~~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 Habakkuk 3:19: “God, the Lord, is my strength; he makes my feet like the feet of a deer.”

Let us pray. O God, give us Your strength when we are frustrated and sometimes angry and depressed over something not going our way. Give these Representatives patience in dealing with the affairs set before them. Direct them in making the right choices in the agenda at hand. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. 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. FUNDERBURK moved that when the House adjourns, it adjourn in memory of Dr. Robert E. "Jack" David of Camden, former Executive Director of the South Carolina Employment Security Commission, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 4, 2010

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. 170:

S. 170 -- Senators Cleary and Rose: A BILL TO AMEND TITLE 63, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-17-385 TO AUTHORIZE THE FAMILY COURT TO ISSUE A RULE TO SHOW CAUSE UPON THE FILING OF AN AFFIDAVIT THAT A PARENT HAS FAILED TO PAY COURT-ORDERED SUPPORT, OTHER THAN PERIODIC PAYMENT OF FUNDS FOR THE SUPPORT OF THE CHILD, TO PROVIDE FOR SERVICE BY REGULAR MAIL, TO PROVIDE THAT THE AFFIDAVIT AND CERTAIN OTHER DOCUMENTATION IS PRIMA FACIE EVIDENCE OF NONPAYMENT, SHIFTING THE BURDEN OF PROOF, AND TO PROVIDE A DEFENSE.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**REPORTS OF STANDING COMMITTEES**

Rep. HUGGINS, from the Lexington Delegation, submitted a favorable report on:

H. 4828 -- Rep. Huggins: A BILL TO AMEND ACT 387 OF 1963, AS AMENDED, RELATING TO THE IRMO FIRE DISTRICT, SO AS TO AUTHORIZE THE BOARD OF FIRE CONTROL TO ADOPT RULES AND REGULATIONS TO ENSURE THAT A BUILDING WITHIN THE DISTRICT IS MAINTAINED PROPERLY AND DOES NOT PRESENT A FIRE OR SAFETY HAZARD; AND TO CONVEY TO A FIRE CHIEF OR HIS DESIGNEE THE SAME AUTHORITY THAT A PEACE OFFICER HAS TO ENFORCE REGULATIONS AND OTHER LAWS PROMULGATED OR ADOPTED BY THE DISTRICT.

Ordered for consideration tomorrow.

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

S. 286 -- Senators Cleary, Rose and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 TO TITLE 44 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IMPLEMENT A TARGETED COMMUNITY HEALTH PROGRAM IN THREE TO FIVE COUNTIES OF NEED FOR DENTAL HEALTH EDUCATION, SCREENING, AND TREATMENT REFERRALS IN PUBLIC SCHOOLS FOR CHILDREN IN KINDERGARTEN, THIRD, SEVENTH, AND TENTH GRADES OR UPON ENTRY INTO PUBLIC SCHOOLS, TO REQUIRE PROGRAM GUIDELINES TO BE PROMULGATED IN REGULATIONS, TO REQUIRE AN ACKNOWLEDGMENT OF DENTAL SCREENING TO BE ISSUED UPON COMPLETION OF THE SCREENING AND TO REQUIRE THIS ACKNOWLEDGMENT TO BE PRESENTED TO THE CHILD'S SCHOOL, TO REQUIRE NOTIFICATION TO THE CHILD'S PARENT IF PROFESSIONAL ATTENTION IS INDICATED BY THE SCREENING AND IF AUTHORIZED BY THE CHILD'S PARENTS, TO PROVIDE NOTIFICATION TO THE COMMUNITY HEALTH COORDINATOR TO FACILITATE FURTHER ATTENTION IF NEEDED, AND TO PROVIDE THAT A SCREENING MUST BE COMPLETED UNLESS A CHILD'S PARENT COMPLETES AN EXEMPTION FORM.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4937 -- Rep. Wylie: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR RIVERSIDE MIDDLE SCHOOL IN GREENVILLE COUNTY, AND TO CONGRATULATE THE SCHOOL'S FACULTY, STAFF, STUDENTS, AND PARENTS FOR RECEIVING A 2010 CAROLINA FIRST PALMETTO'S FINEST AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4938 -- Reps. Pinson, Parks and M. A. Pitts: A HOUSE RESOLUTION TO CONGRATULATE DAN ROBINSON, M.D., OF GREENWOOD COUNTY FOR BEING NAMED 2010 SMALL

BUSINESS ADMINISTRATION SMALL BUSINESS PERSON OF THE YEAR RUNNER-UP FOR SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

On motion of Rep. BANNISTER, with unanimous consent, the following was taken up for immediate consideration:

H. 4939 -- Rep. Bannister: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE GREENVILLE HIGH SCHOOL BOYS LACROSSE TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2010 CLASS AAAA SOUTH CAROLINA HIGH SCHOOL LEAGUE STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4940 -- Rep. Bannister: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE GREENVILLE HIGH SCHOOL BOYS LACROSSE TEAM FOR CAPTURING THE 2010 CLASS AAAA SOUTH CAROLINA HIGH SCHOOL LEAGUE STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4941 -- Rep. Lowe: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR LUKE COATES OF FLORENCE COUNTY, AND TO CONGRATULATE HIM FOR CAPTURING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AA STATE GOLF TOURNAMENT CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4942 -- Reps. Crawford, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE THE HONORABLE RALPH KING ANDERSON, JR., UPON THE OCCASION OF HIS RETIREMENT FROM A DISTINGUISHED JUDICIAL CAREER IN SOUTH CAROLINA, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS A CIRCUIT JUDGE, APPEALS COURT JUDGE, AND RECENTLY AS A RETIRED/ACTIVE JUDGE FOR THE TWELFTH JUDICIAL CIRCUIT, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**INTRODUCTION OF BILL**

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

S. 1405 -- Senator Coleman: A BILL TO PROVIDE FOR THE TRANSFER OF QUALIFYING STUDENTS FROM FAIRFIELD COUNTY SCHOOL DISTRICT TO CHESTER COUNTY SCHOOL DISTRICT; TO REQUIRE THE TREASURER OF FAIRFIELD COUNTY TO REMIT CERTAIN FUNDS PER TRANSFERRING PUPIL TO CHESTER COUNTY SCHOOL DISTRICT ON BEHALF OF FAIRFIELD COUNTY SCHOOL DISTRICT; TO PROVIDE FOR THE TIMING OF THE PAYMENT, AND TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PAY THE AMOUNT DUE TO CHESTER COUNTY SCHOOL DISTRICT OUT OF FUNDS OTHERWISE ALLOCATED TO THE FAIRFIELD COUNTY SCHOOL DISTRICT PURSUANT TO THE EDUCATION FINANCE ACT IF THE TREASURER OF FAIRFIELD COUNTY FAILS TO PAY CHESTER COUNTY SCHOOL DISTRICT; TO ALLOW THE CHESTER COUNTY SCHOOL DISTRICT TO CONSIDER THESE PAYMENTS ANTICIPATED AD VALOREM TAXATION; TO REQUIRE THE STATE SUPERINTENDENT OF EDUCATION TO SETTLE ANY DISPUTE THAT ARISES BETWEEN THE DISTRICTS UPON THE IMPLEMENTATION AND ADMINISTRATION OF THE PROVISIONS OF THIS ACT; AND TO PROVIDE FOR THE PAYMENT OF MONIES PREVIOUSLY OWED TO CHESTER COUNTY SCHOOL DISTRICT.

Referred to Fairfield Delegation

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Gunn | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | Kennedy | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | Umphlett | Vick |
| Weeks | White | Whitmire |
| Williams | Wylie | A. D. Young |
| T. R. Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, May 5.

|  |  |
| --- | --- |
| K. F. Hodges | Nathan Ballentine |
| B. W. Bannister | William Bowers |
| Bakari Sellers | G. R. Smith |
| Leon Stavrinakis | Thad Viers |
| Jackson "Seth" Whipper | Mark Willis |
| Todd Rutherford | Michael Thompson |
| Jerry Govan | Joseph Neal |
| Nikki Haley | Chris Hart |

**Total Present--122**

**STATEMENT OF ATTENDANCE**

Rep. VIERS signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, May 4.

