

NO. 46

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

WEDNESDAY, MARCH 27, 2024

Wednesday, March 27, 2024
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 64:8

The prophet Isaiah urges us to recall: "O Lord, you are our Father; we are the clay, and you are our potter; we are all the work of your hand."

Friends, let us pray: Holy God, here during this Holy Week, as we call upon You to embrace us afresh in Your loving care, we urge You to inspire these Senators and their staff members as they work together to mold and shape South Carolina. May their craftsmanship result in a State that is fully able to handle the demands of today, as well as those of the future. To that end, may all of these leaders discern not only how to respond to the challenges, but also to know how they can best accomplish good for the people they serve. And as always, O Lord, continue to hold and keep safe our women and men in uniform wherever they happen to be serving. And may the glory in all things always be ultimately Yours, O loving Lord. In Your wondrous name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Grooms	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Martin
Massey	Matthews	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

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Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator MARTIN, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Chief Michael Lancaster upon the occasion of his retirement and wished him much happiness in all future endeavors.

Privilege of the Chamber

On motion of Senator GROOMS, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Secretary of Transportation Christy A. Hall on the occasion of her retirement and wished her much happiness in all future endeavors.

Doctor of the Day

Senator McLEOD introduced Dr. Marilyn Malia of Orangeburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CORBIN, at 1:10 P.M., Senator LOFTIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 2:41 P.M., Senator GOLDFINCH was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 266	Sen. McLeod
S. 994	Sen. Setzler
S. 1126	Sen. Campsen
S. 1150	Sen. M. Johnson

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1211 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DEBI NICOLE PRICE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

sr-0668km-hw24.docx

The Senate Resolution was adopted.

S. 1212 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE NINETY-SIX HIGH SCHOOL WRESTLERS FRANK TAYLOR AND PJ RUSHTON FOR WINNING THE 2024 SOUTH CAROLINA CLASS A/AA INDIVIDUAL STATE CHAMPIONSHIP TITLES.

lc-0571cm-gm24.docx

The Senate Resolution was adopted.

S. 1213 -- Senators Climer and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STUDENT PHYSICAL PRIVACY ACT" BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 59 SO AS TO STATE PURPOSES, PROVIDE DEFINITIONS, PROVIDE THAT EVERY PUBLIC SCHOOL RESTROOM AND CHANGING FACILITY THAT IS ACCESSIBLE BY MULTIPLE PERSONS MUST BE DESIGNATED FOR USE ONLY BY MEMBERS OF ONE SEX, AND TO PROVIDE CIVIL PENALTIES.

sr-0666km24.docx

Read the first time and referred to the Committee on Education.

S. 1214 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE AND DISTRIBUTION OF PRODUCTS CONTAINING HEMP-DERIVED CANNABINOID; AND BY AMENDING SECTION 59-1-380, RELATING TO TOBACCO-FREE SCHOOL CAMPUS POLICIES, SO AS TO ADD REFERENCES TO HEMP-DERIVED CANNABINOID.

lc-0393ph24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

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S. 1215 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO INDIVIDUAL ANTLERLESS DEER TAGS, ANTLERLESS DEER LIMITS FOR PRIVATE LANDS IN GAME ZONES 1-4, AND YOUTH DEER HUNTING DAY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5260, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0632wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1216 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5259, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0631wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1217 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULES AND REGULATIONS GOVERNING THE ISSUANCE OF DEER DEPREDATION PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5250, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0630wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1218 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO FAMILY DAY CARE HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5229, PURSUANT TO THE PROVISIONS

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OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0676wab-rt24.docx

Read the first time and ordered placed on the Calendar without reference.

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

lc-0092hdb23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4082 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS SO AS TO EXEMPT CERTAIN MEDICINE USED FOR OPHTHALMIC DISEASE.

lc-0181dg23.docx

Read the first time and referred to the Committee on Finance.

