

NO. 66

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

**TUESDAY, MAY 9, 2017
(STATEWIDE SESSION)**

Tuesday, May 9, 2017
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 116:1: "I love the Lord, because He has heard my voice and my supplications."

Let us pray. Almighty God, we hear You calling to us to follow Your ways. Help us to believe in the promise that You will always make Yourself known, especially to Your servants who serve You and this State in this place. Open our hearts and minds so we can perceive the beauty in Your presence as You take care of these Representatives and staff. Bless our Nation, President, State, Governor, Speaker, staff, and all who so faithfully fulfill their duties. Protect our first responders and those who defend us at home and abroad. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. MCEACHERN moved that when the House adjourns, it adjourn in memory of Christopher Shawn Lanier, which was agreed to.

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

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Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
Magnuson	Martin	McCoy
McCrary	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	Yow

Total Present--120

LEAVE OF ABSENCE

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

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STATEMENT OF ATTENDANCE

Rep. BAMBERG signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, April 26.

DOCTOR OF THE DAY

Announcement was made that Dr. Robert Joel Tiller of Greenwood was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number: H. 3138
Date: ADD:
05/09/17 ERICKSON

CO-SPONSORS ADDED

Bill Number: H. 3699
Date: ADD:
05/09/17 KNIGHT and HENEGAN

CO-SPONSORS ADDED

Bill Number: H. 3701
Date: ADD:
05/09/17 KNIGHT and HENEGAN

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CO-SPONSOR ADDED

Bill Number: H. 3822
Date: ADD:
05/09/17 WHIPPER

CO-SPONSORS ADDED

Bill Number: H. 3929
Date: ADD:
05/09/17 MAGNUSON, LONG, CHUMLEY, BURNS,
LOFTIS and GAGNON

CO-SPONSORS ADDED

Bill Number: H. 4115
Date: ADD:
05/09/17 ELLIOTT, CHUMLEY, LONG and HIXON

CO-SPONSOR ADDED

Bill Number: H. 4154
Date: ADD:
05/09/17 ELLIOTT

Rep. HOWARD moved that the House recede until 1:45 p.m., which was agreed to.

THE HOUSE RESUMES

At 1:45 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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 09, 2017

Mr. Speaker and Members of the House:

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

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Very respectfully,
President

On motion of Rep. FELDER the invitation was accepted.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 4, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 359:

S. 359 -- Senator Cromer: A BILL TO AMEND SECTION 39-5-325, CODE OF LAWS OF SOUTH CAROLINA 1976, RELATING TO UNFAIR TRADE PRACTICES FOR MOTOR FUEL RETAILERS, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND TO AMEND SECTION 39-5-350, RELATING TO EXEMPTIONS FROM MERCHANDISING UNFAIR TRADE PRACTICES, SO AS TO REMOVE THE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 4, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 200:

S. 200 -- Senators Grooms, Bryant, Campbell and Alexander: A BILL TO AMEND SECTION 57-25-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS ISSUED BY THE DEPARTMENT OF TRANSPORTATION FOR THE ERECTION AND MAINTENANCE OF CERTAIN OUTDOOR ADVERTISING SIGNS, SO AS TO REVISE PROVISIONS THAT VOID PERMITS

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FOR CONFORMING AND NONCONFORMING SIGNS REMOVED IN CERTAIN CIRCUMSTANCES, TO PROVIDE PERMITS MUST BE MAINTAINED FOR NONCONFORMING SIGNS STRUCTURALLY DAMAGED BY VANDALISM, AND TO PROVIDE PROCEDURES FOR RESTORING NONCONFORMING SIGNS STRUCTURALLY DAMAGED BY VANDALISM.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

**H. 3516--COMMITTEE OF FREE CONFERENCE
APPOINTED**

The following was received:

Columbia, S.C., May 8, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Sheheen, Campbell and Turner of the Committee of Free Conference on the part of the Senate on H. 3516:

H. 3516 -- Reps. Simrill, Lucas, White, G. M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V. S. Moss, Martin, Spires, Funderburk, D. C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J. E. Smith, Clemons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson: A BILL TO AMEND SECTION 57-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF FUNDS WITH THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE INFRASTRUCTURE MAINTENANCE TRUST FUND; TO AMEND SECTION 12-28-310, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE-IN AN INCREASE OF TWELVE CENTS ON THE FEE OVER SIX YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-

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620, AS AMENDED, RELATING TO THE BIEENNIAL
REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE
THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-
627 SO AS TO REQUIRE THE PAYMENT OF AN
INFRASTRUCTURE MAINTENANCE FEE UPON FIRST
REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN
THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE
FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY
ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE
ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL
THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO
AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM
SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON
CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS
AMENDED, RELATING TO EXEMPTIONS FROM THE STATE
SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE
INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION
12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO
PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE
NOT SUBJECT TO THE TAX; TO REPEAL SECTION 12-36-2647
RELATING TO THE CREDITING OF CERTAIN MOTOR VEHICLE
TAX REVENUES; TO AMEND ARTICLE 23, CHAPTER 37, TITLE
12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE
TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY
TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT
CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED
BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES,
TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME
TIME AS REGISTRATION FEES, TO PROVIDE FOR THE
DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT
CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL
MOTOR VEHICLES, AND BUSES FROM AD VALOREM
TAXATION; TO AMEND SECTION 56-3-376, RELATING TO THE
REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A
REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR
VEHICLES AND BUSES; TO AMEND SECTION 56-3-120,
RELATING TO EXEMPTIONS FROM THE REGISTRATION
PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO
AMEND SECTION 56-3-610, RELATING TO THE PAYMENT OF
REGISTRATION FEES, SO AS TO MAKE CONFORMING
CHANGES; TO AMEND SECTION 56-3-660, RELATING TO

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REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58-23-620, AS AMENDED, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; BY ADDING SECTION 12-37-2600 SO AS TO EXEMPT MOTOR CARRIERS FROM AD VALOREM TAXES ON LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 12-37-2610, AS AMENDED, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-28-2355, RELATING TO INSPECTION FEE REVENUES, SO AS TO DELETE A PROVISION THAT CREDITED THE DEPARTMENT OF AGRICULTURE WITH TEN PERCENT OF THE REVENUES; TO REPEAL SECTION 12-28-530 RELATING TO THE MOTOR FUEL USER FEE ON FUEL INVENTORY; TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE MOTOR FUEL USER FEE TO COUNTIES, SO AS TO ALLOW FOR CERTAIN ADDITIONAL ALLOCATIONS, AND TO DISTRIBUTE ADDITIONAL REVENUES TO EACH COUNTY; BY ADDING SECTION 57-1-380 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PREPARE A TRANSPORTATION ASSET MANAGEMENT PLAN FOR THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 11-43-167, RELATING TO FEES AND FINES CREDITED TO THE STATE HIGHWAY FUND, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO REDUCE CERTAIN AMOUNTS TRANSFERRED TO THE STATE-FUNDED RESURFACING PROGRAM; TO REPEAL SECTION 11-43-165 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; BY ADDING SECTION 12-6-3780 SO AS TO ALLOW FOR A REFUNDABLE INCOME TAX CREDIT FOR CERTAIN PREVENTATIVE MAINTENANCE ON A PRIVATE PASSENGER MOTOR VEHICLE, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CALCULATED AND OFFSET; BY ADDING SECTION 11-11-240 SO AS TO CREATE THE SAFETY MAINTENANCE ACCOUNT TO

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OFFSET THE AMOUNT OF THE PREVENTATIVE MAINTENANCE CREDIT; BY ADDING SECTION 12-6-3632 SO AS TO PHASE- IN A CREDIT EQUAL TO ONE HUNDRED TWENTY-FIVE PERCENT OF ANY EARNED INCOME TAX CREDIT ALLOWED; TO AMEND SECTION 12-6-3330, RELATING TO THE TWO-WAGE EARNER CREDIT, SO AS TO PHASE-IN AN INCREASE IN THE MULTIPLIER THAT DETERMINES THE MAXIMUM CREDIT AMOUNT; TO AMEND SECTION 12-6-3385, RELATING TO THE INCOME TAX CREDIT FOR TUITION, SO AS TO INCREASE THE AMOUNT OF THE CREDIT FOR BOTH FOUR-YEAR INSTITUTIONS AND TWO-YEAR INSTITUTIONS; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO PHASE IN AN EXEMPTION OF A PERCENTAGE OF MANUFACTURING PROPERTY; TO REPEAL SECTION 57-1-460 RELATING TO THE DEPARTMENT OF TRANSPORTATION SECRETARY'S EVALUATION AND APPROVAL OF ROUTINE OPERATION, MAINTENANCE, AND EMERGENCY REPAIRS; TO REPEAL SECTION 57-1-470 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION'S REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS APPROVED BY THE SECRETARY; TO AMEND SECTION 57-1-310, AS AMENDED, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ADD AN AT-LARGE MEMBER AND TO SPECIFY THE MANNER IN WHICH THE MEMBERS ARE APPROVED; TO AMEND SECTION 57-1-325, AS AMENDED, RELATING TO THE SUBMISSION OF TRANSPORTATION DISTRICT APPOINTMENTS, SO AS TO SPECIFY THE MANNER IN WHICH THE LEGISLATIVE DELEGATION MAY APPROVE THE APPOINTEE; TO AMEND SECTION 57-1-340, AS AMENDED, RELATING TO THE OATH OF OFFICE FOR A COMMISSION MEMBER, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 57 RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE; TO AMEND SECTION 57-1-350, AS AMENDED, RELATING TO THE RULES AND PROCEDURES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE A MINIMUM OF SIX REGULAR MEETINGS ANNUALLY, TO PROHIBIT A MEMBER FROM BEING INVOLVED IN THE DAY-TO-DAY OPERATIONS OF THE DEPARTMENT, AND TO PROHIBIT A MEMBER FROM

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HAVING AN INTEREST IN A GRANT OR AWARD OF THE DEPARTMENT; TO AMEND SECTION 57-1-360, AS AMENDED, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE ALL FINAL AUDIT REPORTS BE PUBLISHED ON THE WEBSITE MAINTAINED BY THE DEPARTMENT AND THE STATE AUDITOR; TO AMEND SECTION 57-1-430, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO PREPARE AND PUBLISH CERTAIN ANNUAL REPORTS; AND TO AMEND SECTION 57-1-330, AS AMENDED, RELATING TO THE TERMS OF OFFICE FOR MEMBERS OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE A CONFORMING CHANGE.

Very respectfully,

President

Received as information.

H. 3516--FREE CONFERENCE POWERS GRANTED

Rep. SIMRILL moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 3516 -- Reps. Simrill, Lucas, White, G. M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V. S. Moss, Martin, Spires, Funderburk, D. C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J. E. Smith, Clemons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson: A BILL TO AMEND SECTION 57-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF FUNDS WITH THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE INFRASTRUCTURE MAINTENANCE TRUST FUND; TO AMEND SECTION 12-28-310, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE-IN AN INCREASE OF TWELVE CENTS ON THE FEE OVER SIX YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER

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AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE THE PAYMENT OF AN INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; TO REPEAL SECTION 12-36-2647 RELATING TO THE CREDITING OF CERTAIN MOTOR VEHICLE TAX REVENUES; TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION; TO AMEND SECTION 56-3-376, RELATING TO THE REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 56-3-120, RELATING TO EXEMPTIONS FROM THE REGISTRATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-610, RELATING TO THE PAYMENT OF REGISTRATION FEES, SO AS TO MAKE CONFORMING

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CHANGES; TO AMEND SECTION 56-3-660, RELATING TO REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58-23-620, AS AMENDED, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; BY ADDING SECTION 12-37-2600 SO AS TO EXEMPT MOTOR CARRIERS FROM AD VALOREM TAXES ON LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 12-37-2610, AS AMENDED, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-28-2355, RELATING TO INSPECTION FEE REVENUES, SO AS TO DELETE A PROVISION THAT CREDITED THE DEPARTMENT OF AGRICULTURE WITH TEN PERCENT OF THE REVENUES; TO REPEAL SECTION 12-28-530 RELATING TO THE MOTOR FUEL USER FEE ON FUEL INVENTORY; TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE MOTOR FUEL USER FEE TO COUNTIES, SO AS TO ALLOW FOR CERTAIN ADDITIONAL ALLOCATIONS, AND TO DISTRIBUTE ADDITIONAL REVENUES TO EACH COUNTY; BY ADDING SECTION 57-1-380 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PREPARE A TRANSPORTATION ASSET MANAGEMENT PLAN FOR THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 11-43-167, RELATING TO FEES AND FINES CREDITED TO THE STATE HIGHWAY FUND, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO REDUCE CERTAIN AMOUNTS TRANSFERRED TO THE STATE-FUNDED RESURFACING PROGRAM; TO REPEAL SECTION 11-43-165 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; BY ADDING SECTION 12-6-3780 SO AS TO ALLOW FOR A REFUNDABLE INCOME TAX CREDIT FOR CERTAIN PREVENTATIVE MAINTENANCE ON A PRIVATE PASSENGER MOTOR VEHICLE, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CALCULATED AND OFFSET; BY ADDING SECTION 11-11-240

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SO AS TO CREATE THE SAFETY MAINTENANCE ACCOUNT TO OFFSET THE AMOUNT OF THE PREVENTATIVE MAINTENANCE CREDIT; BY ADDING SECTION 12-6-3632 SO AS TO PHASE- IN A CREDIT EQUAL TO ONE HUNDRED TWENTY-FIVE PERCENT OF ANY EARNED INCOME TAX CREDIT ALLOWED; TO AMEND SECTION 12-6-3330, RELATING TO THE TWO-WAGE EARNER CREDIT, SO AS TO PHASE-IN AN INCREASE IN THE MULTIPLIER THAT DETERMINES THE MAXIMUM CREDIT AMOUNT; TO AMEND SECTION 12-6-3385, RELATING TO THE INCOME TAX CREDIT FOR TUITION, SO AS TO INCREASE THE AMOUNT OF THE CREDIT FOR BOTH FOUR-YEAR INSTITUTIONS AND TWO-YEAR INSTITUTIONS; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO PHASE IN AN EXEMPTION OF A PERCENTAGE OF MANUFACTURING PROPERTY; TO REPEAL SECTION 57-1-460 RELATING TO THE DEPARTMENT OF TRANSPORTATION SECRETARY'S EVALUATION AND APPROVAL OF ROUTINE OPERATION, MAINTENANCE, AND EMERGENCY REPAIRS; TO REPEAL SECTION 57-1-470 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION'S REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS APPROVED BY THE SECRETARY; TO AMEND SECTION 57-1-310, AS AMENDED, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ADD AN AT-LARGE MEMBER AND TO SPECIFY THE MANNER IN WHICH THE MEMBERS ARE APPROVED; TO AMEND SECTION 57-1-325, AS AMENDED, RELATING TO THE SUBMISSION OF TRANSPORTATION DISTRICT APPOINTMENTS, SO AS TO SPECIFY THE MANNER IN WHICH THE LEGISLATIVE DELEGATION MAY APPROVE THE APPOINTEE; TO AMEND SECTION 57-1-340, AS AMENDED, RELATING TO THE OATH OF OFFICE FOR A COMMISSION MEMBER, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 57 RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE; TO AMEND SECTION 57-1-350, AS AMENDED, RELATING TO THE RULES AND PROCEDURES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE A MINIMUM OF SIX REGULAR MEETINGS ANNUALLY, TO PROHIBIT A MEMBER FROM BEING INVOLVED IN THE DAY-TO-DAY OPERATIONS

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OF THE DEPARTMENT, AND TO PROHIBIT A MEMBER FROM HAVING AN INTEREST IN A GRANT OR AWARD OF THE DEPARTMENT; TO AMEND SECTION 57-1-360, AS AMENDED, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE ALL FINAL AUDIT REPORTS BE PUBLISHED ON THE WEBSITE MAINTAINED BY THE DEPARTMENT AND THE STATE AUDITOR; TO AMEND SECTION 57-1-430, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO PREPARE AND PUBLISH CERTAIN ANNUAL REPORTS; AND TO AMEND SECTION 57-1-330, AS AMENDED, RELATING TO THE TERMS OF OFFICE FOR MEMBERS OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE A CONFORMING CHANGE.

The yeas and nays were taken resulting as follows:

Yea 102; Nays 16

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bowers	Bradley
Brown	Caskey	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Crawford
Crosby	Daning	Davis
Delleney	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Lowe	Lucas	Mack

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Martin	McCoy	McCrary
McEachern	McKnight	Mitchell
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pitts	Pope
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Thigpen	Weeks	West
Wheeler	Whipper	White
Whitmire	Williams	Yow

Total--102

Those who voted in the negative are:

Bedingfield	Burns	Chumley
Collins	Hill	Loftis
Long	Magnuson	D. C. Moss
Putnam	Quinn	G. R. Smith
Taylor	Thayer	Toole
Willis		

Total--16

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. SIMRILL, RUTHERFORD and WHITE to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

H. 3516--FREE CONFERENCE REPORT ADOPTED

FREE CONFERENCE REPORT

H. 3516

The General Assembly, Columbia, S.C., May 5, 2017

The COMMITTEE OF CONFERENCE, to whom was referred:

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H. 3516 -- Reps. Simrill, Lucas, White, G.M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V.S. Moss, Martin, Spires, Funderburk, D.C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J.E. Smith, Clemonns, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson: A BILL TO AMEND SECTION 12-28-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE IN AN INCREASE OF TEN CENTS ON THE FEE OVER FIVE YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE EACH RESIDENT TO PAY AN INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; AND TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS

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DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 04/26/17.)

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

/ Whereas, this act is a comprehensive approach to address the effect that the deteriorating transportation infrastructure system has on our State and its residents, tourists, and economy; and

Whereas, our transportation infrastructure system has begun to deteriorate, causing safety and economic problems. It is time to focus the resources of our State in an efficient, effective manner to stop that deterioration and to set our State on the path toward building a first-class road network that is the envy of the nation; and

Whereas, this act will provide the Department of Transportation with the resources it needs to effectively and immediately address the highway, road, and bridge maintenance and construction needs and to enable the department to provide safe and high-quality infrastructure for the decades ahead; and

Whereas, the hazardous road conditions found throughout our State endanger residents and visitors alike. This act recognizes that safety is a paramount concern to drivers traversing the State and must also be a priority when the Department of Transportation identifies projects to undertake; and

Whereas, this act makes necessary reforms to the Department of Transportation's operational footprint to provide a more effective, efficient delivery of services free from conflicts of interest that undermine the public's confidence that the taxes that they pay are being applied in a fair, even-handed manner across the State; and

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Whereas, the revenue generated by this act will provide the Department of Transportation with additional resources, but it will also place an additional financial burden on the State's taxpayers. This act strikes an appropriate balance between the needs of our transportation infrastructure and the needs of the taxpayers by providing targeted tax relief that will stimulate economic growth, which, in turn, will generate revenue growth from the sales of motor vehicles, from the sale of fuel for motor vehicles, and from other provisions contained in this act; and

Whereas, this act allocates to the Department of Transportation adequate resources to build and maintain a safe highway system for the residents of our State while preserving for taxpayers the means to engage in commerce and other daily activities that provide the Department of Transportation with those resources. Now, therefore, /

Amend the bill further, by striking all after the enacting words and inserting:

/ SECTION 1. Section 57-11-20(A) of the 1976 Code is amended to read:

“(A)(1) All state revenues and state monies dedicated by statute to the operation of the department must be deposited into either the ‘State Highway Fund’ ~~or~~ the ‘State Non-Federal Aid Highway Fund’ or the ‘Infrastructure Maintenance Trust Fund’. ~~Both~~ All funds must be held and managed by the State Treasurer separate and distinct from the general fund, except as to monies utilized by the State Treasurer for the payment of principal or interest on state highway bonds as provided by law. Interest income from the State Highway Fund must be deposited to the credit of the State Highway Fund. Interest income from the Non-Federal Aid Highway Fund must be deposited to the credit of the Non-Federal Aid Highway Fund. Interest income from the Infrastructure Maintenance Trust Fund must be deposited to the credit of the Infrastructure Maintenance Trust Fund. The commission may commit up to the maximum annual debt service provided in Article X, Section 13 of the South Carolina Constitution into a special fund to be used for the sole purpose of paying the principal and interest, as it comes due, on bonds issued for the construction or maintenance of state highways, or both. This special account will be designated as the State Highway Construction Debt Service Fund.

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(2) The Infrastructure Maintenance Trust Fund must be used exclusively for the repairs, maintenance, and improvements to the existing transportation system.”

SECTION 2. Section 12-28-310 of the 1976 Code is amended by adding a subsection at the end to read:

“(D) On July 1, 2017, and each July first thereafter until after July 1, 2022, the department shall permanently increase the amount of the user fee imposed pursuant to subsection (A) by two cents, for a total of twelve cents. All of the funds raised by the increase in the motor fuel user fee imposed by this subsection must be credited to the Infrastructure Maintenance Trust Fund.”

SECTION 3. A. Section 56-11-410 of the 1976 Code is amended to read:

“Section 56-11-410. (A) A road tax for the privilege of using the streets and highways in this State is imposed upon every motor carrier. The tax is equivalent to sixteen cents a gallon the user fee imposed pursuant to Section 12-28-310, calculated on the amount of gasoline or other motor fuel used by the motor carrier in its operations within this State. Except as credit for certain taxes as provided for in this chapter, taxes imposed on motor carriers by this chapter are in addition to taxes imposed upon the carriers by any other provision of law.

(B) Notwithstanding any other provision of law, all of the road tax funds collected in excess of sixteen cents a gallon after accounting for the credit provided in Section 56-11-450, must be credited to the Infrastructure Maintenance Trust Fund.”

B. Section 56-11-450(A) of the 1976 Code is amended to read:

“(A) Every motor carrier subject to the tax imposed under this chapter is entitled to a credit on the tax equivalent to sixteen cents per gallon the user fee imposed pursuant to Section 12-28-310 on all gasoline or other motor fuel purchased by the carrier within this State for use in operations either within or without this State and upon which gasoline or other motor fuel the tax imposed by the laws of this State has been paid by the carrier. Evidence of the payment of the tax in such form as may be required by or is satisfactory to the Department of Motor Vehicles must be furnished by each carrier claiming the credit.”

SECTION 4. A. Section 56-3-620 of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“Section 56-3-620. (A) For persons sixty-five years of age or older or persons who are handicapped, as defined in Section 56-3-1950, the biennial registration fee for every private passenger motor vehicle, excluding trucks, is ~~twenty thirty-six~~ dollars.

(B) ~~Beginning July 1, 1987, For~~ persons under the age of sixty-five years the biennial registration fee for every private passenger motor vehicle, excluding trucks, is ~~twenty four~~ ~~forty~~ dollars.

(C) For persons sixty-five years of age or older, the biennial registration fee for a property-carrying vehicle with a gross weight of six thousand pounds or less is ~~thirty forty-six~~ dollars.

(D) For persons who are sixty-four years of age, the biennial registration fee for a private passenger motor vehicle, excluding trucks, is ~~twenty two thirty-eight~~ dollars.

(E) Applicable truck fees, established by Section 56-3-660, are not negated by this section.

(F) Annual license plate validation stickers which are issued for nonpermanent license plates on certified South Carolina public law enforcement vehicles must be issued without charge.

(G) From each biennial registration and license fee collected, sixteen dollars must be credited to the Infrastructure Maintenance Trust Fund.”

B. This SECTION takes effect January 1, 2018.

SECTION 5. A. Article 5, Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Section 56-3-627. (A) In order to account for the necessary road maintenance caused by each item traversing the roads of this State, in addition to the registration fees imposed by this chapter, the owner of each vehicle or other item that is required to be registered pursuant to this chapter must pay an infrastructure maintenance fee upon first registering the vehicle or other item. Also, the owner of each trailer or semi-trailer must pay the fee upon first registering the trailer or semi-trailer. The Department of Motor Vehicles may not issue a registration until the infrastructure maintenance fee has been collected. The infrastructure maintenance fee must be credited to the Infrastructure Maintenance Trust Fund.

(B) If upon purchasing or leasing the item from a dealer, the owner first registers the item in this State, then the fee equals five percent, not to exceed five hundred dollars, of the gross proceeds of sales, or sales price, as those terms are defined in Chapter 36, Title 12. If the dealer holds a South Carolina retail license or offers to license and register the item, then the dealer must collect the fee and remit it to the Department of Motor Vehicles.

(C)(1) If upon purchasing or leasing the item from a person other than a dealer, the owner first registers the item in this State, then the fee equals five percent, not to exceed five hundred dollars, of the fair market value of the item.

(2) Excluded from the fee imposed pursuant to this subsection are:

(a) items transferred:

(i) to members of the immediate family;
(ii) to a legal heir, legatee, or distributee;

(iii) from an individual to a partnership upon formation of a partnership, or from a stockholder to a corporation upon formation of a corporation;

(iv) to a licensed motor vehicle or motorcycle dealer for the purpose of resale;

(v) to a financial institution for the purpose of resale;

(vi) as a result of repossession to any other secured party, for the purpose of resale;

(b) the fair market value of an item transferred to the seller or secured party in partial payment;

(c) gross proceeds of transfers of items specifically exempted by Section 12-36-2120 from the sales or use tax;

(d) items where a sales or use tax has been paid on the transaction necessitating the transfer.

(3) The Department of Motor Vehicles shall require every applicant for a certificate of title to supply information it considers necessary as to the time of purchase, the purchase price, and other information relative to the determination of fair market value. If the fee is based upon total purchase price as defined in this subsection, the department shall require a submission of a bill of sale and the signature of the owner subject to the perjury statutes of this State.

(4) For purposes of this subsection:

(a) 'Fair market value' means the total purchase price less any trade-in, or the valuation shown in a national publication of used values adopted by the department, less any trade-in.

(b) ‘Immediate family’ means spouse, parents, children, sisters, brothers, grandparents, and grandchildren.

(c) ‘Total purchase price’ means the price of an item agreed upon by the buyer and seller with an allowance for a trade-in, if applicable.

(D)(1) If upon purchasing or leasing the item, the owner first registers the item in another state, and subsequently registers the item in this State, then the fee equals two hundred fifty dollars.

(2) This subsection does not apply if the owner of the item is serving on active duty in the armed forces of the United States. The exclusion allowed by this item also extends to items owned by the spouse or dependent of a person serving on active duty in the armed forces of the United States.

(3) Notwithstanding any other provision of this section, until after December 31, 2022, the revenue collected pursuant to this subsection must be credited to the Safety Maintenance Account established pursuant to Section 11-11-240. After December 31, 2022, the revenue collected pursuant to this subsection must be credited to the Infrastructure Maintenance Trust Fund.

