a time from the uterus through use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush, or grasp a portion of the fetus's body to cut or rip it off.

(2) The term 'physician' means a physician, surgeon, or osteopath authorized to practice medicine in this State and licensed pursuant to Chapter 47, Title 40. However, an individual who is not a physician, but who directly and knowingly performs a dismemberment abortion is also subject to the provisions of this section.

(3) The term 'dismemberment abortion' does not include an abortion which uses suction to dismember the body of the fetus by sucking fetal parts into a collection container, although it does include an abortion in which a dismemberment abortion, as defined in item (1) is used to cause the death of a fetus but suction is subsequently used to extract fetal parts after the death of the fetus.

(C)(1) The father, if married to the mother at the time she receives a dismemberment abortion, and if the mother has not attained the age of eighteen years at the time of the abortion, the maternal grandparents of the fetus have a cause of action against the physician or other person unlawfully performing a dismemberment abortion and may obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

(2) Such relief includes, but is not limited to:

(a) actual damages which shall be trebled;  
(b) punitive damages for all injuries, psychological and physical, occasioned by the violation of this section; and  
(c) reasonable costs and attorney's fees.

(D) A woman upon whom a dismemberment abortion is performed may not be prosecuted for a violation of this section, for a conspiracy to violate this section, or for any other offense which is based on a violation of this section.

(E) This article does not prevent abortion for any reason including rape and incest by any other method.

Section 44-41-620. (A) A cause of action for injunctive relief against a person who has performed or attempted to perform a dismemberment abortion in violation of Section 44-41-610 may be maintained by:

(1) a woman upon whom such a dismemberment abortion was performed;

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(2) if the woman is a minor, a person who is the parent or guardian of a woman upon whom such a dismemberment abortion was performed; or

(3) a prosecuting attorney with appropriate jurisdiction.

(B) The injunction shall prevent the defendant from performing further dismemberment abortions in violation of Section 44-41-610 in this State.

(C) A cause of action may not be maintained by a plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

Section 44-41-630. Nothing in this article shall be construed as creating or recognizing a right to abortion, nor a right to a particular method of abortion."

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. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. BAMBERG proposed the following Amendment No. 11 to H. 3548 (COUNCIL\VR\3548C007.NBD.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-41-610, beginning on page 3548-1, by striking subsection (A) in its entirety and inserting:

/ (A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent serious health risk to the unborn child's mother is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. There is a rebuttable presumption that a physician acts in the best interest of the mother and may only be charged if clear and

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convincing evidence exists to the contrary. ‘Serious health risk to the unborn child’s mother’ means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

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

Rep. BAMBERG proposed the following Amendment No. 12 to H. 3548 (COUNCIL\VR\3548C008.NBD.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-41-610, beginning on page 3548-1, by striking subsection (A) in its entirety and inserting:

/ (A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent serious health risk to the unborn child’s mother is guilty of a felony and upon conviction must be fined ten thousand dollars or imprisoned for two years or both. There is a rebuttable presumption that a physician acts in the best interest of the mother and may only be charged if a preponderance evidence exists to the contrary. ‘Serious health risk to the unborn child’s mother’ means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

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

Rep. BAMBERG proposed the following Amendment No. 13 to H. 3548 (COUNCIL\VR\3548C009.NBD.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-41-610, beginning on page 3548-1, by striking subsection (A) in its entirety and inserting:

/ (A) Notwithstanding any other provision of law, a physician who knowingly performs or attempts to perform a dismemberment abortion and thereby kills an unborn child unless necessary to prevent serious health risk to the unborn child's mother must be fined five thousand dollars. There is a rebuttable presumption that a physician acts in the best interest of the mother and may only be charged if a preponderance evidence exists to the contrary. 'Serious health risk to the unborn child's mother' means that in reasonable medical judgment she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

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

Rep. BAMBERG spoke against the Bill.

**RULE 3.9 NOT INVOKED**

Rep. J. E. SMITH moved that Rule 3.9 be invoked.

