

NO. 68

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

THURSDAY, MAY 11, 2017
(STATEWIDE SESSION)

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Indicates Matter Stricken

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Micah 4:5: "For all the peoples walk, each in the name of its god, but we will walk in the name of the Lord, our God, forever and ever."

Let us pray. As we come to the end of another legislative year, we thank You for Your blessings upon us. For Your caring and concern and Your guidance, we are grateful. We give thanks for those who support us; the ladies on the desk, the legislative aides, the staff, the security personnel, the maintenance staff, the pages, those who care for our health and for these Representatives as they have striven to achieve good things for the people. Guide and protect each as they return home to their families and community. Continue to look in favor upon our Nation, President, State, Governor, and Speaker. Protect our first responders and those who defend us at home and abroad. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. COBB-HUNTER moved that when the House adjourns, it adjourn in memory of Dewey Tullis, which was agreed to.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

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The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 463:

S. 463 -- Senators Cromer and Gambrell: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38, SO AS TO INCLUDE CERTAIN FORMS OF DISABILITY INSURANCE IN THE DEFINITION FOR THE TERM "SURPLUS LINES INSURANCE".

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 11, 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. 462:

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 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

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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.

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 11, 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. 254:

S. 254 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "OWN RISK AND SOLVENCY ASSESSMENT ACT" BY ADDING ARTICLE 8 TO CHAPTER 13, TITLE 38 SO AS TO EXPRESS THE PURPOSE OF THIS ACT, TO DEFINE NECESSARY TERMS, TO REQUIRE AN INSURER TO MAINTAIN A RISK MANAGEMENT FRAMEWORK FOR CERTAIN PURPOSES, TO REQUIRE AN INSURER OR INSURANCE GROUP OF WHICH AN INSURER IS A MEMBER TO CONDUCT AN OWN RISK AND SOLVENCY ASSESSMENT (ORSA) ON NO LESS THAN AN ANNUAL BASIS, TO REQUIRE AN INSURER OR INSURANCE GROUP TO SUBMIT AN ORSA REPORT TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE AND TO DESCRIBE WHAT THE REPORT MUST CONTAIN, TO PROVIDE EXEMPTIONS FROM THE REPORTING PROVISIONS IN CERTAIN CIRCUMSTANCES AND TO ALLOW AN INSURER TO APPLY FOR A WAIVER UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH THAT THE ORSA REPORT BE PREPARED IN A MANNER CONSISTENT WITH THE ORSA GUIDANCE MANUAL, TO PROVIDE THAT ALL DOCUMENTS, MATERIALS, AND INFORMATION CREATED UNDER THE OWN RISK AND SOLVENCY ASSESSMENT ACT ARE CONFIDENTIAL, TO PROHIBIT THE DIRECTOR OR ANYONE WHO RECEIVES ORSA-RELATED INFORMATION FROM

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TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO PERMIT THE DIRECTOR TO TAKE CERTAIN ACTIONS CONCERNING HIS REGULATORY DUTIES, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE ORSA SUMMARY REPORT, AND TO SET AN EFFECTIVE DATE FOR THE PROVISIONS OF THIS ACT; AND TO AMEND SECTION 38-21-10, AS AMENDED, RELATING TO DEFINED TERMS FOR THE INSURANCE HOLDING COMPANY REGULATORY ACT, SO AS TO DEFINE THE TERM "SUPERVISORY COLLEGE".

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 11, 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. 353:

S. 353 -- Senator Massey: A BILL TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR, TO CHANGE THE ELECTION DATE FOR

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COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, AND TO CHANGE THE FILING PROCEDURE FOR COMMISSION CANDIDATES SO AS TO REQUIRE THEM TO FILE AN INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AND TO SET A FILING DEADLINE.

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 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hembree, Campbell and Johnson of the Committee of Conference on the part of the Senate on H. 3247:

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

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TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED 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

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THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, 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

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SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR 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-

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10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hutto, Shealy and Timmons of the Committee of Conference on the part of the Senate on S. 289:

S. 289 -- Senators Shealy, Rankin, McElveen, Sheheen, Hutto and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA CRIME VICTIM SERVICES ACT" TO RESTRUCTURE AND CONSOLIDATE VICTIM SERVICES; TO AMEND CHAPTER 7, TITLE 1 OF THE 1976 CODE, RELATING TO THE ATTORNEY GENERAL AND SOLICITORS, BY ADDING ARTICLE 8, TO CREATE THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, TO MOVE THE STATE OFFICE OF VICTIM ASSISTANCE, THE SOUTH CAROLINA CRIME VICTIM OMBUDSMAN, AND THAT PORTION OF THE OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS UNDER THE DEPARTMENT OF PUBLIC SAFETY THAT ADMINISTERS CERTAIN VICTIM SERVICES GRANTS

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UNDER THE NEWLY CREATED DIVISION, AND TO CREATE FOUR DEPARTMENTS UNDER THE DIVISION TO OVERSEE AND ADMINISTER DIFFERENT ASPECTS OF THE VICTIM SERVICES DELIVERY SYSTEM; TO AMEND SECTION 1-11-10(A), RELATING TO OFFICES AND DIVISIONS UNDER THE DEPARTMENT OF ADMINISTRATION, TO DELETE THOSE VICTIM SERVICES OFFICES AND OTHER ENTITIES THAT ARE MOVED TO THE NEW DIVISION; TO AMEND SECTIONS 14-1-203, 14-1-204(A), 14-1-205, 14-1-206(C), 14-1-207(C), 14-1-208(C), AND 14-1-210(A), RELATING TO THE DISTRIBUTION OF CERTAIN FILING FEES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THAT PORTION OF THE FEES DISTRIBUTED TO THE VICTIM COMPENSATION FUND; TO AMEND SECTIONS 16-3-1110, 16-3-1120, 16-3-1140, 16-3-1150, 16-3-1160, 16-3-1170, 16-3-1180, 16-3-1220, 16-3-1230, 16-3-1240, 16-3-1260, 16-3-1290, 16-3-1330, 16-3-1340, AND 16-3-1350, RELATING TO THE COMPENSATION OF VICTIMS OF CRIME, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THE VICTIM COMPENSATION FUND AND CERTAIN RESPONSIBILITIES OF THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM COMPENSATION; TO AMEND ARTICLE 14, CHAPTER 3, TITLE 16, TO RENAME THE ARTICLE "CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS," TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES ALL GENERALLY RELATING TO THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS, AND ITS RESPONSIBILITIES, TO MAKE CONFORMING CHANGES TO THE VICTIM SERVICES COORDINATING COUNCIL, AND TO PROVIDE THAT THE DIRECTOR OF THE SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION SHALL SERVE AS CHAIRPERSON; TO AMEND ARTICLE 16, CHAPTER 3, TITLE 16, TO RENAME THE ARTICLE "CRIME VICTIM OMBUDSMAN," TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES

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ALL GENERALLY RELATING TO THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM OMBUDSMAN AND ITS RESPONSIBILITIES, AND TO PROVIDE A PROCEDURE FOR COMPLAINTS REGARDING THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION AND ITS AFFILIATED DEPARTMENTS TO BE HANDLED THROUGH THE OMBUDSMAN WITH APPEAL TO THE STATE INSPECTOR GENERAL; TO AMEND CHAPTER 3, TITLE 16, BY ADDING ARTICLE 12, TO ENTITLE THE ARTICLE "CRIME VICTIM ASSISTANCE GRANTS," AND TO PROVIDE THAT THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS WILL BE RUN BY A DEPUTY DIRECTOR WHO SHALL ESTABLISH A PROCESS TO SOLICIT AND ADMINISTER CERTAIN VICTIM SERVICES GRANTS AND THE DISBURSEMENT OF FUNDS FROM THOSE GRANTS; TO AMEND SECTIONS 23-6-500, 23-6-510, AND 23-6-520, RELATING TO THE SOUTH CAROLINA PUBLIC SAFETY COORDINATING COUNCIL, TO MAKE CONFORMING CHANGES TO INCLUDE THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS IN THE GRANT PROCESS UNDER CERTAIN CIRCUMSTANCES, AND TO REVISE THE COUNCIL'S MEMBERSHIP TO INCLUDE THE ATTORNEY GENERAL AND A VICTIM WITH A DOCUMENTED HISTORY OF VICTIMIZATION APPOINTED BY THE ATTORNEY GENERAL; TO AMEND SECTION 16-5-445(C), RELATING TO THE SEIZURE AND FORFEITURE OF EQUIPMENT USED IN VIOLATION OF A CRIME, AND SECTION 24-3-40(A)(2)(b), RELATING TO THE PRISON INDUSTRIES PROGRAM AND DISTRIBUTION OF PRISONER WAGES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THE VICTIM COMPENSATION FUND; TO AMEND SECTIONS 14-1-206(E), 14-1-207(E), AND 14-1-208(E), RELATING TO THE DISTRIBUTION OF CERTAIN FILING FEES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY, AND TO PROVIDE FOR THE UNIFORM SUPPLEMENTAL SCHEDULE FORM TO BE DEVELOPED BY

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THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION; AND BY ADDING SECTIONS 14-1-211.5, 14-1-211.6, AND 14-1-211.7, TO CODIFY EXISTING BUDGET PROVISOS RELATING TO THE DISTRIBUTION OF CERTAIN CRIME VICTIM FUNDS, TO PROVIDE FOR THE AUTHORITY OF THE VICTIM COMPENSATION FUND TO TRANSFER ANY STATE FUNDS DEEMED AVAILABLE TO THE DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR AUDITING AND REPORTING PROCEDURES FOR VICTIM SERVICES PROVIDERS, AND TO TRANSFER A CERTAIN SUM FROM THE DEPARTMENT OF CORRECTIONS TO THE SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION.

Very respectfully,
President
Received as information.