(E)(1)(a) The Department of Motor Vehicles shall transfer eighty percent of every fee collected on motor vehicles pursuant to subsections (B) and (C), but not to exceed two hundred forty dollars, to the Department of Transportation to be allocated to the state-funded resurfacing program. The Department of Transportation shall develop and implement a needs-based methodology to distribute revenue within the state-funded resurfacing program, which shall include consideration of pavement condition on a county-by-county basis, to ensure that each county in the State is guaranteed funding for resurfacing.

(b) The Department of Motor Vehicles shall transfer twenty percent of every fee collected on motor vehicles pursuant to subsections (B) and (C), but not to exceed sixty dollars, to the South Carolina Education Improvement Act of 1984 Fund.

(2) The Department of Transportation shall reduce the allocation to the state-funded resurfacing program required in item (1) in proportion to the amounts transferred to the South Carolina Transportation Infrastructure Bank pursuant to subsection (F) and in proportion to the amounts required by the Department of Transportation to fund repairs, maintenance, and improvements to the existing transportation system.

(F)(1) The Department of Transportation shall identify bridge and road projects to be financed utilizing nontax revenue transferred to the

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bank by the Department of Transportation in an amount equal to the financing requirements related to projects selected pursuant to this section, provided that:

(a) Fifty million dollars in revenue utilized by the bank shall be used to finance bridge replacement, rehabilitation projects, and expansion and improvements on existing roads in the State Highway System.

(b) Funds in excess of fifty million dollars utilized by the bank shall be used to finance expansion and improvements to existing mainline interstates.

(2) Funds transferred to the bank pursuant to this section may not be used to finance projects approved by the bank before July 1, 2013. The bank shall submit all projects proposed to be financed pursuant to subsection (B) to the Joint Bond Review Committee as provided in Section 11-43-180, before approving a project for financing.

(3) Following consideration by the Joint Bond Review Committee, the bank shall approve the projects to be financed. Upon approval, the bank shall provide the Department of Transportation with written notice that identifies each project selected, the amount of nontax revenue that must be transferred to the bank for financing each project, a schedule for the transfers, and any other information necessary to carrying out the financing of each project.

(4) Upon receipt of the notice provided in item (3), the Department of Transportation shall transfer nontax revenue to the bank in the amounts and upon the schedule provided in the notice. The department shall take any other action identified in the notice that is necessary for financing each project.

(5) Projects financed utilizing funds transferred pursuant to this subsection shall not require a local match.

(G) The Secretary of Transportation shall apply funds supplanted by the operation of this section to prioritized bridge and resurfacing needs.

(H) Notwithstanding any other provision of this section, any transaction exempt pursuant to Section 12-36-2120(25), is also exempt from the infrastructure maintenance fee. “

B. This SECTION takes effect on July 1, 2017.

SECTION 6. A. Chapter 3, Title 56 of the 1976 Code is amended by adding:

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“Section 56-3-645. (A) In addition to the registration fees imposed by this chapter, the owner of motor vehicles that are powered:

(1) exclusively by electricity, hydrogen, or any fuel other than motor fuel, as defined in Section 12-28-110(39), that are not subject to motor fuel user fees imposed by Chapter 28, Title 12 shall pay a biennial road use fee of one hundred twenty dollars; and

(2) by a combination of motor fuel subject to motor fuel user fees imposed by Chapter 28, Title 12 and electricity, hydrogen, or any fuel other than motor fuel that is not subject to motor fuel user fees imposed by Chapter 28, Title 12 shall pay a biennial road use fee of sixty dollars.

(B) All of the fees collected pursuant to this section must be credited to the Infrastructure Maintenance Trust Fund.

(C) The Department of Motor Vehicles shall collect this fee at the same time as the vehicle subject to the fee is registered.”

B. This SECTION takes effect January 1, 2018.

SECTION 7. A. Section 12-36-2110(A) of the 1976 Code is amended to read:

“(A)(1) The maximum tax imposed by this chapter is three hundred dollars for each sale made after June 30, 1984, or lease executed, after August 31, 1985, of each:

(1)(a) aircraft, including unassembled aircraft which is to be assembled by the purchaser, but not items to be added to the unassembled aircraft;

(2)(b) motor vehicle;

(3)(c) motorcycle;

(4)(d) boat;

(5)(e) trailer or semitrailer, pulled by a truck tractor, as defined in Section 56-3-20, and horse trailers, but not including house trailers or campers as defined in Section 56-3-710 or a fire safety education trailer;

(6)(f) recreational vehicle, including tent campers, travel trailer, park model, park trailer, motor home, and fifth wheel; or

(7)(g) self-propelled light construction equipment with compatible attachments limited to a maximum of one hundred sixty net engine horsepower.

(2) In the case of a lease, the total tax rate required by ~~law~~ this section applies on each payment until the total tax paid equals three hundred dollars. Nothing in this section prohibits a taxpayer from paying the total tax due at the time of execution of the lease, or with any

payment under the lease. To qualify for the tax limitation provided by this section, a lease must be in writing and specifically state the term of, and remain in force for, a period in excess of ninety continuous days.

(3) Notwithstanding any other provision of this subsection, after June 30, 2017, the maximum tax imposed pursuant to this chapter on the sale, lease, or registration of an item enumerated in item (1) only applies to items not subject to the fee pursuant to Section 56-3-627.

(4) Notwithstanding any other provision of this subsection, after June 30, 2017, the maximum tax imposed pursuant to this chapter on the sale, lease, or registration of an item enumerated in item (1) is increased from three hundred dollars to five hundred dollars, mutatis mutandis. Notwithstanding Section 59-21-1010, or any other provision of law, any revenue resulting from the increase contained in this item must be credited to the Infrastructure Maintenance Trust Fund.

(5) Notwithstanding any other provision of law, revenues resulting from the maximum tax imposed pursuant to this chapter on the sale, lease, or registration of an item enumerated in item (1) which would be subject to the fee set forth in Section 56-3-627 but for the state in which it is registered, must be collected by and remitted to the Department of Motor Vehicles. Upon collection, the Department of Motor Vehicles must transfer all the revenues to the Infrastructure Maintenance Trust Fund.”

B. Section 12-36-2120 of the 1976 Code, as last amended by Act 256 of 2016, is further amended by adding an appropriately numbered item to read:

“() any item subject to the fee set forth in Section 56-3-627.”

C. Section 12-36-1710(A) through (D) of the 1976 Code is amended to read:

“(A) In addition to all other fees prescribed by law there is imposed an excise tax for the issuance of every certificate of title, or other proof of ownership, for every ~~motor vehicle, motorcycle~~, boat, motor, or airplane, required to be registered, titled, or licensed. The tax is five percent of the fair market value of the ~~motor vehicle, motorcycle~~, airplane, boat, and motor.

(B) Excluded from the tax are:

- (1) ~~motor vehicles, motorcycles~~, boats, motors, or airplanes:
 - (a) transferred to members of the immediate family;

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- (b) transferred to a legal heir, legatee, or distributee;
- (c) transferred from an individual to a partnership upon formation of a partnership, or from a stockholder to a corporation upon formation of a corporation;
- (d) transferred to a licensed motor vehicle or motorcycle dealer for the purpose of resale;
- (e) transferred to a financial institution for the purpose of resale;
- (f) transferred as a result of repossession to any other secured party, for the purpose of resale;

(2) the fair market value of a ~~motor vehicle, motorcycle~~, boat, motor, or airplane, transferred to the seller or secured party in partial payment;

(3) gross proceeds of transfers of ~~motor vehicles, motorcycles, or~~ airplanes specifically exempted by Section 12-36-2120 from the sales or use tax;

(4) ~~motor vehicles, motorcycles~~, boats, motors, or airplanes, where a sales or use tax has been paid on the transaction necessitating the transfer.

(C) ‘Fair market value’ means the total purchase price less any trade-in, or the valuation shown in a national publication of used values adopted by the department, less any trade-in.

(D) ‘Total purchase price’ means the price of a ~~motor vehicle, motorcycle~~, boat, motor, or airplane agreed upon by the buyer and seller with an allowance for a trade-in, if applicable.”

D. Section 12-36-2647 of the 1976 Code is repealed.

E. The Code Commissioner is directed to change or correct all references to the sales tax on vehicles and other such items to reflect the provisions of Section 56-3-627 as added by this act. References to the sales tax on vehicles and other such items in the 1976 Code or other provisions of law are considered to be and must be construed to mean appropriate references.

SECTION 8. A. Article 23, Chapter 37, Title 12 of the 1976 Code is amended to read:

“Article 23
Motor Carriers

Section 12-37-2810. As used in this article, unless the context requires otherwise:

(A) 'Motor carrier' means a person who owns, controls, operates, manages, or leases a commercial motor vehicle, or bus for the transportation of property or persons in intrastate or interstate commerce except for scheduled intercity bus service and farm vehicles using FM tags as allowed by the Department of Motor Vehicles. A motor carrier is defined further as being a South Carolina-based International Registration Plan registrant or owning or leasing real property within this State used directly in the transportation of freight or persons.

(B) 'Commercial motor vehicle' means a motor propelled vehicle used for the transportation of property on a public highway ~~with a gross vehicle weight of greater than twenty-six thousand pounds, except for farm vehicles using FM tags as allowed by the Department of Motor Vehicles.~~

(C) 'Large commercial motor vehicle' means a commercial motor vehicle with a gross vehicle weight of greater than twenty-six thousand pounds that is registered under the International Registration Plan or used on a highway for the transportation of property.

(D) 'Small commercial motor vehicle' means a commercial motor vehicle with a gross vehicle weight of less than or equal to twenty-six thousand pounds that is registered under the International Registration Plan or used on a highway for the transportation of property.

(E) 'Highway' means all public roads, highways, streets, and ways in this State, whether within a municipality or outside of a municipality.

(F) 'Person' means any individual, corporation, firm, partnership, company or association, and includes a guardian, trustee, executor, administrator, receiver, conservator, or a person acting in a fiduciary capacity.

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

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

(I) 'Bus' means every motor vehicle designed for carrying more than sixteen passengers and used for the transportation of persons, for compensation, other than a taxicab or intercity bus.

(J) ‘South Carolina apportionment factor’ means the ratio of miles operated by a fleet of vehicles in South Carolina to the miles operated by the fleet of vehicles everywhere, which is used to apportion the registration fees of the fleet under the International Registration Plan.

Section 12-37-2815. The provisions contained in this article do not apply to small commercial motor vehicles that must be licensed, registered, and pay ad valorem taxes as otherwise provided by law.

Section 12-37-2820. (A) The Department of Revenue Motor Vehicles annually shall assess, equalize, and apportion the valuation of all large commercial motor vehicles and buses of motor carriers registered for use in this State under the International Registration Plan or otherwise pursuant to Section 56-3-190. The valuation must be based on fair market value for the motor vehicles and an assessment ratio of nine and one-half percent as provided by Section 12-43-220(g). Fair market value is determined by depreciating the gross capitalized cost of each motor carrier's large commercial motor vehicle, or bus by an annual percentage depreciation allowance down to ten percent of the cost as follows:

(1) Year One	--	.90
(2) Year Two	--	.80
(3) Year Three	--	.65
(4) Year Four	--	.50
(5) Year Five	--	.35
(6) Year Six	--	.25
(7) Year Seven	--	.20
(8) Year Eight	--	.15
(9) Year Nine	--	.10

(B) ‘Gross capitalized cost’, as used in this section, means the original cost upon acquisition for income tax purposes, not to include taxes, interest, or cab customizing.

Section 12-37-2830. The value of a motor carrier's large commercial motor vehicles and buses subject to property taxes road use fees in this State must be determined based on the ratio of total mileage operated within this State during the preceding calendar year to the total mileage of its fleet operated within and without this State during the same preceding calendar year according to the South Carolina apportionment factor for the fleet of which the commercial vehicle is a part.

Section 12-37-2840. (A) Motor carriers must file an annual property tax return with the Department of Revenue no later than June 30 for the preceding calendar year and remit one half of the tax due or the entire tax due as stated on the return. If the motor carrier fails to pay either one half of the tax due or the entire tax due as of June 30, the department must issue a proposed assessment for the entire tax to the motor carrier. The tax as shown in the proposed assessment must be paid in full by cashier's check, money order, or cash within thirty days of the issuance of the proposed assessment, or the taxpayer may appeal the proposed assessment within thirty days using the procedures provided in subarticle 1, Article 5, Chapter 60 of this title.

(B)(1) If one half of the tax is remitted on or before June 30, the remaining one half of the tax due must be paid to the Department of Revenue on or before December 31 of that year. If the motor carrier fails to remit the remaining tax due pursuant to this section, the department shall issue a proposed assessment to the motor carrier.

(2) The tax shown in the proposed assessment must be paid in full by cashier's check, money order, or cash or appealed within thirty days of the issuance of the proposed assessment. The taxpayer may appeal the proposed assessment using the procedures provided in subarticle 1, Article 5, Chapter 60 of this title.

(C) If a motor carrier fails to timely file the return as required by this section, the department shall issue a proposed assessment which assumes all mileage of the motor carrier's fleet was driven within this State. A taxpayer may appeal this proposed assessment using the procedures provided in subarticle 1, Article 5, Chapter 60 of this title.

(D) A twenty five percent penalty must be added to the property tax due if the motor carrier fails to file a return or pay any tax due, including the one half of the tax due on June 30, as required by this section. The penalty must be applied the day after the date that the return was due to be filed or the tax was due to be paid. This penalty is instead of all other penalties and interest required by law, except those provided in Section 12-54-44.

(E) If the motor carrier fails to remit the tax due within thirty days of receipt of the proposed assessment and the taxpayer fails to appeal the proposed assessment as provided in subsection (B), the department shall assess the tax. Tax due pursuant to this section is subject to the collection procedures provided in Chapter 54, of this title, except that the penalty provisions of Section 12-54-43 do not apply. A motor carrier registering a large commercial motor vehicle or bus must pay the road use fee due on the vehicle at the time and in the manner the person pays the

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registration fees on the vehicle pursuant to Section 56-3-660. A person choosing to pay registration fees on a large commercial motor vehicle or bus in quarterly installments pursuant to Section 56-3-660 also must pay the road use fee on the vehicle in the same quarterly installments.

Section 12-37-2842. (A) The Department of Motor Vehicles, at the time of first registration by a motor carrier as defined in this article, shall notify the registrant of the Department of Revenue's registration and filing requirements and supply the required registration forms.

(B) The motor carrier must register with the Department of Revenue within thirty days following the year in which the vehicle or bus was first registered for operation in South Carolina.

(C) A motor carrier must notify the Department of Revenue, on forms supplied by the department, of a motor vehicle or bus that is disposed of before December 31.

Section 12-37-2850. Beginning on January 1, 2019, the Department of Revenue Motor Vehicles shall assess annually the taxes road use fee due on large commercial motor vehicles and buses based on the value determined in Section 12-37-2820 and an average millage for all purposes statewide for the preceding calendar year and shall publish the average millage for the preceding year by June 1 July first of each year. The Department of Revenue, in consultation with the Revenue and Fiscal Affairs Office, shall calculate the millage to be used to calculate the road use fee by June first of each year for the following calendar year. The taxes road use fee assessed must be paid to the Department of Revenue no later than December 31 of each year and may be made in two equal installments Motor Vehicles, in addition to the registration fees required pursuant to Sections 56-3-660 and 56-3-670, at the time and in the manner that the registration fees on the vehicle are paid pursuant to Sections 56-3-660 and 56-3-670. Distribution of the taxes fees paid must be made by the State Treasurer's Office of the State Treasurer based on the distribution formula contained provided in Section 12-37-2870 Sections 12-37-2865 and 12-37-2870.

Section 12-37-2860. (A) In addition to the property tax exemptions allowed pursuant to Section 12-37-220, one hundred percent of the fair market value of semitrailers and trailers as defined in Section 12-37-2810, and commonly used in combination with a large commercial motor vehicle, as defined pursuant to Section 12-37-2810, is exempt from property tax.

(B) Instead of the any property taxes tax and the registration requirements contained provided in Sections 56-3-110 and 56-3-700 on semitrailers and trailers of motor carriers as defined in Section 12-37-2810, and commonly used in combination with a large commercial motor vehicle, a one-time fee payable to the Department of Motor Vehicles in the amount of eighty-seven dollars is due imposed on all semitrailers and trailers currently registered and subsequently on each semitrailer and trailer before being placed in service.

(C) The fee imposed pursuant to subsection (B) and the registration requirements of this article are in lieu of any local road use fee, registration fees, or any other vehicle related fee imposed by a political subdivision of this State on a trailer or semitrailer.

(B)(D) Twelve dollars of the one-time fee must be distributed to the Department of Revenue Motor Vehicles and may be retained by the Department of Revenue Motor Vehicles and expended in budgeted operations to record and administer the fee. The remaining seventy-five dollars of the fee must be distributed based on the distribution formula contained provided in Section Sections 12-37-2865 and 12-37-2870, and must occur by the fifteenth day of the month following the month in which the fees are collected.

(C) The fee required by this section is due on or before March 31, 1998, for the initial registration.

(D)(E) The Department of Motor Vehicles shall design a permanent tag for display on the exterior of the rear of the trailer or semitrailer in a conspicuous place.

(F) If the apportioned registration fees of a large commercial motor vehicle or bus and the road use fees for large commercial motor vehicles required under this chapter are equal to or exceed four hundred dollars, the fees may be remitted to the Department of Motor Vehicles quarterly provided that each installment is made online. A motor carrier who fails to make a quarterly payment on a timely basis may no longer make installment payments and must remit to the department the balance of the fees owed for any previous calendar year before the Department of Motor Vehicles will renew registration for the current calendar year. A motor carrier that opts out of installment payments must make full payment of fees at the time of registration.

Section 12-37-2865. Seventy-five percent of the revenues from the road use fee assessed pursuant to Section 12-37-2850, and the one-time fee assessed pursuant to Section 12-37-2860 must be distributed by the State Treasurer as provided in Section 12-37-2870.

Distributions must be made by the last day of the next month succeeding the month in which the fee is paid. The remaining twenty-five percent must be credited to the Infrastructure Maintenance Trust Fund to be used to finance expansion and improvements to existing mainline interstates.

Section 12-37-2870. The distribution of the fee revenues required to be distributed pursuant to Section 12-37-2865 for each county must be determined on the ratio of total federal and state highway miles within each county during the preceding calendar year to the total federal and state highway miles within all counties of this State during the same preceding calendar year. The county must distribute the revenue from the payment-in-lieu of taxes received pursuant to this section within thirty days of its receipt to every governmental entity levying a property tax in the manner set forth below. For each governmental entity levying a property tax, the entire assessed value of the taxable property within its boundaries and the county area must be multiplied by the millage rate imposed by the governmental entity. That figure constitutes the numerator for that governmental entity. The total of the numerators for all property tax levying entities within the county area constitutes the denominator. The numerator for each governmental entity must be divided by the denominator. The resulting percentage must be multiplied by the payment in lieu of tax fee revenue received pursuant to this section and that amount distributed to the general fund of the appropriate governmental entity. The distribution of taxes and fees paid must be made by the last day of the next month succeeding the month in which the taxes and fees were paid.

Section 12-37-2880. (A) In addition to the property tax exemptions allowed pursuant to Section 12-37-220, one hundred percent of the fair market value of all large commercial motor vehicles and buses registered for use in this State under the International Registration Plan or otherwise pursuant to Section 56-3-190, is exempt from property tax and is instead subject to the road use fee imposed pursuant to this article.

(B) The ad valorem taxes authorized road use fee imposed by this article are in lieu of all other ad valorem taxes upon the large commercial motor vehicles or buses of motor carriers, and any road use or other vehicle-related fees imposed by a political subdivision of this State if registered for use in this State under the International Registration Plan. The fee in lieu of property taxes and registration requirements authorized by this article are in lieu of all other ad valorem taxes upon trailers and semitrailers of motor carriers.

~~Section 12-37-2890. (A) Upon request by the Department of Revenue, and after the time period for all appeals of tax due is exhausted, the Department of Motor Vehicles shall suspend the driver's license and vehicle registration of a person that fails to file or pay a motor carrier property tax on a vehicle, pursuant to this article. The request to suspend must be an electronic notification from the Department of Revenue to the Department of Motor Vehicles. Before notification is sent to the Department of Motor Vehicles, the Department of Revenue shall notify the delinquent taxpayer by certified letter of the pending suspension and of the steps necessary to prevent the suspension from being entered on the taxpayer's driving and registration records. The department shall allow thirty days for payment of taxes before notifying the Department of Motor Vehicles to suspend the driver's license and vehicle registration.~~

~~(B) Notwithstanding the provisions of Sections 56-1-460 and 56-9-500, a charge of driving under suspension when the suspension is solely for failure to file or pay a motor carrier property tax or the reinstatement fee required for the property tax does not require proof of financial responsibility. A person is not subject to a custodial arrest solely for being under suspension pursuant to this section. Upon conviction of a violation of this section, the taxpayer is subject to:~~

- ~~(1) for a first offense a fine not to exceed fifty dollars;~~
- ~~(2) for a second offense a fine not to exceed two hundred fifty dollars; and~~
- ~~(3) for a third or subsequent offense under this section, the penalty is a fine not to exceed five hundred dollars or imprisonment not to exceed thirty days, or both.~~

~~(C) Notwithstanding the provisions of subsections (A) and (B) of this section or the provisions of Section 56-1-460, a charge of driving under suspension issued solely as a result of this section must be dismissed if the taxpayer provides proof on the taxpayer's court date that the personal property taxes on the vehicle which resulted in the charge being issued have been paid.~~

~~(D) Before the reinstatement of a driver's license or vehicle registration suspended due to a violation of this section, a fee of fifty dollars must be paid to the Department of Motor Vehicles. The Department of Motor Vehicles may retain revenues generated by payment of the reinstatement fees pursuant to this section for use in defraying costs associated with suspension and reinstatement actions pursuant to this section. Fees collected in excess of actual departmental~~

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~~direct costs related to suspension and reinstatement actions pursuant to this section must be deposited to the credit of the general fund of the State at the end of each fiscal year.”~~

B. Section 56-3-376 of the 1976 Code is amended to read:

“Section 56-3-376. (A) All vehicles except those vehicles designated in Section 56-3-780 are designated as distinct classifications and must be assigned an annual registration period as follows:

(1) Classification (1). Vehicles for which the biennial registration fee is one-hundred sixty dollars or more. The Department of Motor Vehicles may register and license a vehicle for which the biennial registration fee is one-hundred sixty dollars or more or for a semiannual or one-half year upon application to the department by the owner and the payment of one-fourth of the specified biennial fee. Biennial registrations and licenses expire at midnight on the last day of the twenty-fourth month for the period for which they were issued. Semiannual or half-year registrations and licenses expire at midnight of the sixth month for the period for which they were issued and no person shall drive, move, or operate a vehicle upon a highway after the expiration of the registration and license until the vehicle is registered and licensed for the then current period. Trucks, truck tractors, or road tractors with an empty or unloaded weight of over five thousand pounds or less, or gross vehicle weight of eight thousand pounds or less also must be placed in this classification but may not be registered for less than a full biennial period.

(2) Classification (2). Other vehicles. All other vehicles except those vehicles described in classification (1) and (3) of this section are assigned a staggered biennial registration which expires on the last day of the month for the period for which they were issued.

(3) Classification (3). Large commercial motor vehicles and buses registered by motor carriers, as defined in Section 12-37-2810, are assigned a staggered annual registration which expires on the last day of the month for the period for which they were issued.

(B) Notwithstanding the registration periods provided in this section, upon appropriate notice, the department may revise the established renewal dates to allow renewals to be assigned an expiration date pursuant to a staggered monthly basis.”

C. Section 56-3-120(5) of the 1976 Code is amended to read:

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~~“(5) a trailer or semitrailer of a motor carrier commonly used in combination with a large commercial motor vehicle, as defined in Section 12-37-2810, for which trailer or semitrailer the fee in lieu of taxes and registration requirements has been paid fee imposed pursuant to Section 12-37-2860 is paid and applicable registration requirements provided pursuant to Article 23, Chapter 37, Title 12, are met, and a distinctive permanent plate has been issued pursuant to Section 12-37-2860.”~~

D. Section 56-3-610 of the 1976 Code is amended to read:

“Section 56-3-610. (A) Except as provided in subsection (B), the owner of every motor vehicle, trailer, semitrailer, pole trailer, and special mobile equipment vehicle required to be registered and licensed under this chapter shall pay to the Department of Motor Vehicles at the time of registering and licensing the vehicle and biennially after that time registration and license fees as set forth in this article.

(B) A large commercial motor vehicle or bus on which is imposed the road use fee provided pursuant to Article 23, Chapter 37, Title 12 is required to be registered and licensed annually pursuant to this chapter and the scheduled fees adjusted as provided pursuant to Section 56-3-660(E).”

E. Section 56-3-660(A) of the 1976 Code is amended to read:

“Section 56-3-660. (A) The determination of gross vehicle weight to register and license self-propelled property carrying vehicles is the empty weight of the vehicle or combination of vehicles and the heaviest load to be transported by the vehicle or combination of vehicles as declared by the registered owner. All determinations of weight must be made in units of one thousand pounds or major fraction of one thousand pounds. The declared gross vehicle weight applies to all self-propelled property carrying vehicles operating in tandem with trailers or semitrailers except that the gross weight of a trailer or semitrailer is not required to be included when the operation is to be in tandem with a self-propelled property carrying vehicle licensed for six thousand pounds or less gross weight, and the gross vehicle weight of the combination does not exceed nine thousand pounds. The Department of Motor Vehicles may register and license a vehicle of this classification ~~small commercial motor vehicle, as defined in Section 12-37-2810,~~ for which the biennial registration and license fee is one-hundred and sixty

dollars or more for an annual or one-year period beginning on April first and ending on March thirty-first of the next year upon application to the department by the owner and the payment of one-half the specified biennial fee or for a semiannual or one-half year beginning on April first and ending on September thirtieth of the same year upon application to the department by the owner and the payment of the appropriate fees. The registration and license fee for small commercial motor vehicles ~~in this classification~~ which are registered for the remaining twenty-four months or less of the twenty-four month biennial period or for the eleven months or less of the twelve-month year ending on March thirty-first or the remaining five months or less for the one-half period ending on September thirtieth is the proportionate part of the specified biennial fee for the remainder of the twenty-four month period or year or one-half year based on one twenty-fourth of the specified twenty-four-month fee for each month or part of a month remaining in the biennial registration period or license year or one-half year. ~~No~~ An proportionate fee may not be reduced lower than ten dollars. A person making application for a registration and license for a motor vehicle of this classification shall declare the true unloaded or empty weight of the vehicle.”

F. Section 56-3-660 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“() Fees for licensing and registration, and fees imposed pursuant to Article 23, Chapter 37, Title 12, may be credited or prorated as prescribed by the Department of Motor Vehicles.”