**STATEMENT OF ATTENDANCE**

Rep. STEWART signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Thursday, March 18.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Patricia Witherspoon of Columbia was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4919 |
| Date: | ADD: |
| 05/05/10 | HARDWICK, CLEMMONS, WYLIE and BARFIELD |

**SENT TO THE SENATE**

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

H. 4916 -- Reps. Lucas, Neilson and Williams: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON APRIL 26, 2010, BY THE STUDENTS OF DARLINGTON COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO A TORNADO IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 4923 -- Reps. Govan, Cobb-Hunter, Ott and Sellers: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF ORANGEBURG CONSOLIDATED SCHOOL DISTRICT NO. 4 OF ORANGEBURG COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT UP TO ITS CONSTITUTIONAL DEBT LIMIT IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 168 -- Senators Cleary, Campsen, Rose, Bryant, Elliott and Hutto: A BILL TO AMEND SECTION 38-79-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL MALPRACTICE INSURANCE SO AS TO PROVIDE THAT A LICENSED HEALTH CARE PROVIDER WHO RENDERS MEDICAL SERVICES VOLUNTARILY AND WITHOUT COMPENSATION, AND SEEKS NO REIMBURSEMENT FROM CHARITABLE AND GOVERNMENTAL SOURCES, AND PROVIDES NOTICE TO THE PATIENT OR PATIENT'S PROVIDER IN A NON-EMERGENCY, IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ANY ACT OR OMISSION UNLESS THE ACT OR OMISSION WAS THE RESULT OF THE HEALTH CARE PROVIDER'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

S. 1145 -- Senator Leatherman: A BILL TO AMEND SECTIONS 9-1-1540, 9-9-65, AND 9-11-80 OF THE 1976 CODE, RELATING TO THE DATE UPON WHICH AN APPLICATION FOR DISABILITY RETIREMENT MUST BE FILED WITH THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER IS CONSIDERED TO BE IN SERVICE ON THE DATE THE APPLICATION IS FILED IF THE MEMBER IS NOT RETIRED AND THE LAST DAY THE MEMBER WAS EMPLOYED BY A COVERED EMPLOYER IN THE SYSTEM OCCURRED NOT MORE THAN NINETY DAYS PRIOR TO THE DATE OF FILING.

S. 1131 -- Senators Peeler and Coleman: A BILL TO AMEND SECTION 4-29-67, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE; TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; AND TO AMEND SECTION 12-44-40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY.

S. 1172 -- Senators Fair, Hutto, Jackson, Alexander, Ford, L. Martin, Campbell, Rose, Knotts and Cromer: A BILL TO AMEND SECTION 63-7-1640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF SOCIAL SERVICES PROVIDING REASONABLE EFFORTS TO ACHIEVE FAMILY PRESERVATION AND REUNIFICATION, SO AS TO PROVIDE THAT THE NAMED PARTY MAY MOVE TO HAVE THE COURT DETERMINE IF THE DEPARTMENT SHALL CONTINUE WITH THESE EFFORTS, TO ADD ALCOHOL AND DRUG ADDITION, MENTAL ILLNESS, AND EXTREME PHYSICAL INCAPACITY TO THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT IS NOT REQUIRED TO TRY TO PRESERVE AND REUNIFY A FAMILY, TO REQUIRE THE COURT TO MAKE SPECIFIC FINDINGS WHEN RELEASING THE DEPARTMENT FROM TRYING TO PRESERVE AND REUNIFY A FAMILY, AND TO REQUIRE THE DEPARTMENT TO PETITION FOR TERMINATION OF PARENTAL RIGHTS WITHIN SIXTY DAYS WHEN FAMILY PRESERVATION AND REUNIFICATION IS NO LONGER REQUIRED; TO AMEND SECTION 63-7-1660, RELATING TO PROCEDURES FOR REMOVING A CHILD FROM THE CUSTODY OF HIS PARENTS BY FILING A PETITION IN FAMILY COURT AND GROUNDS FOR REMOVAL, SO AS TO REQUIRE THE DEPARTMENT TO ALSO SEEK TERMINATION OF PARENTAL RIGHTS IF CIRCUMSTANCES EXIST THAT THE DEPARTMENT IS NOT REQUIRED TO TRY TO PRESERVE AND REUNIFY THE FAMILY; TO AMEND SECTION 63-7-1680, RELATING TO THE CONTENTS OF A PLACEMENT PLAN WHEN A CHILD IS REMOVED FROM THE CUSTODY OF HIS PARENTS, SO AS TO REVISE AND FURTHER SPECIFY THE CONTENTS OF THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1700, RELATING TO THE FAMILY COURT REVIEWING A CHILD'S PERMANENT PLACEMENT PLAN, SO AS TO FURTHER PROVIDE THE CONTENTS OF A SUPPLEMENTAL REPORT TO BE PROVIDED TO THE COURT WHEN CONDUCTING SUCH A REVIEW, TO FURTHER SPECIFY CONDITIONS FOR REVIEW, TO FURTHER SPECIFY CONDITIONS FOR RETURNING THE CHILD TO THE CUSTODY OF HIS PARENTS, TO FURTHER SPECIFY CONDITIONS UNDER WHICH THE PLACEMENT PLAN MAY BE EXTENDED, AND TO DELETE DUPLICATIVE TEXT; TO AMEND SECTION 63-7-2570, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT IN SOME INSTANCES A PARENT'S CONDUCT INVOLVING A CHILD, OTHER THAN A CHILD OF THE PARENT, MAY CONSTITUTE GROUNDS FOR TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 63-9-60, RELATING TO PERSONS WHO MAY ADOPT A CHILD IN THIS STATE, SO AS TO PROVIDE THAT AN ADOPTION BY PERSONS WHO ARE NONRESIDENTS MUST BE FINALIZED IN THIS STATE; AND BY ADDING SECTION 63-9-70 SO AS TO PROHIBIT CERTAIN PERSONS OR ENTITIES FROM ADVERTISING THAT THE PERSON OR ENTITY WILL PLACE OR ACCEPT A CHILD FOR ADOPTION, TO PROVIDE AN EXCEPTION, AND TO PROVIDE THAT THE FAMILY COURT SHALL ENJOIN VIOLATIONS OF THIS SECTION.

S. 1097 -- Senators Alexander, L. Martin, Sheheen, O'Dell, Land, Mulvaney and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-21-110 TO CHAPTER 21, TITLE 41 SO AS TO ENACT THE "FUTURE VOLUNTEER FIREFIGHTERS ACT OF SOUTH CAROLINA" AND TO ESTABLISH THE JUNIOR FIREFIGHTERS PROGRAM.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

S. 1146 -- Senator Alexander: A BILL TO AMEND SECTIONS 9-1-1770, AS AMENDED, 9-1-1775, 9-8-110, AS AMENDED, 9-9-100, AS AMENDED, 9-11-120, AS AMENDED, 9-11-125, AS AMENDED, AND 9-11-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING RESPECTIVELY TO, AMONG OTHER THINGS, LIFE INSURANCE BENEFITS PAID BENEFICIARIES OF DECEASED RETIREES OF THE SOUTH CAROLINA RETIREMENT SYSTEM, THE SOUTH CAROLINA RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, AND THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, AND BENEFITS PAID PURSUANT TO THE ACCIDENTAL DEATH BENEFIT PROGRAM OF THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO MAINTAIN COMPLIANCE WITH THE INTERNAL REVENUE CODE OF 1986 BY PROVIDING FOR THESE BENEFITS TO BE PAID IN THE FORM OF DEATH BENEFITS RATHER THAN INSURANCE AND TO CORRECT A REFERENCE.

S. 495 -- Senators Massey, Hutto and S. Martin: A BILL TO AMEND SECTION 50-11-2100 OF THE 1976 CODE, RELATING TO FIELD TRIALS, TO PROVIDE THAT A PARTICIPANT IN FIELD TRIALS PERMITTED BY THE DEPARTMENT OF NATURAL RESOURCES IS NOT REQUIRED TO OBTAIN A HUNTING LICENSE IF THE PARTICIPANT IS NOT CARRYING A FIREARM AND NO GAME IS TAKEN, AND TO PROVIDE THAT NO FIELD TRIALS MAY BE HELD OUTSIDE OF THE REGULAR SEASON EXCEPT AS PERMITTED BY THE DEPARTMENT.

**S. 382--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 382 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-2-805 SO AS TO PROVIDE FOR A PRESUMPTION THAT A DECEDENT AND THE DECEDENT'S SPOUSE HELD TANGIBLE PERSONAL PROPERTY IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, FOR EXCEPTIONS TO THE PRESUMPTION, AND FOR THE STANDARD OF PROOF TO OVERCOME THE PRESUMPTION.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7793AHB10), which was adopted:

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

/ SECTION \_\_. Section 1-23-525 of the 1976 Code is amended to read:

“Section 1-23-525. ~~No~~ A member of ~~any~~ the General Assembly who is not otherwise prohibited from being elected to an administrative law judge position may not be elected to ~~such~~ that position while he is a member of the General Assembly and for a period of ~~four years~~ one year after he ceases to be a member of the General Assembly.”

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

Rep. BANNISTER explained the Bill.