The SPEAKER *PRO TEMPORE* determined a quorum to be present, so Rule 3.9 was not invoked.

Rep. J. E. SMITH spoke against the Bill.

Rep. GILLIARD spoke against the Bill.

Rep. COBB-HUNTER spoke against the Bill.

Rep. THIGPEN spoke in favor of the Bill.

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The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 89; Nays 17

Those who voted in the affirmative are:

|             |             |                  |
|-------------|-------------|------------------|
| Allison     | Arrington   | Atkinson         |
| Atwater     | Ballentine  | Bannister        |
| Bedingfield | Bennett     | Blackwell        |
| Bradley     | Burns       | Caskey           |
| Chumley     | Clary       | Clyburn          |
| Cole        | Collins     | Crawford         |
| Daning      | Davis       | Delleney         |
| Douglas     | Duckworth   | Elliott          |
| Erickson    | Felder      | Finlay           |
| Forrest     | Forrester   | Fry              |
| Funderburk  | Gagnon      | Govan            |
| Hamilton    | Hardee      | Hayes            |
| Henderson   | Herbkersman | Hewitt           |
| Hill        | Hiott       | Hixon            |
| Hosey       | Howard      | Huggins          |
| Johnson     | Jordan      | Kirby            |
| Knight      | Loftis      | Long             |
| Lowe        | Lucas       | Magnuson         |
| Martin      | McCoy       | McCrary          |
| D. C. Moss  | V. S. Moss  | Murphy           |
| B. Newton   | W. Newton   | Ott              |
| Pitts       | Pope        | Putnam           |
| Ridgeway    | S. Rivers   | Robinson-Simpson |
| Ryhal       | Sandifer    | Simrill          |
| G. M. Smith | G. R. Smith | Sottile          |
| Spires      | Stringer    | Tallon           |
| Taylor      | Thayer      | Thigpen          |
| Weeks       | West        | Wheeler          |
| White       | Whitmire    | Williams         |
| Willis      | Yow         |                  |

**Total-89**

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Those who voted in the negative are:

|             |            |             |
|-------------|------------|-------------|
| Bamberg     | Bernstein  | Brown       |
| Cobb-Hunter | Dillard    | Gilliard    |
| Henegan     | Jefferson  | King        |
| Mack        | McKnight   | Parks       |
| M. Rivers   | Rutherford | J. E. Smith |
| Stavrinakis | Whipper    |             |

**Total--17**

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

Rep. MCKNIGHT moved that the House do now adjourn.

Rep. D. C. MOSS demanded the yeas and nays which were taken, resulting as follows:

Yea 36; Nays 66

Those who voted in the affirmative are:

|                  |             |             |
|------------------|-------------|-------------|
| Atkinson         | Bamberg     | Bannister   |
| Bernstein        | Blackwell   | Brown       |
| Clyburn          | Cobb-Hunter | Dillard     |
| Felder           | Funderburk  | Gilliard    |
| Govan            | Hayes       | Henegan     |
| Hill             | Hosey       | Howard      |
| King             | Kirby       | Long        |
| Mack             | McCoy       | McKnight    |
| Ott              | Ridgeway    | M. Rivers   |
| Robinson-Simpson | Rutherford  | J. E. Smith |
| Spires           | Stavrinakis | Tallon      |
| Thigpen          | Weeks       | West        |

**Total--36**

Those who voted in the negative are:

|            |             |         |
|------------|-------------|---------|
| Allison    | Arrington   | Atwater |
| Ballentine | Bedingfield | Bennett |
| Bradley    | Burns       | Caskey  |
| Chumley    | Clary       | Cole    |
| Collins    | Daning      | Davis   |

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|             |             |           |
|-------------|-------------|-----------|
| Delleney    | Douglas     | Duckworth |
| Elliott     | Erickson    | Finlay    |
| Forrest     | Forrester   | Fry       |
| Gagnon      | Hamilton    | Henderson |
| Herbkersman | Hewitt      | Hiott     |
| Hixon       | Huggins     | Jefferson |
| Johnson     | Jordan      | Knight    |
| Loftis      | Lowe        | Lucas     |
| Magnuson    | Martin      | McCravy   |
| D. C. Moss  | V. S. Moss  | Murphy    |
| B. Newton   | W. Newton   | Pitts     |
| Pope        | Putnam      | S. Rivers |
| Ryhal       | Sandifer    | Simrill   |
| G. M. Smith | G. R. Smith | Sottile   |
| Taylor      | Thayer      | Wheeler   |
| Whipper     | White       | Whitmire  |
| Williams    | Willis      | Yow       |

**Total--66**

So, the House refused to adjourn.