G. Section 56-3-660(E) of the 1976 Code is amended to read:

“(E) The department may register ~~an apportionable~~ a large commercial motor vehicle, ~~as defined in Section 12-37-2810~~ for the payment of one-half of this State’s portion of the license and road fee for a vehicle whose portion of the license and road fee owed to this State exceeds ~~eight~~ four hundred dollars. The department may require any information necessary to complete the transaction.”

H. Section 58-23-620 of the 1976 Code is amended to read:

“Section 58-23-620. (A) ~~No~~ city, town, A municipality or county in this State ~~shall~~ may not impose a license fee or license tax upon a holder of a certificate A or a certificate B, and ~~no~~ city, town, a municipality or county ~~shall~~ may not impose a license fee or license tax on the holder of

a certificate E or a certificate F, Certificate of Compliance, or a common or contract motor carrier of property, except the ~~city or town~~ municipality of ~~such~~ the carrier's residence or the location of ~~his~~ the carrier's principal place of business. However, the fee required of a holder of a certificate C is in addition to any license tax or license fee charged by a municipality.

(B) If a municipality or county imposes a license fee or license tax pursuant to subsection (A), the fee or tax in the case of any certificate holder or common or contract motor carrier of property which operates its vehicles both within and without this State, must be apportioned in the ratio that the miles traveled by the vehicles operated by the certificate holder in this State bears to miles traveled by those vehicles in all states."

I. Article 21, Chapter 37, Title 12 of the 1976 Code is amended by adding:

"Section 12-37-2600. Motor carriers, as defined in Section 12-37-2810, are exempt from ad valorem taxes imposed pursuant to this chapter on large commercial motor vehicles and buses."

J. Section 12-37-2610 of the 1976 Code, as last amended by Act 87 of 2015, is further amended to read:

"Section 12-37-2610. The tax year for licensed motor vehicles begins with the last day of the month in which a registration required by Section 56-3-110 is issued and ends on the last day of the month in which the registration expires or is due to expire. ~~No~~ A registration may not be issued for motor vehicles until the ad valorem tax is paid for the year for which the registration is to be issued. ~~Motor vehicles registered under the International Registration Plan may pay ad valorem property taxes on a semiannual basis~~ Large commercial motor vehicles and buses, as defined in Section 12-37-2810, must pay road use fees pursuant to Article 23, Chapter 37, Title 12 in lieu of ad valorem property taxes. The provisions of this section do not apply to the transfer of motor vehicle registrations as specified in Section 12-37-2675 or to sales of motor vehicles by a licensed motor vehicle dealer. Notice of the sales must be furnished to the Department of Motor Vehicles by the dealer, along with other documents necessary for the registration and licensing of the vehicle concerned. The notice must be received by the Department of Motor Vehicles as a prerequisite to the registration and licensing of the vehicle and must include the name and address of the purchaser, the

vehicle identification number, and the year and model of the vehicle. The notice must be an original and one copy, and the copy must be provided by the department to the auditor of the county in which the vehicle is taxable. All ad valorem taxes on a vehicle are due and payable one hundred twenty days from the date of purchase. The notice and the time in which to pay the tax applies to motor vehicles that are serviced and delivered by a licensed motor vehicle dealer for the benefit of an out-of-state dealer.”

K. The first paragraph of Section 12-37-2650 of the 1976 Code is amended to read:

“The auditor shall prepare a tax notice of all vehicles owned by the same person and licensed at the same time for each tax year within the two-year licensing period. A notice must describe the motor vehicle by name, model, and identification number. The notice must set forth the assessed value of the vehicle, the millage, the taxes due on each vehicle, and the license period or tax year. The notice must be delivered to the county treasurer who must collect or receive payment of the taxes. One copy of the notice must be in the form of a bill or statement for the taxes due on the motor vehicle and, when practical, the treasurer shall mail that copy to the owner or person having control of the vehicle. When the tax and all other charges included on the tax bill have been paid, the treasurer shall issue the taxpayer a paid receipt. The receipt or a copy may be delivered by the taxpayer to the Department of Motor Vehicles with the application for the motor vehicle registration. A record of the payment of the tax must be retained by the treasurer. The auditor shall maintain a separate duplicate for motor vehicles. ~~No A~~ registration may not be issued by the Department of Motor Vehicles unless the application is accompanied by the receipt, a copy of the notification required by Section 12-37-2610 or notice from the county treasurer, by other means satisfactory to the Department of Motor Vehicles, of payment of the tax. ~~Motor vehicles registered under the International Registration Plan may pay ad valorem property taxes on a semiannual basis, and a proportional receipt must be issued by the treasurer subject to penalties in Section 12-37-2730. Large commercial motor vehicles and buses, as defined in Section 12-37-2810, must pay road use fees pursuant to Article 23, Chapter 37, Title 12 in lieu of ad valorem property taxes.~~ The treasurer, tax collector, or other official charged with the collection of ad valorem property taxes in each county may delegate the collection of motor vehicle taxes to banks or banking institutions, if each institution assigns,

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hypothecates, or pledges to the county, as security for the collection, federal funds or federal, state, or municipal securities in an amount adequate to prevent any loss to the county from any cause. Each institution shall remit the taxes collected daily to the county official charged with the collections. The receipt given to the taxpayer, in addition to the information required in this section and by Section 12-45-70, must contain the name and office of the treasurer or tax collector of the county and must also show the name of the banking institution to which payment was made.”

L.(1) Notwithstanding any provision to the contrary within this SECTION, a person who registers a vehicle for use in this State pursuant to Article 23, Chapter 37, Title 12, as amended by this act, must register his vehicle during calendar year 2019 and is required to pay the road fees calculated based on the fair market value of the vehicle as specified in Sections 12-37-2820 and 12-37-2850 at the time the vehicle’s registration fees are paid.

(2) Notwithstanding the provisions in Section 12-37-2865(B) and (C), as contained in this SECTION, to the contrary, during calendar year 2019 the first four hundred thousand dollars of fee revenue collected pursuant to Section 12-37-2865 must be retained by the Department of Motor Vehicles to defray programming costs.

(3) The initial millage required by Section 12-37-2850 must be calculated on or before June 1, 2018.

M. This SECTION takes effect January 1, 2019, except that the Department of Revenue, in consultation with the Revenue and Fiscal Affairs Office, shall calculate the millage to be used to calculate the road use fee provided in Section 12-37-2850 by July 1, 2018.

SECTION 9. The first paragraph in Section 12-28-2355(C), before the first colon, is amended to read:

“(C) Notwithstanding any other provision of law, ~~of the fees collected pursuant to subsection (A) of this section, ten percent must be transmitted by the Department of Revenue to the Department of Agriculture beginning upon the effective date of this act for use as provided in Section 39-41-70 and the remainder of the fees must be credited to the Department of Transportation State Non-Federal Aid Highway Fund as provided in the following schedule:~~”

SECTION 10. Section 12-28-530 of the 1976 Code is repealed.

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SECTION 11. Section 12-28-2740 of the 1976 Code is amended to read:

“(H)(1) For purposes of this subsection, ‘donor county’ means a county that contributes to the ‘C’ fund an amount in excess of what it receives under the allocation formula as stated in subsection (A). In addition to the allocation to the counties pursuant to subsection (A), the Department of Transportation annually shall transfer ~~from the state highway fund~~ to the donor counties an amount equal to ~~nine and one half seventeen~~ million dollars in the ratio of the individual donor county’s contribution in excess of ‘C’ fund revenue allocated to the county under subsection (A) to the total excess contributions of all donor counties.

(2) A county is eligible for an additional allocation from the Department of Transportation if the county contributed to the ‘C’ fund an amount in excess of what it receives under the allocation formula as stated in subsection (A) plus what it receives under item (1). The Department of Transportation annually shall transfer to the eligible counties an amount up to three and one-half million dollars in the ratio of the individual eligible county’s contribution to the ‘C’ fund in excess of the eligible county’s total allocations under subsection (A) and item (1) to the total excess contributions of all eligible counties remaining after all allocations under subsection (A) and item (1) have been made. Under no circumstances can an allocation under this item result in an eligible county receiving total allocations in excess of what the county contributed to the ‘C’ fund.”

SECTION 12. Article 3, Chapter 1, Title 57 of the 1976 Code is amended by adding:

“Section 57-1-380. The Department shall prepare a Transportation Asset Management Plan which includes objectives and performance measures for the preservation and improvement of the State Highway System. In addition, the Transportation Asset Management Plan shall include objectives, performance measures and innovative approaches to address high risk rural roads that are functionally classified as a rural Primary or Federal Aid Secondary roads. High risk rural roads shall include roads in which the accidents resulting in fatalities and incapacitating injuries exceeds the statewide average, including roadway departures, for those functional classes of roadway. The Transportation Asset Management Plan shall be approved by the Commission and is to establish fiscally constrained performance goals, including fifty million

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dollars for high risk rural roads, for transportation infrastructure assets such as pavements and bridges. The Department shall provide an annual update on achieving the Transportation Asset Management Plan performance goals to the General Assembly as well as publishing the results for the public to view.”

SECTION 13. Section 12-28-2740 of the 1976 Code is further amended by adding an appropriately lettered subsection at the end to read:

“() Notwithstanding the provisions of subsection (A), on July 1, 2018 and each July first thereafter until after July 1, 2021, the amount of proceeds of the user fee on gasoline only as levied for in this chapter that must be deposited with the State Treasurer and expended for the purposes of this section must be increased by .3325 cents a gallon, until such time as the total amount equals three and ninety-nine one-hundredths cents a gallon. Any increase in proceeds resulting from the provisions of this subsection must be used exclusively for repairs, maintenance, and improvements to the state highway system.”

SECTION 14. A. Section 11-43-167(B)(2) of the 1976 Code is amended to read:

“(2) The Department of Transportation shall reduce the allocation to the state-funded resurfacing program required in item (1) in proportion to the amounts transferred to the South Carolina Transportation Infrastructure Bank pursuant to subsection (C) and in proportion to the amounts required by the Department of Transportation to fund repairs, maintenance, and improvements to the existing transportation system.”

B.1. Section 11-43-165 of the 1976 Code is repealed.

2. This subsection 14.B.1. takes effect upon approval by the Governor and first applies to Fiscal Year 2018-2019.

SECTION 15. A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3780. (A)(1) A resident taxpayer is allowed a refundable income tax credit for preventative maintenance on a private passenger motor vehicle as defined in Section 56-3-630, including

motorcycles, registered in this State during the appropriate year, subject to other limitations contained in this section. The total amount of the credit may not exceed the lesser of: (i) the resident taxpayer's actual motor fuel user fee increase incurred for that motor vehicle as a result of increases in the motor fuel user fee pursuant to Section 12-28-310(D) or (ii) the amount the resident taxpayer expends on preventative maintenance. The resident taxpayer shall claim the credit allowed by this section on the resident taxpayer's income tax return in a manner prescribed by the department. The department may require any documentation it deems necessary to implement the provisions of this section. Notwithstanding any other provision of this section, a resident taxpayer may claim the credit for up to two private passenger motor vehicles, with the credit being calculated separately for each vehicle. For the purposes of this section, 'preventative maintenance' includes costs incurred within this State for new tires, oil changes, regular vehicle maintenance, and the like. In addition, 'motor fuel expenditures' are purchases of motor fuel within this State to which the motor fuel user fee imposed pursuant to Section 12-28-310(D) applies.

(2) Notwithstanding any other provision of this section:

- (a) For tax year 2018, the credit allowed by this section may not exceed forty million dollars for all taxpayers.
- (b) For tax year 2019, the credit allowed by this section may not exceed sixty-five million dollars for all taxpayers.
- (c) For tax year 2020, the credit allowed by this section may not exceed eighty-five million dollars for all taxpayers.
- (d) For tax year 2021, the credit allowed by this section may not exceed one hundred ten million dollars for all taxpayers.
- (e) For all tax years after 2021, the credit allowed by this section may not exceed one hundred fourteen million dollars for all taxpayers.

On or before September 30, 2018 and by September thirtieth of each year thereafter, the Revenue and Fiscal Affairs Office shall estimate the number of taxpayers expected to claim the credit for the current tax year and the total amount expected to be claimed. In the event that the Revenue and Fiscal Affairs Office estimates that the total amount of credits claimed will exceed the maximum amount of aggregate credit allowed pursuant to this item, the Revenue and Fiscal Affairs Office shall certify to the Department of Revenue a pro rata adjustment to the credit otherwise provided.

(B)(1) In order to offset the credit allowed by the section, on or before January 31, 2019, and by January thirty-first of each year thereafter, an amount of funds necessary to entirely offset the estimated credit as

certified by the Revenue and Fiscal Affairs Office, must be transferred from the Safety Maintenance Account to the Department of Revenue. If any funds exist in the Safety Maintenance Fund after all the income tax credits are claimed for the year or if any transferred funds still exist after all the income tax credits are claimed for the year, the remainder must be credited to the Infrastructure Maintenance Trust Fund.

(2) If the transferred funds pursuant to item (1) are not sufficient to completely offset the credit, on or before January 31, 2019, and by January thirty-first of each year thereafter, the Department of Transportation shall transfer to the Department of Revenue an amount equal to the total amount of credits estimated by the Revenue and Fiscal Affairs Office to be claimed for the applicable tax year minus any amounts transferred pursuant to item (1). If the credit claimed by all taxpayers in a tax year is less than the amounts transferred pursuant to this item, then the excess shall revert back from the Department of Revenue to the Department of Transportation as soon as practicable within the same year that the transfer occurred.

(C) Unless reauthorized by the General Assembly, the credit allowed by this section may not be claimed for any tax year beginning after 2022.”

B. Article 1, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11-11-240. (A) There is created in the State Treasury the Safety Maintenance Account. This account is separate and distinct from the general fund of the State and all other funds. Earnings and interest on this fund must be credited to it and any balance in this fund at the end of a fiscal year carries forward in the fund in the succeeding fiscal year, subject to the provision of Section 12-6-3780(C). Notwithstanding Section 56-3-627, the account must be credited any funds collected pursuant to Section 56-3-627(D). The funds in the account must only be appropriated to offset the costs of the refundable income tax credit allowed pursuant to Section 12-6-3780.

(B) Notwithstanding subsection (A), after December 31, 2022, the Safety Maintenance Account shall no longer be credited funds collected pursuant to Section 56-3-627(D). Once the account has expended all its funds on the costs of the credit or are transferred to the Infrastructure Maintenance Trust Fund pursuant to Section 12-6-3780(C), this section is repealed.”

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C. This SECTION takes effect upon approval by the Governor, and subsection A first applies to tax years beginning after 2017.

SECTION 16. A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3632. There is allowed as a nonrefundable credit against the tax imposed pursuant to Section 12-6-510 on a full-year resident individual taxpayer an amount equal to one hundred twenty-five percent of the federal earned income tax credit (EITC) allowed the taxpayer pursuant to Internal Revenue Code Section 32.”

B. Notwithstanding Section 12-6-3632 as added by this SECTION, the percentage of the federal earned income tax credit, for which the credit allowed by Section 12-6-3632 is based, must be phased-in in six equal installments of twenty and eighty-three hundredths percent each tax year until it is fully phased-in in tax year 2023, with the twenty and eighty-three hundredths percent applying in tax year 2018.

C. This SECTION takes effect upon approval by the Governor and applies to tax years beginning after 2017.

SECTION 17. A. Section 12-6-3330(B)(1) of the 1976 Code is amended to read:

“(1) ~~thirty fifty~~ thousand dollars; or”

B. Notwithstanding the increased multiplier of fifty thousand dollars in Section 12-6-3330(B)(1) as amended in this SECTION, the increase must be phased-in in six equal installments of three thousand three hundred thirty three dollars each tax year until it is fully phased-in in tax year 2023, with the first increase occurring in tax year 2018.

C. This SECTION takes effect upon approval by the Governor and applies to tax years beginning after 2017.

SECTION 18. A. Section 12-6-3385(A)(1) of the 1976 Code is amended to read:

“(A)(1)(a) A student is allowed a refundable individual income tax credit equal to ~~twenty five fifty~~ percent, not to exceed ~~eight hundred fifty one thousand five hundred~~ dollars in the case of both four-year

institutions and twenty five percent, not to exceed three hundred fifty dollars in the case of two-year institutions, for tuition paid an institution of higher learning or a designated institution as provided in this section, during a taxable year. The amount of the tax credit claimed up to the limits authorized in this section for any taxable year may not exceed the amount of tuition paid during that taxable year.

(b) The maximum amount of credits allowed by this section for all taxpayers may not exceed forty million dollars in tax year 2018. For all tax years after 2018, the maximum amount of credits for all taxpayers may not exceed the maximum amount in tax year 2018, plus a cumulative amount equal to the percentage increase in the Higher Education Price Index, not to exceed more than three percent a year. If the total amount of credits claimed in a tax year exceeds the maximum amount, then the amount of each credit must be reduced proportionately.

(c) Notwithstanding any other provision of this section, the Revenue and Fiscal Affairs Office annually shall estimate a maximum credit that may be permitted under this section for a taxable year based on the number of taxpayers expected to claim the credit and the expected amount claimed. The Revenue and Fiscal Affairs Office shall certify the maximum credit to the Department of Revenue, and for the applicable taxable year, the maximum credit amount must not exceed the lesser of the certified estimate or the maximum amount set forth in subitem (a). If the certified estimate exceeds the maximum amount set forth in subitem (b), then the credit must be reduced by a pro-rata amount that the certified estimate exceeds the maximum set forth in subitem (b).

(g) The Commission on Higher Education, the State Board for Technical and Comprehensive Education, and each public institution of higher learning, as defined in Section 59-103-5, must develop a plan to notify each student of the tax credit allowed by this section and shall promote resources that may be available on campus, or in the community, that would assist students in applying for the tax credit as applicable.”

B. This SECTION takes effect upon approval by the Governor and applies to tax years beginning after 2017.

SECTION 19. A. Section 12-37-220(B) of the 1976 Code is amended by adding an item at the end to read:

“(52)(a) 14.2857 percent of the property tax value of manufacturing property assessed for property tax purposes pursuant to Section

12-43-220(a)(1). For purposes of this item, if the exemption is applied to real property, then it must be applied to the property tax value as it may be adjusted downward to reflect the limit imposed pursuant to Section 6, Article X of the South Carolina Constitution, 1895;

(b) The revenue loss resulting from the exemption allowed by this item must be reimbursed and allocated to the political subdivisions of this State, including school districts, in the same manner as the Trust Fund for Tax Relief, not to exceed eighty-five million dollars per year. In calculating estimated state individual and corporate income tax revenues for a fiscal year, the Board of Economic Advisors shall deduct amounts sufficient to account for the reimbursement required by this item.

(c) Notwithstanding the exemption allowed by this item, in any year in which reimbursements are projected by the Revenue and Fiscal Affairs Office to exceed the reimbursement cap in subitem (b), the exemption amount shall be proportionally reduced so as not to exceed the reimbursement cap. (d) Notwithstanding any other provision of law, property exempted from property taxes in the manner provided in this item is considered taxable property for purposes of bonded indebtedness pursuant to Section 15, Article X of the Constitution of this State.”

B. Notwithstanding the exemption amount allowed pursuant to item (52) added pursuant to subsection A of this SECTION, the percentage exemption amount is phased in in six equal and cumulative percentage installments, applicable for property tax years beginning after 2017.

C. This SECTION takes effect upon approval by the Governor and first applies to property tax years beginning after 2017.

SECTION 20. Section 57-1-460 of the 1976 Code, relating to the Department of Transportation Secretary’s evaluation and approval of routine operation, maintenance, and emergency repairs, is repealed.

SECTION 21. Section 57-1-470 of the 1976 Code, relating to the Department of Transportation Commission’s review of routine maintenance and emergency repair requests approved by the Secretary, is repealed.

SECTION 22. A. Section 57-1-310(A) and (B) of the 1976 Code is amended to read:

“(A) The congressional districts of this State are constituted and created Department of Transportation Districts of the State, designated by numbers corresponding to the numbers of the respective congressional districts. The Commission of the Department of Transportation shall be composed of:

(1) one member from each transportation district ~~and one member from the State at large~~, all appointed by the Governor, ~~upon the advice and consent of the Senate~~, subject to the provisions of Section 57-1-325; and

(2) two members from the State at large, both appointed by the Governor, upon the advice and consent of the General Assembly. Each house must hold a separate confirmation vote.

In making appointments to the commission, the Governor shall take into account race, gender, and other demographic factors, such as residence in rural or urban areas, so as to represent, to the greatest extent possible, all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. The members of the commission shall represent the transportation needs of the State as a whole and may not subordinate the needs of the State to those of any particular area of the State.

(B) The at-large ~~appointment appointments~~ made by the Governor must be transmitted to the ~~Joint Transportation Review Committee~~ ~~Senate and the House of Representatives~~ for confirmation.

B. Section 57-1-325 of the 1976 Code, as last amended by Act 275 of 2016, is further amended to read:

“Section 57-1-325. (A) The Governor shall submit his transportation district appointees to the Senate and the House of Representatives for referral ~~to the appropriate legislative delegation. Legislative delegation for these purposes means legislators residing in the congressional district corresponding to the transportation district of the appointee.~~

(B) Upon receipt of a referral, the legislative delegation shall meet to approve or disapprove the Governor’s appointee. The question of whether to approve an appointee may be taken up in a full delegation meeting or it may be taken up separately by the Senators in the legislative delegation and the members of the House of Representatives in the legislative delegation. To approve an appointee, the appointee must

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receive a majority of the weighted vote of only the Senators in the legislative delegation and a majority of the weighted vote of only the members of the House of Representatives in the delegation. The legislative delegation shall report its findings to the Clerk of the House of Representatives, Clerk of the Senate, and the Governor whether the appointee was approved by the weighted vote of the members of the legislative delegation from both the House of Representatives and the Senate. If the legislative delegation approves the Governor's appointee, the appointment shall be referred to the Joint Transportation Review Committee. If the delegation disapproves the appointee, the Governor shall make another appointment. If the legislative delegation fails to approve of the Governor's appointee within forty-five days of the appointee's referral to the delegation, the appointee is deemed to have been disapproved. An appointee must receive a majority of the weighted vote of the members of the legislative delegation from both the House of Representatives and the Senate prior to entering a term of office.

(C) For the purposes of this article, 'legislative delegation' means legislators representing any portion of the congressional district corresponding to the transportation district the appointee was appointed to represent."

C. Section 57-1-340 of the 1976 Code, as last amended by Act 275 of 2016, is amended further to read:

“Section 57-1-340. Each commission member, within thirty days after his appointment and confirmation, or approval by the appropriate legislative delegation, as the case may be, and before entering upon the discharge of the duties of his office, shall take, subscribe, and file with the Secretary of State the oath of office prescribed by the Constitution of the State.”

D. Article 7, Chapter 1, Title 57 of the 1976 Code, relating to the Joint Transportation Review Committee, is repealed.

SECTION 23. Section 57-1-350 of the 1976 Code is amended to read:

“Section 57-1-350. (A) The commission may adopt an official seal for use on official documents of the department.

(B) The commission shall elect a chairman and adopt its own rules and procedures and may select such additional officers to serve such terms as the commission may designate.

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(C) Commissioners must be reimbursed for official expenses as provided by law for members of state boards and commissions as established in the annual general appropriations act.

(D) All commission members are eligible to vote on all matters that come before the commission.

(E) The commission shall hold a minimum of six regular meetings annually, and other meetings may be called by the chair upon giving at least one week's notice to all members and the public. Emergency meetings may be held with twenty-four hours' notice. Meeting materials for the regularly scheduled meetings shall be published at least twenty-four hours in advance of the meeting.

(F) The commission or a member thereof may not enter into the day-to-day operations of the department, except in an oversight role with the Secretary of Transportation, and is specifically prohibited from taking part in:

- (1) the awarding of contracts;
- (2) the selection of a consultant or contractor or the prequalification of any individual consultant or contractor;
- (3) the selection of a route for a specific project;
- (4) the specific location of a transportation facility;
- (5) the acquisition of rights-of-way or other properties necessary for a specific project or program; and
- (6) the granting, denial, suspension, or revocation of any permit issued by the department.

(G) A member of the commission may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the member's term of appointment and for one year after the termination of the appointment."

SECTION 24. Section 57-1-360(B) of the 1976 Code is amended to read:

“(B)(1)The chief internal auditor must be a Certified Public Accountant and possess any other experience the State Auditor may require. The chief internal auditor must establish, implement, and maintain the exclusive internal audit function of all departmental activities. The State Auditor shall set the salary for the chief internal auditor as allowed by statute or applicable law.

(2) The audits performed by the chief internal auditor must comply with recognized governmental auditing standards. The department and any entity contracting with the department must fully

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cooperate with the chief internal auditor in the discharge of his duties and responsibilities and must timely produce all books, papers, correspondence, memoranda, and other records considered necessary in connection with an internal audit. All final audit reports must be submitted to the commission and the Chairman of the Senate Transportation Committee, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Education and Public Works Committee, and the Chairman of the House of Representatives Ways and Means Committee before being made public. All final audit reports shall be published on the department's and the State Auditor's websites.

(3) The State Auditor is vested with the exclusive management and control of the chief internal auditor.”

SECTION 25. Section 57-1-430 of the 1976 Code is amended to read:

“Section 57-1-430. (A) The secretary is charged with the affirmative duty to carry out the policies of the commission, to administer the day-to-day affairs of the department, to direct the implementation of the Statewide Transportation Improvement Program and the Statewide Mass Transit Plan, and to ensure the timely completion of all projects undertaken by the department, and routine operation and maintenance requests, and emergency repairs. He must represent the department in its dealings with other state agencies, local governments, special districts, and the federal government. The secretary must prepare an annual budget for the department that must be approved by the commission before becoming effective.

(B) For each division, the secretary may employ such personnel and prescribe their duties, powers, and functions as he considers necessary and as may be authorized by statute and for which funds have been authorized in the annual general appropriations act.

(C) The secretary shall prepare and publish on the department's website an annual report outlining the department's annual expenditures. The report must include a statewide summary and a detailed expenditure report for each county.

(D) The secretary shall prepare and publish on the department's website an annual report that includes a list of all companies doing business with the department and the amount spent on these contracts.”

SECTION 26. Section 57-1-330(B) of the 1976 Code is amended to read:

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“(B) ~~The~~ An at-large commission member may be appointed from any county in the State unless another commission member is serving from that county. Failure by ~~the~~ an at-large commission member to maintain residence in the State shall result in a forfeiture of his office.

Commission members may be removed from office at the discretion of the Governor ~~subject to the prior approval of the appropriate legislative delegation.~~”

SECTION 27. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Section 17, Article III of the South Carolina Constitution in that each provision relates directly to or in conjunction with other sections relating to the subject of the effects of inadequate infrastructure financing and oversight.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 28. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 29. 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,

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sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 30. Except where specified otherwise, this act takes effect July 1, 2017. /

Amend title to conform.