H. 4274 -- Reps. W. Newton, Herbkersman, Erickson, Bradley and Hager: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 7 TO CHAPTER 3, TITLE 15 SO AS TO ESTABLISH THE "SOUTH CAROLINA PUBLIC EXPRESSION PROTECTION ACT", REGARDING A CAUSE OF ACTION ASSERTED IN A CIVIL ACTION BASED UPON A PERSON'S COMMUNICATION IN CERTAIN CIRCUMSTANCES, AND TO ESTABLISH REQUIREMENTS FOR THESE PROCEEDINGS.

lc-0101ha23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4559 -- Reps. Bernstein, Rose, Clyburn, Mitchell, Yow and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE,

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TESTACY, AND APPOINTMENT PROCEEDINGS AND THE ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS REGARDING AN INDIVIDUAL'S ESTATE FOR THE SOLE PURPOSE OF ALLOWING A CLAIM TO BE MADE PURSUANT TO THE "HONORING OUR PACT ACT OF 2022" REGARDLESS OF THE DATE OF THAT INDIVIDUAL'S DEATH.

lc-0189ha24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

lc-0282dg24.docx

Read the first time and referred to the Committee on Finance.

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

lc-0170ahb24.docx

Read the first time and referred to the Committee on Transportation.

H. 4609 -- Reps. Hixon, B. L. Cox and O'Neal: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT

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ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

lc-0397cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

lc-0305ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J. L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

lc-0493cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 5024 -- Reps. Elliott, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14990, RELATING TO SURVIVING SPOUSES APPLYING FOR LICENSE PLATES OR THE TRANSFER OF CERTAIN LICENSE PLATES, SO AS TO PROVIDE SURVIVING SPOUSES OF MEMBERS OF THE NATIONAL GUARD MAY

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APPLY TO OBTAIN NATIONAL GUARD LICENSE PLATES OR TRANSFER NATIONAL GUARD LICENSE PLATES ISSUED TO THEIR SPOUSES.

lc-0502cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 5120 -- Reps. G. M. Smith, West, Sandifer and Davis: A CONCURRENT RESOLUTION TO URGE FEDERAL LEGISLATORS TO WORK IN GOOD FAITH TO ENACT LEGISLATION THAT REFORMS FEDERAL PERMITTING AND ENVIRONMENTAL REVIEW PROCESSES, TO PROMOTE ECONOMIC AND ENVIRONMENTAL STEWARDSHIP BY EXPEDITING THE DEPLOYMENT OF MODERN ENERGY INFRASTRUCTURE, AND TO INCLUDE STEPS TO CONSIDER FOR THESE REFORMS, AS WELL AS DETRIMENTS TO THE NATION AND ITS RESIDENTS AND BUSINESSES FOR FAILURE TO ACT.

lc-0277ha-ha24.docx

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

H. 5231 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE ESTABLISHMENT OF THE CONSOLIDATED BAMBERG COUNTY SCHOOL DISTRICT AND ITS NINE MEMBER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SEVEN MEMBERS OF THE BOARD ARE TO BE ELECTED FROM SINGLE-MEMBER DISTRICTS WHICH CORRESPOND WITH THE BAMBERG COUNTY COUNCIL DISTRICTS, AND TWO ADDITIONAL MEMBERS ARE TO BE ELECTED FROM THE COUNTY AT-LARGE.

lc-0408hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5244 -- Reps. Ligon, B. Newton, Sessions, Neese, Pope, Guffey, O'Neal, Felder and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16000 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "CATAWBA NATION" SPECIAL LICENSE PLATES.

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Read the first time and referred to the Committee on Transportation.

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REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 266 -- Senators Hutto, Jackson, Shealy, Devine and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson, Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 543 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-140, RELATING TO AUTHORIZATION OF FISCAL ACCOUNTABILITY AUTHORITY THROUGH THE OFFICE OF INSURANCE RESERVE FUND, SO AS TO PROVIDE FOR EXTENSION OF COVERAGE TO EMPLOYEES OF ENTITIES INSURED BY THE INSURANCE RESERVE FUND PROVIDED THAT EMPLOYEES ACTED IN GOOD FAITH AND WITHIN THE SCOPE OF EMPLOYMENT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 723 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-20, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND BY AMENDING SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS

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OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 849 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE

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DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 890 -- Senators Tedder and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 975 -- Senators Martin, Corbin, Rice, Kimbrell and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-17-780 SO AS TO PROHIBIT BUSINESSES, NON-PROFIT ORGANIZATIONS, COLLEGES, SCHOOLS, AND EMPLOYERS FROM MANDATING THAT EMPLOYEES, CONTRACTORS, STUDENTS, PATRONS, CUSTOMERS, CLIENTS, OR GUESTS MUST RECEIVE A NOVEL VACCINE OR GENE THERAPY; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ANY ADVERSE PRE-EMPLOYMENT OR EMPLOYMENT ACTION AGAINST AN

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INDIVIDUAL WHO DECLINES TO RECEIVE A VACCINE OR GENE THERAPY; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE THAT A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION DUE TO RELIGIOUS, MORAL, OR ETHICAL REASONS; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO PROVIDE THAT THE DIRECTOR MAY NOT REQUEST ASSISTANCE IN ENFORCING ORDERS PURSUANT TO THIS CHAPTER; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS FOR EMERGENCY HEALTH POWERS, SO AS TO PROVIDE DEFINITIONS; BY AMENDING SECTION 44-4-330, RELATING TO THE PURCHASE AND DISTRIBUTION OF PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES, SO AS TO PROVIDE THAT DHEC MAY PURCHASE AND DISTRIBUTE APPROVED PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES; BY AMENDING SECTION 44-4-500, RELATING TO CONTROL AND TREATMENT OF INFECTIOUS DISEASE, SO AS TO PROVIDE THAT DHEC MUST USE EVERY AVAILABLE MEANS TO PREVENT THE TRANSMISSION OF INFECTIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN CALLED; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT TESTS MUST BE FDA APPROVED FOR ACCURATE DETECTION OF THE BIOLOGICAL AGENT; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT DHEC MAY NOT ISOLATE AN INDIVIDUAL TO PREVENT THE SPREAD OF A POSSIBLY CONTAGIOUS DISEASE, BUT ONLY A DISEASE KNOWN TO BE CONTAGIOUS, AND TO PROVIDE THAT A VACCINE MUST NOT BE A GENE THERAPY; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS AND PENALTY FOR NONCOMPLIANCE, SO AS TO PROVIDE THAT DHEC MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REMOVE ISOLATION

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PARAMETERS; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT IN-STATE HEALTH PROVIDERS MUST ASSIST IN VACCINATIONS, TREATMENTS, AND EXAMINATIONS, AND TO REMOVE THE PROVISION THAT ANY EMERGENCY ASSISTANT MEDICAL EXAMINER OR CORONER APPOINTED PURSUANT TO THIS SECTION IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGES RESULTING FROM THEIR SERVICES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1048 -- Senators M. Johnson, Young, Malloy, Setzler, Rankin, Talley, Hembree, Gustafson, Davis and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO ILLEGALLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE; AND TO PROVIDE THE EVIDENTIARY STANDARD FOR THE VISIBLE INTOXICATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.

Ordered for consideration tomorrow.