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

**S. 372--DEBATE ADJOURNED**

The following Bill was taken up:

S. 372 -- Senators Hayes and Ford: A BILL TO AMEND SECTION 62-2-207, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DETERMINATION OF AN ELECTIVE SHARE OF A SPOUSE, SO AS TO CLARIFY THAT AN INTEREST AS A BENEFICIARY IN A TESTAMENTARY TRUST OR IN PROPERTY PASSING TO AN INTER VIVOS TRUST THROUGH THE DECEDENT'S WILL IS A BENEFICIAL INTEREST CHARGEABLE TO THE ELECTIVE SHARE; AND TO AMEND SECTION 62-7-401, AS AMENDED, RELATING TO CREATION OF A TRUST, SO AS TO PROVIDE FOR THE INCLUSION OF A SURVIVING SPOUSE'S BENEFICIAL INTERESTS IN TRUST PROPERTY IN CALCULATING THE ELECTIVE SHARE.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7794AHB10), which was ruled out of order:

Amend the bill, as and if amended, by deleting Section 62‑2‑207(a), as contained in SECTION 1, pages 1 and 2, and inserting:

/ (a) In the proceeding for an elective share, all property, ~~(~~including beneficial ~~interests)~~ interest, which passes or has passed to the surviving spouse under the decedent’s will or by intestacy, by ~~any~~ a homestead allowance, and by Section 62‑2‑401, or which would have passed to the spouse but was renounced, or which is contained in a trust created by the decedent’s will or a trust as described in Section 62‑7‑401(c) in which the spouse has a beneficial interest, is applied first to satisfy the elective share and to reduce ~~any~~ contributions due from other recipients of transfers included in the probate estate. A beneficial interest that passes or has passed to a surviving spouse under the decedent’s will includes an interest as a beneficiary in a trust created by the decedent’s will or an interest as a beneficiary in property passing under the decedent’s will to an inter vivos trust created by the decedent. For purposes of this subsection, the value of the electing spouse’s beneficial interest in ~~any~~ property which ~~would qualify~~ qualifies or would have qualified for the federal estate tax marital deduction pursuant to Section 2056 of the Internal Revenue Code, as amended and in effect on December 31, 2009, ~~shall~~ must be computed at the full value of ~~any such~~ the qualifying property. ~~(~~Qualifying for these purposes ~~to~~ must be determined without regard to whether an election has been made to treat the property as qualified terminable interest property~~)~~. /

Amend the bill further, by adding appropriately numbered SECTIONS at the end to read:

/ SECTION \_\_. Section 1‑23‑525 of the 1976 Code is amended to read:

“Section 1‑23‑525. ~~No~~ A member of ~~any~~ the General Assembly who is not otherwise prohibited from being elected to an administrative law judge position may not be elected to ~~such~~ that position while he is a member of the General Assembly and for a period of ~~four years~~ one year after he ceases to be a member of the General Assembly.”

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

Renumber sections to conform.

Amend title to conform.

**POINT OF ORDER**

Rep. KENNEDY raised the Point of Order that Amendment No. 1 was out of order in that it was not germane to the bill.

Rep. BANNISTER argued contra.

SPEAKER HARRELL stated that a committee is allowed to amend and report favorably on a Senate bill with an amendment identical to the final version of a House bill that was referred to that committee and later passed by the full House. He stated further that in this case, Amendment No. 1 was not identical to the bill that had been previously passed by the House and was in violation of House Rule 9.3. Therefore, he sustained the Point of Order and ruled the amendment out of order.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to

**S. 382--MOTION TO RECONSIDER TABLED**

Rep. KENNEDY moved to reconsider the vote whereby the following Bill was read second time:

S. 382 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-2-805 SO AS TO PROVIDE FOR A PRESUMPTION THAT A DECEDENT AND THE DECEDENT'S SPOUSE HELD TANGIBLE PERSONAL PROPERTY IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, FOR EXCEPTIONS TO THE PRESUMPTION, AND FOR THE STANDARD OF PROOF TO OVERCOME THE PRESUMPTION.

Rep. BANNISTER moved to table the motion to reconsider.

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

Yeas 68; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | G. A. Brown | H. B. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cole | Cooper |
| Crawford | Daning | Delleney |
| Duncan | Erickson | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Kirsh | Knight | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Umphlett |
| Viers | Weeks | Whipper |
| White | Whitmire | Wylie |
| A. D. Young | T. R. Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anthony | Bales |
| Bowers | Brantley | Dillard |
| Frye | Gilliard | Harvin |
| Hayes | Hosey | Howard |
| Jefferson | Kennedy | King |
| Mack | Miller | Millwood |
| Mitchell | J. H. Neal | Norman |
| Ott | Spires | Toole |
| Williams |  |  |

**Total--25**

So, the motion to reconsider was tabled.