Senator Paul G. Campbell, Jr. Representative J. Todd Rutherford
Senator Clarence Ross Turner III Representative J. Gary Simrill
Senator Vincent A. Sheheen Representative W. Brian White
On Part of the Senate. On Part of the House.

Rep. SIMRILL explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 20

Those who voted in the affirmative are:

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

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Mitchell	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Parks	Pitts
Pope	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Weeks	West
Wheeler	Whipper	White
Whitmire	Williams	Yow

Total--99

Those who voted in the negative are:

Bedingfield	Bennett	Burns
Chumley	Collins	Elliott
Hamilton	Hill	Hiott
Loftis	Long	Magnuson
D. C. Moss	Putnam	Quinn
G. R. Smith	Taylor	Thayer
Toole	Willis	

Total--20

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 9, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on H. 3516:

H. 3516 -- Reps. Simrill, Lucas, White, G. M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V. S. Moss, Martin, Spires, Funderburk, D. C. Moss, Brown, Whipper, Cobb-Hunter, Felder,

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Bernstein, J. E. Smith, Clemons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson: A BILL TO AMEND SECTION 57-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF FUNDS WITH THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE INFRASTRUCTURE MAINTENANCE TRUST FUND; TO AMEND SECTION 12-28-310, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE-IN AN INCREASE OF TWELVE CENTS ON THE FEE OVER SIX YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE THE PAYMENT OF AN INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; TO REPEAL SECTION 12-36-2647 RELATING TO THE CREDITING OF CERTAIN MOTOR VEHICLE TAX REVENUES; TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME

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TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION; TO AMEND SECTION 56-3-376, RELATING TO THE REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 56-3-120, RELATING TO EXEMPTIONS FROM THE REGISTRATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-610, RELATING TO THE PAYMENT OF REGISTRATION FEES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-660, RELATING TO REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58-23-620, AS AMENDED, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; BY ADDING SECTION 12-37-2600 SO AS TO EXEMPT MOTOR CARRIERS FROM AD VALOREM TAXES ON LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 12-37-2610, AS AMENDED, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-28-2355, RELATING TO INSPECTION FEE REVENUES, SO AS TO DELETE A PROVISION THAT CREDITED THE DEPARTMENT OF AGRICULTURE WITH TEN PERCENT OF THE REVENUES; TO REPEAL SECTION 12-28-530 RELATING TO THE MOTOR FUEL USER FEE ON FUEL INVENTORY; TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE MOTOR FUEL USER FEE TO COUNTIES, SO AS TO ALLOW FOR CERTAIN ADDITIONAL ALLOCATIONS, AND TO DISTRIBUTE ADDITIONAL REVENUES TO EACH COUNTY; BY ADDING SECTION 57-1-380 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PREPARE A TRANSPORTATION ASSET MANAGEMENT PLAN FOR THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 11-43-167,

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RELATING TO FEES AND FINES CREDITED TO THE STATE HIGHWAY FUND, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO REDUCE CERTAIN AMOUNTS TRANSFERRED TO THE STATE-FUNDED RESURFACING PROGRAM; TO REPEAL SECTION 11-43-165 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; BY ADDING SECTION 12-6-3780 SO AS TO ALLOW FOR A REFUNDABLE INCOME TAX CREDIT FOR CERTAIN PREVENTATIVE MAINTENANCE ON A PRIVATE PASSENGER MOTOR VEHICLE, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CALCULATED AND OFFSET; BY ADDING SECTION 11-11-240 SO AS TO CREATE THE SAFETY MAINTENANCE ACCOUNT TO OFFSET THE AMOUNT OF THE PREVENTATIVE MAINTENANCE CREDIT; BY ADDING SECTION 12-6-3632 SO AS TO PHASE- IN A CREDIT EQUAL TO ONE HUNDRED TWENTY-FIVE PERCENT OF ANY EARNED INCOME TAX CREDIT ALLOWED; TO AMEND SECTION 12-6-3330, RELATING TO THE TWO-WAGE EARNER CREDIT, SO AS TO PHASE-IN AN INCREASE IN THE MULTIPLIER THAT DETERMINES THE MAXIMUM CREDIT AMOUNT; TO AMEND SECTION 12-6-3385, RELATING TO THE INCOME TAX CREDIT FOR TUITION, SO AS TO INCREASE THE AMOUNT OF THE CREDIT FOR BOTH FOUR-YEAR INSTITUTIONS AND TWO-YEAR INSTITUTIONS; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO PHASE IN AN EXEMPTION OF A PERCENTAGE OF MANUFACTURING PROPERTY; TO REPEAL SECTION 57-1-460 RELATING TO THE DEPARTMENT OF TRANSPORTATION SECRETARY'S EVALUATION AND APPROVAL OF ROUTINE OPERATION, MAINTENANCE, AND EMERGENCY REPAIRS; TO REPEAL SECTION 57-1-470 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION'S REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS APPROVED BY THE SECRETARY; TO AMEND SECTION 57-1-310, AS AMENDED, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ADD AN AT-LARGE MEMBER AND TO SPECIFY THE MANNER IN WHICH THE MEMBERS ARE APPROVED; TO AMEND SECTION 57-1-325, AS AMENDED, RELATING TO THE SUBMISSION OF TRANSPORTATION DISTRICT APPOINTMENTS, SO AS TO

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SPECIFY THE MANNER IN WHICH THE LEGISLATIVE DELEGATION MAY APPROVE THE APPOINTEE; TO AMEND SECTION 57-1-340, AS AMENDED, RELATING TO THE OATH OF OFFICE FOR A COMMISSION MEMBER, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 57 RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE; TO AMEND SECTION 57-1-350, AS AMENDED, RELATING TO THE RULES AND PROCEDURES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE A MINIMUM OF SIX REGULAR MEETINGS ANNUALLY, TO PROHIBIT A MEMBER FROM BEING INVOLVED IN THE DAY-TO-DAY OPERATIONS OF THE DEPARTMENT, AND TO PROHIBIT A MEMBER FROM HAVING AN INTEREST IN A GRANT OR AWARD OF THE DEPARTMENT; TO AMEND SECTION 57-1-360, AS AMENDED, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE ALL FINAL AUDIT REPORTS BE PUBLISHED ON THE WEBSITE MAINTAINED BY THE DEPARTMENT AND THE STATE AUDITOR; TO AMEND SECTION 57-1-430, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO PREPARE AND PUBLISH CERTAIN ANNUAL REPORTS; AND TO AMEND SECTION 57-1-330, AS AMENDED, RELATING TO THE TERMS OF OFFICE FOR MEMBERS OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE A CONFORMING CHANGE.

Very respectfully,

President

Received as information.

H. 3516--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

LEAVE OF ABSENCE

The SPEAKER granted Rep. KIRBY a leave of absence for the remainder of the day to attend a prior family commitment.

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S. 562--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 562 -- Senators McElveen and Johnson: A BILL TO AMEND SECTION 2(A) OF ACT 321 OF 2010, RELATING TO THE CONSOLIDATION OF THE SUMTER COUNTY SCHOOL DISTRICT, TO PROVIDE FOR TWO AT-LARGE MEMBERS OF THE SUMTER COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES; TO PROVIDE FOR THE INITIAL APPOINTMENT AND SUBSEQUENT ELECTION OF AT-LARGE SCHOOL BOARD MEMBERS; AND TO STAGGER THE TERMS OF THE AT-LARGE SCHOOL BOARD MEMBERS.

Reps. G. M. SMITH and WEEKS proposed the following Amendment No. 1 to S. 562 (COUNCIL\ZW\562C002.BBM.ZW17), which was adopted:

Amend the bill, as and if amended, Section 2(A)(2)(b), as contained in SECTION 1, beginning on page 1, by striking subitem (B) in its entirety and inserting:

/ (b) Both at-large members elected to the board in 2018 shall be elected to an initial term of two years; however, beginning with the school district elections subsequent to the reapportionment following the 2020 decennial census, candidates for the former at-large seats shall offer for election from separate newly apportioned single member districts, giving the Sumter County School District a total of nine single member districts. Candidates seeking election from the two new single member districts that are elected at-large in 2018 must be residents of the school district and the election districts from which they are elected. Also beginning with the school district elections subsequent to the reapportionment following the 2020 decennial census, the member who received the highest number of at-large votes in 2018 shall serve a four-year term, and the member who received the lowest number of at-large votes in 2018 shall serve another two-year term. In subsequent school district elections, both members elected from the two new single member districts shall serve four-year terms. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

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The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 100; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brown	Burns	Chumley
Clary	Clemonns	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hart
Hayes	Henderson	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Huggins	Jefferson
Johnson	Jordan	Knight
Loftis	Long	Lowe
Lucas	Magnuson	Martin
McCoy	McCrary	McEachern
McKnight	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
Simrill	G. M. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Weeks	West

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Whipper
Willis

Whitmire

Williams

Total--100

Those who voted in the negative are:

Total--0

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 562. If I had been present, I would have voted in favor of the Bill.

Rep. Ivory Thigpen

LEAVE OF ABSENCE

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

RETURNED TO THE SENATE WITH AMENDMENTS

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

S. 234 -- Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

S. 411 -- Senator Sheheen: A BILL TO AMEND SECTION 59-53-1410 OF THE 1976 CODE, RELATING TO THE CENTRAL CAROLINA TECHNICAL COLLEGE COMMISSION, TO INCREASE THE TOTAL NUMBER OF COMMISSION MEMBERS,

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AND TO INCREASE THE NUMBER OF MEMBERS APPOINTED FROM KERSHAW COUNTY.

ORDERED ENROLLED FOR RATIFICATION

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

S. 444 -- Senator Grooms: A BILL TO AMEND SECTION 56-1-10(15) AND 56-1-10(18) OF THE 1976 CODE, RELATING TO DRIVER'S LICENSE DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND PROVIDE THE DEFINITION AND TO UPDATE REFERENCES TO THE DEFINITION; TO AMEND SECTION 56-1-130(C), RELATING TO LICENSE EXAMINATIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-3-20(30) AND 56-3-20(31), RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-145, RELATING TO THE DEFINITION OF "AUTOMOTIVE THREE-WHEEL VEHICLE", TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-155, RELATING TO THE DEFINITION OF "MOTORCYCLE THREE-WHEEL VEHICLE", TO UPDATE REFERENCES; AND TO AMEND SECTIONS 56-19-10(44) AND 56-19-10(45), RELATING TO DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND UPDATE REFERENCES.

S. 279 -- Senator Alexander: A BILL TO ENACT THE "APPRaisal MANAGEMENT COMPANY REGISTRATION ACT" BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR AN ENTITY ACTING AS AN APPRAISAL MANAGEMENT COMPANY, TO SPECIFY REGISTRATION AND RENEWAL REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM

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REGISTRATION, TO PROVIDE FOR THE CONDUCT OF APPRAISAL MANAGEMENT COMPANIES, AND TO PROVIDE REMEDIES FOR VIOLATIONS; TO AMEND SECTION 40-60-10(B), RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, TO PROVIDE FOR EIGHT MEMBERS TO INCLUDE ONE MEMBER REPRESENTING AN APPRAISAL MANAGEMENT COMPANY; AND TO REDESIGNATE CHAPTER 60, TITLE 40 AS "REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES".

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

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PURPOSES; TO AMEND SECTION 37-22-270, RELATING TO PARTICIPATION IN THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY, SO AS TO DELETE REFERENCES TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION; TO AMEND SECTION 37-23-75, RELATING TO LOAN DISCLOSURES, SO AS TO REQUIRE A LOAN ESTIMATE TO BE MADE UNDER THE TILA-RESPA INTEGRATED DISCLOSURE RULE, TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS CONCERNING THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO MAKE CERTAIN CHANGES AND DEFINE THE TERM "LOAN CORRESPONDENT"; TO AMEND SECTION 40-58-50, AS AMENDED, RELATING TO MORTGAGE BROKER LICENSE APPLICATIONS, SO AS TO REMOVE THE STATE CRIMINAL BACKGROUND CHECK REQUIREMENT, TO AUTHORIZE THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, AND TO REQUIRE AT LEAST THREE HOURS OF PRELICENSING EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 40-58-60, RELATING TO THE ISSUING OF A MORTGAGE BROKERS LICENSE, SO AS TO AUTHORIZE THE GRANT OF TRANSITIONAL LICENSES; TO AMEND SECTION 40-58-65, RELATING TO THE MAINTENANCE OF RECORDS, SO AS TO REMOVE CERTAIN PHYSICAL PRESENCE REQUIREMENTS; TO AMEND SECTION 40-58-67, RELATING TO CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, SO AS TO REQUIRE AT LEAST ONE HOUR OF ANNUAL CONTINUING PROFESSIONAL EDUCATION ON SOUTH CAROLINA LAWS AND REGULATIONS; TO AMEND SECTION 40-58-110, RELATING TO LICENSE APPLICATIONS AND RENEWAL FEES, SO AS TO ALLOW FOR THE DEPARTMENT TO LICENSE A PERSONAL RESIDENCE UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 48-58-130, RELATING TO PARTICIPATION IN THE NATIONWIDE MORTGAGE LICENSING SYSTEM REGISTRY, SO AS TO DELETE REFERENCES TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION.

S. 422 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO

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SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4741, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 601 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CERTIFICATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4698, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 602 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4699, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 603 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4701, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 604 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADMINISTRATIVE AND PROFESSIONAL PERSONNEL QUALIFICATIONS, DUTIES AND WORKLOADS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4695, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 485 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4730, PURSUANT TO THE

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

S. 486 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO FREE TUITION FOR RESIDENTS SIXTY YEARS OF AGE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4728, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 321--ORDERED TO THIRD READING

The following Bill was taken up:

S. 321 -- Senator Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 14 TO TITLE 56 SO AS TO ESTABLISH PROCEDURES THAT REGULATE THE RELATIONSHIP BETWEEN RECREATIONAL VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS OF RECREATIONAL VEHICLES; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" AND TO DELETE THE TERM "MOTOR HOME" AND ITS DEFINITION; TO REPEAL ARTICLE 5, CHAPTER 17, TITLE 31 RELATING TO THE SALE OF TRAVEL TRAILERS; AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY PROMULGATE REGULATIONS FOR ENFORCEMENT OF THE PROVISIONS OF CHAPTER 14, TITLE 56.

Rep. MACK explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 103; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers

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Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Douglas
Duckworth	Felder	Finlay
Forrest	Forrester	Fry
Gagnon	Gilliard	Govan
Hamilton	Hardee	Hart
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Knight	Loftis
Long	Lowe	Lucas
Mack	Martin	McCoy
McCrary	McEachern	McKnight
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	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
Weeks	West	Whipper
White	Whitmire	Williams
Willis		

Total--103

Those who voted in the negative are:

Bedingfield	Hill	Magnuson
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Total--3

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

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RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 321. If I had been present, I would have voted in favor of the Bill.

Rep. Jason Elliott

S. 421--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 421 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO GENERAL REGULATIONS; AND ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4686, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 520--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 520 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CAREER OR TECHNOLOGY CENTERS/COMPREHENSIVE HIGH SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4697, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 521--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 521 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM, GRADES 9-12 AND GRADUATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4700, PURSUANT TO THE

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

S. 526--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 526 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADVANCED PLACEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4696, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 316--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 316 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO AT-RISK STUDENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4656, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 371--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 371 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN OPTICIANRY, RELATING TO EXAMINATIONS; APPRENTICESHIP; AND CONTINUING EDUCATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4723, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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S. 405--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 405 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE COMMISSION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4724, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 423--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

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

S. 543--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

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

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S. 544--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Joint Resolution, which was adopted:

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO MOTOR CLUB CERTIFICATE OF AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4708, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

SPEAKER *PRO TEMPORE* IN CHAIR

S. 325--ORDERED TO THIRD READING

The following Bill was taken up:

S. 325 -- Senator Sheheen: A BILL TO AMEND SECTION 43-33-350 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA PROTECTION AND ADVOCACY SYSTEM FOR THE HANDICAPPED, TO PROVIDE THAT PROTECTION AND ADVOCACY FOR PEOPLE WITH DISABILITIES, INC., FORMERLY KNOWN AS THE SOUTH CAROLINA PROTECTION AND ADVOCACY SYSTEM FOR THE HANDICAPPED, SHALL ADMINISTER THE CLIENT ASSISTANCE PROGRAM; TO REPEAL SECTION 1-11-10(A)(9); AND TO PROVIDE FOR THE TRANSITION OF THE PROGRAM'S ADMINISTRATION FROM THE DEPARTMENT OF ADMINISTRATION.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 105; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers

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Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Knight	Loftis	Long
Lowe	Lucas	Magnuson
Martin	McCoy	McCrary
McEachern	McKnight	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Ott	Parks
Pitts	Pope	Putnam
Quinn	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Ryhal
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Weeks	West
Wheeler	Whipper	White
Whitmire	Williams	Willis

Total--105

Those who voted in the negative are:

Total--0

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

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S. 116--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 116 -- Senators Rankin and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-145, SO AS TO REQUIRE THAT A PERSON PERMITTED OR LICENSED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION SHALL MAINTAIN LIABILITY INSURANCE WITH COVERAGE OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE PERMIT OR LICENSE.

Reps. PITTS, BANNISTER, CLARY, HIOTT, MAGNUSON, D. C. MOSS, LONG, HAMILTON, G. R. SMITH, CHUMLEY, LOFTIS, MCEACHERN, DOUGLAS, CRAWFORD, THIGPEN, OTT, THAYER, WEST, HILL, KING, HART, MCKNIGHT, ANDERSON and CROSBY requested debate on the Bill.

S. 448--DEBATE ADJOURNED

Rep. CRAWFORD moved to adjourn debate upon the following Bill, which was adopted:

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

H. 3138--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3138 -- Reps. Stavrinakis, McCoy and Erickson: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO

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PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 92; Nays 15

Those who voted in the affirmative are:

Alexander	Anderson	Arrington
Atkinson	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brown	Caskey	Clary
Clemmons	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	Hart	Henegan
Herbkersman	Hewitt	Hill
Hixon	Hosey	Huggins
Johnson	King	Knight
Lowe	Lucas	Mack
Magnuson	McCoy	McEachern
McKnight	V. S. Moss	B. Newton
Norrell	Ott	Parks
Pitts	Pope	Putnam

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Quinn	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Ryhal
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	Whipper
White	Williams	

Total--92

Those who voted in the negative are:

Allison	Anthony	Burns
Chumley	Crosby	Hamilton
Hayes	Hiott	Jordan
Loftis	Long	McCrary
D. C. Moss	Whitmire	Willis

Total--15

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

S. 114--ORDERED TO THIRD READING

The following Bill was taken up:

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

Rep. BANNISTER explained the Bill.

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The yeas and nays were taken resulting as follows:
Yea 67; Nays 18

Those who voted in the affirmative are:

Arrington	Atkinson	Ballentine
Bannister	Bernstein	Bradley
Brown	Caskey	Clary
Clyburn	Cogswell	Cole
Collins	Daning	Davis
Dillard	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hart	Henderson
Herbkersman	Hewitt	Hill
Hixon	Hosey	King
Knight	Lowe	Lucas
Mack	Magnuson	McCoy
McEachern	V. S. Moss	Murphy
B. Newton	Norrell	Parks
Pitts	Pope	Putnam
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Ryhal	Simrill
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	West	White
Williams		

Total--67

Those who voted in the negative are:

Allison	Anthony	Atwater
Burns	Chumley	Hamilton
Hayes	Hiott	Huggins
Jordan	Loftis	Long
McCrary	D. C. Moss	Quinn
Toole	Whitmire	Willis

Total--18

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

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RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 114. If I had been present, I would have voted in favor of the Bill.

Rep. Ivory Thigpen

S. 275--ORDERED TO THIRD READING

The following Bill was taken up:

S. 275 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BREWERIES, SAMPLES AND SALES FOR ON- AND OFF-PREMISES CONSUMPTION, SO AS TO PROVIDE THAT A BREWERY BREWING AND SELLING BEER ON ITS LICENSED PREMISES IN THIS STATE MAY APPLY FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BY THE DRINK FOR CONSUMPTION WITHIN A SPECIFIED AREA UNDER CERTAIN CONDITIONS, AND TO PROVIDE THAT A BREWPUB MAY APPLY FOR A BREWERY PERMIT PROVIDED THAT IT SURRENDERS ITS BREWPUB PERMIT AT THE TIME THE BREWERY PERMIT IS ISSUED.

Rep. STAVRINAKIS proposed the following Amendment No. 1 to S. 275 (COUNCIL\CM\275C001.NBD.CM17), which was rejected:

Amend the bill, as and if amended, Section 61-4-1515(A), as contained in SECTION 1, by deleting Section 61-4-1515(A) and inserting:

/ (A) A brewery ~~licensed~~ permitted in this State is authorized to ~~offer samples~~ sell beer to consumers on its ~~licensed~~ permitted premises, provided that the beer is brewed on the ~~licensed~~ permitted premises with an alcoholic content of twelve percent by weight, or less, subject to the following conditions:

(1) sales ~~to or samplings~~ by consumers must be held in conjunction with a tour by the consumer of the ~~licensed~~ permitted premises and the entire brewing process utilized at the ~~licensed~~ permitted premises;

(2) sales ~~or samplings~~ shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one;

(3)(a) no more than a total of forty-eight ounces of beer brewed at the ~~licensed~~ permitted premises, ~~including amounts of samples offered~~

and consumed with or without cost, shall be sold to a consumer for on-premises consumption within a twenty-four hour period; and

(b) of that forty-eight ounces of beer available to be sold to a consumer within a twenty-four hour period, no more than sixteen ounces of beer with an alcoholic weight of above eight percent, including any samples offered and consumed with or without cost, shall be sold to a consumer for on-premises consumption within a twenty-four hour period;

(4) a brewery must develop and use a system to monitor the amounts and types of beer sampled or sold to a consumer for on-premises consumption;

(5) a brewery must sell the beer at the ~~licensed~~ permitted premises at a price approximating retail prices generally charged for identical beverages in the county where the ~~licensed~~ permitted premises are located;

(6) a brewery must remit appropriate taxes to the Department of Revenue for beer sales in an amount equal to and in a manner required for excise taxes assessed by the department. A brewery also must remit appropriate sales and use taxes and local hospitality taxes;

(7) a brewery must post information that states the alcoholic content by weight of the various types of beer available in the brewery and the penalties for convictions for:

- (a) driving under the influence;
- (b) unlawful transport of an alcoholic container; and
- (c) unlawful transfer of alcohol to minors.

And, the information shall be in signage that must be posted at each entrance, each exit, and in places in a brewery seen during a tour;

(8) a brewery must provide ~~department~~ or DAODAS approved alcohol enforcement training for the employees who serve beer on the ~~licensed~~ permitted premises to consumers for on-premises consumption, so as to prevent and prohibit unlawful sales, transfer, transport, or consumption of beer by persons who are under the age of twenty-one or who are intoxicated; and

(9) a brewery must maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the amount of at least one million dollars for the biennial period for which it is ~~licensed~~ permitted. Within ten days of receiving its biennial ~~license~~ permit, a brewery must send proof of this insurance to the State Law Enforcement Division and to the Department of Revenue, where the proof of insurance information shall be retained with the department's alcohol beverage licensing section. /

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Amend the bill further, as and if amended, Section 61-4-1515(B)(1), as contained in SECTION 1, by deleting Section 61-4-1515(B)(1), and inserting:

/ (1) In addition to the ~~sampling and~~ sales provisions set forth in subsection (A), a brewery ~~licensed~~ permitted in this State is authorized to sell beer produced on its ~~licensed~~ permitted premises to consumers on site for on-premises consumption within an area of its permitted and licensed premises approved by the rules and regulations of the Department of Health and Environmental Control governing eating and drinking establishments and other food service establishments. These establishments also may apply for a retail on-premises consumption permit for the sale of beer and wine ~~of a producer not produced on the~~ licensed premises that has been purchased from a wholesaler through the three-tier distribution chain set forth in Section 61-4-735 and Section 61-4-940./

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

Rep. COLE moved to table the amendment.

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

Yea 43; Nays 43

Those who voted in the affirmative are:

Anthony	Atwater	Bannister
Bedingfield	Burns	Caskey
Chumley	Clary	Clemons
Cogswell	Cole	Collins
Duckworth	Elliott	Finlay
Forrest	Forrester	Gagnon
Hamilton	Hardee	Hayes
Henegan	Hiott	Hixon
Loftis	Long	Lowe
Magnuson	McCrary	McEachern
D. C. Moss	V. S. Moss	B. Newton
Norrell	Parks	Pitts
Pope	G. R. Smith	Spires

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Tallon
Willis

Toole

Whitmire

Total--43

Those who voted in the negative are:

Alexander	Anderson	Arrington
Atkinson	Bamberg	Bernstein
Bowers	Bradley	Brown
Clyburn	Cobb-Hunter	Crosby
Daning	Davis	Dillard
Erickson	Funderburk	Gilliard
Hart	Herbkersman	Hosey
Huggins	Jefferson	Jordan
Knight	Lucas	Mack
McCoy	McKnight	Murphy
Putnam	Quinn	Ridgeway
M. Rivers	Robinson-Simpson	Simrill
J. E. Smith	Sottile	Stavrinakis
Thayer	West	Whipper
Williams		

Total--43

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

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

Yea 37; Nays 48

Those who voted in the affirmative are:

Anderson	Arrington	Atkinson
Bedingfield	Bennett	Bowers
Bradley	Brown	Clyburn
Daning	Davis	Dillard
Erickson	Funderburk	Gagnon
Gilliard	Herbkersman	Hewitt
Hosey	Howard	Knight
Lucas	Mack	McCoy

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McKnight	Murphy	Parks
Putnam	Quinn	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Sottile	Spires	Stavrinakis
Whipper		

Total--37

Those who voted in the negative are:

Allison	Anthony	Atwater
Bamberg	Bannister	Bernstein
Burns	Caskey	Chumley
Clary	Cogswell	Cole
Collins	Duckworth	Elliott
Felder	Finlay	Forrest
Forrester	Hamilton	Hardee
Hart	Hayes	Henegan
Hill	Hiott	Huggins
Jordan	Loftis	Long
Lowe	Magnuson	McCrary
McEachern	D. C. Moss	V. S. Moss
B. Newton	Norrell	Pope
Ryhal	Simrill	G. R. Smith
J. E. Smith	Tallon	Thayer
Toole	West	Willis

Total--48

So, the amendment was rejected.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 83; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Blackwell	Bowers
Bradley	Brown	Caskey

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Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hardee	Hart
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hill
Hixon	Hosey	Huggins
Jefferson	Jordan	Lowe
Lucas	Mack	Magnuson
Martin	McCravy	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Pope	Quinn
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Ryhal	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Thayer	Thigpen	West
Whipper	Williams	

Total--83

Those who voted in the negative are:

Total--0

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

S. 275--MOTION TO RECONSIDER TABLED

Rep. J. E. SMITH moved to reconsider the vote whereby the following Bill was given second reading:

S. 275 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BREWERIES, SAMPLES AND SALES FOR ON- AND OFF-PREMISES CONSUMPTION, SO AS TO PROVIDE THAT A BREWERY BREWING AND SELLING BEER ON ITS

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LICENSED PREMISES IN THIS STATE MAY APPLY FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BY THE DRINK FOR CONSUMPTION WITHIN A SPECIFIED AREA UNDER CERTAIN CONDITIONS, AND TO PROVIDE THAT A BREWPUB MAY APPLY FOR A BREWERY PERMIT PROVIDED THAT IT SURRENDERS ITS BREWPUB PERMIT AT THE TIME THE BREWERY PERMIT IS ISSUED.