H. 3969--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3969:

H. 3969 -- Reps. Felder and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1940 SO AS TO PROVIDE THE EDUCATION OVERSIGHT COMMITTEE SHALL DESIGN AND PILOT CERTAIN DISTRICT ACCOUNTABILITY MODELS THAT FOCUS ON COMPETENCY-BASED EDUCATION; BY ADDING SECTION 59-18-1950 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A STATE LONGITUDINAL DATA SYSTEM FOR MEASURING THE CONTINUOUS IMPROVEMENT OF PUBLIC EDUCATION AND THE COLLEGE READINESS AND CAREER READINESS OF PUBLIC SCHOOL GRADUATES, AND TO PROVIDE RELATED FINDINGS; BY ADDING SECTION 59-18-1960 SO AS TO PROVIDE THE MEASURING OF STUDENT PROGRESS OR

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GROWTH USING A VALUE-ADDED SYSTEM; TO AMEND SECTION 59-18-100, AS AMENDED, RELATING TO THE PURPOSE OF THE ACCOUNTABILITY SYSTEM IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO PROVIDE ADDITIONAL PURPOSES CONCERNING THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-120, AS AMENDED, RELATING TO DEFINITIONS IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE AND ADD DEFINED TERMS; TO AMEND SECTION 59-18-310, AS AMENDED, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM FOR MEASURING STUDENT PERFORMANCE, SO AS TO DELETE OBSOLETE LANGUAGE AND TO DELETE PROVISIONS CONCERNING THE TIMING FOR ADMINISTERING CERTAIN ASSESSMENTS; TO AMEND SECTION 59-18-320, AS AMENDED, RELATING TO THE ADMINISTRATION OF CERTAIN STATEWIDE STANDARDS-BASED ASSESSMENTS, SO AS TO DELETE OBSOLETE PROVISIONS CONCERNING THE NO CHILD LEFT BEHIND ACT, AND TO DELETE PROVISIONS CONCERNING PERFORMANCE LEVEL RESULTS IN VARIOUS CORE SUBJECT AREAS; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO COLLEGE AND CAREER READINESS SUMMATIVE ASSESSMENTS, SO AS TO REVISE PROCUREMENT AND ADMINISTRATION PROVISIONS AND THE TIME AFTER WHICH RESULTS OF SUCH ASSESSMENTS MAY BE INCLUDED IN SCHOOL RATINGS; TO AMEND SECTION 59-18-330, AS AMENDED, RELATING TO THE COORDINATION AND ADMINISTRATION OF THE NATIONAL ASSESSMENT OF EDUCATION PROGRESS, SO AS TO PROVIDE THE STATE SHALL PARTICIPATE AS AN INDIVIDUAL EDUCATION SYSTEM IN THE PROGRAM FOR INTERNATIONAL STUDENT ASSESSMENT AND TO PROVIDE ASSOCIATED RESPONSIBILITIES OF THE STATE DEPARTMENT OF EDUCATION; TO AMEND SECTION 59-18-340, AS AMENDED, RELATING TO THE MANDATORY PROVISION OF STATE-FUNDED ASSESSMENTS SO AS TO DELETE ONE SUCH ASSESSMENT AND INCLUDE TWO ADDITIONAL ASSESSMENTS; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE COMPREHENSIVE ANNUAL REPORT CARD FOR SCHOOLS, SO AS TO PROVIDE IT IS WEB-BASED, TO REVISE THE PURPOSES OF THE REPORT CARD, TO REVISE

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AND DEFINE CATEGORIES OF ACADEMIC PERFORMANCE RATINGS, TO PROVIDE THE SAME CATEGORIES ALSO MUST BE ASSIGNED TO INDIVIDUAL INDICATORS USED TO MEASURE SCHOOL PERFORMANCE, TO MAKE THE USE OF STUDENT SCORES IN CALCULATING SCHOOL RATINGS BE OPTIONAL INSTEAD OF MANDATORY, TO DELETE STUDENT PERFORMANCE LEVELS, TO PROVIDE THE REPORT CARD MUST INCLUDE INDICATORS THAT MEET FEDERAL LAW REQUIREMENTS, TO INCLUDE DROPOUT RETENTION DATA AND ACCESS TO TECHNOLOGY AMONG THE TYPES OF INFORMATION THAT SHOULD BE INCLUDED IN REPORT CARDS, AND TO REVISE REQUIREMENTS FOR RELATED SCHOOL IMPROVEMENT COUNCIL REPORTS; TO AMEND SECTION 59-18-910, AS AMENDED, RELATING TO COMPREHENSIVE CYCLICAL REVIEWS OF THE ACCOUNTABILITY SYSTEM, SO AS TO REQUIRE THE INCLUSION OF CERTAIN RECOMMENDATIONS DETERMINING THE READINESS OF GRADUATING STUDENTS IN CERTAIN CATEGORIES RELATED TO THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-920, AS AMENDED, RELATING TO CHARTER SCHOOLS, SO AS TO PROVIDE DATA REQUIRED OF A CHARTER SCHOOL MAY BE USED TO DEVELOP A RATING OF THE SCHOOL, TO DELETE EXISTING PROVISIONS CONCERNING THE CHARTER SCHOOL RATINGS, TO DELETE PROVISIONS PROHIBITING USE OF CHARTER SCHOOL STUDENT PERFORMANCE IN A DISTRICT'S OVERALL PERFORMANCE RATINGS; TO AMEND SECTION 59-18-930, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT ANNUALLY ISSUE AN EXECUTIVE SUMMARY OF THE REPORT CARD, SO AS TO PROVIDE THE DEPARTMENT INSTEAD MAY PUBLISH THE REPORT ON ITS WEBSITE IN A CERTAIN MANNER, AND TO PROVIDE CERTAIN NATIONAL ASSESSMENT SCORES MAY BE INCLUDED; AND TO REPEAL SECTION 59-18-950 RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS.

and asks for a Committee of Conference and has appointed Senators Hembree, J. Matthews and Talley to the Committee of Conference on the part of the Senate.

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Very respectfully,
President

Whereupon, the Chair appointed Reps. ALLISON, FELDER and BROWN to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

S. 234--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 234:

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.

Very respectfully,
President

On motion of Rep. DELLENEY, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. MURPHY, D. C. MOSS and BERNSTEIN to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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S. 179--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 179:

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.

Very respectfully,
President

On motion of Rep. DELLENEY, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. FRY, BEDINGFIELD and RIDGEWAY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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REPORT OF STANDING COMMITTEE

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4210 -- Rep. Toole: 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.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4328 -- Reps. G. M. Smith, Weeks, 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. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF DR. JAMES "JIM" GEE OF SUMTER COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4329 -- 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 CONGRATULATE MAGGIE SAMUEL HICKS OF DARLINGTON COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4330 -- Reps. Bowers, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, 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,

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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 WILLIAM PARKER TUTEN, JR., UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-SIX YEARS OF OUTSTANDING SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

ROLL CALL

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

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

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

Total Present--114

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. ERICKSON a temporary leave of absence to attend the South Carolina Charter School Awards and Board meeting.

ACTING SPEAKER DELLENEY IN CHAIR

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DOCTOR OF THE DAY

Announcement was made that Dr. Thomas Edwin Evans of Seneca 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-SPONSORS ADDED

Bill Number: H. 4304
Date: ADD:
05/11/17 BROWN and ELLIOTT

CO-SPONSOR ADDED

Bill Number: H. 4322
Date: ADD:
05/11/17 LOFTIS

SPEAKER *PRO TEMPORE* IN CHAIR

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. PARKS a leave of absence for the remainder of the day due to a death in the family.

SPEAKER IN CHAIR

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RECORD FOR VOTING

On May 10, 2017, I was temporarily out of the Chamber during the vote to override the Governor's Veto of H. 3516. Having voted against this Bill twice, if I had been in the Chamber, I would have voted to sustain the Governor's Veto.

Rep. Daniel P. Hamilton

**S. 173--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

S. 173 -- Senators Sheheen, Turner and Timmons: A BILL TO AMEND SECTION 23-23-10 OF THE 1976 CODE, RELATING TO THE PURPOSE OF THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE NEW DEFINITIONS; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-23-55 TO PROVIDE THAT A CLASS 1-LE LAW ENFORCEMENT OFFICER MUST COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN MENTAL HEALTH OR ADDICTIVE DISORDERS; TO AMEND SECTION 23-23-80 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO ESTABLISH AND MAINTAIN A CRISIS INTERVENTION TRAINING CENTER AND TO GOVERN AND SUPERVISE CRISIS INTERVENTION TEAM TRAINING; TO AMEND TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 52 TO CREATE A CRISIS INTERVENTION TRAINING COUNCIL, TO PROVIDE FOR THE COUNCIL'S DUTIES, AND TO PROVIDE THAT EVERY COUNTY SHALL ESTABLISH AT LEAST ONE CRISIS INTERVENTION TEAM.

Rep. WEEKS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 90; Nays 0

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Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Blackwell	Bowers	Bradley
Brown	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Felder	Forrest
Forrester	Funderburk	Gagnon
Gilliard	Govan	Hart
Hayes	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	Magnuson	Martin
McCoy	McEachern	McKnight
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pope
Putnam	S. Rivers	Robinson-Simpson
Ryhal	Simrill	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Taylor	Thigpen
Weeks	West	Wheeler
Whipper	White	Whitmire
Williams	Willis	Yow

Total--90

Those who voted in the negative are:

Total--0

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

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**S. 9--SENATE AMENDMENTS CONCURRED IN
AND BILL ENROLLED**

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

S. 9 -- Senators Hutto and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-380 SO AS TO PROVIDE THAT THE OPTIONAL INTOXICANTS AND NARCOTICS EXCLUSION PROVISION CONTAINED IN CERTAIN INSURANCE POLICIES THAT REQUIRE THE REPLICATION OF EXACT LANGUAGE AS PROVIDED IN SECTION 38-71-370 DOES NOT APPLY TO A MEDICAL EXPENSE POLICY, AND TO DEFINE MEDICAL EXPENSE POLICY.

Rep. RYHAL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 92; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brown
Burns	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Hart	Hayes	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	Martin

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McCoy	McCrary	McEachern
McKnight	V. S. Moss	B. Newton
Ott	Pitts	Pope
Putnam	M. Rivers	S. Rivers
Robinson-Simpson	Ryhal	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thigpen
Weeks	West	Wheeler
Whipper	Whitmire	Williams
Willis	Yow	

Total--92

Those who voted in the negative are:

Total--0

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

**H. 3215--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

Rep. J. E. SMITH explained the Senate Amendments.