**S. 217--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 217 -- Senator Fair: A BILL TO AMEND SECTION 24-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PLACES OF CONFINEMENT FOR INMATES, SO AS TO SUBSTITUTE THE TERM "REGIONAL COUNTY OR MUNICIPAL JAIL" FOR THE TERM "COUNTY JAIL", AND TO INCLUDE FACILITY MANAGERS OF THE COUNTY, MUNICIPAL ADMINISTRATORS, OR THEIR EQUIVALENT AS PERSONS WHO THE STATE MUST OBTAIN CONSENT FROM TO HOUSE AS AN INMATE IN A LOCAL GOVERNMENTAL FACILITY; TO AMEND SECTION 24-3-27, RELATING TO THE ESTABLISHMENT OF LOCAL REGIONAL CORRECTIONAL FACILITIES, SO AS TO PROVIDE THAT THE DECISION TO ASSIGN WORK OR DISQUALIFY A PERSON FROM WORK IN A FACILITY IS IN THE SOLE DISCRETION OF THE OFFICIAL IN CHARGE OF THE FACILITY AND MAY NOT BE CHALLENGED; TO AMEND SECTION 24-3-30, RELATING TO DESIGNATION OF PLACES OF CONFINEMENT, SO AS TO REVISE THE LIST OF PERSONS FROM WHICH THE STATE MUST OBTAIN CONSENT BEFORE AN INMATE MAY BE PLACED IN A FACILITY MAINTAINED BY A LOCAL GOVERNMENTAL ENTITY; TO AMEND SECTION 24-3-50, RELATING TO THE PENALTY FOR A PRISONER WHO FAILS TO REMAIN WITHIN THE EXTENDED LIMITS OF HIS CONFINEMENT, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO A PRISONER CONFINED IN A LOCAL FACILITY, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-60, RELATING TO THE CLERKS OF COURT PROVIDING NOTICE TO THE DEPARTMENT OF CORRECTIONS OF THE NUMBER OF CONVICTS SENTENCED TO IMPRISONMENT IN THE PENITENTIARY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-70, RELATING TO ALLOWABLE EXPENSES INCURRED FOR THE TRANSPORTATION OF CONVICTS TO THE PENITENTIARY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-80, RELATING TO THE DETENTION OF A PRISONER BY COMMITMENT AUTHORIZED BY THE GOVERNOR, SO AS TO SUBSTITUTE THE TERM "STATE PRISON SYSTEM" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-81, RELATING TO CONJUGAL VISITS WITHIN THE STATE PRISON SYSTEM, SO AS TO PROVIDE THAT NO PRISONER IN THE STATE PRISON SYSTEM OR WHO IS BEING DETAINED IN A LOCAL GOVERNMENTAL FACILITY IS PERMITTED TO HAVE CONJUGAL VISITS; TO AMEND SECTION 24-3-130, RELATING TO THE USE OF INMATE LABOR ON PUBLIC WORKS PROJECTS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-131, RELATING TO THE SUPERVISION OF INMATES USED ON PUBLIC PROJECTS, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-140, RELATING TO THE USE OF CONVICT LABOR AT THE STATE HOUSE, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-160, RELATING TO THE COST OF MAINTAINING CONVICTS BY STATE INSTITUTIONS, SO AS TO SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS", AND THE TERM "PRISON SYSTEM" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-170, RELATING TO THE USE OF CONVICTS BY CLEMSON UNIVERSITY, SO AS TO SUBSTITUTE THE TERMS "FEE" FOR THE TERM "HIRE", "INMATES" FOR THE TERM "CONVICTS", "EMPLOYEES" FOR THE TERM "GUARDS", AND "PRISON" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-180, RELATING TO THE PROVISION OF TRANSPORTATION AND CLOTHING FOR CONVICTS WHO HAVE BEEN DISCHARGED, SO AS TO SUBSTITUTE THE TERMS "INMATE" FOR THE TERM "CONVICT" AND THE TERM "STATE PRISON" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-190, RELATING TO APPROPRIATION OF CLOSE OF THE YEAR BALANCES FOR THE SUPPORT OF THE PENITENTIARY, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "PENITENTIARY" AND THE TERM "INMATES" FOR THE TERM "CONVICTS"; TO AMEND SECTION 24-3-310, RELATING TO THE GENERAL ASSEMBLY'S INTENT FOR ESTABLISHING A PRISON INDUSTRIES PROGRAM, SO AS TO SUBSTITUTE THE TERM "PRISON" FOR THE TERM "CONVICT", AND "INMATES" FOR THE TERM "CONVICTS"; TO AMEND SECTION 24-3-320, RELATING TO THE PURCHASE OF EQUIPMENT AND MATERIALS AND EMPLOYMENT OF PERSONNEL FOR THE ESTABLISHMENT AND MAINTENANCE OF PRISON INDUSTRIES, SO AS TO MAKE TECHNICAL CHANGES, SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS" AND TO DELETE THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-330, RELATING TO THE PURCHASE OF PRODUCTS PRODUCED BY CONVICT LABOR, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-340, RELATING TO THE STATE'S PURCHASE OF PRODUCTS THAT ARE NOT PRODUCED BY CONVICT LABOR, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-37-370, RELATING TO THE PRIORITY OF DISTRIBUTION OF PRODUCTS PRODUCED BY CONVICT LABOR, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-400, RELATING TO THE PRISON INDUSTRIES ACCOUNT, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-420, RELATING TO PENALTIES FOR VIOLATIONS OF THE PROVISIONS RELATING TO THE PRISON INDUSTRIES PROGRAM, SO AS TO DELETE THE TERM "JAIL"; TO AMEND SECTION 24-3-520, RELATING TO THE TRANSPORTATION OF A PERSON SENTENCED TO DEATH, SO AS TO REVISE THIS PROVISION AND PROVIDE THAT THE FACILITY MANAGER WHO HAS CUSTODY OF THE INMATE HAS THE AUTHORITY TO TRANSFER HIM TO THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 24-3-540, RELATING TO THE DEATH CHAMBER AND THE TRANSPORTING OF A PERSON TO A PLACE TO BE ELECTROCUTED, SO AS TO SUBSTITUTE THE TERM "PRISON SYSTEM" FOR THE TERM "PENITENTIARY", AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-550, RELATING TO WITNESSES THAT MAY BE PRESENT DURING AN EXECUTION, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-560, RELATING TO THE CERTIFICATION OF THE EXECUTION OF A PERSON, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-570, RELATING TO THE DISPOSITION OF THE BODY OF A PERSON WHO HAS BEEN EXECUTED, SO AS TO MAKE TECHNICAL CHANGES, TO SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS", AND "PRISON SYSTEM" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-710, RELATING TO THE INVESTIGATION OF THE MISCONDUCT THAT OCCURS IN THE PENITENTIARY, SO AS TO MAKE TECHNICAL CHANGES, SUBSTITUTE THE TERM "PRISON SYSTEM" FOR THE TERM "PENITENTIARY", AND PROVIDE THAT THE DIRECTOR OF THE STATE PRISON SYSTEM'S AUTHORITY TO INVESTIGATE MISCONDUCT IN THE STATE PRISON SYSTEM IS THE SAME AUTHORITY THAT AN OFFICIAL IN CHARGE OF A LOCAL FACILITY MAY EXERCISE; TO AMEND SECTION 24-3-720, RELATING TO ENLISTING THE AID OF CITIZENS TO SUPPRESS PRISON RIOTS AND DISORDERS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-740, RELATING TO THE COMPENSATION OF A PERSON WHO ASSISTS THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-750, RELATING TO PROVIDING IMMUNITY TO A PERSON WHO ASSISTS THE DEPARTMENT OF CORRECTIONS IN SUPPRESSING DISORDER, RIOT, OR INSURRECTION, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-760, RELATING TO THE POWERS OF THE KEEPER WHEN THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS IS ABSENT, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-920, AS AMENDED, RELATING TO REWARDS FOR THE CAPTURE OF AN ESCAPED CONVICT, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-930, RELATING TO EXEMPTING CERTAIN PERSONS EMPLOYED BY THE PENITENTIARY FROM SERVING ON JURIES AND MILITARY OR STREET DUTY, SO AS TO SUBSTITUTE THE TERM "STATE PRISON SYSTEM" FOR THE TERM "PENITENTIARY" AND THE TERM "OTHER EMPLOYEES" FOR THE TERM "OTHER OFFICERS"; TO AMEND SECTION 24-3-940, RELATING TO PROHIBITING PRISONERS FROM GAMBLING, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-951, RELATING TO THE POSSESSION OR USE OF MONEY BY PRISONERS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-965, RELATING TO THE TRIAL OF CERTAIN OFFENSES RELATED TO CONTRABAND IN MAGISTRATES COURT, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "PRISONER", TO PROVIDE THAT THIS PROVISION APPLIES TO REGIONAL DETENTION FACILITIES AND PRISON CAMPS, AND TO DEFINE THE TERM CONTRABAND; TO AMEND SECTION 24-5-10, RELATING TO A SHERIFF'S RESPONSIBILITIES AS THE CUSTODIAN OF A JAIL, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "JAILER" AND MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-5-12, RELATING TO COUNTIES THAT ASSUME CERTAIN RESPONSIBILITIES WITH REGARD TO THE CUSTODY OF COUNTY JAILS, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "JAILER", AND TO PROVIDE THE CIRCUMSTANCES IN WHICH A COUNTY CAN DEVOLVE ITS POWER TO OPERATE A JAIL UPON A SHERIFF; TO AMEND SECTION 24-5-20, RELATING TO THE EMPLOYMENT OF A JAILER, SO AS TO DELETE THE PROVISION THAT ALLOWS A SHERIFF WHO DOES NOT LIVE IN A JAIL TO APPOINT A JAILER, TO PROVIDE THAT A SHERIFF WHO HAS CONTROL OF A JAIL SHALL APPOINT A FACILITY MANAGER WHO HAS CONTROL AND CUSTODY OF THE JAIL UNDER THE SUPERVISION OF THE SHERIFF, AND TO PROVIDE THAT IN CASES WHERE THE SHERIFF DOES NOT CONTROL A JAIL, THE COUNTY'S GOVERNING BODY SHALL APPOINT THE FACILITY MANAGER; TO AMEND SECTION 24-5-50, RELATING TO A SHERIFF'S KEEPING OF PRISONERS COMMITTED BY A CORONER, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGERS" FOR THE TERM "JAILERS", AND TO PROVIDE THIS PROVISION ALSO APPLIES TO GOVERNING BODIES THAT HAVE CUSTODY OF A JAIL TECHNICAL CHANGE; TO AMEND SECTION 24-5-60, RELATING TO SHERIFFS AND JAILERS KEEPING PRISONERS COMMITTED BY THE UNITED STATES GOVERNMENT, SO AS TO SUBSTITUTE THE TERM "GOVERNING BODIES" FOR THE TERM "JAILERS", AND TO PROVIDE THAT A SHERIFF OR FACILITY MANAGER MAY CHARGE A FEE FOR KEEPING THESE PRISONERS; TO AMEND SECTION 24-5-80, RELATING TO PROVIDING BLANKETS AND BEDDING TO PRISONERS, SO AS TO REVISE THE ITEMS THAT A PRISONER MUST BE FURNISHED TO INCLUDE SUFFICIENT FOOD, WATER, CLOTHING, HYGIENE PRODUCTS, BEDDING, AND SHELTER; TO AMEND SECTION 24-5-90, RELATING TO THE UNLAWFUL DISCRIMINATION IN THE TREATMENT OF PRISONERS, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "JAILER", AND TO REVISE THE PENALTY FOR A VIOLATION OF THIS PROVISION; TO AMEND SECTION 24-5-110, RELATING TO THE RETURN TO COURT BY A SHERIFF OF THE NAMES OF PRISONERS WHO ARE CONFINED ON THE FIRST DAY OF THE TERM OF GENERAL SESSIONS COURT, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "SHERIFF", AND TO PROVIDE THAT THE USE OF ELECTRONIC RECORDS SATISFIES THIS REQUIREMENT; TO AMEND SECTION 24-5-120, RELATING TO A SHERIFF'S ANNUAL REPORT ON THE CONDITION OF A JAIL, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "SHERIFF"; TO AMEND SECTION 24-5-170, RELATING TO THE REMOVAL OF PRISONERS FROM A JAIL THAT MAYBE DESTROYED, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO A JAIL THAT IS RENDERED UNINHABITABLE, AND TO REVISE THE PROCEDURES TO TRANSFER THESE PRISONERS TO ANOTHER FACILITY; TO AMEND SECTIONS 24-5-300, 24-5-310, 24-5-320, AS AMENDED, 24-5-330, 24-5-350, 24-5-360, AS AMENDED, 24-5-370, 24-5-380, AND 24-5-390, ALL RELATING TO DEFINITIONS, AND THE APPOINTMENT, TRAINING, PHYSICAL COMPETENCE, DUTIES, IDENTIFICATION CARDS, UNIFORMS, AND WORKERS' COMPENSATION BENEFITS FOR RESERVE DETENTION OFFICERS, SO AS TO DELETE THE TERM "JAILER"; TO AMEND SECTION 24-7-60, RELATING TO THE CARE OF CONVICTS SENTENCED TO LABOR ON A COUNTY PUBLIC WORKS PROJECT, SO AS TO MAKE TECHNICAL CHANGES, AND TO SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS", AND THE TERM "GENERAL FUND" FOR THE TERM "ROAD FUND"; TO AMEND SECTION 24-7-110, RELATING TO THE HEALTH OF CONVICTS IN A COUNTY'S CUSTODY, SO AS TO MAKE TECHNICAL CHANGES, SUBSTITUTE THE TERM "MEDICAL PERSONNEL" FOR THE TERM "PHYSICIAN", "INMATES" FOR THE TERM "CONVICTS", "COUNTY JAIL, DETENTION FACILITY, PRISON CAMP, OR OTHER LOCAL FACILITIES" FOR THE TERM "CHAIN GANG", AND TO REVISE THE PROCEDURE TO PROVIDE AND PAY FOR HEALTH CARE SERVICES FOR INMATES IN A COUNTY'S CUSTODY; TO AMEND SECTION 24-7-120, RELATING TO THE INCARCERATION OF CONVICTS BY MUNICIPAL AUTHORITIES, SO AS TO PROVIDE STANDARDS THAT A MUNICIPAL AUTHORITY MUST MAINTAIN WHEN IT SUPERVISES PERSONS SENTENCED TO A PUBLIC WORK DETAIL, OR OPERATES A JAIL, AND TO REVISE THIS PROVISION TO ALLOW A MUNICIPALITY TO ENTER INTO AGREEMENTS TO HOUSE THEIR PRISONERS IN COUNTY FACILITIES; TO AMEND SECTION 24-7-155, RELATING TO THE PROHIBITION OF CONTRABAND IN A COUNTY OR MUNICIPAL PRISON, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO MULTI-JURISDICTIONAL FACILITIES, TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "PRISONER", TO DELETE A REFERENCE TO THE TERM "SUPERINTENDENT OF THE FACILITY", AND TO PROVIDE THAT THE FACILITY MAY DESIGNATE ADDITIONAL ITEMS OF CONTRABAND THAT ARE PROHIBITED; TO AMEND SECTION 24-9-30, RELATING TO MINIMUM STANDARDS THAT MUST BE MET BY FACILITIES THAT HOUSE PRISONERS OR PRETRIAL DETAINEES, SO AS TO DELETE THE PROVISION THAT REQUIRES A COPY OF CERTAIN INSPECTION REPORTS BE SENT TO CERTAIN JUDGES OF THE JUDICIAL CIRCUIT IN WHICH THE FACILITY IS LOCATED, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-9-35, RELATING TO REPORTS OF DEATHS OF INCARCERATED PERSONS, SO AS TO MAKE TECHNICAL CHANGES, PROVIDE THAT THIS PROVISION APPLIES TO MULTI-JURISDICTIONAL FACILITIES AND TO SUBSTITUTE THE TERM "FACILITY MANGER" FOR THE TERM "JAILER"; TO AMEND SECTION 24-9-40, RELATING TO THE CERTIFICATION OF ARCHITECTURAL PLANS BEFORE A CONFINEMENT FACILITY IS CONSTRUCTED, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO THE RENOVATION OF CONFINEMENT FACILITIES; TO AMEND SECTIONS 24-13-10, 24-13-20, 24-13-30, 24-13-40, 24-13-50, 24-13-80, 24-13-125, 24-13-150, 24-13-210, 24-13-230, 24-13-235, 24-13-260, 24-13-410, 24-13-420, 24-13-430, 24-13-440, 24-13-450, 24-13-460, 24-13-470, 24-13-640, 24-13-660, 24-13-910, 24-13-915, 24-13-940, AND 24-13-1540, ALL RELATING TO THE INCARCERATION OF PRISONERS, THE REDUCTION IN A PRISONER'S SENTENCE, PRISONER OFFENSES, THE PRISON WORK RELEASE PROGRAM, FURLOUGHS, THE SHOCK INCARCERATION PROGRAM, AND THE HOME DETENTION PROGRAM, SO AS TO SUBSTITUTE THE TERM "LOCAL DETENTION FACILITIES" FOR THE TERM "CHAIN GANGS", SUBSTITUTE THE TERMS "INMATES" AND "CONVICTS" FOR THE TERM "PRISONERS", TO MAKE TECHNICAL CHANGES, TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "OFFICIAL", TO REVISE THE DEFINITION OF THE TERM "DETENTION FACILITY", TO REVISE THE TYPE AND COST OF MEDICAL SERVICES THAT MAYBE PAID FROM AN INMATE'S ACCOUNT, TO PROVIDE THAT IT IS UNLAWFUL FOR A PRISONER TO ESCAPE FROM CUSTODY OR TO POSSESS ITEMS THAT MAY BE USED TO FACILITATE AN ESCAPE, AND TO DELETE A REFERENCE TO THE TERM "LOCAL CORRECTIONAL FACILITY"; TO AMEND SECTION 16-7-140, RELATING TO PENALTIES FOR VIOLATING PROVISIONS THAT PROHIBIT THE WEARING OF MASKS AND PLACING A BURNING CROSS ON A PROPERTY WITHOUT ITS OWNER'S PERMISSION, SO AS TO DELETE A REFERENCE TO THE TERM "COUNTY JAIL"; TO AMEND SECTION 63-3-620, AS AMENDED, RELATING TO PENALTIES FOR A PERSON'S FAILURE TO OBEY CERTAIN ORDERS OF A COURT AND STATUTES RELATING TO THE CHILDREN'S CODE OF LAW, SO AS TO SUBSTITUTE THE TERM "DETENTION FACILITY" FOR THE TERM "CORRECTIONAL FACILITY", AND TO DELETE A PROVISION THAT PLACES RESTRICTIONS ON WHO MAY PARTICIPATE IN A WORK/PUNISHMENT PROGRAM; TO REPEAL SECTIONS 24-3-150, 24-3-200, 24-5-30, 24-5-70, 24-5-100, 24-5-140, 24-5-150, 24-5-160, 24-7-70, 24-7-80, 24-7-130, 24-7-140, AND 24-7-150 RELATING TO THE TRANSFER OF CONVICTS TO A COUNTY CHAIN GANG, THE TRANSFER OF A PRISONER TO A COUNTY OTHER THAN THE COUNTY WHERE HE WAS SENTENCED, THE APPOINTMENT OF A JAILER BY A SHERIFF, THE USE OF FEDERAL PRISONERS BY A COUNTY, A SHERIFF'S IMPRESSING A SUFFICIENT NUMBER OF GUARDS TO SECURE A PRISONER WHO IS ACCUSED OF A CAPITAL OFFENSE, THE HOUSING OF FEMALE CONVICTS, THE CONFINEMENT OF PERSONS CHARGED WITH A CRIME IN A PRISON LOCATED IN AN INDUSTRIAL COMMUNITY, THE LEASE OF COUNTY CONVICTS, THE DIETING AND CLOTHING AND MAINTENANCE OF CERTAIN PRISONERS BY LOCAL GOVERNMENTAL AUTHORITIES, AND THE COLLECTION AND DISPOSITION OF MONEY BY A COUNTY FOR THE HIRING OF CONVICTS; BY ADDING ARTICLE 2 TO CHAPTER 5, TITLE 24 SO AS TO ENACT THE LOCAL DETENTION FACILITY MUTUAL AID AND ASSISTANCE ACT TO ALLOW LOCAL DETENTION FACILITIES TO ASSIST EACH OTHER IN PROVIDING SAFE AND SECURE HOUSING OF INMATES UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 24-21-560, RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES COMMUNITY SUPERVISION PROGRAM, SO AS TO REVISE THE MAXIMUM AGGREGATE AMOUNT OF TIME A PRISONER MAY BE REQUIRED TO BE INCARCERATED WHEN SENTENCED FOR SUCCESSIVE COMMUNITY SUPERVISION PROGRAM REVOCATIONS.