Rep. FINLAY moved to table the motion to reconsider, which was agreed to.

S. 179--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 179 -- Senators Hutto and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN DRUG AND ALCOHOL-RELATED OFFENSES COMMITTED BY A PERSON WHO SEEKS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE OR BY A PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE AND SEEKS MEDICAL ASSISTANCE, TO ALLOW THE COURT TO CONSIDER AS A MITIGATING FACTOR IN PROCEEDINGS RELATED TO OTHER CRIMINAL OFFENSES WHETHER THE PERSON SOUGHT MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING AN OVERDOSE, TO LIMIT THE IMMUNITY TO ALLOW PROSECUTION OF A PERSON FOR OTHER CRIMES ARISING OUT OF THE DRUG OR ALCOHOL-RELATED OVERDOSE, TO ALLOW FOR ADMISSIBILITY OF CERTAIN EVIDENCE, TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR LAW ENFORCEMENT OFFICERS RELATING TO THE ARREST OF A PERSON LATER DETERMINED TO QUALIFY FOR LIMITED IMMUNITY, AND FOR OTHER PURPOSES.

Reps. HOWARD, BEDINGFIELD, FRY and HENDERSON proposed the following Amendment No. 1 to S. 179 (COUNCIL\VR\179C001.CC.VR17), which was adopted:

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

SECTION _____. Article 3, Chapter 53, Title 44 of the 1976 Code is amended by adding:

“Section 44-53-362. (A) Except as provided in subsection (C), before issuing, for a minor, the first prescription in a single course of treatment for an opioid analgesic, regardless of whether the dosage is modified during that course of treatment, a prescriber shall:

(1) as part of the prescriber’s examination of the minor, assess whether the minor has ever suffered from or is currently suffering from a mental health or substance abuse disorder and whether the minor has taken or is currently taking prescription drugs for treatment of a mental health or substance abuse disorder;

(2) discuss with the minor and the minor’s parent, guardian, or another adult authorized to consent to the minor’s medical treatment all of the following:

(a) the risks of addiction and overdose associated with opioid analgesics;

(b) the increased risk of addiction to controlled substances of individuals suffering from both mental health and substance abuse disorders;

(c) the dangers of taking opioid analgesics with benzodiazepines, alcohol, or other central nervous system depressants;

(d) any other information in the patient counseling information section of the labeling for the opioid analgesic required pursuant to 21 C.F.R. 201.57(c)(18); and

(3) obtain written consent for the prescription from the minor’s parent, guardian, or, subject to subsection (E), another adult authorized to consent to the minor’s medical treatment.

(B) The prescriber shall record the consent required pursuant to subsection (A)(3) on a ‘Start Talking!’ consent form developed by the State Board of Medical Examiners. The form must be separate from any other document the prescriber uses to obtain informed consent for other treatment provided to the minor and must contain:

(1) the name and quantity of the opioid analgesic being prescribed and the amount of the initial dose;

(2) a statement indicating that a controlled substance is a drug or other substance that the United States Drug Enforcement Administration has identified as having a potential for abuse;

(3) a statement certifying that the prescriber discussed with the minor and the minor’s parent, guardian, or another adult authorized to consent to the minor’s medical treatment the matters described in subsection (A)(2);

(4) the number of refills, if any, authorized by the prescription; and

(5) the signature of the minor's parent, guardian, or another adult authorized to consent to the minor's medical treatment and the date of signing.

(C)(1) The requirements set forth in subsection (A) do not apply if the minor's treatment with an opioid analgesic:

(a) is associated with or incident to a medical emergency;

(b) is associated with or incident to surgery, regardless of whether the surgery is performed on an inpatient or outpatient basis;

(c) is associated with pain management treatment for sickle cell disease;

(d) is limited to liquid antitussive medication;

(e) in the prescriber's professional judgment, fulfilling the requirements of subsection (A) would be a detriment to the minor's health or safety; or

(f) except as provided in subsection (D), the treatment is rendered in a hospital; emergency facility; ambulatory surgical facility; nursing home; pediatric respite, hospice, or palliative care program provided in an in-patient or out-patient setting; residential care facility; freestanding rehabilitation facility; or similar institutional facility.

(2) The requirements of subsection (A) do not apply to a prescription for an opioid analgesic that a prescriber issues to a minor at the time of discharge from a facility or other location described in subsection (C)(1)(f).

(D) The exemption provided pursuant to subsection (C)(1)(f) does not apply to treatment rendered in a prescriber's office that is located on the premises of or adjacent to a facility or other location described in that subsection.

(E) If the individual who signs the consent form required pursuant to subsection (A)(3) is another adult authorized to consent to the minor's medical treatment, the prescriber shall prescribe not more than a single, seventy-two-hour supply and indicate on the prescription the quantity that is to be dispensed pursuant to the prescription.

(F) A signed 'Start Talking!' consent form obtained pursuant to this section must be maintained in the minor's medical record.

(G)(1) As used in this section:

(a) 'Another adult authorized to consent to the minor's medical treatment' means an adult to whom a minor's parent or guardian has given written authorization to consent to the minor's medical treatment.

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(b) ‘Medical emergency’ means a situation that in a prescriber’s good faith medical judgment creates an immediate threat of serious risk to the life or physical health of a minor.

(c) ‘Minor’ means an individual under eighteen years of age who is not emancipated.

(2) For purposes of this section, an individual under eighteen years of age is emancipated only if the individual has married, has entered the armed services of the United States, has become employed and self-sustaining, or otherwise has become independent from the care and control of the individual’s parent, guardian, or custodian.”

Renumber sections to conform.

Amend title to conform.

Rep. BEDINGFIELD explained the amendment.

The amendment was then adopted.

Reps. HOWARD, BEDINGFIELD, FRY, HENDERSON, and RIDGEWAY proposed the following Amendment No. 2 to S. 179 (COUNCIL\VR\179C002.CC.VR17), which was adopted:

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

SECTION ___. A. Article 3, Chapter 53, Title 44 of the 1976 Code is amended by adding:

“Section 44-53-362. (A) Except as provided in subsection (C), before issuing, for a minor, the first prescription in a single course of treatment for an opioid analgesic, regardless of whether the dosage is modified during that course of treatment, a prescriber shall:

(1) as part of the prescriber’s examination of the minor, assess whether the minor has ever suffered from or is currently suffering from a mental health or substance abuse disorder and whether the minor has taken or is currently taking prescription drugs for treatment of a mental health or substance abuse disorder;

(2) discuss with the minor and the minor’s parent, guardian, or another adult authorized to consent to the minor’s medical treatment all of the following:

(a) the risks of addiction and overdose associated with opioid analgesics;

(b) the increased risk of addiction to controlled substances of individuals suffering from both mental health and substance abuse disorders;

(c) the dangers of taking opioid analgesics with benzodiazepines, alcohol, or other central nervous system depressants;

(d) any other information in the patient counseling information section of the labeling for the opioid analgesic required pursuant to 21 C.F.R. 201.57(c)(18); and

(3) obtain written consent for the prescription from the minor's parent, guardian, or, subject to subsection (E), another adult authorized to consent to the minor's medical treatment.

(B) The prescriber shall record the consent required pursuant to subsection (A)(3) on a 'Start Talking!' consent form developed by the State Board of Medical Examiners. The form must be separate from any other document the prescriber uses to obtain informed consent for other treatment provided to the minor and must contain:

(1) the name and quantity of the opioid analgesic being prescribed and the amount of the initial dose;

(2) a statement indicating that a controlled substance is a drug or other substance that the United States Drug Enforcement Administration has identified as having a potential for abuse;

(3) a statement certifying that the prescriber discussed with the minor and the minor's parent, guardian, or another adult authorized to consent to the minor's medical treatment the matters described in subsection (A)(2);

(4) the number of refills, if any, authorized by the prescription; and

(5) the signature of the minor's parent, guardian, or another adult authorized to consent to the minor's medical treatment and the date of signing.

(C)(1) The requirements set forth in subsection (A) do not apply if the minor's treatment with an opioid analgesic:

(a) is associated with or incident to a medical emergency;

(b) is associated with or incident to surgery, regardless of whether the surgery is performed on an inpatient or outpatient basis;

(c) is associated with pain management treatment for cancer and hematological disorders including, but not limited to, sickle cell disease;

(d) is associated with treatment of neonatal abstinence syndrome;

(e) is limited to liquid antitussive medication;

(f) in the prescriber's professional judgment, fulfilling the requirements of subsection (A) would be a detriment to the minor's health or safety;

(g) except as provided in subsection (D), the treatment is rendered in a hospital; emergency facility; ambulatory surgical facility; nursing home; pediatric respite, hospice, or palliative care program provided in an in-patient or out-patient setting; residential care facility; freestanding rehabilitation facility; or similar institutional facility;

(h) is ordered by a practitioner issuing a prescription for a Schedule II controlled substance to treat a hospice-certified patient;

(i) is ordered by a practitioner issuing a prescription for a Schedule II controlled substance that does not exceed a five-day supply for a patient;

(j) is ordered by a practitioner prescribing a Schedule II controlled substance for a patient with whom the practitioner has an established relationship for the treatment of a chronic condition; however, the practitioner must review the patient's controlled substance history maintained in the prescription monitoring program at least every three months; or

(k) is ordered by a practitioner approving the administration of a Schedule II controlled substance by a healthcare provider licensed in South Carolina.

(2) The requirements of subsection (A) do not apply to a prescription for an opioid analgesic that a prescriber issues to a minor at the time of discharge from a facility or other location described in subsection (C)(1)(g).

(D) The exemption provided pursuant to subsection (C)(1)(g) does not apply to treatment rendered in a prescriber's office that is located on the premises of or adjacent to a facility or other location described in that subsection.

(E) If the individual who signs the consent form required pursuant to subsection (A)(3) is another adult authorized to consent to the minor's medical treatment, the prescriber shall prescribe not more than a single, seventy-two-hour supply and indicate on the prescription the quantity that is to be dispensed pursuant to the prescription.

(F) A signed 'Start Talking!' consent form obtained pursuant to this section must be maintained in the minor's medical record.

(G)(1) As used in this section:

(a) 'Another adult authorized to consent to the minor's medical treatment' means an adult to whom a minor's parent or guardian has given written authorization to consent to the minor's medical treatment.

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(b) ‘Medical emergency’ means a situation that in a prescriber’s good faith medical judgment creates an immediate threat of serious risk to the life or physical health of a minor.

(c) ‘Minor’ means an individual under eighteen years of age who is not emancipated.

(2) For purposes of this section, an individual under eighteen years of age is emancipated only if the individual has married, has entered the armed services of the United States, has become employed and self-sustaining, or otherwise has become independent from the care and control of the individual’s parent, guardian, or custodian.”

B. This SECTION takes effect December 31, 2017.

Renumber sections to conform.

Amend title to conform.

Rep. BEDINGFIELD 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 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bamberg	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brown	Burns	Caskey
Chumley	Clary	Clemonns
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hill	Hiott

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Hixon	Hosey	Howard
Huggins	Jefferson	Jordan
King	Knight	Loftis
Long	Lowe	Lucas
Mack	Magnuson	Martin
McCoy	McCrary	McEachern
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Ott	Parks	Pope
Putnam	Quinn	Ridgeway
M. Rivers	S. Rivers	Ryhal
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	West
Whipper	White	Whitmire
Williams	Willis	

Total--104

Those who voted in the negative are:

Total--0

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

S. 271--DEBATE ADJOURNED

Rep. D. C. MOSS moved to adjourn debate upon the following Bill, which was adopted:

S. 271 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO THE DEPARTMENT HAS DETERMINED IS NOT A SECURITY RISK AND CONFINED IN A DEPARTMENT OF CORRECTIONS' FACILITY TO ATTEND THE FUNERAL SERVICE OF CERTAIN INDIVIDUALS AND VISIT CERTAIN INDIVIDUALS WHILE THEY ARE HOSPITALIZED, AND TO PROVIDE FOR THE TRANSPORTATION OF THE INMATE; AND TO AMEND SECTION 24-3-210, RELATING TO FURLoughs FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION

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THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.

H. 4248--RECOMMITTED

The following Joint Resolution was taken up:

H. 4248 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4657, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4249--RECOMMITTED

The following Joint Resolution was taken up:

H. 4249 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SCHOOL RESOURCE OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4659, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4250--RECOMMITTED

The following Joint Resolution was taken up:

H. 4250 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO DETERMINATION OF RATES OF TUITION AND FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4729,

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4251--RECOMMITTED

The following Joint Resolution was taken up:

H. 4251 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBERSHOP REQUIREMENTS; APPLICATIONS FOR INSPECTION AND REGISTRATION AND SHOP LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4713, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4252--RECOMMITTED

The following Joint Resolution was taken up:

H. 4252 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO ADOPTION OF MODEL CODES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4714, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

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H. 4253--RECOMMITTED

The following Joint Resolution was taken up:

H. 4253 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO ENERGY STANDARDS APPEAL PROCEDURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4715, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4254--RECOMMITTED

The following Joint Resolution was taken up:

H. 4254 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO IRC SECTION R502.11.4 TRUSS DESIGN, DESIGNATED AS REGULATION DOCUMENT NUMBER 4716, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4255--RECOMMITTED

The following Joint Resolution was taken up:

H. 4255 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO IRC SECTION R703.4 FLASHING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4717, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4256--RECOMMITTED

The following Joint Resolution was taken up:

H. 4256 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TOIRC SECTION R802.10.1 WOOD TRUSS DESIGN, DESIGNATED AS REGULATION DOCUMENT NUMBER 4718, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4257--RECOMMITTED

The following Joint Resolution was taken up:

H. 4257 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO MAXIMUM TIME FOR CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4719, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4258--RECOMMITTED

The following Joint Resolution was taken up:

H. 4258 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

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RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4711, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4259--RECOMMITTED

The following Joint Resolution was taken up:

H. 4259 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO WORK SEARCH, DESIGNATED AS REGULATION DOCUMENT NUMBER 4693, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4260--RECOMMITTED

The following Joint Resolution was taken up:

H. 4260 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO APPEALS TO THE APPELLATE PANEL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4692, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

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H. 4261--RECOMMITTED

The following Joint Resolution was taken up:

H. 4261 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO APPEALS TO APPEAL TRIBUNAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4691, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4262--RECOMMITTED

The following Joint Resolution was taken up:

H. 4262 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO MORTGAGE LENDING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4690, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4263--RECOMMITTED

The following Joint Resolution was taken up:

H. 4263 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK CASHING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4689, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4264--RECOMMITTED

The following Joint Resolution was taken up:

H. 4264 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO SECURITIES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4649, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4265--RECOMMITTED

The following Joint Resolution was taken up:

H. 4265 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO LICENSING STANDARDS FOR CONTINUING CARE RETIREMENT COMMUNITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4625, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4266--RECOMMITTED

The following Joint Resolution was taken up:

H. 4266 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PREPAID LEGAL SERVICES CERTIFICATE OF REGISTRATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4709,

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4267--RECOMMITTED

The following Joint Resolution was taken up:

H. 4267 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO DISCOUNT MEDICAL PLAN CERTIFICATE OF REGISTRATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4707, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

H. 4269--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4269 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 7-7-501, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SUMTER COUNTY, SO AS TO ADD NEW PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

The yeas and nays were taken resulting as follows:

Yea 91; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Ballentine	Bamberg

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Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Jefferson	Jordan	Loftis
Long	Lowe	Lucas
Mack	Magnuson	Martin
McCoy	McCravy	McEachern
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Pitts	Pope	Putnam
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Ryhal	Simrill
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
White	Whitmire	Williams
Willis		

Total--91

Those who voted in the negative are:

Total--0

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

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H. 4268--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4268 -- Rep. Crawford: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN Horry County, so as to redesignate various precincts and redesignate the map number on which the names of these precincts may be found and maintained by the Revenue and Fiscal Affairs Office.

The yeas and nays were taken resulting as follows:

Yea 88; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Ballentine	Bamberg	Bannister
Bennett	Blackwell	Bowers
Bradley	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hardee
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Howard	Huggins
Jefferson	Loftis	Lowe
Lucas	Magnuson	Martin
McEachern	McKnight	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Parks	Pope
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Ryhal
Simrill	J. E. Smith	Sottile

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Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	West	Whipper
White	Whitmire	Williams
Willis		

Total--88

Those who voted in the negative are:

Total--0

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

LEAVE OF ABSENCE

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

S. 637--ORDERED TO THIRD READING

The following Bill was taken up:

S. 637 -- Senators Talley, Martin, Peeler, Reese and Corbin: A BILL TO AMEND SECTION 7-7-490 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, TO ADD ANDERSON MILL BAPTIST, D. R. HILL MIDDLE SCHOOL, HOPE, LYMAN ELEMENTARY, AND TRINITY PRESBYTERIAN PRECINCTS; TO REMOVE THE FRIENDSHIP BAPTIST PRECINCT; AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The yeas and nays were taken resulting as follows:

Yea 89; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Ballentine	Bamberg	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bowers	Bradley

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Caskey	Chumley	Clary
Clemmons	Clyburn	Cogswell
Collins	Crosby	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hardee	Hart
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Howard	Huggins
Jefferson	Jordan	Knight
Loftis	Long	Lowe
Lucas	Magnuson	Martin
McCoy	McEachern	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	Parks	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Ryhal
Simrill	J. E. Smith	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
Whipper	White	Whitmire
Williams	Willis	

Total--89

Those who voted in the negative are:

Total--0

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

S. 488--ORDERED TO THIRD READING

The following Bill was taken up:

S. 488 -- Senators Grooms, Johnson, Campbell, Climer, Campsen, Peeler, Reese and Shealy: A BILL TO AMEND SECTION 56-3-2320(A) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE DEALERS' LICENSES AND DEMONSTRATION PLATES, TO

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

Rep. WILLIS explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 98; Nays 0

Those who voted in the affirmative are:

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

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V. S. Moss	Murphy	B. Newton
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Ryhal
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	West
Whipper	White	Whitmire
Williams	Willis	

Total--98

Those who voted in the negative are:

Total--0

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

S. 61--ORDERED TO THIRD READING

The following Bill was taken up:

S. 61 -- Senator Hutto: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PARTICIPATION IN THE STATE HEALTH PLAN, SO AS TO ALLOW EMPLOYEES AND RETIREES, AND THEIR DEPENDENTS, OF ANY POLITICAL SUBDIVISION OF THE STATE TO PARTICIPATE IN THE STATE HEALTH PLAN.

Rep. SOTTILE explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 90; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bowers	Burns

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Chumley	Clary	Clemmons
Clyburn	Cogswell	Cole
Collins	Crosby	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hardee	Hayes	Henderson
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Jordan	King
Knight	Loftis	Long
Lowe	Lucas	Magnuson
Martin	McCoy	McEachern
D. C. Moss	V. S. Moss	B. Newton
Parks	Pope	Putnam
Ridgeway	S. Rivers	Robinson-Simpson
Ryhal	Simrill	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
West	Whipper	White
Whitmire	Williams	Willis

Total--90

Those who voted in the negative are:

Total--0

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

H. 3822--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3822 -- Reps. Fry, Bedingfield, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, Erickson, West, Lowe, Ryhal, Atwater, Willis, Jefferson, W. Newton, Bennett, Crosby, Long,

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Putnam, Cogswell and Whipper: A BILL TO AMEND SECTION 44-53-160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCESS FOR MAKING CHANGES TO CONTROLLED SUBSTANCE SCHEDULES, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE CODE COMMISSIONER OF ADDITIONS, DELETIONS, AND RESCHEDULING OF SUBSTANCES.

Rep. HART explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bernstein	Blackwell	Bowers
Bradley	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hardee	Hart
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hill
Hixon	Hosey	Howard
Huggins	Jefferson	Jordan
King	Knight	Loftis
Long	Lowe	Lucas
Magnuson	Martin	McCoy
McEachern	McKnight	D. C. Moss
V. S. Moss	B. Newton	Ott
Parks	Pope	Putnam
Ridgeway	M. Rivers	S. Rivers

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Robinson-Simpson	Ryhal	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	West	Whipper
White	Whitmire	Williams
Willis		

Total--97

Those who voted in the negative are:

Total--0

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

S. 46--RECOMMITTED

The following Bill was taken up:

S. 46 -- Senators Campsen, Bennett, Young and Alexander: A BILL TO AMEND SECTION 12-6-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INFLATION ADJUSTMENTS TO STATE INDIVIDUAL INCOME TAX BRACKETS, SO AS TO ENACT THE "TAXPAYER INFLATION PROTECTION ACT", TO DELETE THE PROVISION LIMITING THE INFLATION ADJUSTMENT TO ONE-HALF OF THE ACTUAL INFLATION RATE AND THE OVERALL FOUR PERCENT LIMIT ON THE TOTAL INFLATION ADJUSTMENT, AND TO DELETE REDUNDANT LANGUAGE.

Rep. WHITE moved to recommit the Bill to the Committee on Ways and Means, which was agreed to.

OBJECTION TO RECALL

Rep. PUTNAM asked unanimous consent to recall H. 3701 from the Committee on Judiciary.

Rep. KING objected.

OBJECTION TO RECALL

Rep. PUTNAM asked unanimous consent to recall H. 3699 from the Committee on Judiciary.

Rep. KING objected.

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OBJECTION TO RECALL

Rep. FORRESTER asked unanimous consent to recall S. 185 from the Committee on Labor, Commerce and Industry.

Rep. HILL objected.

SPEAKER IN CHAIR

**H. 3247--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3247 -- Reps. Crosby, Collins, Daning, Knight and Clemons: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED", "DAYLIGHT HOURS", AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, SO AS TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE,

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SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPED AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPED; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPED OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPED OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS

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AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, RELATING TO THE TERM "MOTOR-DRIVEN CYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-155, RELATING TO THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-165, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO

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AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" TO EXCLUDE MOPEDS; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO

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TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

Rep. DANING proposed the following Amendment No. 1A to H. 3247 (COUNCIL\CM\3247C002.GT.CM17), which was adopted:

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

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

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

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

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

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

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

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

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

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

(8) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer

and having a saddle for the use of the rider, but excluding a tractor and a moped.

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

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

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

(12) 'Cancellation of driver's license' means the annulment or termination by formal action of the Department of Motor Vehicles of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to the license; the cancellation of a license is without prejudice, and application for a new license may be made at any time after the cancellation.

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

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

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

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

(17) 'Alcohol concentration' means:

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

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

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

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

(20) 'All terrain vehicle' or 'ATV' means a motor vehicle measuring fifty inches or less in width, designed to travel on three or more wheels and designed primarily for off-road recreational use, but not including farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicles.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) A citizen of a foreign jurisdiction whose licensing procedure is at least as strict as South Carolina's, as determined by the Department of Motor Vehicles, who is at least eighteen years of age, who is employed in South Carolina, and who has a valid driver's license issued by that jurisdiction may drive in this State for five years if the foreign jurisdiction provides a reciprocal arrangement for South Carolina residents. The provisions of this item also shall apply to the dependents of foreign nationals who qualify under this section."

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

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

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

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

drive between midnight and six o'clock a.m. unless accompanied by the permittee's licensed parent or guardian;

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

(C) The accompanying driver must:

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

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

(D) A beginner's permit may be renewed or a new permit issued for additional periods of twelve months, ~~but~~. However, the department may refuse to renew or issue a new permit where the examining officer has reason to believe the applicant has not made a bona fide effort to pass the required driver's road test or does not appear to the examining officer to have the aptitude to pass the road test. The fee for every beginner's or renewal permit is two dollars and fifty cents, and the permit must bear the full name, date of birth, and residence address and a brief description and color photograph of the permittee and a facsimile of the signature of the permittee or a space upon which the permittee shall write his usual signature with pen and ink immediately upon receipt of the permit. A permit is not valid until it has been signed by the permittee.

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

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

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

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

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

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

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

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

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

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

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

- ~~(1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or~~
- ~~(2) a motor scooter or light motor driven cycle of five brake horsepower or less, during daylight hours be within a safe viewing~~

distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.

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

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

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

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

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

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

(1) held a beginner's permit for at least one hundred eighty days;

(2) passed a driver's education course as defined in subsection (F);

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

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

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

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

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

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

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

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

(a)(1) employment or the opportunity for employment;

(b)(2) travel between the licensee's home and place of employment or school; or

(c)(3) travel between the licensee's home or place of employment and vocational training;

(4) travel between the licensee's church, church-related and church-sponsored activities; or

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

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

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

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

(E) ~~Daylight hours, as used in this section, means after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning~~

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

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

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

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

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

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

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

TUESDAY, MAY 9, 2017

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

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

(1) alone during daylight hours only; and

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

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

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

The Department may not issue a beginner's permit or special restricted license as provided for in Sections 56-1-50 and 56-1-180 to any person convicted of a second or subsequent violation of operating a moped on the public highways and roads of this State while under age, until that person is at least fifteen and one half years of age.

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

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

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

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

which any other motor vehicle operator's license or permit may be suspended, revoked, or canceled."

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

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

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

"Article 3
Mopeds

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

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

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

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

(D) If a manufacturer's certificate of origin states the vehicle is a 'motor scooter', 'motor-driven cycle', or any similar term, the definitions of 'motorcycle' and 'moped', as shown in Section 56-1-10, must be used to determine whether the vehicle must be registered as a moped or must be titled and registered as a motorcycle.

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

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

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

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

(1) establishment of domicile in this State; or

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

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

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

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

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

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

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

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

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

(1) fraudulently uses or gives a false or fictitious name or address in an application required to be made under this article;

(2) knowingly makes a false statement in an application; or

(3) knowingly conceals a material fact in an application.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Article 4
Penalties

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(24) ~~[Deleted]~~ Reserved.