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
Bales	Ballentine	Bannister

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Bennett	Bernstein	Blackwell
Bowers	Bradley	Brown
Burns	Caskey	Clary
Clyburn	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hayes	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	Magnuson
Martin	McCoy	McEachern
V. S. Moss	B. Newton	Norrell
Pitts	Pope	Putnam
M. Rivers	S. Rivers	Robinson-Simpson
Rutherford	Ryhal	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thigpen
Weeks	West	Wheeler
White	Whitmire	Williams
Willis	Yow	

Total--92

Those who voted in the negative are:

Total--0

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

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S. 662--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 662 -- Senators J. Matthews and Hutto: A BILL TO CONSOLIDATE THE SCHOOL DISTRICTS IN ORANGEBURG COUNTY INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE ORANGEBURG COUNTY SCHOOL DISTRICT; TO PROVIDE FOR THE ORDERLY TRANSITION TO A SINGLE SCHOOL DISTRICT; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD OF TRUSTEES, ITS ELECTION, POWERS, AND DUTIES; TO PROVIDE THAT A DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES.

Reps. COBB-HUNTER, OTT and HOSEY proposed the following Amendment No. 1 to S. 662 (COUNCIL\ZW\662C006.BBM.ZW17), which was adopted:

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

/ SECTION 1. (A) Effective July 1, 2019, Orangeburg County shall consist of one school district to be known as the Orangeburg County School District. To provide for continuity of representation throughout the consolidation process, the school district elections scheduled for 2017 are suspended, and any member's term that would have expired following the 2017 school district elections is extended until the election provided for in SECTION 2 of this act is conducted.

(B) The three present school districts of the county must be abolished on July 1, 2019, and the powers and duties of the respective boards of trustees of each district devolved upon the board of trustees for the school district.

SECTION 2. (A)(1) The school district must be governed by a board of trustees of nine members, one of whom must be elected from each of the seven districts as outlined in this section and two members elected from Orangeburg County at large. A member of the board must be a resident of the election district from which he is elected. Beginning in 2018, members of the board must be elected at nonpartisan elections to be conducted at the same time as the general election. Members of the board must be elected for four-year terms and until their successors are elected and qualify, except that of the nine members of the board elected

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in 2018, the members elected from election districts one, three, five, and the at-large member who received the second highest number of votes in the 2018 election shall serve for initial terms to expire in November 2020 when their successors elected at the 2020 election qualify and take office. The members elected from election districts two, four, six, seven, and the at-large member who received the highest number of votes in the 2018 election shall serve for initial terms to expire in November 2022 when their successors elected at the 2022 election qualify and take office. In the event of a vacancy on the board occurring for any reason other than the expiration of a term, the vacancy must be filled for the unexpired term through appointment by the county legislative delegation. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission on forms furnished by the commission. This notice of candidacy must be a sworn statement and must include the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information that the county election commission requires. The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the elections pursuant to Section 7-13-35. The results of the elections must be determined by the nonpartisan plurality method contained in Section 5-15-61. The members of the board elected in these nonpartisan elections shall take office one week following certification of their election pursuant to Section 59-19-315.

(B)(1) Beginning with the Orangeburg County School District elections in 2018, the seven single-member election districts from which members of the Orangeburg County School District Board of Trustees must be elected are as shown on the Orangeburg County School District Board of Trustees map S-75-00-17A as maintained in the Revenue and Fiscal Affairs Office.

(2) The demographic information shown on this map is as follows:

<u>District</u>	<u>Pop</u>	<u>Dev.</u>	<u>%Dev.</u>	<u>NH_WHT</u>	<u>%NH_WHT</u>
<u>NH_BLK</u>	<u>%NH_BLK</u>				
1	13,149	-65	-0.49%	4,041	30.73%
8,624	65.59%				

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	2	13,248	34	0.26%	4,004	30.22%
8,832	66.67%					
	3	13,078	-136	-1.03%	7,097	54.27%
5,509	42.12%					
	4	13,205	-9	-0.07%	6,611	50.06%
6,134	46.45%					
	5	13,328	114	0.86%	2,566	19.25%
10,021	75.19%					
	6	13,135	-79	0.60%	5,079	38.67%
7,408	56.40%					
	7	13,358	144	1.09%	1,808	13.53%
11,093	83.04%					
	Total	92,501		31,206	33.74%	
57,621	62.29%					
	<u>District</u>	<u>VAP</u>	<u>NHWVAP</u>	<u>%NHWVAP</u>	<u>NHBVAP</u>	<u>%NHBVAP</u>
	<u>AllOth</u>	<u>AllOthVAP</u>				
	1	10,004	3,371	33.70%	6,307	63.04%
484	326					
	2	10,218	3,437	33.64%	6,509	63.70%
412	272					
	3	9,755	5,501	56.39%	3,922	40.21%
472	332					
	4	9,954	5,224	52.48%	4,405	44.25%
460	325					
	5	10,144	2,093	20.63%	7,509	74.02%
741	542					
	6	10,146	4,300	42.38%	5,383	53.06%
648	463					
	7	10,841	1,488	13.73%	9,031	83.30%
457	322					
	Totals	71,062	25,414	35.76%	43,066	60.60%
		2,582			3,674	

SECTION 3. (A) The members of the board shall elect a chairman and other officers necessary to serve for terms of two years in these capacities.

(B) The board of trustees of the district has the power, duty, and responsibility provided by law including to:

- (1) employ a superintendent as the chief executive officer;
- (2) establish other administrative departments upon the recommendation of the superintendent;
- (3) adopt the proposed budget of the school district;

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(4) inquire into the conduct of any office, department, or agency of the school district;

(5) adopt attendance zones of schools within the school district except that, through school year 2021-2022, existing attendance zones cannot be changed unless the federal court order regarding attendance zones is rescinded or amended during this period. However, no elementary, middle, or high school may be closed until three public hearings are held at least two weeks apart within the affected attendance area, with information to include, among other things, a delineation of the cost factors involved in keeping the school open and transporting the students to another school. In addition to the public hearings requirement, if a school in an attendance area that existed before consolidation is to be closed and the students of that school moved to a school in another attendance area, the qualified electors within the attendance area where the school is to be closed also first must approve the closing by referendum. This referendum may not be held at the same time as a school bond referendum. A school building that is the responsibility of the board of trustees of the school district must be maintained in conformity with all applicable building code standards and requirements to protect and ensure the health, safety, and welfare of students, faculty, administrators, and the general public;

(6) provide for an independent annual audit of the books and business affairs of the school district and for a general survey of school district business;

(7) cooperate to establish and maintain a central purchasing system for the purchase of contractual services, equipment, and supplies;

(8) cooperate to establish and maintain educational consortia;

(9) be responsible for policymaking action and the review of regulations established to put these policies into operation; and

(10) set by majority vote of the board a salary that each member shall receive for attending meetings of the board, which on an annual basis shall not exceed six thousand five hundred dollars. The salary set by the board may be paid on a per meeting, monthly, annual, or other basis so long as the total paid to a member for any year does not exceed the limits provided above.

SECTION 4. The district superintendent is the chief operating officer of the district and is responsible to the board for the proper administration of all affairs of the district and subject to all other provisions of law relating to his or her duties. He or she shall:

(1) appoint and, when necessary for the good of the district, remove an appointive officer or employee of the district and fix the

salaries of these officers and employees, unless otherwise provided by law and except as he or she may authorize the head of a department or office to appoint and remove subordinates in the department or office;

(2) prepare the budget annually, submit it to the board, and be responsible for its administration after adoption;

(3) prepare and submit to the board at the end of each fiscal year a complete annual report on the finances and administrative activities of the board for the preceding year and make other financial reports from time to time that may be required by the board or by law;

(4) keep the board advised of the financial condition and future needs of the district and make recommendations that seem desirable;

(5) perform other duties prescribed by law or required of him by the board not inconsistent with the provisions of law; and

(6) centralize all administrative functions, including, but not limited to, human resources, accounting, procurement, transportation, school bus services, and maintenance.

SECTION 5. (A) The board of trustees of the school district, before July first of each year, shall prepare a school district budget for the ensuing school year. Before September second of each year, the board shall notify the county auditor and treasurer in writing of the millage required for the operation of the schools in the district for the ensuing school year. The notice by the board constitutes authority for the levying and collection of the millage upon all of the real and personal property within the school district. The levy must be placed to the credit of the district and expended for the district. Beginning in 2019, the school district may raise its millage by not more than two mills over that levied for the previous year, in addition to any millage needed to adjust for the EFA inflation factor and sufficient to meet the requirements of Section 59-21-1030. An increase above this two mills for operations may be levied only after a majority of the registered electors of the district vote in favor of the millage increase in a referendum called by the district school board and conducted by the county election commission.

(B) The board shall hold a public hearing prior to its final approval of the budget for the district. Notice of this public hearing must be placed in a newspaper of general circulation in the district at least fifteen days before the public hearing.

(C) For purposes of determining the previous year's millage of the district upon its creation, the millage levy for the district must be determined and calculated by the board based on the 2018 levy in each of the three districts and the value of a mill in each district as well as the

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2018 countywide school millage levy and the value of a mill in the county.

(D) In allocating funds distributed to the new Orangeburg County School District which are derived from bond proceeds or general fund appropriations administered by the Department of Education for the benefit of those plaintiff school districts in the Abbeville litigation, the Orangeburg School District board of trustees must allocate these funds to the schools in the district which have the greatest need, using in part those needs studies previously developed by the department.

SECTION 6. (A) On July 1, 2019, the assets and liabilities of the three present school districts must be transferred to the district. The records and employees of the three present school districts of the county must be transferred to and, if applicable, assumed by the school district.

(B) The constitutional debt limitation on the issuance of general obligation bonds applicable to the district is to be computed based on the assessed value of all taxable property in the county minus that bonded indebtedness of each of the present school districts made a part of the district that was includable against the constitutional debt limitation of those present school districts.