**SPEAKER IN CHAIR**

**H. 3930--INTERRUPTED DEBATE**

The following Bill was taken up:

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, Sandifer, Gagnon, Taylor, Whitmire, Hamilton, Forrester, Huggins, D. C. Moss, Hiott, G. M. Smith, Spires, Putnam, Toole, Bradley, W. Newton, Erickson, Arrington, Lucas 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

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PROVIDE WHEN A PERSON MAY LAWFULLY CARRY A HANDGUN; TO AMEND SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO REVISE THE PROVISIONS REGARDING THE LAWFUL POSSESSION OF A FIREARM ON SCHOOL PROPERTY; TO AMEND SECTION 16-23-430, RELATING TO THE CARRYING OF A WEAPON ON SCHOOL PROPERTY, SO AS TO REVISE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO CARRY A WEAPON ON SCHOOL PROPERTY; TO AMEND SECTION 16-23-460, RELATING TO CARRYING A DEADLY CONCEALED WEAPON, SO AS TO REQUIRE AN ELEMENT OF INTENT; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A WEAPON ONTO PREMISES THAT SELL ALCOHOLIC BEVERAGES, SO AS TO REVISE THE ELEMENTS OF THE OFFENSE; TO AMEND SECTION 23-31-215, AS AMENDED, RELATING TO THE ISSUANCE OF CONCEALABLE WEAPON PERMITS, SO AS TO REVISE THE PROVISIONS RELATING TO THE ISSUANCE OF PERMITS; TO AMEND SECTION 23-31-220, RELATING TO THE RIGHTS OF A PROPERTY OWNER TO ALLOW OR PERMIT A PERSON CARRYING A CONCEALED WEAPON ON HIS PROPERTY, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 23-31-225, RELATING TO A PERSON CARRYING A CONCEALABLE WEAPON INTO THE RESIDENCE OR DWELLING PLACE OF ANOTHER PERSON, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN CERTAIN PERSONS WHO CARRY A CONCEALABLE WEAPON MUST LEAVE OR REMOVE THE WEAPON FROM THE PREMISES AND TO MAKE A CONFORMING CHANGE; AND TO PROVIDE THAT THIS ACT APPLIES ONLY TO INDIVIDUALS WHO LEGALLY MAY PURCHASE A FIREARM FROM A PROPERLY LICENSED AND CERTIFIED FIREARMS DEALER.

Rep. HIOTT moved cloture on the entire matter.

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

Yea 62; Nays 38

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Arrington   | Bedingfield |
| Bennett     | Blackwell   | Bradley     |
| Burns       | Caskey      | Chumley     |
| Clary       | Cole        | Collins     |
| Crawford    | Daning      | Davis       |
| Delleney    | Duckworth   | Erickson    |
| Finlay      | Forrest     | Forrester   |
| Fry         | Gagnon      | Hamilton    |
| Henderson   | Herbkersman | Hewitt      |
| Hill        | Hiott       | Hixon       |
| Johnson     | Jordan      | Loftis      |
| Long        | Lowe        | Lucas       |
| Magnuson    | Martin      | McCrary     |
| D. C. Moss  | V. S. Moss  | Murphy      |
| B. Newton   | W. Newton   | Pitts       |
| Pope        | Putnam      | S. Rivers   |
| Ryhal       | Sandifer    | Simrill     |
| G. R. Smith | Sottile     | Spires      |
| Tallon      | Taylor      | Thayer      |
| West        | White       | Whitmire    |
| Willis      | Yow         |             |