Reps. CRAWFORD, DANING, LOWE, ALLEN, HERBKERSMAN, ANTHONY, CHALK and HAYES requested debate on the Bill.

**S. 728--DEBATE ADJOURNED**

Rep. HERBKERSMAN moved to adjourn debate upon the following Bill until Tuesday, May 11, which was adopted:

S. 728 -- Senators Hayes, Fair and Ford: A BILL TO AMEND SECTION 12-65-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENTITLEMENT TO TAX CREDITS UNDER THE TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF SPECIFIC REQUIREMENTS FOR TEXTILE MILL SITES ACQUIRED BEFORE AND AFTER 2007, TO REVISE THE ALLOWABLE AMOUNT OF THE CREDITS IN CERTAIN INSTANCES, TO PROVIDE THAT THE TAX CREDITS ALLOWED INCLUDE CREDITS AGAINST INSURANCE PREMIUM TAXES, TO MAKE A TECHNICAL CORRECTION, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CREDITS ARE VESTED IN A TAXPAYER AND MAY BE ALLOCATED TO PARTNERS OR MEMBERS; BY ADDING SECTION 12-65-50 SO AS TO PROVIDE TRANSITION RULES APPLICABLE TO SPECIFIC MILL SITES; AND BY ADDING SECTION 12-65-60 SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY CERTIFICATION PROCESS.

**S. 1066--DEBATE ADJOURNED**

Rep. M. A. PITTS moved to adjourn debate upon the following Bill, which was adopted:

S. 1066 -- Senators O'Dell and Sheheen: A BILL TO AMEND CHAPTER 6, TITLE 12 OF THE 1976 CODE, BY ADDING SECTION 12-6-3595 TO PROVIDE A TAX CREDIT EQUAL TO ONE HUNDRED PERCENT OF AN AMOUNT CONTRIBUTED TO THE SOUTH CAROLINA EXISTING MANUFACTURERS' RETENTION AND GROWTH FUND, TO PROVIDE THAT THE CREDIT MAY NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS FOR A SINGLE TAXPAYER AND NOT TO EXCEED AN AGGREGATE OF FOUR MILLION DOLLARS FOR EACH TAX YEAR, AND TO PROVIDE THE PROCESS AND REQUIREMENTS FOR CLAIMING THE CREDIT.