(C) During the transition period, from July 1, 2017, to July 1, 2019, no new general obligation bonds may be issued against the constitutional debt limitation of the present three districts, except in the case of an emergency. If new general obligation bonds are issued, then the board of trustees of the issuing school district must adopt an ordinance declaring the emergency and specifying the necessity of the issue.

SECTION 7. (A) The three present school districts of Orangeburg County are abolished on July 1, 2019, at which time the school district of the county must be established as provided in this act. The terms of all members of the boards of trustees of the three present school districts of the county will expire on this date. However, members of the board of trustees of the school district elected at the 2018 nonpartisan election shall take office one week following certification of their election pursuant to Section 59-19-315. From this date and until July 1, 2019, the boards may organize, begin planning for the changeover to the district, enter into contracts to effectuate these purposes, and perform other related matters, except that the responsibility and authority to manage the schools of the county rest solely with the individual boards for each of the three present districts until July 1, 2019, and the board may not interfere with this authority.

(B) Funding for the activities of the board, from the date the members assume office until July 1, 2019, must be provided from funds

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available to the three present school districts for operating purposes, each paying their portion based on their proportionate average daily membership report for 2018.

(C) A member of one of the three present school boards of the county may seek election to the school district board of trustees in 2018. However, if he is elected to the Orangeburg County School District Board of Trustees, prior to assuming the duties of this board, then he must first resign as a member of the present board. In this event and notwithstanding another provision of law, the vacancy on the present board that is vacated must be filled for the remainder of the unexpired term by appointment of the county legislative delegation.

SECTION 8. (A) There must be created, within sixty days of the effective date of this act, the Orangeburg Consolidation Transition Committee with the purpose to coordinate the consolidation of the three present districts into the Orangeburg County School District. The committee shall be composed of the following thirteen voting members:

(1) chairmen of the present three districts or their designees;
(2) one board member from each of the present three districts, appointed by each board; and
(3) seven members appointed by the Orangeburg County Legislative Delegation. Of the seven members appointed by the Orangeburg County Legislative Delegation, one voting member must be a parent or guardian of a student who attends an Orangeburg County public school; one voting member must represent the Orangeburg County business community; one nonvoting member must be a public school teacher at an Orangeburg County school; and one nonvoting member must be a school administrator at one of the Orangeburg County school districts affected by consolidation. The public school teacher member and the school administrator member fully shall participate in all committee meetings, discussions, and deliberations; however, the teacher member and the administrator member shall serve as nonvoting members.

In addition to the thirteen voting members of the committee, the three superintendents from the present three school districts shall serve as nonvoting, ex officio members.

(B) Names of the members of the transition committee must be submitted to the county legislative delegation within sixty days of this act being signed by the Governor. The committee shall elect a chairman from one of the seven members appointed by the legislative delegation. A vacancy on the committee must be filled for the unexpired term in the

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same manner as the committee member whose departure from the committee created the vacancy.

(C) The committee may organize, begin planning for the changeover to the district, enter into contracts to effectuate these purposes, and perform other related matters.

(D) No later than November first, the Orangeburg Consolidation Transition Committee shall prepare a budget to be submitted to the county legislative delegation. The proposed budget shall ensure the Orangeburg County Consolidated School District pays each certified teacher or administrator an annual salary at least equal to the salary stated in the statewide minimum salary schedule for the person's experience and class, which at a minimum must equal the southeast region's average salary for certified teachers or administrators. No teacher or administrator employed in the same position, over the same time period, shall receive less total salary, including any normal incremental increase, than that teacher or administrator is required to receive under this subsection. When approved by the delegation, the budget must be funded by the school districts, each paying their portion based on their proportionate average daily membership report for 2017, from funds provided by the districts from their respective budgets. The consolidated school district fiscal commission may increase the districts' budgets to meet these requirements.

(E) The committee must be insured and indemnified in the same manner as the present school districts are insured and indemnified.

(F) Members of the committee shall receive per diem allowed by law for members of state boards, committees, or commissions but are not entitled to mileage and subsistence.

(G) The committee must be abolished after making its recommendations to the consolidated district board of trustees.

(H) The administrations and staffs of the present three school districts are expected and encouraged to cooperate with the transition committee and the board of the school district.

(I) In creating the Orangeburg County School District, it is anticipated that there will be savings in the total district level administrative costs from the former individual districts. The committee shall review the current administrations and recommend to the board the number and type of positions needed for the consolidated district level administration.

SECTION 9. All local acts concerning a school district of Orangeburg County inconsistent with the provisions of this act are repealed as of July 1, 2017, it being the intent of the General Assembly

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to have this act and the general law be the only provisions of law governing the school district of the county.

SECTION 10. If any provision of this act for any reason is held by a court of competent jurisdiction to be unconstitutional or invalid, that holding shall not affect the constitutionality or validity of the remaining portions of this act. The General Assembly declares that it would have passed this act and each and every provision in it, irrespective of the fact that any one or more provisions of it may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 11. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

Rep. GOVAN spoke against the amendment.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

Rep. COBB-HUNTER moved to waive rule 5.10, pursuant to rule 5.15.

The yeas and nays were taken resulting as follows:

Yea 93; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bannister	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott

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Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hart	Hayes
Henegan	Hewitt	Hiott
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Knight	Loftis
Long	Lowe	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McKnight
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pope
Putnam	M. Rivers	S. Rivers
Robinson-Simpson	Rutherford	Ryhal
G. M. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thigpen	Weeks
West	Wheeler	Whitmire
Williams	Willis	Yow

Total--93

Those who voted in the negative are:

Total--0

So, Rule 5.10 was waived, pursuant to Rule 5.15.

Rep. OTT spoke in favor of the amendment.

Rep. GOVAN spoke against the amendment.

The amendment was then adopted.

LEAVE OF ABSENCE

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

Rep. GOVAN proposed the following Amendment No. 2 to S. 662 (COUNCIL\ZW\662C004.BBM.ZW17), which was tabled:

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

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/ SECTION 1. (A) Effective July 1, 2019, Orangeburg County shall consist of one school district to be known as the Orangeburg County School District. To provide for continuity of representation throughout the consolidation process, the school district elections scheduled for 2017 are suspended, and any member's term that would have expired following the 2017 school district elections is extended until the election provided for in SECTION 2 of this act is conducted.

(B) The three present school districts of the county must be abolished on July 1, 2019, and the powers and duties of the respective boards of trustees of each district devolved upon the board of trustees for the school district.

SECTION 2. (A)(1) The school district must be governed by a board of trustees of nine members, one of whom must be elected from each district as outlined in this section. A member of the board must be a resident of the election district from which he is elected. Beginning in 2018, members of the board must be elected at nonpartisan elections to be conducted at the same time as the general election. Members of the board must be elected for four-year terms and until their successors are elected and qualify, except that of the nine members of the board elected in 2018, the members elected from election districts one, three, five, and seven shall serve for initial terms to expire in November 2020, when their successors elected at the 2020 election qualify and take office, and the members elected from election districts two, four, six, eight, and nine shall serve for initial terms to expire in November 2022, when their successors elected at the 2022 election qualify and take office. In the event of a vacancy on the board occurring for any reason other than the expiration of a term, the vacancy must be filled for the unexpired term through appointment by the county legislative delegation. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission on forms furnished by the commission. This notice of candidacy must be a sworn statement and must include the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information that the county election commission requires. The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the elections

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pursuant to Section 7-13-35. The results of the elections must be determined by the nonpartisan plurality method contained in Section 5-15-61. The members of the board elected in these nonpartisan elections shall take office one week following certification of their election pursuant to Section 59-19-315.

(B)(1) Beginning with the Orangeburg County School District elections in 2018, the nine single-member election districts from which members of the Orangeburg County School District Board of Trustees must be elected are as shown on the Orangeburg County School District Board of Trustees map S-75-00-17 as maintained in the Revenue and Fiscal Affairs Office.

(2) The demographic information shown on this map is as follows:

<u>District</u>	<u>Pop</u>	<u>Dev.</u>	<u>%Dev.</u>	<u>NH_WHT</u>	<u>%NH_WHT</u>
<u>NH_BLK</u>	<u>%NH_BLK</u>				
1	9,848	-430	-4.18%	5,684	57.72%
3,805			38.64%		
2	10,527	249	2.42%	5,692	54.07%
4,450			42.27%		
3	9,859	-419	-4.08%	5,449	55.27%
40.38%					3,981
4	10,607	329	3.20%	3,389	31.95%
62.12%					6,589
5	10,486	208	2.02%	1,509	14.39%
81.93%					8,591
6	10,455	177	1.72%	1,306	12.49%
8,660			82.83%		
7	10,598	320	3.11%	1,764	16.64%
8,564			80.81%		
8	9,799	-479	-4.66%	3,114	31.78%
65.06%					6,375
9	10,322	44	0.43%	3,299	31.96%
6,606			64.00%		
<u>District</u>	<u>VAP</u>	<u>NHWVAP</u>	<u>%NHWVAP</u>	<u>NHBVAP</u>	<u>%NHBVAP</u>
<u>AllOth</u>	<u>AllOthVAP</u>				
1	7,379	4,404	59.68%	2,726	36.94%
359					
2	8,089	4,527	55.96%	3,282	40.57%
385					
3	7,456	4,334	58.13%	2,829	37.94%
429					

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4	8,042	2,812	34.97%	4,775	59.38%
629	455				
5	8,082	1,266	15.66%	6,531	80.81%
386	285				
6	7,812	1,141	14.61%	6,325	80.97%
489	346				
7	8,748	1,447	16.54%	7,118	81.37%
270	183				
8	7,573	2,700	35.65%	4,667	61.63%
310	206				
9	7,881	2,783	35.31%	4,813	61.07%
417	285				

SECTION 3. (A) The members of the board shall elect a chairman and other officers necessary to serve for terms of two years in these capacities.