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

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

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

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

(29) ~~'Moped' means every cycle with pedals to permit propulsion by human power and with a motor of not more than fifty cubic centimeters which produces not to exceed one and one half brake horsepower and which is not capable of propelling the vehicle at a speed~~

~~in excess of twenty five miles per hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged Reserved.~~

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

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

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

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

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

"Section 56-3-250. No vehicle shall be registered and licensed by the department of Motor Vehicles unless a signed statement accompanies the application certifying that all county and municipal taxes legally due by the applicant on the vehicle concerned have been paid and if such vehicle is legally subject to being returned by the applicant for county and municipal taxes such return has been made; that the applicant is not delinquent in the payment of any motor vehicle taxes in this State, and that the address and county shown on the application for license is the true legal residence of the applicant. A transfer between members of the same family shall not, for the purpose of this section, be considered a bona fide purchase. Any person falsely certifying as required in this section shall have his driver's license suspended for a period of six months.

The provisions of this section shall not apply to mopeds or to any citizen of this State on active duty with the Armed Forces of the United States when the vehicle to be registered and licensed is operated for more than six months each year outside the boundaries of this State, nor to any

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motor vehicle subject to assessment for ad valorem tax purposes by the State Tax Commission Department of Revenue."

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

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

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

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

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

"Section 56-5-120. ~~Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks, is a 'vehicle'~~ Reserved."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~Until January 1, 1989, any person who fails to display the lights of a vehicle he is operating when lights are required by this section due to inclement weather or environmental factors may be issued only a warning ticket.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) [Deleted] Reserved.

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

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

(10) ‘House trailer’ means:

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

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

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

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

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

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

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

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

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

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

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

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

(21) 'Owner' means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the

~~use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security.~~
Reserved.

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

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

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

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

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

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

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

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

(30) 'Semitrailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some

part of its weight and that of its load rests upon or is carried by another vehicle.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(47) 'Motor home' means a vehicular unit designed to provide temporary living quarters built into an integral part of or permanently attached to a self-propelled motor vehicle chassis or van which unit contains permanently installed independent life support systems other than low voltage meeting the American National Standards Institute (ANSI) A119.2 Standard for Recreational Vehicles and provides at least four of the following facilities: cooking with onboard power source; gas or electric refrigerator; toilet with exterior evacuation; heating or air conditioning with onboard power source separate from the vehicle engine; a potable water supply system including a faucet, sink, and water tank with an exterior service connection; or separate 110-125 volt electric power supply. For purposes of this definition, a passenger-carrying automobile, truck, or van without permanently installed independent life support systems, including at least four of the indicated facilities, does not constitute a motor home.

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

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

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

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

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

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

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

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

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

(5) A vehicle moved solely by animal power;

(6) An implement of husbandry;

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

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

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

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

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

(12) A moped.”

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

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

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

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

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

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

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

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

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

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

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

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

“(A) The Department of Motor Vehicles shall require a person who is a resident of this State and who is convicted of violating the provisions of ~~Section Sections~~ 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, to have installed on any motor vehicle the person drives, except a moped, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one-hundredths of one percent or more. The department may waive the requirements of this section if the department determines that the person has a medical

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condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person's driver's license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person's medical condition has improved to the extent that the person has become capable of properly operating an installed device. The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver's license suspension or denial of the issuance of a driver's license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped.

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

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The yeas and nays were taken resulting as follows:

Yea 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Bamberg
Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hardee
Hayes	Henderson	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Jordan
King	Knight	Loftis
Long	Lowe	Lucas
Mack	Magnuson	Martin
McCoy	McEachern	McKnight
D. C. Moss	V. S. Moss	B. Newton
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Ryhal	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	West	Whipper
White	Whitmire	Williams
Willis		

Total--97

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Those who voted in the negative are:

Total--0

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time, passed and, 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:

S. 334 -- Senators Senn and Kimpson: A BILL TO AMEND SECTIONS 61-4-515 AND 61-6-2016 OF THE 1976 CODE, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE FOR ON-PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTOSPORTS ENTERTAINMENT COMPLEX OR TENNIS SPECIFIC COMPLEX, TO INCLUDE BASEBALL COMPLEX, AND TO PROVIDE A DEFINITION FOR "BASEBALL COMPLEX".

S. 692--DEBATE ADJOURNED

The following Concurrent Resolution was taken up:

S. 692 -- Senator Leatherman: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 11, 2017, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, MAY 23, 2017, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, MAY 25, 2017, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER 12:00 NOON

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TUESDAY, JANUARY 9, 2018, THE GENERAL ASSEMBLY
SHALL STAND ADJOURNED SINE DIE.

Rep. FINLAY moved to adjourn debate on the Concurrent Resolution until Wednesday, May 10, which was agreed to.

S. 574--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

S. 574 -- Senators Scott, McLeod, Fanning, McElveen, Jackson and Setzler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ATTACH A SIGN CONTAINING THE WORDS "WELCOME TO THE CITY OF COLUMBIA" ONTO THE CONGRESSMAN JAMES E. CLYBURN PEDESTRIAN OVERPASS CROSSING THE SOUTHBOUND LANES OF SOUTH CAROLINA HIGHWAY 277 IN THE CITY OF COLUMBIA.

The Concurrent Resolution was adopted and sent to the Senate.

S. 655--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

S. 655 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF THE 12TH STREET EXTENSION (SC-35) AND I-77 IN CAYCE "NOEL K. YOBS INTERSECTION" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

H. 4245--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 4245 -- Reps. Felder, B. Newton, Simrill, King, Pope, Delleney and D. C. Moss: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME A DEPARTMENT FACILITY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT KYLE J. WHITE AND PLACE APPROPRIATE

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MARKERS OR SIGNS AT THAT FACILITY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

H. 4246--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 4246 -- Reps. Daning, Crosby, Jefferson, Davis and S. Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE SIGNS ALONG UNITED STATES HIGHWAY 17 ALTERNATE AT SEPARATE LOCATIONS EAST AND WEST OF ITS INTERSECTION WITH UNITED STATES HIGHWAY 176 IN BERKELEY COUNTY CONTAINING THE WORDS "NORTHWOOD ACADEMY LADY CHARGERS SCISA 3A 2017 STATE BASKETBALL CHAMPIONS".

The Concurrent Resolution was adopted and sent to the Senate.

MOTION PERIOD

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

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

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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 Wednesday, May 10, which was agreed to.

H. 3064--DEBATE ADJOURNED

The following Bill was taken up:

H. 3064 -- Reps. Rutherford and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-185 SO AS TO PROVIDE THE BOARD OF PHARMACY SHALL ISSUE A WRITTEN PROTOCOL IN COMPLIANCE WITH WHICH PHARMACISTS, WITHOUT AN ORDER OF A PRACTITIONER, MAY PRESCRIBE AND DISPENSE HORMONAL CONTRACEPTIVE PATCHES AND SELF-ADMINISTERED ORAL HORMONAL CONTRACEPTIVES; TO PROVIDE THE BOARD ALSO SHALL ADOPT CERTAIN RULES TO ESTABLISH STANDARD PROCEDURES FOR THESE PRESCRIPTIONS AND DISPENSATIONS; AND TO PROVIDE THAT LAWS GOVERNING INSURANCE COVERAGE OF CONTRACEPTIVE DRUGS, DEVICES, PRODUCTS, AND SERVICES MUST BE CONSTRUED TO APPLY TO HORMONAL CONTRACEPTIVE PATCHES AND SELF-ADMINISTERED ORAL HORMONAL CONTRACEPTIVES PRESCRIBED AND DISPENSED PURSUANT TO THIS ACT.

Rep. HOWARD moved to adjourn debate on the Bill until Wednesday, May 10, which was agreed to.

H. 3722--DEBATE ADJOURNED

The following Bill was taken up:

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

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OF LAWS OF SOUTH CAROLINA, 1976, DO NOT APPLY TO THE PROVISIONS OF THIS ACT.

Rep. WHITE moved to adjourn debate on the Bill until Wednesday, May 10, which was agreed to.

SPEAKER *PRO TEMPORE* IN CHAIR

H. 3929--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

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

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3929 (COUNCIL\VR\3929C001.NBD.VR17), which was adopted:

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

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

“Section 44-1-65. (A) In making a staff decision on a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility, pursuant to Section 44-1-60(D), or if the department conducts a final review conference related to a decision on a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility, pursuant to Section 44-1-60(F), the department shall base its decision solely on whether the permit complies with the applicable department regulations governing the permitting of poultry and other agricultural animal facilities, other than swine facilities.

(B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another agricultural animal facility, other than a swine facility:

(1) in addition to an applicant, permittee, and licensee, only an affected person may request a final review conference pursuant to Section 44-1-60(F);

(2) only an affected person may request a contested case hearing pursuant to Section 44-1-60(G);

(3) in addition to an applicant, permittee, and licensee, only an affected person may become a party to a final review conference;

(4) only an affected person may become a party to a contested case hearing; and

(5) in addition to an applicant, permittee, and licensee, only an affected person is entitled as of right to be admitted as a party pursuant to Section 1-23-310(5) of the South Carolina Administrative Procedures Act.

(C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an affected person on the date the department receives the applicant’s complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application including, but not limited to, the construction of a residence.

(2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, the affected person may not withdraw or rescind the waiver.

(D) An applicant, permittee, licensee, and an affected person who has exhausted all administrative remedies within the department relating to a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility, and who is aggrieved by a final decision is entitled to appeal the decision pursuant to Section 1-23-380.

(E) For purposes of this section, 'affected person' means a property owner with standing within a one-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities."

SECTION 2. Section 44-1-60(A) of the 1976 Code is amended to read:

"(A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department which may give rise to a contested case ~~shall~~ must be made using the procedures set forth in this section. A department decision referenced in this subsection relating to a poultry facility or another agricultural animal facility, except a swine facility, also must comply with the provisions of Section 44-1-65."

SECTION 3. Section 46-45-80 of the 1976 Code is amended to read:

"Section 46-45-80. Any setback distances given in R. 61-43, Standards for Permitting of Agricultural Animal Facilities, are minimum siting requirements as established by the Department of Health and Environmental Control. ~~As long as the established setbacks are achieved, the department may not require additional setback distances on a case by case basis considering the factors set forth in the regulation.~~ Such distances ~~from property lines or residences~~ may be waived or reduced by written consent of the adjoining property owners, ~~or otherwise without consent of the adjoining property owners, when there are innovative and alternative technologies approved by the department~~

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pursuant to the Innovative and Alternative Technologies Section of R. 61-43. All agricultural animal facilities affected by these setback provisions must have a vegetative buffer between the facility and the affected ~~residenee person~~ as established by DHEC unless otherwise agreed to in writing by the adjoining landowners.”

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

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

The amendment was then adopted.

Rep. J. E. SMITH moved to adjourn debate on the Bill until Tuesday, January 9, 2018.

Rep. HIOTT moved to table the motion.

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

Yea 65; Nays 26

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bannister
Bedingfield	Bennett	Blackwell
Bradley	Burns	Caskey
Chumley	Clemonns	Cole
Collins	Crawford	Crosby
Daning	Davis	Duckworth
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Hamilton
Hardee	Hayes	Henderson
Herbkersman	Hewitt	Hill
Hiott	Hixon	Huggins
Jordan	Loftis	Long
Lowe	Lucas	Magnuson
Martin	D. C. Moss	V. S. Moss
Ott	Pitts	Pope
Putnam	S. Rivers	Ryhal
G. R. Smith	Sottile	Spires

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Tallon	Taylor	Thayer
West	White	Whitmire
Williams	Willis	

Total--65

Those who voted in the negative are:

Alexander	Anderson	Bernstein
Bowers	Brown	Clary
Cobb-Hunter	Cogswell	Dillard
Douglas	Gilliard	Hart
Hosey	Howard	Jefferson
King	Mack	McKnight
Parks	Ridgeway	M. Rivers
Robinson-Simpson	J. E. Smith	Stavrinakis
Thigpen	Whipper	

Total--26

So, the House refused to adjourn debate.

Rep. LOWE moved cloture on the entire matter.

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

Yea 54; Nays 44

Those who voted in the affirmative are:

Allison	Atkinson	Bales
Bedingfield	Bradley	Burns
Chumley	Clemmons	Crawford
Crosby	Daning	Davis
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Gagnon	Hamilton
Hardee	Hayes	Henderson
Herbkersman	Hewitt	Hill
Hiott	Hixon	Huggins
Jordan	Loftis	Long
Lowe	Lucas	Magnuson
Martin	D. C. Moss	V. S. Moss

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B. Newton	Pitts	Pope
Putnam	S. Rivers	Ryhal
G. R. Smith	Sottile	Spires
Taylor	Thayer	West
White	Whitmire	Willis

Total--54

Those who voted in the negative are:

Anderson	Anthony	Arrington
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Douglas
Fry	Funderburk	Gilliard
Hart	Hosey	Howard
Jefferson	King	Knight
Mack	McCoy	McEachern
McKnight	Ott	Parks
Ridgeway	M. Rivers	Robinson-Simpson
Rutherford	J. E. Smith	Stavrinakis
Tallon	Thigpen	Toole
Whipper	Williams	

Total--44

So, cloture was ordered.

Rep. PUTNAM moved that the House do now adjourn.

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

Yea 42; Nays 56

Those who voted in the affirmative are:

Anderson	Bamberg	Bannister
Blackwell	Bowers	Brown
Clary	Clyburn	Cobb-Hunter
Cogswell	Cole	Dillard
Douglas	Elliott	Gilliard

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Hamilton	Hart	Henderson
Henegan	Hill	Hosey
Howard	Jefferson	King
Knight	Long	Mack
McKnight	Parks	Putnam
Ridgeway	M. Rivers	Robinson-Simpson
Rutherford	J. E. Smith	Spires
Stavrinakis	Tallon	Thayer
Toole	Whipper	Williams

Total--42

Those who voted in the negative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bedingfield	Bennett	Bradley
Burns	Caskey	Chumley
Collins	Crawford	Crosby
Daning	Davis	Duckworth
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Hardee
Hayes	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Jordan	Loftis	Lowe
Lucas	Magnuson	Martin
McCoy	McEachern	D. C. Moss
V. S. Moss	B. Newton	Ott
Pitts	Pope	Ryhal
G. R. Smith	Sottile	Taylor
Thigpen	West	White
Whitmire	Willis	

Total--56

So, the House refused to adjourn.

Rep. CLARY proposed the following Amendment No. 2 to H. 3929 (COUNCIL\VR\3929C004.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

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/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a one-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) All affected persons within the one-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, shall be provided notice of submission of a permit application, notice of a department decision, and notice of a final agency decision, all by certified mail, return receipt requested, regardless of whether the affected person has requested to be notified.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. HIOTT spoke against the amendment.

Rep. LOWE moved to table the amendment.

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

Yea 80; Nay 16

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Bedingfield
Bennett	Bernstein	Blackwell
Bowers	Bradley	Burns
Caskey	Chumley	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hayes	Henderson

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Hewitt	Hill	Hiott
Hixon	Howard	Huggins
Jefferson	Jordan	Knight
Loftis	Long	Lowe
Lucas	Magnuson	Martin
McCoy	McEachern	McKnight
D. C. Moss	V. S. Moss	B. Newton
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
Ryhal	G. R. Smith	Sottile
Spires	Tallon	Taylor
Thayer	Toole	West
Whipper	White	Whitmire
Williams	Willis	

Total--80

Those who voted in the negative are:

Bamberg	Brown	Clary
Clyburn	Cobb-Hunter	Cogswell
Gilliard	Hart	Hosey
Mack	M. Rivers	Robinson-Simpson
Rutherford	J. E. Smith	Stavrinakis
Thigpen		

Total--16

So, the amendment was tabled.

Rep. CLARY proposed the following Amendment No. 3 to H. 3929 (COUNCIL\VR\3929C005.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

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(2)(a) All affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, shall be provided notice of submission of a permit application, notice of a department decision, and notice of a final agency decision, all by certified mail, return receipt requested, regardless of whether the affected person has requested to be notified.

(b) For purposes of this section, the timeline for requesting a final review conference under Section 44-1-60(E)(1) shall not begin until all affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, receives the notice of a staff decision by certified mail, regardless of whether the affected person has requested to be notified.

(3) For new and expanded animal facilities, the department, at the expense of the applicant, shall publish a notice of intent to construct an animal facility in a local paper of general circulation in the area of the facility.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. LOFTIS moved to table the amendment.

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

Yea 73; Nays 21

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Bedingfield
Bennett	Blackwell	Bowers
Bradley	Burns	Caskey
Chumley	Cole	Collins
Crosby	Davis	Delleney
Dillard	Duckworth	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hayes	Henderson

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Hewitt	Hill	Hiott
Hixon	Howard	Huggins
Jefferson	Jordan	Knight
Loftis	Long	Lowe
Lucas	Magnuson	Martin
McCoy	McEachern	McKnight
D. C. Moss	V. S. Moss	Ott
Pitts	Pope	Putnam
Ridgeway	Ryhal	G. M. Smith
G. R. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Toole	West	Whipper
White	Whitmire	Williams
Willis		

Total--73

Those who voted in the negative are:

Alexander	Brown	Clary
Cobb-Hunter	Cogswell	Daning
Douglas	Elliott	Felder
Gilliard	Govan	Hart
Hosey	King	B. Newton
M. Rivers	Robinson-Simpson	Rutherford
J. E. Smith	Stavrinakis	Thigpen

Total--21

So, the amendment was tabled.

LEAVE OF ABSENCE

The SPEAKER granted Rep. J. E. SMITH a temporary leave of absence.

Rep. CLARY proposed the following Amendment No. 4 to H. 3929 (COUNCIL\VR\3929C006.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural

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animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) All affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, shall be provided notice of submission of a permit application, notice of a department decision, and notice of a final agency decision, all by certified mail, return receipt requested, regardless of whether the affected person has requested to be notified.

(a) For purposes of this section, the timeline for requesting a final review conference under Section 44-1-60(E)(1) shall not begin until all affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, receives the notice of a staff decision by certified mail, regardless of whether the affected person has requested to be notified.

(b) For purposes of this section, the timeline for requesting a contested case hearing under Section 44-1-60(G) shall not begin until all affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, receives the certified notice of a final agency decision, regardless of whether the affected person has requested to be notified.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. PITTS spoke against the amendment.

Rep. LOWE moved to table the amendment.

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

Yea 77; Nays 8

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine

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Bamberg	Bannister	Bedingfield
Bennett	Blackwell	Bradley
Burns	Caskey	Chumley
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hayes	Henderson
Hewitt	Hill	Hiott
Hixon	Huggins	Jefferson
Johnson	Jordan	Knight
Loftis	Long	Lowe
Lucas	Martin	McCoy
McEachern	McKnight	D. C. Moss
V. S. Moss	B. Newton	Ott
Parks	Pitts	Pope
Putnam	Ridgeway	S. Rivers
Ryhal	G. M. Smith	G. R. Smith
Sottile	Spires	Tallon
Taylor	Thayer	Toole
Whipper	White	Whitmire
Williams	Willis	

Total--77

Those who voted in the negative are:

Alexander	Brown	Clary
Cogswell	Hosey	M. Rivers
Robinson-Simpson	Thigpen	

Total--8

So, the amendment was tabled.

LEAVE OF ABSENCE

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

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Rep. CLARY proposed the following Amendment No. 6 to H. 3929 (COUNCIL\VR\3929C008.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) All affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, shall be provided notice of submission of a permit application, notice of a department decision, and notice of a final agency decision, all by certified mail, return receipt requested, regardless of whether the affected person has requested to be notified.

(3) For new and expanded animal facilities, the department, at the expense of the applicant, shall publish a notice of intent to construct an animal facility in a local paper of general circulation in the area of the facility.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. HIOTT spoke against the amendment.

Rep. HIOTT moved to table the amendment.

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

Yea 80; Nays 7

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bamberg	Bannister	Bedingfield
Bennett	Blackwell	Bradley
Burns	Caskey	Chumley
Clyburn	Cole	Collins

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Crawford	Crosby	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hayes	Henderson
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	Loftis	Long
Lowe	Lucas	Magnuson
Martin	McCoy	McKnight
D. C. Moss	V. S. Moss	B. Newton
Ott	Pitts	Pope
Putnam	Ridgeway	S. Rivers
Ryhal	G. M. Smith	G. R. Smith
Sottile	Spires	Tallon
Taylor	Thayer	Thigpen
Toole	West	White
Whitmire	Willis	

Total--80

Those who voted in the negative are:

Brown	Clary	Cogswell
Mack	M. Rivers	Robinson-Simpson
Stavrinakis		

Total--7

So, the amendment was tabled.

Rep. CLARY proposed the following Amendment No. 7 to H. 3929 (COUNCIL\VR\3929C009.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own

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behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) All affected persons within the two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, shall be provided notice of submission of a permit application, notice of a department decision, and notice of a final agency decision, all by certified mail, return receipt requested, regardless of whether the affected person has requested to be notified.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. HIOTT moved to table the amendment.

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

Yea 69; Nay 10

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bamberg	Bannister	Bedingfield
Bennett	Blackwell	Burns
Chumley	Clemmons	Cole
Collins	Crosby	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hayes	Henderson
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
Loftis	Lowe	Lucas
Martin	McCoy	D. C. Moss
V. S. Moss	B. Newton	Ott
Pitts	Pope	Putnam

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Ridgeway	S. Rivers	Ryhal
G. R. Smith	Sottile	Spires
Tallon	Thayer	Toole
West	Whipper	White
Whitmire	Williams	Willis

Total--69

Those who voted in the negative are:

Brown	Caskey	Clary
Cogswell	Gilliard	Mack
M. Rivers	Robinson-Simpson	Rutherford
Thigpen		

Total--10

So, the amendment was tabled.

Rep. CLARY proposed the following Amendment No. 9 to H. 3929 (COUNCIL\VR\3929C011.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) The department shall hold a public meeting for a new or expanded poultry facility or other agricultural animal facility, except a swine facility, if, through the public comment process, at least five different affected persons submit a written request for a meeting." /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. HIOTT moved to table the amendment, which was agreed to by a division vote of 71 to 7.

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Rep. CLARY proposed the following Amendment No. 10 to H. 3929 (COUNCIL\VR\3929C012.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, ‘affected person’ means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) The department shall hold a public meeting for a new or expanded poultry facility or other agricultural animal facility, except a swine facility, if, through the public comment process, at least ten different affected persons submit a written request for a meeting.” /

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. PITTS raised the Point of Order that under Rule 8.3, Amendment No. 9 to H. 3929 was dilatory as it was substantially the same as other amendments presented to the body and should not be entertained by the Speaker.

The SPEAKER *PRO TEMPORE* overruled the Point and stated that under Rule 8.3, no dilatory motion or amendment shall be entertained by the Speaker. The SPEAKER *PRO TEMPORE* stated that Mason’s Manual states in Section 401-1, an “amendment that is frivolous or absurd is not in order, and the presiding officer may refuse to state amendments that, in the presiding officer’s opinions, are frivolous or absurd.” The SPEAKER *PRO TEMPORE* stated he was monitoring the amendments presented but that it appeared that Amendment No. 9 addressed distinct and individualized issues. He overruled the Point of Order.

Rep. CLARY spoke in favor of the amendment.

Rep. WILLIAMS moved that the House do now adjourn.

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

Yea 23; Nays 62

Those who voted in the affirmative are:

Anderson	Bamberg	Bowers
Brown	Clary	Cogswell
Dillard	Douglas	Elliott
Gilliard	Henegan	Hill
Hosey	Jefferson	Parks
Putnam	Ridgeway	M. Rivers
Robinson-Simpson	Spires	Stavrinakis
Whipper	Williams	

Total--23

Those who voted in the negative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bannister	Bedingfield	Bennett
Blackwell	Bradley	Burns
Caskey	Chumley	Cole
Collins	Crawford	Crosby
Davis	Delleney	Duckworth
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Hamilton	Hayes
Henderson	Hewitt	Hiott
Hixon	Huggins	Johnson
Jordan	Loftis	Lowe
Lucas	Magnuson	Martin
McCoy	D. C. Moss	V. S. Moss
B. Newton	Pitts	Pope
S. Rivers	Ryhal	G. M. Smith
G. R. Smith	Sottile	Tallon
Taylor	Thayer	Thigpen
Toole	West	White
Whitmire	Willis	

Total--62

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So, the House refused to adjourn.

Rep. CLARY continued speaking.

Rep. HIOTT moved to table the amendment, which was agreed to by a division vote of 64 to 5.

Rep. CLARY proposed the following Amendment No. 11 to H. 3929 (COUNCIL\VR\3929C013.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities. /

Amend the bill further, as and if amended, SECTION 1, Section 44-1-65, by adding an appropriately lettered subsection at the end to read:

/ () The department shall hold a public meeting for any new or expanded poultry facility or other agricultural animal facility, except a swine facility, when the normal production animal live weight at any time is greater than five hundred thousand pounds." /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. HIOTT moved to table the amendment.

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

Yea 70; Nay 8

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Ballentine	Bannister	Bedingfield
Bennett	Blackwell	Burns

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Caskey	Chumley	Clyburn
Cole	Collins	Crosby
Daning	Davis	Delleney
Duckworth	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Hamilton	Hayes
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Johnson	Jordan
Loftis	Lowe	Lucas
Magnuson	Martin	McCoy
D. C. Moss	V. S. Moss	B. Newton
Parks	Pitts	Pope
Putnam	S. Rivers	Ryhal
G. M. Smith	G. R. Smith	Sottile
Spires	Tallon	Taylor
Toole	West	Whipper
White	Whitmire	Williams
Willis		

Total--70

Those who voted in the negative are:

Brown	Clary	Cogswell
Jefferson	M. Rivers	Robinson-Simpson
Rutherford	Thigpen	

Total--8

So, the amendment was tabled.

LEAVE OF ABSENCE

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

Rep. CLARY proposed the following Amendment No. 13 to H. 3929 (COUNCIL\VR\3929C015.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

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/ (E) Notwithstanding any other provision of law, for purposes of this section, 'affected person' means a property owner with standing within a five-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities." /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. LOFTIS spoke against the amendment.

Rep. LOFTIS moved to table the amendment.

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

Yea 63; Nays 6

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Ballentine	Bamberg
Bedingfield	Blackwell	Burns
Caskey	Chumley	Clyburn
Cole	Collins	Crosby
Davis	Delleney	Duckworth
Elliott	Erickson	Finlay
Forrest	Forrester	Funderburk
Gagnon	Hayes	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
Loftis	Lowe	Lucas
Magnuson	Martin	McCoy
V. S. Moss	Parks	Pitts
Pope	Putnam	S. Rivers
Ryhal	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Toole

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West	Whipper	White
Whitmire	Williams	Willis

Total--63

Those who voted in the negative are:

Brown	Clary	Cogswell
Gilliard	M. Rivers	Robinson-Simpson

Total--6

So, the amendment was tabled.

Rep. CLARY proposed the following Amendment No. 16 to H. 3929 (COUNCIL\VR\3929C018.CC.VR17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by striking subsection (E) in its entirety and inserting:

/ (E)(1) For purposes of this section, 'affected person' means a property owner with standing within a two-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities.