**S. 1024--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1024 -- Senators O'Dell, Knotts and Setzler: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW THE SURVIVING SPOUSE OF A DECEDENT WHO WAS ELIGIBLE FOR THE EXEMPTION OF THE DWELLING OWNED BY A PERSON WITH CERTAIN SPECIFIC ILLNESSES CAUSING THE SAME AMBULATORY DIFFICULTIES AS PERSONS WITH PARAPARESIS OR HEMIPARESIS.

Rep. COOPER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Duncan |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Horne | Hosey | Jefferson |
| Jennings | Kelly | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | A. D. Young |
| T. R. Young |  |  |

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman | Stewart |  |

**Total--2**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 1024. If I had been present, I would have voted in favor of the Bill.

Rep. Anne Peterson Hutto

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

**OBJECTION TO RECALL**

Rep. WEEKS asked unanimous consent to recall S. 332 from the Committee on Ways and Means.

Rep. COOPER objected.

**OBJECTION TO RECALL**

Rep. OWENS asked unanimous consent to recall S. 749 from the Committee on Ways and Means.

Rep. KENNEDY objected.

**S. 915--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

On motion of Rep. J. R. SMITH, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

S. 915 -- Senators Land, Anderson, Nicholson, Leventis, Elliott, Williams, Sheheen and Setzler: A BILL TO AMEND ACT 314 OF 2000, TO TERMINATE THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT ON JUNE 30, 2015.

**OBJECTION TO RECALL**

Rep. ALLISON asked unanimous consent to recall S. 1328 from the Committee on Education and Public Works.

Rep. KENNEDY objected.

**OBJECTION TO RECALL**

Rep. KENNEDY asked unanimous consent to recall S. 850 from the Committee on Ways and Means.

Rep. ALLISON objected.

**OBJECTION TO RECALL**

Rep. ALLISON asked unanimous consent to recall S. 1330 from the Committee on Education and Public Works.

Rep. KENNEDY objected.

**H. 3418--INTERRUPTED DEBATE**

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

H. 3418 -- Reps. Harrell, Simrill, Crawford, Huggins, Bedingfield, Merrill, G. R. Smith, Erickson, Ballentine, Brady, Chalk, Daning, Delleney, Frye, Gambrell, Hamilton, Harrison, Hearn, Herbkersman, Loftis, Long, Lucas, Nanney, Pinson, Rice, G. M. Smith, Spires, Stringer, Thompson, Viers, Willis, Wylie, T. R. Young, Clemmons, Owens, Parker, Toole, M. A. Pitts, Lowe, Bingham, Umphlett, Sandifer and Edge: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE "SOUTH CAROLINA ELECTION REFORM ACT"; TO AMEND SECTION 7-13-710 OF THE 1976 CODE TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 56-1-3350 TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST; TO AMEND SECTION 7-13-25 TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING SIXTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7-3-20(C) TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7-15-30 TO ADD STATUTORY CITES REGARDING THE REQUEST OF AN ABSENTEE BALLOT; TO AMEND SECTION 7-15-470 TO PROVIDE FOR EARLY VOTING ON MACHINES DURING THE EARLY VOTING PERIOD ONLY AND DELETE THE REFERENCE TO ABSENTEE VOTING; TO AMEND SECTION 7-1-25 TO LIST FACTORS TO CONSIDER FOR DOMICILE; AND TO AMEND SECTION 7-5-230 TO REFERENCE REVISIONS TO SECTION 7-1-25.

Rep. HARRISON moved cloture on the entire matter.

Rep. SELLERS moved to table the motion.

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

Yeas 42; Nays 70

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Battle |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Harvin | Hayes |
| Hosey | Jefferson | Jennings |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Miller | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Sellers | Stavrinakis | Vick |
| Weeks | Whipper | Williams |

**Total--42**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Herbkersman |
| Hiott | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--70**

So, the House refused to table the motion.

The question then recurred to the motion to invoke cloture on the entire matter.

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

Yeas 67; Nays 43

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Battle |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Harvin | Hayes | Hosey |
| Howard | Jefferson | Jennings |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Sellers | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--43**

So, cloture was ordered.

Rep. HARVIN proposed the following Amendment No. 1A (COUNCIL\AGM\19886AB10), which was tabled:

Amend the bill, as and if amended, Section 7‑5‑125, as contained in SECTION 3, by inserting an appropriately numbered subsection to read:

/ (\_\_)(1) The Department of Motor Vehicles shall issue a special identification card provided in this section to all people registered to vote in this State on January 2, 2011.

(2) The department may charge no fee for a special identification card issued under this subsection. /

Renumber sections to conform.

Amend title to conform.

Rep. HARVIN spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 66; Nays 47

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Edge | Erickson |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Battle | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Harvin |
| Hayes | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Kirsh |
| Knight | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Sellers |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--47**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 50A (COUNCIL\SWB\7063CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector who possesses a voter registration card cannot produce a picture identification when he presents himself to vote as required in subsection (a), then his precinct must electronically verify whether he has a valid driver’s license or identification card on record with the Department of Motor Vehicles. Upon obtaining positive verification, then he must be allowed to cast a ballot. However, if the Department of Motor Vehicles is unable to verify the existence of a valid driver’s license or identification card in its records, then the precinct must be equipped to issue a Department of Motor Vehicles identification card to the elector on site at no cost to him and then allow him to cast a ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. KING spoke in favor of the amendment.

Rep. HARRISON moved to table the amendment.

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

Yeas 65; Nays 46

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| White | Whitmire | Willis |
| A. D. Young | T. R. Young |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Anthony | Bales | Battle |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Harvin | Hayes |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Sellers |
| Stavrinakis | Weeks | Whipper |
| Williams |  |  |

**Total--46**

So, the amendment was tabled.

Rep. STAVRINAKIS proposed the following Amendment No. 51A (COUNCIL\AGM\19889AB10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710(D)(1), as contained in SECTION 1, by inserting an appropriately numbered subitem to read:

/ (\_\_\_) An elector who is physically handicapped or age sixty‑five or older may cast a provisional ballot and his ballot must be counted if he presents a valid voter registration card and his signature on the provisional ballot matches the signature on file with the county voter registration office, regardless of whether he is able to present valid photo identification. /

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 58; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Duncan |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Limehouse |
| Loftis | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--58**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Battle | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Delleney | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Harvin | Hayes | Hosey |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Kirsh |
| Knight | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Rutherford |
| Sellers | Simrill | Skelton |
| D. C. Smith | Stavrinakis | Vick |
| Weeks | Whipper | Williams |

**Total--54**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 96A (COUNCIL\SWB\7110CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector who possesses a voter registration card cannot produce a picture identification card as contained in subsection (a), then the Department of Motor Vehicles must supply the elector a fifty dollar gasoline voucher to defray his cost to travel to a Department of Motor Vehicles office to obtain an identification card. /

Renumber sections to conform.

Amend title to conform.

Rep. KING spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 72; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Forrester | Frye | Funderburk |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Horne |
| Huggins | Hutto | Kelly |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--72**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Battle | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Dillard | Gilliard | Govan |
| Gunn | Harvin | Hayes |
| Hosey | Howard | Jefferson |
| Jennings | Kennedy | King |
| Mack | McLeod | Miller |
| Mitchell | J. H. Neal | Neilson |
| Rutherford | Sellers | Vick |
| Weeks | Whipper | Williams |

**Total--33**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 97A (COUNCIL\SWB\7146CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Oconee County possesses a voter registration card and cannot produce a picture identification card as contained in subsection (a), then the Department of Motor Vehicles must supply the elector a fifty dollar gasoline voucher to defray his cost to travel to a Department of Motor Vehicles office to obtain an identification card. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 73; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Duncan | Edge | Forrester |
| Frye | Gambrell | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Herbkersman | Horne | Huggins |
| Hutto | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Stringer | Thompson | Toole |
| Umphlett | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--73**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | Battle | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Harvin | Hayes |
| Hosey | Jefferson | Jennings |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Rutherford | Sellers | Vick |
| Weeks | Whipper | Williams |

**Total--36**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 98A (COUNCIL\AGM\19888AB10), which was tabled:

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

/ SECTION \_\_. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 253 of 2006, is further amended to read:

“(C) The executive director shall:

(1) maintain a complete master file of all qualified electors by county and by precincts;

(2) delete the name of any elector:

(a)who is deceased;

(b)who is no longer qualified to vote in the precinct where currently registered;

(c)who has been convicted of a disqualifying crime;

(d)who is otherwise no longer qualified to vote as may be provided by law; or

(e)who requests in writing that his name be removed;

(3) enter names on the master file as they are reported by the county registration boards;

(4) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

(5) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

(6) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

(7) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

(8) obtain information from any other source which may assist him in carrying out the purposes of this section;

(9) perform such other duties relating to elections as may be assigned him by the State Election Commission;

(10) furnish at reasonable price any precinct lists to a qualified elector requesting them;

(11) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993; and

(12) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the United States Code, Title 42, Section 1973ff, et seq;

(13) enter into the master file a separate designation each for voters casting absentee ballots and early ballots as provided in Section 7‑13‑25 in a general election.” /

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

/ SECTION \_\_\_. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provision of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period. The qualified elector may accomplish this at a voting place, in his county of residence, that is established as an early voting center by the county boards of election.