(B) The board of trustees of the district has the power, duty, and responsibility provided by law including to:

- (1) employ a superintendent as the chief executive officer;
- (2) establish other administrative departments upon the recommendation of the superintendent;
- (3) adopt the proposed budget of the school district;
- (4) inquire into the conduct of any office, department, or agency of the school district;
- (5) adopt attendance zones of schools within the school district except that, through school year 2021-2022, existing attendance zones cannot be changed unless the federal court order regarding attendance zones is rescinded or amended during this period. However, no elementary, middle, or high school may be closed until three public hearings are held at least two weeks apart within the affected attendance area, with information to include, among other things, a delineation of the cost factors involved in keeping the school open and transporting the students to another school. In addition to the public hearings requirement, if a school in an attendance area that existed before consolidation is to be closed and the students of that school moved to a school in another attendance area, the qualified electors within the attendance area where the school is to be closed also first must approve the closing by referendum. This referendum may not be held at the same time as a school bond referendum. A school building that is the responsibility of the board of trustees of the school district must be maintained in conformity with all applicable building code standards and

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requirements to protect and ensure the health, safety, and welfare of students, faculty, administrators, and the general public;

(6) provide for an independent annual audit of the books and business affairs of the school district and for a general survey of school district business;

(7) cooperate to establish and maintain a central purchasing system for the purchase of contractual services, equipment, and supplies;

(8) cooperate to establish and maintain educational consortia;

(9) be responsible for policymaking action and the review of regulations established to put these policies into operation; and

(10) set by majority vote of the board a salary that each member shall receive for attending meetings of the board, which on an annual basis shall not exceed six thousand five hundred dollars. The salary set by the board may be paid on a per meeting, monthly, annual, or other basis so long as the total paid to a member for any year does not exceed the limits provided above.

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(2) prepare the budget annually, submit it to the board, and be responsible for its administration after adoption;

(3) prepare and submit to the board at the end of each fiscal year a complete annual report on the finances and administrative activities of the board for the preceding year and make other financial reports from time to time that may be required by the board or by law;

(4) keep the board advised of the financial condition and future needs of the district and make recommendations that seem desirable;

(5) perform other duties prescribed by law or required of him by the board not inconsistent with the provisions of law; and

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(C) For purposes of determining the previous year's millage of the district upon its creation, the millage levy for the district must be determined and calculated by the board based on the 2018 levy in each of the three districts and the value of a mill in each district as well as the 2018 countywide school millage levy and the value of a mill in the county.

(D) In allocating funds distributed to the new Orangeburg County School District which are derived from bond proceeds on general fund appropriations administered by the Department of Education for the benefit of those plaintiff school districts in the Abbeville litigation, the Orangeburg School District board of trustees must allocate these funds to the schools in the district which have the greatest need, using in part those needs studies previously developed by the department.

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(C) During the transition period, from July 1, 2017, to July 1, 2019, no new general obligation bonds may be issued against the constitutional debt limitation of the present three districts, except in the case of an emergency. If new general obligation bonds are issued, then the board of trustees of the issuing school district must adopt an ordinance declaring the emergency and specifying the necessity of the issue.

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(B) Funding for the activities of the board, from the date the members assume office until July 1, 2019, must be provided from funds available to the three present school districts for operating purposes, each paying their portion based on their proportionate average daily membership report for 2018.

(C) A member of one of the three present school boards of the county may seek election to the school district board of trustees in 2018. However, if he is elected to the Orangeburg County School District Board of Trustees, prior to assuming the duties of this board, then he must first resign as a member of the present board. In this event and notwithstanding another provision of law, the vacancy on the present board that is vacated must be filled for the remainder of the unexpired term by appointment of the county legislative delegation.

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- (2) one board member from each of the present three districts, appointed by each board; and

(3) seven members appointed by the Orangeburg County Legislative Delegation. Of the seven members appointed by the Orangeburg County Legislative Delegation, one voting member must be a parent or guardian of a student who attends an Orangeburg County public school; one voting member must represent the Orangeburg County business community; one nonvoting member must be a public school teacher at an Orangeburg County school; and one nonvoting member must be a school administrator at one of the Orangeburg County school districts affected by consolidation. The public school teacher member and the school administrator member fully shall participate in all committee meetings, discussions, and deliberations; however, the teacher member and the administrator member shall serve as nonvoting members.

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(D) No later than November first, the Orangeburg Consolidation Transition Committee shall prepare a budget to be submitted to the county legislative delegation. The proposed budget shall ensure the Orangeburg County Consolidated School District pays each certified teacher or administrator an annual salary at least equal to the salary stated in the statewide minimum salary schedule for the person's experience and class, which at a minimum must equal the southeast region's average salary for certified teachers or administrators. No teacher or administrator employed in the same position, over the same time period, shall receive less total salary, including any normal incremental increase, than that teacher or administrator is required to receive under this subsection. When approved by the delegation, the budget must be funded by the school districts, each paying their portion based on their proportionate average daily membership report for 2017, from funds provided by the districts from their respective budgets. The

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(E) The committee must be insured and indemnified in the same manner as the present school districts are insured and indemnified.

(F) Members of the committee shall receive per diem allowed by law for members of state boards, committees, or commissions but are not entitled to mileage and subsistence.

(G) The committee must be abolished after making its recommendations to the consolidated district board of trustees.

(H) The administrations and staffs of the present three school districts are expected and encouraged to cooperate with the transition committee and the board of the school district.

(I) In creating the Orangeburg County School District, it is anticipated that there will be savings in the total district level administrative costs from the former individual districts. The committee shall review the current administrations and recommend to the board the number and type of positions needed for the consolidated district level administration.

SECTION 9. All local acts concerning a school district of Orangeburg County inconsistent with the provisions of this act are repealed as of July 1, 2017, it being the intent of the General Assembly to have this act and the general law be the only provisions of law governing the school district of the county.

SECTION 10. If any provision of this act for any reason is held by a court of competent jurisdiction to be unconstitutional or invalid, that holding shall not affect the constitutionality or validity of the remaining portions of this act. The General Assembly declares that it would have passed this act and each and every provision in it, irrespective of the fact that any one or more provisions of it may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 11. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

Rep. GOVAN explained the amendment.

Rep. OTT moved to table the amendment, which was agreed to by a division vote of 53 to 2.

The question then recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yea 81; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bernstein
Blackwell	Bowers	Bradley
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Elliott
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Hart	Hayes
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Johnson	Jordan	King
Kirby	Knight	Loftis
Lowe	Magnuson	Martin
McCoy	McCrary	McEachern
McKnight	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pope	Putnam
M. Rivers	Robinson-Simpson	Rutherford
Ryhal	G. M. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thigpen
Weeks	Wheeler	Whipper
Whitmire	Willis	Yow

Total--81

Those who voted in the negative are:

Total--0

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

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RETURNED TO THE SENATE WITH AMENDMENTS

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

S. 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.

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. 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.

S. 680--ORDERED TO THIRD READING

The following Bill was taken up:

S. 680 -- Senator Leatherman: A BILL TO AMEND SECTION 7-7-260, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN FLORENCE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO CORRECT

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**OUTDATED REFERENCES TO 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
Bales	Ballentine	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Elliott	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Hamilton
Hart	Hayes	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Knight	Long
Lowe	Lucas	Mack
Magnuson	Martin	McCoy
McCrary	McEachern	McKnight
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pope	Putnam	M. Rivers
Robinson-Simpson	Ryhal	G. M. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thigpen	Weeks	Wheeler
Whitmire	Williams	Willis
Yow		

Total--88

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Those who voted in the negative are:

Total--0

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

S. 456--DEBATE ADJOURNED

Rep. WILLIS moved to adjourn debate upon the following Bill until Tuesday, January 9, 2018, which was adopted:

S. 456 -- Senators Grooms and Shealy: A BILL TO AMEND SECTION 56-1-50 OF THE 1976 CODE, RELATING TO BEGINNER'S PERMITS, TO PROVIDE THAT A PERSON WHO HOLDS A MOTORCYCLE BEGINNER'S PERMIT WHO HAS FAILED THE MOTORCYCLE DRIVER'S LICENSE TEST THREE OR MORE TIMES MUST SUCCESSFULLY COMPLETE A SOUTH CAROLINA TECHNICAL COLLEGE MOTORCYCLE SAFETY COURSE, OR ITS EQUIVALENT, IN LIEU OF PASSING THE MOTORCYCLE DRIVER'S LICENSE TEST, IN ORDER TO OBTAIN A MOTORCYCLE LICENSE; AND TO AMEND SECTION 56-1-770, RELATING TO POINTS REDUCED FOR COMPLETING A DEFENSIVE DRIVING COURSE, TO PROVIDE THAT ANY DRIVER WITH A CLASS M (MOTORCYCLE) ENDORSEMENT WHO HAS ACCUMULATED POINTS UNDER THE PROVISIONS OF THIS ARTICLE SHALL HAVE THE NUMBER OF HIS POINTS REDUCED BY FOUR UPON PROVING TO THE SATISFACTION OF THE DEPARTMENT OF MOTOR VEHICLES THAT HE HAS SUCCESSFULLY COMPLETED A SOUTH CAROLINA TECHNICAL COLLEGE MOTORCYCLE SAFETY COURSE OR ITS EQUIVALENT, TO PROVIDE FOR THE SPECIFICATIONS OF THE COURSE, AND TO PROVIDE THAT NO PERSON'S POINTS MAY BE REDUCED MORE THAN ONE TIME IN ANY THREE-YEAR PERIOD.

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

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each be changed to that of an Act, and that they be enrolled for ratification:

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.

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

S. 682--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

S. 682 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON U.S. HIGHWAY 76 OVER JEFFERIES CREEK "JOHN 'JACK' MOULTON ROBINSON, JR. BRIDGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

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S. 683--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

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 adopted and sent to the Senate.

Rep. WHEELER moved that the House recede until 2:30 p.m., which was agreed to.

THE HOUSE RESUMES

At 2:30 p.m. the House resumed, ACTING SPEAKER LONG in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

SPEAKER IN CHAIR

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Massey, Nicholson and Corbin of the Committee of Conference on the part of the Senate on S. 234:

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

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APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hutto, Hembree and Campbell of the Committee of Conference on the part of the Senate on S. 179:

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.