(2) The department shall hold a public meeting for any new or expanded poultry facility or other agricultural animal facility, except a swine facility, when more than ten affected persons reside within a two-mile radius of the proposed facility." /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. LOFTIS moved to table the amendment.

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

Yea 61; Nays 9

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Those who voted in the affirmative are:

Anthony	Arrington	Atkinson
Ballentine	Bedingfield	Bennett
Blackwell	Burns	Chumley
Clyburn	Cole	Collins
Crosby	Davis	Delleney
Dillard	Duckworth	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hayes	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	Loftis	Lowe
Lucas	Martin	McCoy
V. S. Moss	Parks	Pitts
Pope	Putnam	Ridgeway
S. Rivers	Ryhal	G. M. Smith
G. R. Smith	Sottile	Taylor
Toole	West	Whipper
White	Whitmire	Williams
Willis		

Total--61

Those who voted in the negative are:

Brown	Caskey	Clary
Cogswell	Elliott	Gilliard
M. Rivers	Robinson-Simpson	Thigpen

Total--9

So, the amendment was tabled.

Rep. CLARY proposed the following Amendment No. 17 to H. 3929 (COUNCIL\VR\3929C019.CC.VR17), which was tabled:

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

/ SECTION ___. Section 50-11-365 of the 1976 Code is amended to read:

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“Section 50-11-365. It is unlawful to discharge a gun or weapon within ~~three hundred yards~~ one thousand feet of a poultry layer or broiler house containing live poultry without permission of the owner. Anyone knowingly violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days. The provisions of this section do not apply to a landowner, relative of a landowner, or lessee with permission of the landowner discharging a gun or weapon on his own adjacent land.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

POINT OF ORDER

Rep. WILLIAMS raised the Point of Order that under Rule 9.3 Amendment No. 17 was out of order in that it was not germane to H. 3929.

Rep. CLARY spoke to the Point.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and ruled Amendment No. 17 to be germane to the Bill.

Rep. HIOTT spoke against the amendment.

Rep. HIOTT moved to table the amendment, which was agreed to by a division vote of 59 to 8.

Rep. CLARY proposed the following Amendment No. 20 to H. 3929 (COUNCIL\ZW\3929C001.BH.ZW17), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 44-1-65(E) and inserting:

/ (E) For purposes of this section, ‘affected person’ means a property owner with standing, or an employee of a business, within a one-mile radius of the proposed building footprint or permitted poultry facility or other agricultural animal facility, except a swine facility, who is challenging on its own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other agricultural animal facilities, other than swine facilities. /

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Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. OTT spoke against the amendment.

Rep. OTT moved to table the amendment, which was agreed to by a division vote of 68 to 10. `

Rep. CLARY proposed the following Amendment No. 45 to H. 3929 (COUNCIL\DG\3929C001.BBM.DG17), which was tabled:

Amend the bill, as and if amended, by striking Section 46-45-80 and inserting:

/ “Section 46-45-80. (A) Any setback distances given in R. 61-43, Standards for Permitting of Agricultural Animal Facilities, are minimum siting requirements as established by the Department of Health and Environmental Control. As long as the established setbacks are achieved, the department may not require additional setback distances on a case-by-case basis considering the factors set forth in the regulation. Such distances from property lines or residences may be waived or reduced by written consent of the adjoining property owners; or otherwise without consent of the adjoining property owners, when there are innovative and alternative technologies approved by the department pursuant to the Innovative and Alternative Technologies Section of R. 61-43. All agricultural animal facilities affected by these setback provisions must have a vegetative buffer between the facility and the affected residence person as established by DHEC unless otherwise agreed to in writing by the adjoining landowners.

(B) The department shall consider the cumulative impacts including, but not limited to; impacts from evaporation; storm water; and other potential and actual point and nonpoint sources of pollution runoff; levels of nutrients or other elements in the soils and nearby waterways; groundwater or aquifer contamination; pathogens or other elements; and the pollution assimilative capacity of the receiving waterbody. These cumulative impacts will be considered prior to permitting new or expanded poultry facility or another agricultural animal facility. Alternative manure and other waste by-product treatment and utilization methods may be required in watersheds which are nutrient-sensitive waters, or impaired by pathogens.

(C) The department also shall act on all permits so as to prevent degradation of water quality due to the cumulative and secondary effects

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of permit decisions. Cumulative and secondary effects are impacts attributable to the collective effects of a number of poultry facilities or another agricultural animal facilities in a defined area and include the effects of additional projects similar to the requested permit proposed on sites in the vicinity. All permit decision shall ensure that poultry facility or another agricultural animal facility and manure treatment and utilization alternative with the least adverse impact on the environment shall be utilized. To accomplish this, new and expanding facilities, shall use the best available technology for the handling, storage, processing, treatment, and utilization of manure. Cumulative and secondary impacts include, but are not limited to; run off from land application of manure and a poultry facility or another agricultural animal facility; evaporation and atmosphere deposition of elements; ground-water or aquifer contamination; the build up of elements in the soil; and other potential and actual point and nonpoint sources of pollution in the vicinity.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. LOWE spoke against the amendment.

Rep. HIXON moved to table the amendment, which was agreed to by a division vote of 66 to 8.

Rep. CLARY proposed the following Amendment No. 46 to H. 3929 (COUNCIL\DG\3929C003.BBM.DG17), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-1-65, by adding an appropriately lettered subsection at the end to read:

/ () Before a final review conference being held pursuant to Section 44-1-60(F) for a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility, applicants permittees, licensees, and affected persons shall engage in mediation. The sixty day timeline in 44-1-60(F) shall be extended to 120 days to provide time for mediation related to a permit, license, certification, or other approval of a poultry facility or another agricultural animal facility, except a swine facility. /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY spoke in favor of the amendment.

Rep. HIOTT spoke against the amendment.

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Rep. HIOTT moved to table the amendment, which was agreed to by a division vote of 67 to 8.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 77; Nays 12

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Ballentine	Bannister	Bedingfield
Bennett	Blackwell	Bowers
Bradley	Burns	Caskey
Chumley	Clyburn	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hayes	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Knight
Loftis	Lowe	Lucas
Magnuson	Martin	McCoy
V. S. Moss	Ott	Parks
Pitts	Pope	Putnam
S. Rivers	Ryhal	G. M. Smith
G. R. Smith	Sottile	Spires
Tallon	Taylor	Toole
West	White	Whitmire
Williams	Willis	

Total--77

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Those who voted in the negative are:

Brown	Clary	Cogswell
Gilliard	Govan	Mack
B. Newton	M. Rivers	Robinson-Simpson
Rutherford	Stavrinakis	Whipper

Total--12

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3929. If I had been present, I would have voted in favor of the Bill.

Rep. Anne Thayer

S. 367--DEBATE ADJOURNED

The following Bill was taken up:

S. 367 -- Senator Alexander: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PROVISIONS THAT REGULATE THE OPERATION OF VARIOUS TYPES OF WATERCRAFT, TO INCREASE THE DISTANCE BETWEEN A WATERCRAFT AND ANOTHER OBJECT NEAR WHICH A WATERCRAFT MAY BE OPERATED IN EXCESS OF IDLE SPEED, AND TO PROVIDE THAT CERTAIN WATERCRAFT MAY NOT BE OPERATED UPON THE INTRACOASTAL WATERWAY IN EXCESS OF IDLE SPEED WITHIN FIFTY FEET OF CERTAIN OBJECTS.

Rep. HIOTT moved to adjourn debate on the Bill until Wednesday, May 10, which was agreed to.

S. 462--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 462 -- Senator Hembree: A BILL TO AMEND SECTION 59-39-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM HIGH SCHOOL DIPLOMA FOR GRADUATES OF ACCREDITED SCHOOLS, SO AS TO

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REVISE THE REQUIREMENTS FOR OBTAINING DIPLOMAS, TO PROVIDE PERSONALIZED PATHWAYS FOR STUDENTS, TO PROVIDE STUDENTS' COURSEWORK MUST BE ALIGNED WITH THEIR PERSONALIZED PATHWAYS AND BASED ON THEIR POSTSECONDARY PLANS, TO REQUIRE THE DEPARTMENT TO PROMULGATE REGULATIONS CONCERNING RELATED PROCEDURES, TO PROVIDE FOR THE DEVELOPMENT OF CRITERIA FOR UNIFORM STATE-RECOGNIZED EMPLOYABILITY CREDENTIALS ALIGNED TO INDIVIDUALIZED GRADUATION PLANS AND PROGRAMS OF STUDY FOR STUDENTS POTENTIALLY UNABLE TO ACHIEVE SUCCESSFUL COMPLETION OF UNIFORM DIPLOMA PATHWAYS, TO REQUIRE THE DEPARTMENT TO MONITOR AND ANNUALLY REPORT THE NUMBER OF DIPLOMAS AND EMPLOYABILITY CREDENTIALS EARNED BY STUDENTS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH STUDENTS ENTERING THE NINTH GRADE FOR THE 2018-2019 SCHOOL YEAR.

Rep. HILL proposed the following Amendment No. 1 to S. 462 (COUNCIL\WAB\462C001.AGM.WAB17), which was adopted:

Amend the bill, as and if amended, Section 59-39-100(B)(1), as contained in SECTION 1, page 2, by deleting the item in its entirety and inserting:

/ (1) Students will continue to be required to earn the units of credit as prescribed in regulation and, when applicable, be offered national industry certifications or credentials. /

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

The amendment was then adopted.

Rep. ALLISON explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 92; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater

[HJ]

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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
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Knight
Loftis	Lowe	Lucas
Mack	Magnuson	Martin
McCoy	V. S. Moss	B. Newton
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Rutherford	Ryhal	G. M. Smith
G. R. Smith	Spires	Stavrinakis
Tallon	Taylor	Thayer
West	Whipper	White
Whitmire	Williams	

Total--92

Those who voted in the negative are:

Total--0

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

RECURRANCE TO THE MORNING HOUR

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

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REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4746

Agency: Department of Health and Human Services

Statutory Authority: 1976 Code Section 44-6-90

Articles 4, 5, 7 and 8 of Chapter 126

Received by Speaker of the House of Representatives

May 5, 2017

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration May 2, 2018

REGULATIONS WITHDRAWN

Document No. 4687

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

Wildlife Management Area Regulations; and Turkey Hunting Rules and Seasons

Received by Speaker of the House of Representatives January 10, 2017

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration: Permanently Withdrawn

REPORTS OF STANDING COMMITTEE

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 665 -- Senators Talley, Martin, Peeler and Reese: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE INTERCHANGE OF I-585 AND EAST CAMPUS BOULEVARD, LYING BETWEEN VALLEY FALLS ROAD AND BUSINESS I-85, "TONEY J. LISTER INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Ordered for consideration tomorrow.

TUESDAY, MAY 9, 2017

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4284 -- Reps. Douglas, Delleney and King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WALNUT STREET IN THE CITY OF CHESTER FROM ITS INTERSECTION WITH SPRING STREET TO ITS INTERSECTION WITH GADSDEN STREET "THE REVEREND JOE H. NEAL WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THIS DESIGNATION.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4286 -- Reps. Norrell, 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, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE EMILY COX FOR WINNING THE 2016 SOUTH CAROLINA CLASS AAA STATE GOLF CHAMPIONSHIP TITLE.

The Resolution was adopted.

TUESDAY, MAY 9, 2017

HOUSE RESOLUTION

The following was introduced:

H. 4287 -- Reps. Parks, 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, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REVEREND LEROY ROBERTSON, PASTOR OF SECOND DAMASCUS BAPTIST CHURCH IN GREENWOOD, AND TO CONGRATULATE HIM FOR TWENTY YEARS OF FAITHFUL MINISTRY IN THE CHURCH AND THE COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4288 -- Reps. Norrell, 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,

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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, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE A.R. RUCKER MIDDLE SCHOOL ACADEMIC CHALLENGE TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2016-2017 SOUTH CAROLINA DIVISION II STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4289 -- Reps. McEachern, 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, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND CELEBRATE CHAMPION TENNIS PLAYER ALTHEA GIBSON, A NATIVE OF CLARENDON COUNTY, FOR HER OUTSTANDING ACHIEVEMENTS IN THE WORLD OF PROFESSIONAL TENNIS.

The Resolution was adopted.

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TUESDAY, MAY 9, 2017

HOUSE RESOLUTION

The following was introduced:

H. 4290 -- Reps. Williams, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE REVEREND TROY F. HARRISON, SR., OF MAULDIN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4291 -- Reps. McCravy, Pitts and Parks: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE CAREY BOLT, GREENWOOD COUNTY VETERANS AFFAIRS OFFICER, FOR HIS SERVICE TO THE VETERANS OF GREENWOOD COUNTY AND TO COMMEND HIM FOR HIS CONTRIBUTIONS TO THE OPENING OF THE NEW GREENWOOD VETERAN'S AFFAIRS OFFICE ON MAY 19, 2017.

The Resolution was adopted.

TUESDAY, MAY 9, 2017

HOUSE RESOLUTION

The following was introduced:

H. 4292 -- Reps. McKnight, 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, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SENIOR CHIEF MICHAEL T. LAURIE, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SIX YEARS OF OUTSTANDING SERVICE IN THE UNITED STATES NAVY, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4293 -- Reps. B. Newton, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, 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,

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McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE DR. GENE MOORE FOR HIS COMMITMENT TO PROVIDING AN EXEMPLARY EDUCATION TO THE CHILDREN OF LANCASTER COUNTY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4294 -- Reps. B. Newton, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, 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, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE HUNTER RAGAN FAILE OF LANCASTER COUNTY ON HER MAY 2017 GRADUATION FROM THE UNIVERSITY OF SOUTH CAROLINA, THANK HER FOR HER FAITHFUL SERVICE AS A HOUSE PAGE, AND WISH HER WELL IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

TUESDAY, MAY 9, 2017

HOUSE RESOLUTION

The following was introduced:

H. 4295 -- Reps. Hewitt, 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, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MAYOR BILL OTIS UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY YEARS OF EXEMPLARY SERVICE TO THE COMMUNITY OF PAWLEYS ISLAND AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4296 -- Reps. Mitchell, 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,

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McCoy, McCravy, McEachern, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CYNTHIA PEURIFOY, THE REGIONAL ENVIRONMENTAL JUSTICE COORDINATOR AT THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 4 OFFICE IN ATLANTA, GEORGIA, AND TO CONGRATULATE HER FOR RECEIVING THE PRESTIGIOUS VIVIAN MALONE JONES LEGACY AWARD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4297 -- Reps. Erickson, 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, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE CITY OF BEAUFORT AND THE UNIVERSITY OF SOUTH CAROLINA BEAUFORT CENTER FOR

TUESDAY, MAY 9, 2017

THE ARTS ON RECEIVING A COVETED 2017 ELIZABETH O'NEILL VERNER GOVERNOR'S AWARD FOR THE ARTS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4298 -- Reps. Ridgeway, 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, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE ERRICKA MICHELLE FLESCH OF SUMTER COUNTY ON HER GRADUATION FROM THE UNIVERSITY OF SOUTH CAROLINA, TO THANK HER FOR HER FAITHFUL SERVICE AS A HOUSE PAGE, AND TO WISH HER WELL IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4299 -- Reps. G. M. Smith and Weeks: A HOUSE RESOLUTION TO COMMEND AND RECOGNIZE PALMETTO HEALTH

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TUOMEY HOSPITAL AS THE RECIPIENT OF THE 2017 "I SEE YOU CARE" AWARD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4300 -- Reps. Putnam, 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, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO DECLARE JUNE 2017 AS "SCOLIOSIS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO PROMOTE AWARENESS AND INCREASED RESEARCH INTO THE CAUSES OF AND A CURE FOR THIS DISEASE.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4301 -- Reps. Howard, 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,

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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, 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 DECLARE APRIL 13, 2017, AS "COLUMBIA URBAN LEAGUE DAY" IN THE STATE OF SOUTH CAROLINA IN RECOGNITION OF COLUMBIA URBAN LEAGUE'S EXEMPLARY WORK IN OUR COMMUNITIES.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 4302 -- Reps. Howard, Bales, Ballentine, Bernstein, Douglas, Finlay, Hart, McEachern, Rutherford, J. E. Smith and Thigpen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE FIFTY-SEVENTH ANNIVERSARY OF NIGERIA'S INDEPENDENCE AND TO CELEBRATE THE NIGERIAN COMMUNITY OF SOUTH CAROLINA AND THE CONTRIBUTIONS THEY HAVE MADE TO THE CULTURAL DIVERSITY OF OUR GREAT STATE.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 682 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON U.S. HIGHWAY 76 OVER JEFFERIES CREEK

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"JOHN 'JACK' MOULTON ROBINSON, JR. BRIDGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 683 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON OLD RIVER ROAD THAT CROSSES BARFIELD MILL CREEK IN FLORENCE COUNTY "WILLIAM CLYDE GRAHAM BRIDGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 705 -- Senators Sheheen, Jackson, Setzler, Malloy, Hutto, Sabb, Kimpson, Nicholson, McLeod, Williams, J. Matthews, Scott, M. B. Matthews, Johnson, Allen, McElveen, Reese and Fanning: A CONCURRENT RESOLUTION TO HONOR AND COMMEND TRAV ROBERTSON ON HIS ELECTION AS CHAIR OF THE SOUTH CAROLINA DEMOCRATIC PARTY.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 706 -- Senators Sheheen, Jackson, Malloy, Sabb, Hutto, Kimpson, McLeod, Setzler, J. Matthews, Williams, Nicholson, Scott, M. B. Matthews, Johnson, Allen, McElveen, Reese and Fanning: A CONCURRENT RESOLUTION TO THANK ORANGEBURG NATIVE AND ATTORNEY JAIME R. HARRISON FOR HIS FOUR YEARS OF SERVICE AS SOUTH CAROLINA DEMOCRATIC

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PARTY CHAIRMAN AND TO WISH HIM THE BEST IN ALL HIS FUTURE ENDEAVORS.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 707 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KENDALL JOSEPH FROM ANDERSON COUNTY, VETERAN LINEBACKER FOR THE CLEMSON UNIVERSITY FOOTBALL TEAM, AND TO CONGRATULATE HIM FOR HIS SIGNIFICANT CONTRIBUTIONS TO THE HISTORIC SUCCESS OF THE CLEMSON TIGERS ON THE GRIDIRON.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 715 -- Senator Climer: A CONCURRENT RESOLUTION TO CONGRATULATE MAYOR A. DOUGLAS ECHOLS UPON THE OCCASION OF HIS RETIREMENT AS MAYOR OF ROCK HILL, TO COMMEND HIM FOR HIS YEARS OF DISTINGUISHED PUBLIC SERVICE TO ROCK HILL AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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

INTRODUCTION OF BILLS

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

H. 4303 -- Reps. Collins, Hamilton, Quinn, Putnam, Elliott, Burns, Long, Taylor, Atwater, Hill, Huggins, Magnuson, Allison, Ballentine, Bedingfield, Daning, Hiott, Loftis, G. R. Smith and Toole: A BILL TO

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AMEND SECTION 11-11-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION ON TAX INCREASES AND NEW TAXES WITHIN THE ANNUAL GENERAL APPROPRIATIONS ACT, SO AS TO APPLY THE SAME LIMITATION TO FEES, AND TO PROVIDE THAT IN DETERMINING APPLICABILITY, THE INCREASED OR NEW FEES AND TAXES MUST BE CALCULATED CUMULATIVELY.

Referred to Committee on Ways and Means

H. 4304 -- Reps. Duckworth, Loftis, Finlay, Henderson, Stavrinakis, Clary, McCoy, Taylor, Cogswell, Hewitt, Erickson, Crawford, Johnson, Jordan, Atwater, Spires, Fry, Clemons, Putnam, McCravy, Huggins, Davis, Kirby, Arrington, Bennett, Collins, Felder, Ballentine, Bannister, Bedingfield, Blackwell, Cole, Forrest, Gagnon, Hardee, Herbkersman, Hiott, Hixon, Lowe, Lucas, V. S. Moss, Pope, S. Rivers, Simrill, G. R. Smith, Thayer, Wheeler and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-37-60 SO AS TO PROVIDE THAT "OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES" MEANS INITIATIVES UNDERTAKEN BY AN ELECTRICAL UTILITY FOR THE LONG-TERM ADVANCEMENT OF ECONOMIC DEVELOPMENT AND CLEAN ENERGY BENEFITS RESULTING FROM OFFSHORE WIND, TO PROVIDE THAT THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION MAY ADOPT PROCEDURES THAT ENCOURAGE ELECTRICAL UTILITIES SUBJECT TO THE JURISDICTION OF THE COMMISSION TO INVEST IN OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES THAT PROVIDE COST RECOVERY FOR ENERGY SUPPLIERS AND DISTRIBUTORS WHO INVEST IN OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES THAT ARE REASONABLY EXPECTED TO RESULT IN ECONOMIC DEVELOPMENT FROM THE MANUFACTURING AND DEPLOYMENT OF OFFSHORE WIND.

Referred to Committee on Labor, Commerce and Industry

H. 4305 -- Rep. Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3780 SO AS TO PROVIDE DEFINITIONS, TO ALLOW FOR AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND AND FOR TUITION PAYMENTS MADE TO AN ELIGIBLE SCHOOL

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FOR AN EXCEPTIONAL NEEDS CHILD WITHIN THE TAXPAYER'S CUSTODY OR CARE, TO PROVIDE FOR ANNUAL LIMITS ON INCOME TAX CREDITS AVAILABLE, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO CREATE THE "EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND", TO PROVIDE FOR GOVERNANCE AND ADMINISTRATION OF THE FUND, TO PROVIDE FOR THE MANNER IN WHICH GRANTS ARE AWARDED, AND TO PROVIDE THAT THE EDUCATION OVERSIGHT COMMITTEE IS RESPONSIBLE FOR DETERMINING WHICH SCHOOLS ARE ELIGIBLE.

Referred to Committee on Ways and Means

S. 109 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A STATE OR FEDERAL MILITARY INSTALLATION AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Referred to Committee on Judiciary

S. 169 -- Senators Shealy and McLeod: A BILL TO AMEND CHAPTER 25, TITLE 16 OF THE 1976 CODE, RELATING TO DOMESTIC VIOLENCE, BY ADDING ARTICLE 8, TO CREATE THE OFFENSE OF TEEN DATING VIOLENCE, TO PROVIDE A PENALTY, TO ALLOW VICTIMS TO SEEK ORDERS OF PROTECTION OR RESTRAINING ORDERS UNDER CERTAIN CIRCUMSTANCES, TO PROHIBIT A PERSON WHO VIOLATES THE PROVISIONS OF THE ARTICLE FROM PARTICIPATING IN A PRETRIAL INTERVENTION PROGRAM, AND TO DEFINE NECESSARY TERMS; AND TO AMEND SECTION 16-3-755 OF THE 1976 CODE, RELATING TO SEXUAL BATTERY WITH A STUDENT, TO REVISE THE STRUCTURE OF THE OFFENSE TO PROVIDE THE SAME PENALTY FOR PERSONS WHO COMMIT THE OFFENSE WHEN THE VICTIM IS SIXTEEN YEARS OF AGE OR OLDER AND TO PROVIDE A MANDATORY MINIMUM SENTENCE OF ONE YEAR FOR A CONVICTION, NO PART OF WHICH MAY BE SUSPENDED NOR PROBATION GRANTED.

Referred to Committee on Judiciary

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S. 651 -- Senators Grooms, Bennett, Campbell, J. Matthews and Sabb:
A BILL TO AMEND SECTION 7-7-120 OF THE 1976 CODE,
RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN
BERKELEY COUNTY, TO ADD CARNES CROSS ROAD 3,
PIMLICO 1, AND PIMLICO 2 PRECINCTS; AND TO
REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF
THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY
THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Rep. CLARY moved that the House do now adjourn.

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

Yea 36; Nays 54

Those who voted in the affirmative are:

Bannister	Bernstein	Blackwell
Brown	Clary	Clyburn
Cogswell	Cole	Crosby
Daning	Davis	Delleney
Dillard	Forrest	Funderburk
Gilliard	Hamilton	Henderson
Hixon	Hosey	Howard
Jefferson	King	Lucas
Mack	McCoy	M. Rivers
S. Rivers	Robinson-Simpson	Ryhal
G. M. Smith	Spires	Stavrinakis
Taylor	Wheeler	Whitmire

Total--36

Those who voted in the negative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bedingfield	Bennett	Bowers
Bradley	Burns	Caskey
Chumley	Cobb-Hunter	Collins
Douglas	Duckworth	Elliott

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Erickson	Felder	Finlay
Forrester	Fry	Gagnon
Govan	Hayes	Henegan
Herbkersman	Hewitt	Hill
Hiott	Huggins	Johnson
Jordan	Knight	Loftis
Lowe	Magnuson	Martin
V. S. Moss	B. Newton	Ott
Pitts	Pope	Ridgeway
Rutherford	G. R. Smith	Tallon
Thayer	West	Whipper
White	Williams	Yow

Total--54

So, the House refused to adjourn.

SPEAKER IN CHAIR

S. 421--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

S. 421 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO GENERAL REGULATIONS; AND ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4686, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yea 85; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Ballentine	Bannister	Bedingfield
Bennett	Bernstein	Blackwell

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Bowers	Bradley	Burns
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hayes	Henderson	Henegan
Hewitt	Hill	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	King
Knight	Loftis	Lowe
Lucas	Mack	Martin
McCoy	V. S. Moss	B. Newton
Ott	Pitts	Pope
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Rutherford	Ryhal
G. M. Smith	G. R. Smith	Spires
Stavrinakis	Tallon	Taylor
Thayer	West	Wheeler
Whipper	White	Whitmire
Williams		

Total--85

Those who voted in the negative are:

Total--0

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

S. 520--RECOMMITTED

The following Joint Resolution was taken up:

S. 520 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CAREER OR TECHNOLOGY

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CENTERS/COMPREHENSIVE HIGH SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4697, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 521--RECOMMITTED

The following Joint Resolution was taken up:

S. 521 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM, GRADES 9-12 AND GRADUATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4700, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 526--RECOMMITTED

The following Joint Resolution was taken up:

S. 526 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADVANCED PLACEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4696, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

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S. 316--RECOMMITTED

The following Joint Resolution was taken up:

S. 316 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO AT-RISK STUDENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4656, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 371--RECOMMITTED

The following Joint Resolution was taken up:

S. 371 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN OPTICIANRY, RELATING TO EXAMINATIONS; APPRENTICESHIP; AND CONTINUING EDUCATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4723, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 405--RECOMMITTED

The following Joint Resolution was taken up:

S. 405 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE COMMISSION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4724, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 423--RECOMMITTED

The following Joint Resolution was taken up:

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 543--RECOMMITTED

The following Joint Resolution was taken up:

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 544--RECOMMITTED

The following Joint Resolution was taken up:

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

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AS REGULATION DOCUMENT NUMBER 4708, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

S. 448--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

Rep. CRAWFORD proposed the following Amendment No. 1 to S. 448 (COUNCIL\ZW\448C001.NL.ZW17), which was adopted:

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

/ SECTION ___. Section 63-7-40 (G) and (J) of the 1976 Code, as last amended by Act 228 of 2016, is further amended to read:

“(G) A person who leaves an infant at a safe haven or directs another person to do so must not be prosecuted for any criminal offense on account of such action if:

- (1) the person is a parent of the infant or is acting at the direction of a parent;
- (2) the person leaves the infant in the physical custody of a staff member or an employee of the safe haven; and
- (3) the infant is not more than ~~sixty days one year~~ old or the infant is reasonably determined by the hospital or hospital outpatient facility to be not more than ~~sixty days one year~~ old.