**Total--62**

Those who voted in the negative are:

|             |                  |             |
|-------------|------------------|-------------|
| Atwater     | Ballentine       | Bamberg     |
| Bannister   | Bernstein        | Brown       |
| Clyburn     | Cobb-Hunter      | Dillard     |
| Douglas     | Felder           | Funderburk  |
| Gilliard    | Govan            | Hayes       |
| Henegan     | Hosey            | Howard      |
| Huggins     | Jefferson        | King        |
| Kirby       | Knight           | Mack        |
| McKnight    | Ott              | Parks       |
| Ridgeway    | Robinson-Simpson | Rutherford  |
| G. M. Smith | J. E. Smith      | Stavrinakis |
| Thigpen     | Weeks            | Wheeler     |
| Whipper     | Williams         |             |

**Total--38**

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So, cloture was ordered.

Rep. WEEKS moved to adjourn debate on the Bill until Tuesday, April 4.

Rep. D. C. MOSS moved to table the motion.

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

Yea 70; Nays 32

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Arrington   | Atwater     |
| Ballentine  | Bannister   | Bedingfield |
| Bennett     | Blackwell   | Bradley     |
| Burns       | Caskey      | Chumley     |
| Clary       | Cole        | Collins     |
| Crawford    | Daning      | Davis       |
| Delleney    | Duckworth   | Elliott     |
| Erickson    | Felder      | Finlay      |
| Forrest     | Forrester   | Fry         |
| Gagnon      | Hamilton    | 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   |
| Pitts       | Pope        | Putnam      |
| S. Rivers   | Ryhal       | Sandifer    |
| Simrill     | G. M. Smith | G. R. Smith |
| Sottile     | Spires      | Tallon      |
| Taylor      | Thayer      | West        |
| White       | Whitmire    | Willis      |
| Yow         |             |             |

**Total-70**

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Those who voted in the negative are:

|            |             |                  |
|------------|-------------|------------------|
| Atkinson   | Bamberg     | Bernstein        |
| Brown      | Clyburn     | Cobb-Hunter      |
| Dillard    | Douglas     | Funderburk       |
| Gilliard   | Govan       | Hayes            |
| Henegan    | Howard      | Jefferson        |
| King       | Kirby       | Knight           |
| Mack       | McKnight    | Ott              |
| Parks      | Ridgeway    | Robinson-Simpson |
| Rutherford | J. E. Smith | Stavrinakis      |
| Thigpen    | Weeks       | Wheeler          |
| Whipper    | Williams    |                  |

**Total--32**

So, the motion to adjourn debate until Tuesday, April 4, was tabled.

Rep. J. E. SMITH moved to continue the Bill.

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

Yea 26; Nays 75

Those who voted in the affirmative are:

|             |                  |            |
|-------------|------------------|------------|
| Bamberg     | Bernstein        | Brown      |
| Clyburn     | Cobb-Hunter      | Dillard    |
| Douglas     | Gilliard         | Govan      |
| Henegan     | Hosey            | Howard     |
| Jefferson   | King             | Mack       |
| McKnight    | Parks            | Ridgeway   |
| M. Rivers   | Robinson-Simpson | Rutherford |
| J. E. Smith | Thigpen          | Weeks      |
| Wheeler     | Williams         |            |

**Total--26**

Those who voted in the negative are:

|             |            |           |
|-------------|------------|-----------|
| Allison     | Arrington  | Atkinson  |
| Atwater     | Ballentine | Bannister |
| Bedingfield | Bennett    | Blackwell |
| Bradley     | Burns      | Caskey    |