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Very respectfully,
President
Received as information.

H. 3823--COMMITTEE OF CONFERENCE APPOINTED

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3823:

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

and asks for a Committee of Conference and has appointed Senators Young, Bright Matthews and Talley to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. G. M. SMITH, BEDINGFIELD and NORRELL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

H. 3649--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

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The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3823:

H. 3649 -- Reps. Crawford and Sandifer: A BILL TO AMEND SECTION 40-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND OFFICERS OF THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY PROVIDE ADVICE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING THE DEVELOPMENT OF STATUTORY REVISIONS AND OTHER MATTERS AS THE DEPARTMENT REQUESTS CONCERNING THE ADMINISTRATION OF CHAPTER 3, TITLE 40; TO AMEND SECTION 40-3-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO REVISE THIS JURISDICTION; AND TO AMEND SECTION 40-3-290, RELATING TO EXCEPTIONS FROM CHAPTER 3, TITLE 40, SO AS TO REVISE CRITERIA FOR CERTAIN EXEMPT BUILDINGS AND DETACHED SINGLE-FAMILY OR TWO-FAMILY DWELLINGS.

and asks for a Committee of Conference and has appointed Senators Scott, Davis and Bennett to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. CRAWFORD, ATWATER and ANDERSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 11, 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 H. 3406:

H. 3406 -- Rep. G. M. Smith: A BILL TO AMEND ACT 95 OF 2013, RELATING TO THE MAINTENANCE TAX IMPOSED BY THE WORKERS' COMPENSATION COMMISSION ON SELF

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INSURERS, SO AS TO DELETE AN UNCODIFIED PROVISION THAT TERMINATES THE ACT FIVE YEARS AFTER ITS EFFECTIVE DATE.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

S. 448--COMMITTEE OF CONFERENCE APPOINTED
The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 448:

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.

Very respectfully,
President

On motion of Rep. CRAWFORD, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. CRAWFORD, NORRELL and CASKEY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Turner, Young and Allen of the Committee of Conference on the part of the Senate on S. 448:

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.

Very respectfully,

President

Received as information.

H. 3698--NON-CONCURRENCE IN SENATE AMENDMENTS

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

H. 3698 -- Reps. V. S. Moss, Duckworth, Forrest, Hiott and Hixon: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHICAL BOUNDARIES FOR CERTAIN BODIES OF WATER, SO AS TO PROVIDE GEOGRAPHIC BOUNDARIES FOR THE PORTION OF THE INTRACOASTAL WATERWAY LOCATED IN HORRY COUNTY AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-5-1556, RELATING TO LOCATIONS WHERE STRIPED BASS MAY BE TAKEN, SO AS TO REVISE THE PERIODS OF TIME WHEN STRIPED BASS MAY BE TAKEN IN VARIOUS BODIES OF WATER; AND TO AMEND SECTION 50-13-230, AS AMENDED, RELATING TO THE TAKING

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OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, SO AS TO REVISE THE PERIOD OF TIME WHEN STRIPED BASS MAY BE TAKEN WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR LIMITS FOR THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR THE TAKING OF STRIPED BASS IN THE SANTEE RIVER, AND TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A STUDY OF THE STRIPED BASS FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS.

Rep. HIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 1; Nays 74

Those who voted in the affirmative are:

Gilliard

Total--1

Those who voted in the negative are:

Allison	Anderson	Anthony
Bales	Ballentine	Bennett
Bernstein	Blackwell	Bradley
Burns	Caskey	Chumley
Clary	Clemmons	Cogswell
Cole	Collins	Crawford
Davis	Delleney	Dillard
Douglas	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Funderburk	Gagnon
Hamilton	Henderson	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Jefferson	Jordan	King
Long	Lucas	Mack
Magnuson	Martin	McCoy
McCrary	McEachern	D. C. Moss
Murphy	B. Newton	W. Newton
Norrell	Pitts	Pope

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Ridgeway	S. Rivers	Robinson-Simpson
Ryhal	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Thigpen	West	Wheeler
Williams	Yow	

Total--74

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

H. 3698--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3698:

H. 3698 -- Reps. V. S. Moss, Duckworth, Forrest, Hiott and Hixon: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHICAL BOUNDARIES FOR CERTAIN BODIES OF WATER, SO AS TO PROVIDE GEOGRAPHIC BOUNDARIES FOR THE PORTION OF THE INTRACOASTAL WATERWAY LOCATED IN HORRY COUNTY AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-5-1556, RELATING TO LOCATIONS WHERE STRIPED BASS MAY BE TAKEN, SO AS TO REVISE THE PERIODS OF TIME WHEN STRIPED BASS MAY BE TAKEN IN VARIOUS BODIES OF WATER; AND TO AMEND SECTION 50-13-230, AS AMENDED, RELATING TO THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, SO AS TO REVISE THE PERIOD OF TIME WHEN STRIPED BASS MAY BE TAKEN WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR LIMITS FOR THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR THE TAKING OF STRIPED BASS IN THE SANTEE RIVER, AND TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A STUDY OF THE

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STRIPED BASS FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS.

and asks for a Committee of Conference and has appointed Senators Grooms, McElveen and Rice to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. V. S. MOSS, HIXON and KIRBY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 4331 -- Reps. Fry, Daning, 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, 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, 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 DANIEL SCOTT BURSON UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-ONE YEARS OF EXEMPLARY SERVICE AND TO WISH HIM

THURSDAY, MAY 11, 2017

CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4332 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, 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, 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 HARRIET WILSON UPON THE OCCASION OF HER RETIREMENT ON JUNE 30, 2017, AFTER A DISTINGUISHED TENURE OF EXEMPLARY SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4333 -- Reps. G. R. Smith, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis,

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Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR FRANCIS DAVID THOMPSON, A VETERAN OF THE KOREAN WAR, FOR DECADES OF SIGNIFICANT AND EXTENSIVE SERVICE TO THE PALMETTO STATE AND THE MAULDIN COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4336 -- Reps. Mack, Stavrinakis, Arrington, Bennett, Brown, Cogswell, Crosby, Gilliard, Hewitt, McCoy, S. Rivers and Sottile: A HOUSE RESOLUTION TO COMMEND THE HONORABLE J. SETH WHIPPER FOR HIS COMMITTED SERVICE TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND THE CITIZENS OF DISTRICT 113 IN CHARLESTON AND DORCHESTER COUNTIES AND TO WISH HIM FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS UPON HIS RETIREMENT FROM THE HOUSE OF REPRESENTATIVES.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

S. 726 -- Senator Corbin: A CONCURRENT RESOLUTION TO OPPOSE THE RECENT ACTIONS OF THE GREENVILLE HOSPITAL SYSTEM.

The Concurrent Resolution was referred to the Greenville Delegation.

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INTRODUCTION OF BILLS

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

H. 4334 -- Reps. Burns, Chumley and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-43-400 SO AS TO ENCOURAGE THE APPROVAL OF INFRASTRUCTURE USED TO FACILITATE THE TRANSPORTATION OF OFFSHORE OIL INTO THE LAND AND WATERS OF THIS STATE BY THE STATE OF SOUTH CAROLINA, A STATE AGENCY, OR A POLITICAL SUBDIVISION OF THIS STATE, AND TO STUDY THE POSITIVE CONTRIBUTIONS THROUGH ROYALTIES TO THE STATE INFRASTRUCTURE SYSTEM.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4335 -- Reps. Erickson and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018-2019 SCHOOL YEAR, EACH SCHOOL IN THE ALLENDALE, DILLON 4, FLORENCE 4, HAMPTON 2, JASPER, LEE, MARION 7, AND ORANGEBURG 3 SCHOOL DISTRICTS MAY, IN THE DISCRETION OF THE SCHOOL, HIRE NONCERTIFIED TEACHERS IN A RATIO OF UP TO TWENTY-FIVE PERCENT OF ITS ENTIRE TEACHING STAFF; TO PROVIDE PART-TIME, NONCERTIFIED TEACHERS ARE CONSIDERED PRO RATA IN CALCULATING THIS PERCENTAGE BASED ON THE HOURS WHICH THEY ARE EXPECTED TO TEACH; AND TO DEFINE NECESSARY TERMS.

Referred to Committee on Education and Public Works

**S. 562--SENATE AMENDMENTS CONCURRED IN
AND BILL ENROLLED**

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

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

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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.

The yeas and nays were taken resulting as follows:

Yea 81; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Atkinson
Bales	Ballentine	Bannister
Bennett	Blackwell	Bowers
Bradley	Brown	Burns
Chumley	Clary	Clyburn
Cogswell	Cole	Collins
Crawford	Davis	Delleney
Dillard	Douglas	Elliott
Erickson	Forrest	Forrester
Fry	Funderburk	Gagnon
Govan	Hamilton	Hayes
Henderson	Henegan	Hewitt
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Loftis
Long	Lucas	Magnuson
Martin	McCoy	McCrary
McEachern	McKnight	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Ryhal	G. M. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Weeks	West
Whitmire	Williams	Willis

Total--81

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Those who voted in the negative are:

Total--0

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

**H. 3352--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

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

Rep. W. NEWTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 89; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Burns
Caskey	Chumley	Clary
Clemmons	Cobb-Hunter	Cogswell
Cole	Collins	Crosby

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Daning	Davis	Delleney
Dillard	Douglas	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Hamilton	Hayes	Henderson
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Johnson
Jordan	King	Kirby
Loftis	Long	Lucas
Mack	Magnuson	Martin
McCoy	McCravy	McEachern
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pitts	Pope
Putnam	M. Rivers	S. Rivers
Robinson-Simpson	Ryhal	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Weeks
West	Wheeler	Whipper
Willis	Yow	

Total--89

Those who voted in the negative are:

Total--0

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

S. 107--NON-CONCURRENCE IN SENATE AMENDMENTS

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

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning:
TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976,
BY ADDING SECTION 13-125, SO AS TO PROVIDE THAT