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Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 1112 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-2340, RELATING TO FINGERPRINT REVIEW, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS FOR PERSONS APPLYING FOR LICENSURE AS A FOSTER PARENT, ADOPTIVE PARENT, LEGAL GUARDIAN, OR EMPLOYEE OR VOLUNTEER OF A CHILD PLACING AGENCY, RESIDENTIAL TREATMENT PROGRAM, OR CONTRACTED SERVICE PROVIDER WHO HAS DIRECT UNSUPERVISED CONTACT WITH CHILDREN; BY AMENDING SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS OF FEDERAL BUREAU OF INVESTIGATION FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT COSTS FOR FINGERPRINT-BASED BACKGROUND CHECKS MUST BE PAID BY THE INDIVIDUAL OR ENTITY REQUESTING THE BACKGROUND CHECKS; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO PROVIDE THAT A CHILD MAY BE PLACED IN THE HOME OF A KIN OR FICTIVE KIN CAREGIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY TO A CRIMINAL OFFENSE IF MORE THAN FIVE YEARS HAVE PASSED SINCE THE CONVICTION AND THE OFFENSE WAS NOT A FELONY INVOLVING VIOLENCE OR ANY CRIME AGAINST A CHILD; BY AMENDING SECTION 63-13-50, RELATING TO FINGERPRINT EXEMPTIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-60, RELATING TO CRIMINAL HISTORY REVIEW FEE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT REVIEWS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO PROVIDE THAT VOLUNTEERS OR EMPLOYEES OF A CONTRACTOR OR SUBCONTRACTOR WHO CONTRACTS FOR DELIVERY OF PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, FOSTER CARE SERVICES, FAMILY REUNIFICATION SERVICES, ADOPTION SERVICES AND OTHER RELATED SERVICES OR PROGRAMS OR A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK; BY AMENDING SECTION 63-13-420,

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RELATING TO LICENSURE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-430, RELATING TO LICENSE RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-620, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-630, RELATING TO APPROVAL RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-820, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-830, RELATING TO STATEMENT OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-1010, RELATING TO REGISTRATION REQUIRED FOR CHURCH AND RELIGIOUS CENTERS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-70, RELATING TO BACKGROUND CHECKS AND PARDONS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 1150 -- Senators Climer, Verdin, Kimbrell and M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 46-57-65 SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO LABEL ANY CULTIVATED FOOD PRODUCT AS BEEF, POULTRY, FISH, OR

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ANY OTHER MEAT THAT THE CULTIVATED FOOD PRODUCT MAY RESEMBLE FOR THE PURPOSES OF MANUFACTURING, SELLING, OR HOLDING OR OFFERING FOR SALE IN THIS STATE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1175 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-800 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA DRAM SHOP ACT; BY ADDING SECTION 15-3-810 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY AN INTOXICATED PERSON HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE INTOXICATED PERSON AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM; AND BY ADDING SECTION 15-3-820 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY A PERSON UNDER THE LAWFUL DRINKING AGE HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE PERSON UNDER THE LAWFUL DRINKING AGE AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

Ordered for consideration tomorrow.

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Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4909 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4937 -- Reps. Collins, Hiott and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS,

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WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 27, 2024

Mr. President and Senators:

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

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

On motion of Senator GAMBRELL, the Bill was carried over.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC

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INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED, OBJECTION**

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

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The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-857.WAB0002S), which was adopted:

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

SECTION X. Section 40-13-110(A)(6) of the S.C. Code is amended to read:

(6) practiced or attempted to practice cosmetology in any place other than a licensed salon, ~~except unless otherwise prescribed by law or~~ in case of an emergency including, but not limited to, illness, invalidism, or death when a licensed operator may perform services for a person in another place by appointment only;

SECTION X. Section 40-13-230(B)(2) of the S.C. Code is amended to read:

(2) has completed at least ~~four hundred fiftysix~~ hundred hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; and

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (LC-857.WAB0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6 and inserting:

SECTION 6. SECTION 3 of this act takes effect July 1, 2024.

SECTIONS 1, 2, 4 and 5 of this act take effect July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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Senator DAVIS proposed the following amendment (LC-857.WAB0005S), which was proposed:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

SECTION X.A. Section 40-13-230(B) of the S.C. Code is amended to read:

(B) A license as an esthetician must be issued by the board to a person who:

(1) is at least sixteen years of age and possesses at least a tenth grade education or the equivalent as established by tests used in the public schools or tests approved by the board;

(2) has completed at least ~~four hundred fiftysix hundred~~ hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; and

(3) has passed the examination prescribed by the board and pays the required fee; and

(4) Students enrolled in esthetician programs prior to July 1, 2024, shall be issued a license for completion of at least four hundred and fifty hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board so long as all other requirements for licensure are met.

B. This SECTION takes effect July 1, 2024.

Amend the bill further, by striking SECTION 6 and inserting:

SECTION 6. Except as otherwise provided, this act takes effect June 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question being adoption of the amendment.