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|             |             |             |
|-------------|-------------|-------------|
| Chumley     | Clary       | Cole        |
| Collins     | Crawford    | Daning      |
| Davis       | Delleney    | Duckworth   |
| Elliott     | Erickson    | Felder      |
| Forrest     | Forrester   | Fry         |
| Funderburk  | Gagnon      | Hamilton    |
| Hayes       | Henderson   | Herbkersman |
| Hewitt      | Hill        | Hiott       |
| Hixon       | Huggins     | Johnson     |
| Jordan      | Kirby       | Knight      |
| Loftis      | Long        | Lowe        |
| Lucas       | Magnuson    | Martin      |
| McCoy       | McCravy     | D. C. Moss  |
| V. S. Moss  | Murphy      | B. Newton   |
| W. Newton   | Ott         | Pitts       |
| Pope        | Putnam      | S. Rivers   |
| Ryhal       | Sandifer    | Simrill     |
| G. M. Smith | G. R. Smith | Sottile     |
| Spires      | Tallon      | Taylor      |
| Thayer      | West        | White       |
| Whitmire    | Willis      | Yow         |

**Total--75**

So, the House refused to continue the Bill.

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

Rep. PITTS moved to table the motion.

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

Yea 72; Nays 29

Those who voted in the affirmative are:

|             |            |           |
|-------------|------------|-----------|
| Allison     | Arrington  | Atkinson  |
| Atwater     | Ballentine | Bannister |
| Bedingfield | Bennett    | Blackwell |
| Bradley     | Burns      | Caskey    |
| Chumley     | Clary      | Cole      |

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|             |             |            |
|-------------|-------------|------------|
| Collins     | Crawford    | Daning     |
| Davis       | Delleney    | Duckworth  |
| Elliott     | Erickson    | Finlay     |
| Forrest     | Forrester   | Fry        |
| Gagnon      | Hamilton    | Hayes      |
| Henderson   | Herbkersman | Hewitt     |
| Hiott       | Hixon       | Huggins    |
| Johnson     | Jordan      | Kirby      |
| Loftis      | Long        | Lowe       |
| Lucas       | Magnuson    | Martin     |
| McCoy       | McCravy     | D. C. Moss |
| V. S. Moss  | Murphy      | B. Newton  |
| W. Newton   | Ott         | Pitts      |
| Pope        | Putnam      | S. Rivers  |
| Ryhal       | Sandifer    | Simrill    |
| G. M. Smith | G. R. Smith | Sottile    |
| Spires      | Tallon      | Taylor     |
| Thayer      | West        | White      |
| Whitmire    | Willis      | Yow        |

**Total--72**

Those who voted in the negative are:

|             |                  |            |
|-------------|------------------|------------|
| Bamberg     | Bernstein        | Brown      |
| Clyburn     | Cobb-Hunter      | Dillard    |
| Douglas     | Funderburk       | Gilliard   |
| Govan       | Henegan          | Hill       |
| Hosey       | Howard           | Jefferson  |
| King        | Knight           | Mack       |
| McKnight    | Parks            | Ridgeway   |
| M. Rivers   | Robinson-Simpson | Rutherford |
| J. E. Smith | Thigpen          | Weeks      |
| Wheeler     | Williams         |            |

**Total--29**

So, the motion to recommit the Bill was tabled.

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

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Further proceedings were interrupted by adjournment, the pending question being consideration of the Bill, cloture having been ordered.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3696 -- Reps. V. S. Moss, Yow, Hiott, Kirby, Ott, Atkinson, Hewitt, Burns, Chumley, Long, Duckworth and Hixon: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO TAKE CERTAIN MEASURES TO ENSURE THAT SCIENCE-BASED DATA IS USED TO ASSESS IMPACTS ON AND THE REGULATION OF MODERN AGRICULTURAL TECHNOLOGIES TO INCLUDE, BUT TO NOT BE LIMITED TO, CROP PROTECTION CHEMISTRIES, GENETICALLY ENGINEERED OR ENHANCED TRAITS, AND NUTRIENTS, AND OPPOSE LEGISLATION OR REGULATORY ACTION THAT MAY RESULT IN UNNECESSARY RESTRICTIONS ON THE USE OF CERTAIN MODERN AGRICULTURAL TECHNOLOGIES.

H. 3987 -- Reps. Allison, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM FOR ITS OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING OUR STATE'S WORKFORCE AND TO DECLARE

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APRIL 5, 2017, AS SOUTH CAROLINA TECHNICAL COLLEGE  
SYSTEM DAY.