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BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7 11 12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7 13 315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8 13 1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8 13 1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7 11 15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7 13 45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1 3 120, 1 3 130, 1 6 30(9), 1 9 30, 1 11 10(D), 1 11 425, 1 18 70, 1 23 280(B) AND (E), 1 23 290(D), 2 1 230(C), 2 1 250(B), 2 2 30(B)(1), 2 2 40(B), 2 3 20, 2 3 75(B)(3), 2 3 105(A)(4), 2 15 60(b), 2 17 90(A)(1), 2 17 90(A)(6)(c), 2 17 100(3), 2 19 10(B)(2), 2 41 70, 2 67 20(E)(1)(a), 2 69 20, 2 69 40, 2 75 10, 3 11 400(C)(3)(b)(iii), 5 1

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26(B)(4), 5 1 26(F), 6 4 35(A)(2), 6 29 1330(D)(3), 6 29 1330(G), 8 13 540(3)(d), 8 13 715, 8 13 1373, 9 4 10(B)(1)(b), 9 4 40, 9 16 90, 9 16 380, 10 1 168(I), 11 9 890B.(2), 11 11 350, 11 43 140, 11 45 40(B)(1), 11 50 50, 11 57 340, 12 3 10(A)(1), 13 1 25(B), 23 1 230(G), 24 22 150, 37 29 110, 38 3 110(5)(c), 38 75 490(D), 40 47 10(A)(4), 44 128 50(B)(2), 46 3 260(A), 48 52 440(D)(2), 48 59 40(A)(4), 51 13 720, 51 13 2120(3), 51 18 115, 54 6 10(B)(3), 59 6 10, 59 40 230(A), 59 46 40(A)(4), 59 150 40(A), 59 150 40(C), 59 150 40(D), 59 150 320, 59 150 325(A), 60 11 150(B), 60 17 10, 63 1 50(A), 63 1 50(B), 63 11 1720(B), 63 11 1720(C), 63 11 1930(A)(11), AND 63 11 2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1 3 620, 1 11 720(A)(9), 1 23 125(B), 1 23 125(D), 2 3 30, 2 3 90, 7 11 30(A), 7 17 10, 9 1 10(11)(g), 9 1 10(14), 10 1 40, 14 27 20(10), 14 27 30, 14 27 40(2), 14 27 80, 43 21 20, 43 21 45, 43 21 60, 43 21 70, 43 21 100, 43 21 130(A)(1), 43 21 190(2), 44 36 310, 44 36 320(7), 44 36 330, 44 56 840(A), 54 7 100, AND 59 6 15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1 1 1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES

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TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS
OF THIS ACT.

Rep. MCCOY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 0; Nays 90

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Allison	Anthony	Arrington
Atwater	Bales	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brown	Burns
Caskey	Chumley	Clary
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Hamilton
Hayes	Henderson	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Loftis
Long	Lucas	Mack
Magnuson	Martin	McCoy
McCrary	McEachern	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pitts	Pope
Putnam	Ridgeway	S. Rivers
Robinson-Simpson	Ryhal	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen

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West
Williams

Wheeler
Willis

Whipper
Yow

Total--90

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

S. 234--CONFERENCE REPORT ADOPTED

CONFERENCE REPORT

S. 234

The General Assembly, Columbia, S.C., May 11, 2017

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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 2/9/17.)

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

/ SECTION 1. Section 44-61-160(A) of the 1976 Code, as last amended by Act 157 of 2010, is further amended to read:

“(A) The identities of patients and emergency medical technicians mentioned, referenced, or otherwise appearing in information and data collected or prepared by emergency medical services must be treated as confidential. The identities of these persons are not available to the public under the Freedom of Information Act ~~nor are they subject to subpoena in any administrative, civil, or criminal proceeding, and they~~

~~are not otherwise available except pursuant to court order. However, the identities of patients and emergency medical technicians and information and data collected or prepared by emergency medical services are subject to subpoena in any administrative, civil, or criminal proceeding and may be released by court order.~~ An individual in attendance at a proceeding must not be required to testify as to the identity of a patient except pursuant to court order. A person, medical facility, or other organization providing or releasing information in accordance with this article must not be held liable in a civil or criminal action for divulging confidential information unless the individual or organization acted in bad faith or with malicious purpose. However, the name of emergency medical technicians, and information and data collected or prepared by emergency medical services must be released to the patient upon his request. In the event the patient is incapacitated or deceased, the name of emergency medical technicians, information, and data collected or prepared by emergency medical services must be released to the patient's immediate family, the patient's legal guardian, or the patient's legal representative upon their request.”

SECTION 2. Section 44-61-340(A) of the 1976 Code, as last amended by Act 157 of 2010, is further amended to read:

“(A) The identities of patients and emergency medical technicians mentioned, referenced, or otherwise appearing in information or data collected or prepared by the EMSC Program must be treated as confidential. The identities of these persons are not available to the public under the Freedom of Information Act ~~nor are they subject to subpoena in any administrative, civil, or criminal proceeding, and they are not otherwise available except pursuant to court order. However, the identities of patients and emergency medical technicians and information and data collected or prepared by emergency medical services are subject to subpoena in any administrative, civil, or criminal proceeding and may be released by court order.~~ An individual in attendance at a proceeding shall not be required to testify as to the identity of a patient except pursuant to court order. A person, medical facility, or other organization providing or releasing information in accordance with this article ~~shall~~ must not be held liable in a civil or criminal action for divulging confidential information unless the individual or organization acted in bad faith or with malicious purpose. However, the name of emergency medical technicians, and information and data collected or prepared by emergency medical services must be

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released to the patient or the patient's legal guardian upon request. In the event the patient is incapacitated or deceased, the name of emergency medical technicians, information, and data collected or prepared by emergency medical services must be released to the patient's immediate family, the patient's legal guardian, or the patient's legal representative upon their request."

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

Amend title to conform.

Senator A. Shane Massey	Representative Chris Murphy
Senator Thomas D. Corbin	Representative Dennis Carroll Moss
Senator Floyd Nicholson	Representative Beth E. Bernstein
On Part of the Senate.	On Part of the House.

Rep. MURPHY explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yea 85; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Bales	Ballentine
Bennett	Blackwell	Brown
Burns	Caskey	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Gagnon	Gilliard	Govan
Hamilton	Hayes	Henderson
Henegan	Herbkersman	Hewitt
Hill	Hixon	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Loftis	Long
Lucas	Mack	Martin
McCoy	McCrary	McEachern
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton

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Norrell	Ott	Pitts
Pope	Putnam	Ridgeway
S. Rivers	Robinson-Simpson	Ryhal
G. M. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Thayer	Weeks	West
Wheeler	Williams	Willis
Yow		

Total--85

Those who voted in the negative are:

Total--0

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

H. 3247--CONFERENCE REPORT ADOPTED

CONFERENCE REPORT

H. 3247

The General Assembly, Columbia, S.C., May 11, 2017

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPED AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPED; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPED OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPED

OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, 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

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AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR 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

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MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

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 5/9/17.)

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

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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

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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 is 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 department~~ 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. A beginner’s permit which entitles the applicant permittee having the permit in his immediate possession to drive a motor vehicle on public highways under the conditions contained in this section on the public highways for not more than twelve months.

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

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

(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.~~

While driving a motorcycle during nighttime hours, the permittee must be accompanied by a motorcycle licensed driver twenty-one years of age or older who has had 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

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

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

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

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

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

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

~~Fees and Penalties General Fund Department of
Collected After of the State Transportation
State Non Federal Aid~~

June 30, 2005	60 percent	40 percent
June 30, 2006	20 percent	80 percent
June 30, 2007	0 percent	100 percent."

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

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

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

(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:

(F) 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)~~ or 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

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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 (4) 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~~

(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.

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~~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."~~

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 for mopeds a special size and class of license plates with distinctive numbering and/or lettering so as to be identifiable to law enforcement.

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

(D) Mopeds are exempt from ad valorem property taxes in this State.

(E) 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 that 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 chapter 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 must 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 must 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; and

(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) 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.

(B) 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.

(C) 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.

(D) A person may not operate a moped at a speed in excess of thirty-five miles per hour.

(E) A person may not operate a moped on a public highway that has a speed limit of greater than fifty-five miles per hour. A person operating

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a moped may cross an intersection at a public highway that has a speed limit of greater than fifty-five miles per hour.

(F) The operator of a moped must have turned on and in operation the operational lights and the headlight at all times while the moped is in operation.

(G) 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.

Section 56-2-3080. (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.

(B) 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.

Section 56-2-3090. A person 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 restrictions, maximum speeds, and the definition of a moped.

Section 56-2-3100. 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

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

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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 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~~

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having a saddle for the use of the rider, but excluding a tractor, is a “motorcycle” Reserved.”

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

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

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

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

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

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

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

“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

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~~interest in another person but excludes a lessee under a lease not intended as security~~ Reserved.”

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

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

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

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

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

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

~~Until January 1, 1989, any person who fails to display the lights of a vehicle he is operating when lights are required by this section due to inclement weather or environmental factors may be issued only a warning ticket.~~

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(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.”

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) ~~'Motoreycle' 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(5.5)(d), (9), (14), and (15) of the 1976 Code is amended to read:

"(d) Individual private passenger automobile does not include:

- (i) motor vehicles that are used for public or livery conveyance or rented to others without a driver;
- (ii) fire department vehicles, police vehicles, ambulances, and rescue squad vehicles which are publicly owned;
- (iii) ~~motor driven cycles, motor scooters, and~~ mopeds;
- (iv) dune buggies, all-terrain vehicles, go carts, and snowmobiles;
- (v) golf carts; and
- (vi) small commercial risks.

(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 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

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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. /

Amend title to conform.

Senator Paul G. Campbell, Jr. Representative Joseph Sofronio Daning
Senator Greg Hembree Representative William E. Crosby
Senator Kevin L. Johnson Representative Roger Keith Kirby
On Part of the Senate. On Part of the House.