Senator JACKSON objected to further consideration of the Bill.

OBJECTION

S. 1132 -- Senators Davis, Climer and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE

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STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

Senator JACKSON objected to consideration of the Bill.

OBJECTION

S. 1095 -- Senators M. Johnson and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

Senator M. JOHNSON objected to consideration of the Bill.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call S. 994 from the Contested Calendar.

The motion under Rule 32B was adopted.

MADE SPECIAL ORDER

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson, Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE

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SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

Senator MASSEY moved that the Bill be made a Special Order.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

Senator MARTIN spoke against the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MALLOY argued in favor of the motion.

The question then was the motion to make the Bill a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Grooms	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--35

NAYS

Harpootlian	Matthews	McLeod
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Total--3

The Bill was made a Special Order.

MOTION ADOPTED

At 2:42 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN

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DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS

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COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**READ THE THIRD TIME
SENT TO THE HOUSE**

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis, Garrett and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

The Senate proceeded to a consideration of the Joint Resolution, the question being the third reading of the Joint Resolution.

Be it enacted by the General Assembly of the State of South Carolina;

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SECTION 1.A. It is proposed that Section 7, Article VI of the Constitution of this State be amended to read:

Section 7. There shall be elected by the qualified voters of the State a Secretary of State, an Attorney General, a Treasurer, a Superintendent of Education, Comptroller General, Commissioner of Agriculture, and an Adjutant General who shall hold their respective offices for a term of four years, coterminous with that of the Governor. The duties and compensation of such offices shall be prescribed by law and their compensation shall be neither increased nor diminished during the period for which they shall have been elected.

Beginning upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, the Adjutant General must be appointed by the Governor, upon the advice and consent of the Senate. The appointed Adjutant General shall serve for a term not coterminous with the Governor and may be removed only for cause. The General Assembly shall provide by law for the term, duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Adjutant General may be removed from office.

Beginning sixty days after the ratification of the provisions of this paragraph, the state constitutional office of the Comptroller General is abolished. The General Assembly shall provide by law for the duties and responsibilities held by the Comptroller General.

B. It is proposed that Section 12, Article IV of the Constitution of this State be amended to read:

Section 12. (1) Whenever the Governor transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as acting Governor.

(2) Whenever a majority of the Attorney General, the Secretary of State, ~~the Comptroller General~~, and the State Treasurer, or of such other body as the General Assembly may provide, transmits to the President of the Senate and the Speaker of the House of Representatives a written declaration that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall forthwith assume the powers and duties of the office as acting Governor.

Thereafter, if the Governor transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no such inability exists, he shall forthwith resume the powers and duties

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of his office unless a majority of the above members or of such other body, whichever the case may be, transmits within four days to the President of the Senate and the Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers and duties of his office. Thereupon, the General Assembly shall forthwith consider and decide the issue, and if not in session, it shall assemble within forty-eight hours for the sole purpose of deciding such issue. If the General Assembly, within twenty-one days, excluding Sundays, after the first day it meets to decide the issue, determines by two-thirds vote of each House that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall continue to discharge the same as acting Governor; otherwise, the Governor shall resume the powers and duties of his office.

C. It is proposed that Section 13, Article X of the Constitution of this State be amended to read:

Section 13. (1) Subject to the conditions and limitations in this section, the State shall have power to incur indebtedness in the following categories and in no others: (a) general obligation debt; and (b) indebtedness payable only from a revenue-producing project or from a special source as provided in subsection (9) hereof.

(2) "General obligation debt" shall mean any indebtedness of the State which shall be secured in whole or in part by a pledge of the full faith, credit and taxing power of the State.

(3) General obligation debt may not be incurred except for a public purpose and all general obligation debt shall mature not later than thirty years from the time such indebtedness shall be incurred.