(B) Early voting centers shall allow duly registered voters of that county to vote outside their precinct.

(C) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(D) A qualified elector, who is registered, may cast his ballot at an early voting center established by the county boards of election.

(E) Each county board of elections shall establish a minimum of one early voting center.

(F) The early voting period begins the thursday before a statewide primary or general election and ends the following Saturday.

(G) A qualified elector must be able to vote at his county’s early voting center during all hours of operation which must be from 7:00 a.m. until 7:00 p.m. Thursday, 7:00 a.m. until 7:00 p.m. Friday, and from 9:00 a.m until 5:00 p.m. on Saturday.

(H) The county boards of election shall determine the locations for early voting centers. These locations for the early voting centers must be posted pursuant to the provisions of Section 30‑4‑80.

(I) A sign must be posted prominently in an early voting center and must have printed on it ‘VOTING MORE THAN ONCE IS A CRIME THAT WILL BE CAUGHT AND PROSECUTED’.

(J) All diligence must be given in locating early voting centers to ensure convenient and accessible facilities in which to vote.”

SECTION 3. Section 7‑15‑330 of the 1976 Code, as last amended by Act 193 of 1989, is further amended to read:

“Section 7‑15‑30. To vote by absentee ballot, a qualified elector ~~or a member of his immediate family~~ must request an application to vote by absentee ballot in person, ~~by telephone,~~ or by mail from the county registration board, ~~or at an extension office of the board of registration as established by the county governing body,~~ for the county of the voter’s residence. ~~A person requesting an application for a qualified elector as the qualified elector’s authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of registration until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate or a member of a candidate’s paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.~~ A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held. However, completed applications must be returned to the county registration board in person or by mail before 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of registration until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7‑15‑320. A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four‑day period before the election may obtain an application from the registration board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of registration. The board of registration shall serially number each absentee ballot application form and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; and the date upon which the form is issued. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election. A person who violates the provisions of this section is subject to the penalties provided in Section 7‑25‑170.” /

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

/ SECTION \_\_\_. Section 7‑15‑470 of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 63; Nays 41

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Duncan |
| Edge | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrell | Hearn |
| Herbkersman | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lucas | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Thompson | Toole | Umphlett |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Battle |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Hayes | Hosey | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Knight | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Rutherford |
| Sellers | Stavrinakis | Vick |
| Weeks | Williams |  |

**Total--41**

So, the amendment was tabled.

Rep. LUCAS moved that the House recede until 1:30 p.m.

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

Yeas 71; Nays 37

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Hutto |
| Jennings | Kelly | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Lucas | D. C. Moss |
| V. S. Moss | Nanney | Neilson |
| Norman | Owens | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--71**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Branham | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Dillard | Funderburk | Gilliard |
| Govan | Harvin | Hosey |
| Howard | Jefferson | Kennedy |
| King | Lowe | Mack |
| McEachern | McLeod | Miller |
| Millwood | Mitchell | J. H. Neal |
| J. M. Neal | Ott | Parker |
| Parks | Rutherford | Simrill |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--37**

So, the motion to recede was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of amendments.

**THE HOUSE RESUMES**

At 1:30 p.m. the House resumed, Acting Speaker PARKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**H. 3418--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

H. 3418 -- Reps. Harrell, Simrill, Crawford, Huggins, Bedingfield, Merrill, G. R. Smith, Erickson, Ballentine, Brady, Chalk, Daning, Delleney, Frye, Gambrell, Hamilton, Harrison, Hearn, Herbkersman, Loftis, Long, Lucas, Nanney, Pinson, Rice, G. M. Smith, Spires, Stringer, Thompson, Viers, Willis, Wylie, T. R. Young, Clemmons, Owens, Parker, Toole, M. A. Pitts, Lowe, Bingham, Umphlett, Sandifer and Edge: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE "SOUTH CAROLINA ELECTION REFORM ACT"; TO AMEND SECTION 7-13-710 OF THE 1976 CODE TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 56-1-3350 TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST; TO AMEND SECTION 7-13-25 TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING SIXTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7-3-20(C) TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7-15-30 TO ADD STATUTORY CITES REGARDING THE REQUEST OF AN ABSENTEE BALLOT; TO AMEND SECTION 7-15-470 TO PROVIDE FOR EARLY VOTING ON MACHINES DURING THE EARLY VOTING PERIOD ONLY AND DELETE THE REFERENCE TO ABSENTEE VOTING; TO AMEND SECTION 7-1-25 TO LIST FACTORS TO CONSIDER FOR DOMICILE; AND TO AMEND SECTION 7-5-230 TO REFERENCE REVISIONS TO SECTION 7-1-25.

Rep. HOSEY proposed the following Amendment No. 99A (COUNCIL\DKA\3931DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710(C), SECTION 1, page 3, after line 12, by inserting an appropriately numbered item to read:

/ ( ) If the elector produces a South Carolina voter registration card that does not contain a photograph of the elector and shows the elector is fifty years of age or older, he is exempt from showing a picture identification card required by the provisions of subsection (A) of this section. /

Renumber sections to conform.

Amend title to conform.

Rep. HOSEY spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 55; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Clemmons | Cole | Daning |
| Delleney | Duncan | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Kelly |
| Knight | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Viers |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--55**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Battle | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Gilliard | Harvin |
| Hayes | Hosey | Hutto |
| Jefferson | King | Kirsh |
| Mack | McLeod | Miller |
| Neilson | Sellers | Stavrinakis |
| Weeks | Williams |  |

**Total--26**

So, the amendment was tabled.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. CLYBURN proposed the following Amendment No. 100A (COUNCIL\MS\7700AB10), which was tabled:

Amend the bill, as and if amended, Section 7-15-320, as contained in SECTION 6, by inserting an appropriately lettered subsection to read:

/ ( ) A person who is eligible to vote in an election and attends a public school in this State may cast his ballot for the election in the school he attends. /

Renumber sections to conform.

Amend title to conform.

Rep. CLYBURN spoke in favor of the amendment.

Rep. LOFTIS moved to table the amendment.

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

Yeas 63; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Delleney |
| Duncan | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Kelly |
| Kirsh | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Stringer | Toole |
| Viers | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Battle |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Gilliard |
| Govan | Harvin | Hayes |
| Hosey | Hutto | Jefferson |
| Kennedy | King | Knight |
| Mack | McLeod | Miller |
| Mitchell | Neilson | Parks |
| Sellers | Stavrinakis | Weeks |
| Williams |  |  |

**Total--31**

So, the amendment was tabled.

**SPEAKER IN CHAIR**

Rep. CLYBURN proposed the following Amendment No. 101A (COUNCIL\MS\7699AB10), which was tabled:

Amend the bill, as and if amended, Section 7-15-320, as contained in SECTION 6, by inserting an appropriately lettered subsection to read:

/ ( ) A person may vote by absentee ballot during the forty-five day period prior to the election date without presenting an excuse for needing an absentee ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. CLYBURN spoke in favor of the amendment.

Rep. A. D. YOUNG moved to table the amendment.

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

Yeas 59; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Daning | Duncan | Erickson |
| Forrester | Frye | Gambrell |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Viers |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Battle |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Govan |
| Harvin | Hosey | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | Parks |
| Sellers | Stavrinakis | Weeks |
| Williams |  |  |

**Total--31**

So, the amendment was tabled.

Rep. CLYBURN proposed the following Amendment No. 102A (COUNCIL\MS\7701AB10), which was tabled:

Amend the bill, as and if amended, Section 7-15-320, as contained in SECTION 6, by inserting an appropriately lettered subsection to read:

/ ( ) Notwithstanding another provision of law, an identification card provided by any government agency is sufficient to meet the identification card requirements of this chapter. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. ERICKSON moved to table the amendment.

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

Yeas 59; Nays 32

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Delleney |
| Duncan | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lucas | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Viers | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Battle |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Gilliard |
| Govan | Harvin | Hayes |
| Hosey | Hutto | Jefferson |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Miller | J. H. Neal | Neilson |
| Parks | Sellers | Stavrinakis |
| Weeks | Williams |  |

**Total--32**

So, the amendment was tabled.

Rep. CLYBURN proposed the following Amendment No. 103A (COUNCIL\MS\7702AB10), which was tabled:

Amend the bill, as and if amended, Section 7-15-320, as contained in SECTION 6, by inserting an appropriately lettered subsection to read:

/ ( ) A person may vote by absentee ballot during the forty day period prior to the election date without presenting an excuse for needing an absentee ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. HORNE moved to table the amendment.