Rep. DANING explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yea 89; Nays 7

[HJ]

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Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Blackwell	Bradley
Burns	Clary	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	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	Kirby	Knight
Loftis	Lucas	Mack
McCoy	McEachern	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pope	Putnam
Ridgeway	S. Rivers	Robinson-Simpson
Ryhal	G. M. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Weeks	West	Wheeler
Whipper	Whitmire	Williams
Willis	Yow	

Total--89

Those who voted in the negative are:

Caskey	Chumley	Long
Magnuson	Martin	McCrary
G. R. Smith		

Total--7

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

COMMUNICATION

The following was received:

May 11, 2017
The Honorable James H. Lucas
Speaker of the House of Representatives
506 Blatt Building
Columbia, South Carolina 29201

Dear Mr. Speaker,

I am tendering my resignation as a House Member, District No. 31, effective December 31, 2017. As you know, currently I am on medical leave until January 1, 2018.

Sincerely,
Harold Mitchell, Jr.

Received as information.

STATEMENT BY REP. NORRELL

Rep. NORRELL made a statement relative to Rep. MITCHELL'S service in the House.

STATEMENT BY REP. COBB-HUNTER

Rep. COBB-HUNTER made a statement relative to Rep. MITCHELL'S service in the House.

STATEMENT BY REP. MITCHELL

Rep. MITCHELL made a statement relative to his service in the House.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. May 11, 2017
Mr. Speaker and Members of the House:

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The Senate respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on H. 3247. The Report of the Committee of Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

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, 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 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

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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 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

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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 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.

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Very respectfully,
President
Received as information.

S. 107--COMMITTEE OF CONFERENCE APPOINTED
The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., May 11, 2017

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 107:

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning:
TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976,
BY ADDING SECTION 1 3 125, SO AS TO PROVIDE THAT
BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE
LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM
OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE
AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE
UNEXPIRED TERM; BY ADDING SECTION 7 11 12, SO AS TO
ESTABLISH THE PROCEDURE BY WHICH A PERSON
NOMINATED AS GOVERNOR SELECTS A LIEUTENANT
GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING
SECTION 7 13 315, SO AS TO REQUIRE THE STATE ELECTION
COMMISSION TO ENSURE THAT THE GOVERNOR AND
LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY
ADDING SECTION 8 13 1301, SO AS TO PROVIDE THAT
JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A
SINGLE CANDIDATE FOR CONTRIBUTIONS AND
ESTABLISHING A COMMITTEE; TO AMEND SECTION 8 13 1314,
RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO
PROVIDE THAT WITHIN AN ELECTION CYCLE,
CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE
INCREASED FROM THREE TO FIVE THOUSAND DOLLARS,
CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE
FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR
CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM
ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE
LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY
THE STATE ETHICS COMMISSION DEPENDENT UPON THE

CONSUMER PRICE INDEX; TO AMEND SECTION 7 11 15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7 13 45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1 3 120, 1 3 130, 1 6 30(9), 1 9 30, 1 11 10(D), 1 11 425, 1 18 70, 1 23 280(B) AND (E), 1 23 290(D), 2 1 230(C), 2 1 250(B), 2 2 30(B)(1), 2 2 40(B), 2 3 20, 2 3 75(B)(3), 2 3 105(A)(4), 2 15 60(b), 2 17 90(A)(1), 2 17 90(A)(6)(c), 2 17 100(3), 2 19 10(B)(2), 2 41 70, 2 67 20(E)(1)(a), 2 69 20, 2 69 40, 2 75 10, 3 11 400(C)(3)(b)(iii), 5 1 26(B)(4), 5 1 26(F), 6 4 35(A)(2), 6 29 1330(D)(3), 6 29 1330(G), 8 13 540(3)(d), 8 13 715, 8 13 1373, 9 4 10(B)(1)(b), 9 4 40, 9 16 90, 9 16 380, 10 1 168(I), 11 9 890B.(2), 11 11 350, 11 43 140, 11 45 40(B)(1), 11 50 50, 11 57 340, 12 3 10(A)(1), 13 1 25(B), 23 1 230(G), 24 22 150, 37 29 110, 38 3 110(5)(c), 38 75 490(D), 40 47 10(A)(4), 44 128 50(B)(2), 46 3 260(A), 48 52 440(D)(2), 48 59 40(A)(4), 51 13 720, 51 13 2120(3), 51 18 115, 54 6 10(B)(3), 59 6 10, 59 40 230(A), 59 46 40(A)(4), 59 150 40(A), 59 150 40(C), 59 150 40(D), 59 150 320, 59 150 325(A), 60 11 150(B), 60 17 10, 63 1 50(A), 63 1 50(B), 63 11 1720(B), 63 11 1720(C), 63 11 1930(A)(11), AND 63 11 2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE *PRO TEMPORE*, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE *PRO TEMPORE* TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1 3 620, 1 11 720(A)(9), 1 23 125(B), 1 23 125(D), 2 3 30, 2 3 90, 7 11 30(A), 7 17 10, 9 1 10(11)(g), 9 1 10(14), 10 1 40, 14 27 20(10), 14 27 30, 14 27 40(2), 14 27 80, 43 21 20, 43 21 45, 43 21 60, 43 21 70, 43 21 100, 43 21 130(A)(1), 43 21 190(2), 44 36 310, 44 36 320(7), 44 36 330, 44 56 840(A), 54 7 100, AND 59 6 15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR

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RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1 1 1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

and asks for a Committee of Conference and has appointed Senators Campsen, Massey and Malloy to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. G. M. SMITH, J. E. SMITH and MCCOY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 3041--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3041 -- Reps. Huggins, Elliott, Long and Hamilton: A BILL TO AMEND SECTION 40-57-115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURES BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE THESE BACKGROUND CHECKS FOR LICENSURE RENEWALS; AND TO AMEND SECTION 40-57-340, RELATING TO LICENSURE RENEWAL REQUIREMENTS FOR REAL ESTATE

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SALESPERSONS, BROKERS, AND BROKERS-IN-CHARGE, SO AS TO MAKE A CONFORMING CHANGE.

Rep. HUGGINS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 82; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Ballentine	Bennett	Blackwell
Bowers	Bradley	Brown
Burns	Caskey	Chumley
Clary	Cobb-Hunter	Cogswell
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Forrest	Fry
Funderburk	Gagnon	Gilliard
Govan	Hayes	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Loftis	Long	Lucas
Mack	Magnuson	Martin
McCoy	McCrary	McEachern
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pitts
Pope	Putnam	Quinn
Ridgeway	Robinson-Simpson	Ryhal
G. M. Smith	J. E. Smith	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Weeks	West
Whitmire	Williams	Willis
Yow		

Total--82

Those who voted in the negative are:

[HJ]

118

Total--0

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

**H. 3137--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

Rep. DELLENEY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yea 70; Nays 27

Those who voted in the affirmative are:

Alexander	Anderson	Arrington
Atwater	Bales	Ballentine
Bannister	Bennett	Blackwell
Bradley	Caskey	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Crosby	Daning
Davis	Delleney	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gilliard	Govan
Henderson	Hewitt	Hill
Hiott	Hixon	Hosey

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Huggins	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lucas
Mack	Magnuson	Martin
McCoy	McCrary	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pope
Putnam	Quinn	S. Rivers
Ryhal	G. R. Smith	Spires
Stavrinakis	Tallon	Taylor
Wheeler	Whipper	Williams
Yow		

Total--70

Those who voted in the negative are:

Allison	Anthony	Atkinson
Bowers	Brown	Collins
Dillard	Douglas	Gagnon
Hamilton	Hayes	Henegan
Jefferson	McKnight	D. C. Moss
Pitts	Ridgeway	Robinson-Simpson
Rutherford	G. M. Smith	J. E. Smith
Thayer	Thigpen	Weeks
West	Whitmire	Willis

Total--27

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3041. If I had been present, I would have voted in favor of the Bill.

Rep. Jason Elliott

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RECORD FOR VOTING

I was meeting with members of the Greenville Delegation during the vote on Senate Amendments on H. 3041. I would have voted in favor of the Bill, as amended by the Senate, had I been present to vote.

Rep. Daniel P. Hamilton

ACTING SPEAKER MITCHELL IN CHAIR

Rep. CLARY raised the Point of Order that under Article III, Section 9, of the Constitution of South Carolina and the *Sine Die* Resolution, S. 692, the clock had struck 5:00 p.m., and the House must adjourn.

ACTING SPEAKER MITCHELL sustained the Point of Order and pursuant to the provisions of the Constitution and the *Sine Die* Resolution declared the House to be adjourned.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4325 -- Reps. Henegan, 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, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE S.W.A.T.A. (SPIRITUAL WOMEN AWAKENING TO AUTHORITY) ON THE OCCASION OF ITS TENTH ANNIVERSARY AND TO HONOR THE ORGANIZATION'S FOUNDER, DR. MARCIA L. BAILEY.

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H. 4158 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2017, AS "WORKERS' MEMORIAL DAY" IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

ADJOURNMENT

At 5:00 p.m. the House, in accordance with the motion of Rep. COBB-HUNTER, adjourned in memory of Dewey Tullis, and in accordance with S. 692, the Sine Die Adjournment Resolution, to meet at 12:00 noon in Statewide Session on Tuesday, May 23.

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H. 3041	116, 119, 120		
H. 3137	118	S. 9	24
H. 3215	25	S. 9	24
H. 3247	5, 72, 110	S. 107	65, 114
H. 3352	63	S. 116	49
H. 3406	53	S. 173	22
H. 3516	22	S. 179	16, 51
H. 3649	52, 53	S. 234	15, 50, 69
H. 3698	55, 57	S. 254	3
H. 3823	52, 53	S. 271	49
H. 3969	12	S. 289	9
H. 4158	121	S. 353	4
H. 4210	17	S. 448	46, 54, 55
H. 4304	21	S. 456	48
H. 4322	21	S. 462	2
H. 4325	120	S. 463	2
H. 4328	17	S. 562	61
H. 4329	18	S. 651	46
H. 4330	18	S. 662	27, 36
H. 4331	58	S. 680	46
H. 4332	59	S. 682	49
H. 4333	59	S. 683	50
H. 4334	61	S. 692	120, 121
H. 4335	61	S. 726	60
H. 4336	60		