(4) In each act authorizing the incurring of general obligation debt the General Assembly shall allocate on an annual basis sufficient tax revenues to provide for the punctual payment of the principal of and interest on such general obligation debt. If at any time any payment due as the principal of or interest on any general obligation debt shall not be paid as and when the same become due and payable, the ~~State Comptroller General Governor~~ shall forthwith levy and the State Treasurer shall collect an ad valorem tax without limit as to rate or amount upon all taxable property in the State sufficient to meet the payment of the principal and interest of such general obligation debt then due.

(5) If general obligation debt be authorized by (a) two-thirds of the members of each House of the General Assembly; or (b) by a majority vote of the qualified electors of the State voting in a referendum called by the General Assembly there shall be no conditions or restrictions

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limiting the incurring of such indebtedness except (i) those restrictions and limitations imposed in the authorization to incur such indebtedness, and (ii) the provisions of subsection (3) hereof.

(6) General obligation debt may be also incurred on such terms and conditions as the General Assembly may by law prescribe under the following limitations:

(a) General obligation bonds for highway purposes (highway bonds) may be issued if such bonds shall be additionally secured by a pledge of the revenues derived from the "sources of revenue" as such term is defined in this subsection; provided, that the maximum annual debt service on all highway bonds so additionally secured which shall thereafter be outstanding shall not exceed fifteen percent of the proceeds received from the sources of revenue for the fiscal year next preceding.

For the purpose of this subsection, the term "sources of revenue" shall mean so much of the revenues as may be made applicable by the General Assembly for state highway purposes from any and all taxes or licenses imposed upon individuals or vehicles for the privilege of using the public highways of the State.

(b) General obligation bonds for any state institution of higher learning designated by the General Assembly (state institution bonds) may be issued, if such bonds shall be additionally secured by a pledge of the revenues derived from the tuition fees received by the particular institution of higher learning for which such state institution bonds are issued; provided, that the maximum annual debt service on all state institution bonds so additionally secured issued for such state institution thereafter to be outstanding shall not exceed ninety percent of the sums received by such state institution of higher learning from tuition fees for the fiscal year next preceding.

(c) General obligation bonds for any public purpose including those purposes set forth in (a) and (b) may be issued; provided, that the maximum annual debt service on all general obligation bonds of the State thereafter to be outstanding (excluding highway bonds, state institution bonds, tax anticipation notes, and bond anticipation notes) must not exceed five percent of the general revenues of the State for the fiscal year next preceding (excluding revenues which are authorized to be pledged for state highway bonds and state institution bonds).

Upon implementation of the provisions of this item by law, the percentage rate of general revenues may be reduced to four or increased to seven percent by legislative enactment passed by a two-thirds vote of the total membership of the Senate and a two-thirds vote of the total membership of the House of Representatives.

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During the regular session of the General Assembly in 1990 and during every fifth annual regular session thereafter, the General Assembly shall conduct and complete a review of the law implementing this item. Unless during such session that review results in an amendment to or repeal of the law implementing this item, which must be accomplished by legislative enactment passed by a two-thirds vote of the total membership of the Senate and a two-thirds vote of the total membership of the House of Representatives.

(7) General obligation indebtedness may be incurred in anticipation of state tax collections (tax anticipation notes) under such terms and conditions as the General Assembly may prescribe by law. Such tax anticipation notes shall be secured by a pledge of such taxes and by a pledge of the full faith, credit and taxing power of the State. All tax anticipation notes shall be expressed to mature not later than ninety days from the end of the fiscal year in which such notes are issued.

(8) General obligation notes may be issued in anticipation of the proceeds of general obligation bonds which may be lawfully issued (bond anticipation notes) under terms and conditions which the General Assembly may prescribe by law. Such bond anticipation notes shall be secured by a pledge of the proceeds of the bonds in anticipation of which such bond anticipation notes are issued and by a pledge of the full faith, credit and taxing power of the State.

Bond anticipation notes shall be expressed to mature not later than one year following the date of issuance, but if the General Assembly shall so authorize by law, bond anticipation notes may be refunded or renewed.