H. 4059 -- Reps. G. R. Smith, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR WILLIAM L. CARPENTER OF GREENVILLE COUNTY UPON THE OCCASION OF HIS RETIREMENT FROM THE BOARD OF THE CONNECTOR 2000 ASSOCIATION AFTER SIXTEEN YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 4061 -- Reps. Allison, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith,

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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 WELCOME TO THE PALMETTO STATE THE HONORABLE HAYNES H. TOWNSEND, PAST INTERNATIONAL DIRECTOR OF LIONS CLUBS INTERNATIONAL, ON THE OCCASION OF THE 93RD ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

H. 4063 -- Reps. Clary, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SETH BEER OF THE CLEMSON UNIVERSITY BASEBALL TEAM ON BEING NAMED WINNER OF THE 2016 DICK HOWSER TROPHY AND FOR HIS OUTSTANDING CONTRIBUTIONS TO CLEMSON BASEBALL.

**ADJOURNMENT**

At 8:01 p.m. the House, in accordance with the motion of Rep. ALLISON, adjourned in memory of Tony Gene Gillespie, Sr., of Lyman, to meet at 10:00 a.m. tomorrow.

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|               |                   |               |          |
|---------------|-------------------|---------------|----------|
| H. 3038 ..... | 6                 | H. 3744 ..... | 46       |
| H. 3055 ..... | 10                | H. 3747 ..... | 7        |
| H. 3061 ..... | 6                 | H. 3789 ..... | 40       |
| H. 3093 ..... | 46                | H. 3790 ..... | 47       |
| H. 3125 ..... | 9                 | H. 3804 ..... | 9        |
| H. 3150 ..... | 34                | H. 3809 ..... | 7, 53    |
| H. 3209 ..... | 40                | H. 3817 ..... | 42       |
| H. 3215 ..... | 11                | H. 3823 ..... | 41       |
| H. 3233 ..... | 6                 | H. 3824 ..... | 47       |
| H. 3240 ..... | 6, 78             | H. 3864 ..... | 43       |
| H. 3290 ..... | 41                | H. 3865 ..... | 43       |
| H. 3311 ..... | 12, 13            | H. 3867 ..... | 46       |
| H. 3343 ..... | 6, 20, 21, 33     | H. 3878 ..... | 77       |
| H. 3358 ..... | 74                | H. 3885 ..... | 10       |
| H. 3401 ..... | 77                | H. 3886 ..... | 7, 8, 79 |
| H. 3428 ..... | 6, 38             | H. 3895 ..... | 45       |
| H. 3440 ..... | 11                | H. 3898 ..... | 41       |
| H. 3450 ..... | 81                | H. 3930 ..... | 112      |
| H. 3487 ..... | 11                | H. 3962 ..... | 76       |
| H. 3521 ..... | 6                 | H. 3965 ..... | 7, 77    |
| H. 3548 ..... | 7, 83, 84, 89     | H. 3969 ..... | 49       |
| H. 3548 ..... | 90, 92, 94, 96    | H. 3987 ..... | 119      |
| H. 3548 ..... | 99, 101, 102, 105 | H. 4003 ..... | 12       |
| H. 3548 ..... | 107, 108, 109     | H. 4033 ..... | 44       |
| H. 3549 ..... | 42                | H. 4048 ..... | 12       |
| H. 3559 ..... | 7, 59, 60, 64     | H. 4059 ..... | 120      |
| H. 3565 ..... | 79                | H. 4061 ..... | 120      |
| H. 3566 ..... | 47                | H. 4063 ..... | 121      |
| H. 3601 ..... | 7, 54, 55         | H. 4067 ..... | 51       |
| H. 3685 ..... | 11                | H. 4068 ..... | 52       |
| H. 3696 ..... | 119               |               |          |
| H. 3722 ..... | 51                | S. 303 .....  | 78       |
| H. 3726 ..... | 71                | S. 457 .....  | 8        |
| H. 3743 ..... | 3                 | S. 568 .....  | 3        |