This subsection does not apply to prosecution for the infliction of any harm upon the infant other than the harm inherent in abandonment.

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(J) For purposes of this section:

(1) 'infant' means a person not more than ~~sixty days one year~~ old; and

(2) 'safe haven' means a hospital or hospital outpatient facility, a law enforcement agency, a fire station, an emergency medical services station, or any staffed house of worship during hours when the facility is staffed." /

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

/ SECTION __. Section 63-7-40(K) of the 1976 Code is amended to read:

(K) Annually the department shall submit a report to the General Assembly containing data on infants who come into the custody of the department pursuant to this section. The data must include, but are not limited to, the date, time, and place where the infant was left, the hospital to which the infant was taken, the health of the infant at the time of being admitted to the hospital, disposition and placement of the infant, and, if available, circumstances surrounding the infant being left at the safe haven. The department's report to the General Assembly shall include the number of infants age zero through six months and seven through twelve months as determined to the best of the department's ability. No data in the report may contain identifying information. /

Renumber sections to conform.

Amend title to conform.

Rep. CRAWFORD explained the amendment.

The amendment was then adopted.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 87; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell

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Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hayes	Henderson	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	King
Knight	Loftis	Lowe
Lucas	Mack	Magnuson
Martin	McCoy	V. S. Moss
B. Newton	Ott	Pope
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Rutherford	Ryhal
G. M. Smith	G. R. Smith	Spires
Stavrinakis	Tallon	Thayer
Weeks	West	Wheeler
White	Whitmire	Williams

Total--87

Those who voted in the negative are:

Total--0

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

S. 271--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 271 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO THE DEPARTMENT HAS DETERMINED IS NOT A SECURITY RISK AND CONFINED IN A DEPARTMENT OF CORRECTIONS' FACILITY TO ATTEND THE FUNERAL

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SERVICE OF CERTAIN INDIVIDUALS AND VISIT CERTAIN INDIVIDUALS WHILE THEY ARE HOSPITALIZED, AND TO PROVIDE FOR THE TRANSPORTATION OF THE INMATE; AND TO AMEND SECTION 24-3-210, RELATING TO FURLoughs FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.

Reps. TALLON, POPE, HIXON, TAYLOR, BLACKWELL, FELDER, MAGNUSON, MARTIN, COLE, ALLISON, CHUMLEY, DANING, ARRINGTON, COLLINS, BENNETT, ELLIOTT, ATKINSON, RYHAL, FORREST, ATWATER, OTT, COBB-HUNTER, BALLENTINE, HUGGINS, BANNISTER, WHITMIRE, RIDGEWAY, DOUGLAS, CASKEY, FINLAY, HENEGAN, GOVAN and HEWITT requested debate on the Bill.

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

RATIFICATION OF ACTS

At 6:15 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 46, S. 200) -- Senators Grooms, Bryant, Campbell and Alexander: AN ACT TO AMEND SECTION 57-25-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS ISSUED BY THE DEPARTMENT OF TRANSPORTATION FOR THE ERECTION AND MAINTENANCE OF CERTAIN OUTDOOR ADVERTISING SIGNS, SO AS TO REVISE PROVISIONS THAT VOID PERMITS FOR CONFORMING AND NONCONFORMING SIGNS REMOVED IN CERTAIN CIRCUMSTANCES, TO PROVIDE PERMITS MUST BE MAINTAINED FOR NONCONFORMING SIGNS STRUCTURALLY DAMAGED BY VANDALISM, AND TO PROVIDE PROCEDURES FOR RESTORING NONCONFORMING SIGNS STRUCTURALLY DAMAGED BY VANDALISM.

(R. 47, S. 315) -- Senator Cromer: AN ACT TO AMEND SECTION 38-75-470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HURRICANE, EARTHQUAKE, AND FIRE ADVISORY COMMITTEE, SO AS TO AUTHORIZE THE ADVISORY COMMITTEE TO ADDRESS THE MITIGATION OF

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

(R. 48, S. 359) -- Senator Cromer: AN ACT TO AMEND SECTION 39-5-325, CODE OF LAWS OF SOUTH CAROLINA 1976, RELATING TO UNFAIR TRADE PRACTICES FOR MOTOR FUEL RETAILERS, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND TO AMEND SECTION 39-5-350, RELATING TO EXEMPTIONS FROM MERCHANDISING UNFAIR TRADE PRACTICES, SO AS TO REMOVE THE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS.

(R. 49, S. 465) -- Senator Campsen: AN ACT TO AMEND SECTION 50-5-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS PERTAINING TO SALTWATERS, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "SHELLFISH MARICULTURE" AND "SHELLFISH SEED"; TO AMEND SECTION 50-5-360, RELATING TO WHOLESALE SEAFOOD DEALERS, PEELER CRAB, AND MOLLUSCAN SHELLFISH LICENSES, SO AS TO PROVIDE THAT A PERSON REQUIRED TO

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OBTAINT A WHOLESALE SEAFOOD DEALER LICENSE WHO RECEIVES MOLLUSCAN SHELLFISH MUST COMPLETE ANY REQUIRED DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TRAINING; TO AMEND SECTION 50-5-945, RELATING TO A SHELLFISH MARICULTURE PERMITTEE ACQUIRING A PERMIT TO TAKE SHELLFISH FOR REPLANTING FROM STATE BOTTOMS DESIGNATED FOR THAT PURPOSE, SO AS TO PROVIDE FOR THE ISSUANCE OF PERMITS TO SHELLFISH MARICULTURE PERMITTEES TO HARVEST WILD SHELLFISH SEED FOR USE IN MARICULTURE; TO AMEND SECTION 50-5-965, RELATING TO THE TAKING OF SHELLFISH FROM BOTTOMS OR WATERS DESIGNATED FOR COMMERCIAL HARVEST, SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY PLACE CERTAIN CONDITIONS UPON HARVEST PERMITS FOR THESE AREAS; BY ADDING SECTION 50-5-997 SO AS TO PROVIDE FOR THE ISSUANCE OF OUT-OF-SEASON HARVEST PERMITS TO SHELLFISH MARICULTURE PERMITTEES; TO AMEND SECTION 50-5-1005, RELATING TO THE ISSUANCE OF SHELLFISH IMPORTATION PERMITS, SO AS TO PROHIBIT THE PLACING OF GENETICALLY MODIFIED SHELLFISH IN THE WATERS IN THIS STATE EXCEPT UNDER THE PROVISIONS OF A PERMIT ISSUED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE ISSUANCE OF PERMITS TO PERSONS WHO POSSESS, PRODUCE, PURCHASE, OR SELL GENETICALLY MODIFIED SHELLFISH, AND TO PROVIDE FOR THE ISSUANCE OF PERMITS WITH CONDITIONS RELATING TO TESTING, TREATMENT OF EFFLUENT, AND BIOSECURITY; AND TO AMEND SECTION 50-5-2500, RELATING TO THE ASSIGNMENT OF POINT VALUES BY THE DEPARTMENT OF NATURAL RESOURCES UPON PERSONS WHO VIOLATE PROVISIONS RELATED TO THE MARINE RESOURCES ACT, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO VIOLATIONS RELATED TO HARVESTING AND HANDLING OF SHELLFISH.

(R. 50, S. 570) -- Senator Massey: AN ACT TO AMEND SECTION 46-33-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGISTRATION REQUIREMENTS FOR THE SHIPMENT AND SALE OF TREES, PLANTS, AND SHRUBS, TO

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PROVIDE A NURSERY REGISTRATION FEE SCHEDULE AND A NURSERY DEALER REGISTRATION FEE SCHEDULE AND TO DEFINE NECESSARY TERMS; TO AMEND SECTIONS 46-9-90, RELATING TO PENALTIES FOR VIOLATING THE CHAPTER ON THE STATE CROP PEST COMMISSION, 46-10-100, RELATING TO BOLL WEEVIL ERADICATION, 46-13-180, RELATING TO PENALTIES FOR VIOLATING THE PESTICIDE CONTROL ACT, 46-15-100, RELATING TO AGRICULTURAL MARKETING GENERALLY, 46-23-80, RELATING TO NOXIOUS WEEDS, AND 46-49-70, RELATING TO THE SUPERVISION AND REGULATION OF MILK AND MILK PRODUCTS, ALL SO AS TO REMOVE REFERENCE TO REGULATIONS; AND TO AMEND SECTION 46-13-90, RELATING TO THE DENIAL, SUSPENSION, REVOCATION, OR MODIFICATION OF CERTAIN PESTICIDE CONTROL LICENSES AND CERTIFICATES, SO AS TO PROVIDE THAT THE DIRECTOR MAY DENY, SUSPEND, REVOKE, OR MODIFY A LICENSE OR CERTIFICATE IF THE HOLDER MADE A PESTICIDE APPLICATION WITHOUT THE PROPER LICENSE.

(R. 51, H. 3516) -- Reps. Simrill, Lucas, White, G.M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V.S. Moss, Martin, Spires, Funderburk, D.C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J.E. Smith, Clemons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson: AN ACT TO AMEND SECTION 57-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF FUNDS WITH THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE INFRASTRUCTURE MAINTENANCE TRUST FUND; TO AMEND SECTION 12-28-310, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE-IN AN INCREASE OF TWELVE CENTS ON THE FEE OVER SIX YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE THE PAYMENT OF AN

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INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; TO REPEAL SECTION 12-36-2647 RELATING TO THE CREDITING OF CERTAIN MOTOR VEHICLE TAX REVENUES; TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION; TO AMEND SECTION 56-3-376, RELATING TO THE REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 56-3-120, RELATING TO EXEMPTIONS FROM THE REGISTRATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-610, RELATING TO THE PAYMENT OF REGISTRATION FEES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-660, RELATING TO REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED

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DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58-23-620, AS AMENDED, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; BY ADDING SECTION 12-37-2600 SO AS TO EXEMPT MOTOR CARRIERS FROM AD VALOREM TAXES ON LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 12-37-2610, AS AMENDED, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-28-2355, RELATING TO INSPECTION FEE REVENUES, SO AS TO DELETE A PROVISION THAT CREDITED THE DEPARTMENT OF AGRICULTURE WITH TEN PERCENT OF THE REVENUES; TO REPEAL SECTION 12-28-530 RELATING TO THE MOTOR FUEL USER FEE ON FUEL INVENTORY; TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE MOTOR FUEL USER FEE TO COUNTIES, SO AS TO ALLOW FOR CERTAIN ADDITIONAL ALLOCATIONS, AND TO DISTRIBUTE ADDITIONAL REVENUES TO EACH COUNTY; BY ADDING SECTION 57-1-380 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PREPARE A TRANSPORTATION ASSET MANAGEMENT PLAN FOR THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 11-43-167, RELATING TO FEES AND FINES CREDITED TO THE STATE HIGHWAY FUND, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO REDUCE CERTAIN AMOUNTS TRANSFERRED TO THE STATE-FUNDED RESURFACING PROGRAM; TO REPEAL SECTION 11-43-165 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; BY ADDING SECTION 12-6-3780 SO AS TO ALLOW FOR A REFUNDABLE INCOME TAX CREDIT FOR CERTAIN PREVENTATIVE MAINTENANCE ON A PRIVATE PASSENGER MOTOR VEHICLE, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CALCULATED AND OFFSET; BY ADDING SECTION 11-11-240 SO AS TO CREATE THE SAFETY MAINTENANCE ACCOUNT TO OFFSET THE AMOUNT OF THE PREVENTATIVE MAINTENANCE CREDIT; BY ADDING SECTION 12-6-3632 SO AS TO PHASE- IN A CREDIT EQUAL TO ONE HUNDRED TWENTY-FIVE PERCENT OF ANY EARNED INCOME TAX

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CREDIT ALLOWED; TO AMEND SECTION 12-6-3330, RELATING TO THE TWO-WAGE EARNER CREDIT, SO AS TO PHASE-IN AN INCREASE IN THE MULTIPLIER THAT DETERMINES THE MAXIMUM CREDIT AMOUNT; TO AMEND SECTION 12-6-3385, RELATING TO THE INCOME TAX CREDIT FOR TUITION, SO AS TO INCREASE THE AMOUNT OF THE CREDIT FOR BOTH FOUR-YEAR INSTITUTIONS AND TWO-YEAR INSTITUTIONS; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO PHASE IN AN EXEMPTION OF A PERCENTAGE OF MANUFACTURING PROPERTY; TO REPEAL SECTION 57-1-460 RELATING TO THE DEPARTMENT OF TRANSPORTATION SECRETARY'S EVALUATION AND APPROVAL OF ROUTINE OPERATION, MAINTENANCE, AND EMERGENCY REPAIRS; TO REPEAL SECTION 57-1-470 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION'S REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS APPROVED BY THE SECRETARY; TO AMEND SECTION 57-1-310, AS AMENDED, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ADD AN AT-LARGE MEMBER AND TO SPECIFY THE MANNER IN WHICH THE MEMBERS ARE APPROVED; TO AMEND SECTION 57-1-325, AS AMENDED, RELATING TO THE SUBMISSION OF TRANSPORTATION DISTRICT APPOINTMENTS, SO AS TO SPECIFY THE MANNER IN WHICH THE LEGISLATIVE DELEGATION MAY APPROVE THE APPOINTEE; TO AMEND SECTION 57-1-340, AS AMENDED, RELATING TO THE OATH OF OFFICE FOR A COMMISSION MEMBER, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 57 RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE; TO AMEND SECTION 57-1-350, AS AMENDED, RELATING TO THE RULES AND PROCEDURES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE A MINIMUM OF SIX REGULAR MEETINGS ANNUALLY, TO PROHIBIT A MEMBER FROM BEING INVOLVED IN THE DAY-TO-DAY OPERATIONS OF THE DEPARTMENT, AND TO PROHIBIT A MEMBER FROM HAVING AN INTEREST IN A GRANT OR AWARD OF THE DEPARTMENT; TO AMEND SECTION 57-1-360, AS AMENDED, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE ALL

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FINAL AUDIT REPORTS BE PUBLISHED ON THE WEBSITE MAINTAINED BY THE DEPARTMENT AND THE STATE AUDITOR; TO AMEND SECTION 57-1-430, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO PREPARE AND PUBLISH CERTAIN ANNUAL REPORTS; AND TO AMEND SECTION 57-1-330, AS AMENDED, RELATING TO THE TERMS OF OFFICE FOR MEMBERS OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE A CONFORMING CHANGE.

RATIFICATION OF ACTS

At 6:30 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 52, S. 279) -- Senator Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "APPRaisal MANAGEMENT COMPANY REGISTRATION ACT" BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 SO AS TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR ENTITIES ACTING AS APPRAISAL MANAGEMENT COMPANIES, TO SPECIFY REGISTRATION AND RENEWAL REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO PROVIDE FOR THE CONDUCT OF APPRAISAL MANAGEMENT COMPANIES, AND TO PROVIDE REMEDIES FOR VIOLATIONS; TO AMEND SECTION 40-60-10, AS AMENDED, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO PROVIDE FOR EIGHT MEMBERS TO INCLUDE ONE MEMBER REPRESENTING AN APPRAISAL MANAGEMENT COMPANY; TO DESIGNATE SECTIONS 40-60-5 THROUGH 40-60-230 AS ARTICLE 1; AND TO REDESIGNATE CHAPTER 60, TITLE 40 AS "REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES".

(R. 53, S. 334) -- Senators Senn and Kimpson: AN ACT TO AMEND SECTIONS 61-4-515 AND 61-6-2016, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE AND ALCOHOLIC LIQUORS, RESPECTIVELY, FOR ON-PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTOSPORTS ENTERTAINMENT

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COMPLEX OR TENNIS SPECIFIC COMPLEX, SO AS TO INCLUDE CERTAIN BASEBALL COMPLEXES IN THE PURVIEW OF THE STATUTES, AND TO PROVIDE A DEFINITION FOR "BASEBALL COMPLEX".

(R. 54, S. 444) -- Senator Grooms: AN ACT TO AMEND SECTIONS 56-1-10 AND 56-1-130, BOTH AS AMENDED, SECTION 56-3-20 AND SECTION 56-19-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A DRIVER'S LICENSE, THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, THE TERM "AUTOMOTIVE THREE-WHEEL VEHICLE" AND ITS DEFINITION, AND THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THE TERM "AUTOMOTIVE THREE-WHEEL VEHICLE" AND REPLACE IT WITH THE TERM "AUTOCYCLE" AND TO REVISE ITS DEFINITION; AND TO REPEAL SECTIONS 56-5-145 AND 56-5-155 RELATING TO THE TERMS "AUTOMOTIVE THREE-WHEEL VEHICLE" AND "MOTORCYCLE THREE-WHEEL VEHICLE" AND THEIR DEFINITIONS.

(R. 55, H. 3220) -- Reps. Allison, West, Collins, Felder, B. Newton, Govan, Brown, Whipper, Davis, Anderson, Loftis and Burns: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION ECONOMIC DEVELOPMENT COORDINATING COUNCIL, TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS, AND TO PROVIDE THAT THE PROVISION OF SECTION 59-59-175 EXPIRE FIVE YEARS AFTER ITS EFFECTIVE DATE UNLESS OTHERWISE EXTENDED.

(R. 56, H. 3349) -- Reps. Erickson and B. Newton: AN ACT TO AMEND ARTICLE 15, CHAPTER 33, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NURSE LICENSURE COMPACT, SO AS TO REVISE THE PROVISIONS OF THE COMPACT TO REFLECT CHANGES MANDATED FOR MEMBERSHIP IN THE COMPACT.

(R. 57, H. 3531) -- Reps. Crawford, Clemons, Fry, Duckworth, Hixon, Hardee, V.S. Moss, Forrest and Martin: AN ACT TO AMEND

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THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 47 SO AS TO DEFINE CERTAIN TERMS, TO PROHIBIT CERTAIN PERSONS FROM OWNING, POSSESSING, IMPORTING, PURCHASING, OR SELLING A LARGE WILD CAT, NON-NATIVE BEAR, OR GREAT APE, TO PROVIDE FOR THE ENFORCEMENT OF THIS CHAPTER AND EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, TO AUTHORIZE CONFISCATION OF THESE ANIMALS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT LOCAL GOVERNMENTAL BODIES MAY ADOPT ORDINANCES THAT REGULATE THE POSSESSION OF THESE ANIMALS, TO REGULATE THE TREATMENT OF THESE ANIMALS, AND TO PROVIDE A PENALTY FOR VIOLATIONS; AND TO AMEND SECTION 47-5-50, RELATING TO THE PROHIBITION OF THE SALE OF WILD CARNIVORES AS PETS AND THE SALE OF DOMESTICATED FERRETS, SO AS TO FURTHER PROVIDE FOR THE REGULATION OF THE PUBLIC DISPLAY, SHOWING, OR EXHIBITION OF CERTAIN WILD CARNIVORES, PRIMATES, OR OTHER ANIMALS.

(R. 58, H. 3538) -- Rep. J.E. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PERSONS WITH DISABILITIES RIGHT TO PARENT ACT" BY ADDING CHAPTER 21 TO TITLE 63 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES, LAW ENFORCEMENT, AND THE FAMILY AND PROBATE COURTS, AMONG OTHERS, TO PROTECT THE PARENTING RIGHTS OF PERSONS WITH A DISABILITY BY ESTABLISHING CERTAIN REQUIREMENTS AND SAFEGUARDS APPLICABLE IN CHILD CUSTODY, CHILD PROTECTION, AND PROBATE GUARDIANSHIP PROCEEDINGS TO ENSURE THAT PERSONS WITH DISABILITIES ARE NOT DENIED THE RIGHT TO PARENT OR TO HAVE CUSTODY OF OR VISITATION WITH A CHILD BECAUSE OF THE DISABILITY; AND TO PROHIBIT CHILD PLACING AGENCIES AND ADOPTION SERVICE PROVIDERS FROM DENYING PERSONS WITH A DISABILITY THE RIGHT TO ACCESS SERVICES BECAUSE OF THE PERSON'S DISABILITY, WITH EXCEPTIONS; TO AMEND SECTION 63-7-720, RELATING TO REASONABLE EFFORTS REQUIREMENTS FOR PROBABLE CAUSE HEARINGS, SO AS TO REQUIRE CERTAIN EFFORTS IF A PARENT OR LEGAL GUARDIAN HAS A DISABILITY, TO INCLUDE

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

(R. 59, H. 3559) -- Reps. Pitts, Ott, Putnam, Gagnon, Atkinson, Dillard, Martin, West, Hill, Bedingfield, Gilliard, Kirby, Davis, King, Whipper and Govan: AN ACT 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 DEFINITIONS FOR ADDITIONAL TERMS, TO CREATE THE SOUTH CAROLINA INDUSTRIAL HEMP PROGRAM, TO PROVIDE THAT INDUSTRIAL HEMP IS AN AGRICULTURAL CROP UPON WHICH CERTAIN INSTITUTIONS OF HIGHER EDUCATION MAY CONDUCT RESEARCH, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE MAY ISSUE PERMITS TO RESIDENTS OF THIS STATE TO GROW INDUSTRIAL HEMP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCESS TO APPLY AND BE ISSUED A PERMIT, 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 PROVIDE THAT A PERSON ENGAGED IN ACTIVITIES COVERED BY THE INDUSTRIAL HEMP PROGRAM ARE NOT SUBJECT TO ANY STATE CIVIL OR CRIMINAL ACTIONS, TO REVISE THE PROVISION THAT

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SPECIFIES THAT CERTAIN CONDUCT REGARDING THE MANUFACTURING, DISTRIBUTION, PURCHASE, AND OTHER ACTIVITIES RELATING TO DISGUIISING MARIJUANA TO MAKE IT APPEAR TO BE INDUSTRIAL HEMP IS ILLEGAL, TO PROVIDE FOR LABORATORY TESTING OF INDUSTRIAL HEMP, AND TO PROVIDE A PENALTY FOR DISGUIISING MARIJUANA TO APPEAR TO BE INDUSTRIAL HEMP.

(R. 60, H. 3587) -- Reps. Henderson, Knight and Felder: A JOINT RESOLUTION TO CREATE THE "SEIZURE SAFETY IN SCHOOLS STUDY COMMITTEE" TO EXAMINE ISSUES RELATED TO EPILEPSY AND SEIZURE SAFETY AWARENESS IN PUBLIC SCHOOLS, TO PROVIDE FOR THE MEMBERSHIP, DUTIES, STAFFING, AND RESPONSIBILITIES OF THE STUDY COMMITTEE, AND TO PROVIDE ITS MEMBERS SHALL SERVE WITHOUT MILEAGE, PER DIEM, SUBSISTENCE, OR OTHER COMPENSATION.

(R. 61, H. 3879) -- Reps. Davis, Yow, Thayer, Anderson and Gilliard: AN ACT TO AMEND SECTION 42-9-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM AMOUNT OF BURIAL EXPENSES PAYABLE UNDER WORKERS' COMPENSATION LAWS FOR ACCIDENTAL DEATH, SO AS TO INCREASE THE MAXIMUM PAYABLE AMOUNT TO TWELVE THOUSAND DOLLARS.

(R. 62, H. 3883) -- Reps. Sandifer and Pope: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PYRAMID PROMOTIONAL SCHEME PROHIBITION ACT" BY ADDING ARTICLE 7 TO CHAPTER 5, TITLE 39 SO AS TO PROVIDE PYRAMID PROMOTIONAL SCHEMES CONSTITUTE UNFAIR TRADE PRACTICES UNDER THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO REPEAL SECTION 39-5-30 RELATING TO PYRAMID CLUBS AND SIMILAR OPERATIONS.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3840 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

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THE PORTION OF TIGERVILLE ROAD IN GREENVILLE FROM TIGERVILLE ELEMENTARY SCHOOL TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 11 "DAVID W. STATON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THIS DESIGNATION.

H. 4160 -- Rep. Long: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 417 IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 14 TO ITS INTERSECTION WITH BROOKWOOD POINT PLACE "REVEREND CARLOS BLEASE WATSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

H. 4147 -- Reps. White, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE DUKE'S MAYONNAISE AT THE CELEBRATION OF ITS ONE HUNDREDTH ANNIVERSARY, TO CONGRATULATE THE C.F. SAUER COMPANY ON THE CONTINUED SUCCESS OF THE DUKE'S BRAND, AND TO DECLARE THURSDAY, APRIL 27, 2017, AS "DUKE'S DAY IN SOUTH CAROLINA."

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H. 4074 -- Reps. Clemons, Yow, J. E. Smith, Williams, Fry, 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, 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, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire and Willis: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS AND URGE THEM TO PASS H.R. 2747, THE "ATOMIC VETERANS SERVICE MEDAL ACT".

H. 3964 -- Reps. Alexander and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WILSON ROAD IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH IRBY STREET TO ITS INTERSECTION WITH OAKLAND AVENUE "ELDER ELIJAH GREEN WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THIS DESIGNATION.

H. 4050 -- Rep. Johnson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 129 AND VAUGHT ROAD IN HORRY COUNTY "LONNIE HOYT MARTIN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

H. 4175 -- Reps. Pope, D. C. Moss, Simrill, Felder, B. Newton, Delleney, V. S. Moss and King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

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THE PORTION OF SOUTH CAROLINA HIGHWAY 5 IN YORK COUNTY FROM NORTHWESTERN HIGH SCHOOL TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "VETERANS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

H. 4198 -- Reps. Pope, Delleney, Felder, King, D. C. Moss, V. S. Moss, B. Newton and Simrill: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST SPRINGDALE ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH FIRETOWER ROAD TO ITS INTERSECTION WITH LESSLIE HIGHWAY IN MEMORY OF ERIC LESSMEISTER AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "IN MEMORY OF ERIC LESSMEISTER, 'ONCE A BEARCAT, ALWAYS A BEARCAT'."

ADJOURNMENT

At 6:47 p.m. the House, in accordance with the motion of Rep. MCEACHERN, adjourned in memory of Christopher Shawn Lanier, to meet at 10:00 a.m. tomorrow.

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