(9) The General Assembly may authorize the State or any of its agencies, authorities, or institutions to incur indebtedness for any public purpose payable solely from a revenue-producing project or from a special source, which source does not involve revenues from any tax but may include fees paid for the use of any toll bridge, toll road, or tunnel. Such indebtedness may be incurred upon such terms and conditions as the General Assembly may prescribe by law. All indebtedness incurred pursuant to the provisions of this subsection shall contain a statement on the face thereof specifying the sources from which payment is to be made.

SECTION 2. The proposed amendment in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Comptroller

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General from the list of state officers that the Constitution requires to be elected, provide that sixty days after the ratification of this provision the office is abolished, and authorize the General Assembly to provide by law for the duties and responsibilities held by the Comptroller General; and must Section 12, Article IV be amended so as to delete the Comptroller General's name from the list of elected state constitutional officers a majority of which may submit a written declaration that the Governor is unable to discharge his duties; and must Section 13, Article X be amended so as to provide if the principal of or interest on any general obligation debt is not paid when due, that instead of the Comptroller General, the Governor shall levy an ad valorem tax to meet the payment?

Yes

No

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

The Joint Resolution was read the third time, passed and ordered sent to the House of Representatives with amendments.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, READ THE SECOND TIME

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer, Devine, Williams and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

The Senate proceeded to a consideration of the Bill.

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Senators ALEXANDER and GARRETT proposed the following amendment (SR-994.JG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(H) and inserting:

(H) A non-refundable fee of two thousand dollars for each ENDS product shall be paid the first time a manufacturer submits a certification form to offset the costs incurred by the Attorney General for processing the certifications and operating the directory. The Attorney General shall thereafter collect an annual renewal fee of five hundred dollars for each ENDS product to offset the costs associated with maintaining the directory and satisfying the requirements of this section. The fees received under this subsection, and any penalties collected under subsections (N) or (P), by the Attorney General shall be deposited into the general fund of the State.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

Senators ALEXANDER, MALLOY and GARRETT proposed the following amendment (SR-994.JG0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(K) and inserting:

(K) The Attorney General, the South Carolina Law Enforcement Division, or the South Carolina Department of Revenue shall have the power to seize and destroy any ENDS products that are not listed on the directory and which are in possession of a distributor or retailer. The cost of seizure and destruction shall be borne by the distributor or retailer from whom the ENDS products are seized.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 994 was placed in the status of Interrupted Debate for tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators DEVINE, ALEXANDER and MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Bertha Maxwell-Roddey of Seneca, S.C. Bertha worked in the Charlotte-Mecklenburg School System in North Carolina as a teacher and principal. She was the first African American to serve as an administrator in a predominately white school. She became the first chair of the Afro-American and African Studies Department of the University of North Carolina at Charlotte. She started the first Head Start program in Charlotte, co-founded the Harvey B. Gantt Center for African American Arts and Culture, founded and served as the first chair of the National Council for Black Studies and co-founded the Theodore and Bertha M. Roddey Foundation. Bertha earned many awards including the Thurgood Marshall Award of Education, Order of the Long Leaf Pine, Elizabeth Catlett Delta Legacy "Woman Making a Difference" and the Eagle Fly Free Award to mention a few. She was active in the Gamma Lambda Chapter of Delta Sigma Theta Sorority and served as Charlotte Alumnae Chapter President, National First Vice President and the twentieth National President. She retired from academics as the Frank Porter Graham Professor Emeritus at UNCC. Bertha was a loving wife, devoted mother and doting grandmother who will be dearly missed.

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and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Debi Nicole Price of Walterboro, S.C. Debi graduated from Walterboro High School and the University of South Carolina Salkehatchie and later earned a Master's degree in Early Elementary Education, specializing in Special Education from the University of South Carolina. She taught at Forest Hills Elementary School where she was named Rookie Teacher of the Year in 2012, Teacher of the Year in 2016 and was voted the Best Teacher in Colleton County in 2020. Debi was a faithful member of Grace Advent Christian Church. She was an avid Gamecock fan and enjoyed attending concerts, going to the beach and being a DJ for parties and events. Debi was a loving daughter and devoted teacher who will be dearly missed.

ADJOURNMENT

At 3:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

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