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

Yeas 61; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Crawford |
| Daning | Delleney | Duncan |
| Erickson | Forrester | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Herbkersman |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Toole | Umphlett | Viers |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--61**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Bales |
| Battle | Bowers | Branham |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Gilliard | Govan | Harvin |
| Hayes | Hosey | Hutto |
| Jefferson | King | Knight |
| Mack | McLeod | Miller |
| J. H. Neal | Neilson | Parks |
| Sellers | Stavrinakis | Weeks |
| Williams |  |  |

**Total--31**

So, the amendment was tabled.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on Amendment No. 103A to H. 3418. If I had been present, I would have voted against tabling this Amendment.

Rep. Joe McEachern

Rep. WEEKS proposed the following Amendment No. 105A (COUNCIL\GGS\22523SD10), which was tabled:

Amend the bill, as and if amended, by striking SECTIONS 16, 17, 18 and 19 on page 14 and inserting:

/ SECTION 16. This act takes effect January 2, 2016, except that:

(A) SECTIONS 2, 9, 10, 12, and 13 are effective January 2, 2016, and upon preclearance approval by the United States Department of Justice.

(B) SECTIONS 1, 4, 5, 6, 7, and 8 are effective on January 2, 2017.

(C) SECTION 11 takes effect on July 1, 2016. However, the implementation of the procedures provided for in this SECTION is contingent upon the State Election Commission’s receipt of funds necessary to implement these provisions. Until the provisions of this SECTION are fully funded and executed, implementation of the provisions of this SECTION shall not prohibit the State Election Commission from issuing voter registration cards by the methods allowed prior to the implementation of this SECTION. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. KENNEDY spoke against the amendment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. M. NEAL a leave of absence for the remainder of the day.

Rep. KENNEDY continued speaking.

Rep. NANNEY moved to table the amendment.

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

Yeas 62; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Daning | Duncan | Erickson |
| Forrester | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Kelly |
| Kennedy | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Toole | Umphlett | Viers |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--62**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | Battle | Bowers |
| Branham | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Dillard |
| Funderburk | Gilliard | Govan |
| Harvin | Hayes | Hosey |
| Hutto | Jefferson | King |
| Knight | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | Neilson | Sellers |
| Stavrinakis | Weeks | Williams |

**Total--33**

So, the amendment was tabled.

Rep. LOWE proposed the following Amendment No. 106A (COUNCIL\MS\7806DW10):

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

/ SECTION \_\_\_. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑73. (A) When making appointments of poll managers pursuant to 7‑13‑72, the commissioners of election must take into consideration geographic, racial, and social diversity of the poll managers at each individual polling place.

(B) The commissioners of election must assign two‑thirds of poll managers to a polling place within the precinct in which they reside. The remaining one‑third of poll managers must be assigned randomly throughout the individual county, contiguous to or within fifteen miles of the person’s home precinct.” /

Renumber sections to conform.

Amend title to conform.

Rep. LOWE moved to divide the question.

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

Yeas 66; Nays 22

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Crawford |
| Daning | Delleney | Duncan |
| Erickson | Forrester | Gambrell |
| Hamilton | Hardwick | Harrison |
| Hayes | Hearn | Herbkersman |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McLeod | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Neilson | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Viers | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Branham | G. A. Brown | H. B. Brown |
| R. L. Brown | Funderburk | Gilliard |
| Govan | Harvin | Hutto |
| Jefferson | Kennedy | King |
| Mack | McEachern | Mitchell |
| J. H. Neal | Sellers | Weeks |
| Williams |  |  |

**Total--22**

So, the motion to divide the question was agreed to.

**QUESTION 1-- ADOPTED**

“Section 7‑13‑73. (A) When making appointments of poll managers pursuant to 7‑13‑72, the commissioners of election must take into consideration geographic, racial, and social diversity of the poll managers at each individual polling place.

Rep. LOWE explained the question.

The question was adopted.

**QUESTION 2-- TABLED**

(B) The commissioners of election must assign two‑thirds of poll managers to a polling place within the precinct in which they reside. The remaining one‑third of poll managers must be assigned randomly throughout the individual county, contiguous to or within fifteen miles of the person’s home precinct.”

Rep. HARRISON moved to table the question, which was agreed to.

Rep. SELLERS proposed the following Amendment No. 107A (COUNCIL\DKA\4010DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710(A), SECTION 1, page 2, after line 22, by adding an appropriately numbered item to read:

/ ( ) college identification card that contains a photograph of the voter; /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. ALLISON moved to table the amendment.

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

Yeas 62; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Loftis |
| Lowe | Lucas | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Pinson |
| M. A. Pitts | Rice | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Toole | Umphlett | Viers |
| White | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--62**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Harvin |
| Hayes | Hosey | Hutto |
| Jefferson | Kennedy | King |
| Knight | Long | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | Neilson |
| Parks | Sellers | Stavrinakis |
| Weeks | Williams |  |

**Total--38**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 111A (COUNCIL\DKA\4015DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710(B), SECTION 1, page 2, by striking line 23, and inserting:

/ (B)(1) After presentation of the required identification described /

Amend further, Section 7-13-710(B), SECTION 1, page 3, after line 2, by inserting a new item to read:

/ (2) A polling manager shall receive training in photograph identification techniques as established by the South Carolina Law Enforcement Division. /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. LONG moved to table the amendment.

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

Yeas 64; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bingham | Brady |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | A. D. Young |
| T. R. Young |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Dillard | Funderburk | Gilliard |
| Govan | Hart | Harvin |
| Hayes | Hosey | Hutto |
| Jefferson | Kennedy | King |
| Knight | Littlejohn | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | Neilson |
| Parks | Sellers | Stavrinakis |
| Weeks | Williams |  |

**Total--38**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 112A (COUNCIL\DKA\4016DW10), which was tabled:

Amend the bill, as and if amended, by Section 56-1-3350, SECTION 3, page 4, beginning on line 37, by striking subsection (B) in its entirety and inserting:

/(B) ~~The fee for the issuance of the special identification card is five dollars~~. An identification card must be free to a person aged five years or older. /

Amend further, Section 56-1-3350, SECTION 3, page 5, beginning on line 32, by striking subsection (E) in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. BRADY moved to table the amendment.

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

Yeas 67; Nays 37

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Kelly | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Battle |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hosey |
| Hutto | Jefferson | Kennedy |
| King | Knight | Mack |
| McEachern | Miller | Mitchell |
| J. H. Neal | Neilson | Parks |
| Sellers | Stavrinakis | Weeks |
| Williams |  |  |

**Total--37**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 113A (COUNCIL\DKA\4017DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-25(E), SECTION 4, page 6, line 18, by striking / fifteen / and inserting / seventeen /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. A. D. YOUNG moved to table the amendment.

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

Yeas 66; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Daning | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Horne |
| Howard | Huggins | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Bowers |
| Brantley | G. A. Brown | R. L. Brown |
| Cobb-Hunter | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hosey |
| Hutto | Jefferson | King |
| Kirsh | Knight | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | Neilson |
| Ott | Parks | Sellers |
| Stavrinakis | Weeks | Williams |

**Total--36**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 114A (COUNCIL\DKA\4018DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-25(E), SECTION 4, page 6, line 18, by striking / fifteen / and inserting / thirty/

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. ERICKSON moved to table the amendment.

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

Yeas 64; Nays 41

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Daning | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Battle |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Funderburk | Gilliard |
| Govan | Gunn | Harvin |
| Hayes | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| King | Kirsh | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| Neilson | Ott | Parks |
| Sellers | Stavrinakis | Vick |
| Weeks | Williams |  |

**Total--41**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 115A (COUNCIL\DKA\4019DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-25(E), SECTION 4, page 6, line 18, by striking / fifteen / and inserting / forty-five /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. HORNE moved to table the amendment.

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

Yeas 61; Nays 39

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Cato | Chalk |
| Clemmons | Cole | Crawford |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Horne |
| Huggins | Kelly | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--61**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Battle | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Hayes |
| Hosey | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Kirsh | Knight | Mack |
| McEachern | Miller | Mitchell |
| J. H. Neal | Neilson | Ott |
| Parks | Sellers | Stavrinakis |
| Vick | Weeks | Williams |

**Total--39**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 116A (COUNCIL\DKA\4020DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-25(G), SECTION 4, page 6, beginning on line 25, by striking subsection (G) in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. NANNEY moved to table the amendment.

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

Yeas 66; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Bowers |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Hayes |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | Neilson | Ott |
| Parks | Sellers | Vick |
| Weeks | Williams |  |

**Total--38**

So, the amendment was tabled.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. SELLERS proposed the following Amendment No. 120A (COUNCIL\DKA\4011DW10), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710(A), SECTION 1, page 2, after line 22, by adding an appropriately numbered item to read:

/ ( ) employee identification card issued by a South Carolina business that contains a photograph of the voter; /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

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

Rep. KING proposed the following Amendment No. 2A (COUNCIL\SWB\7064CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Abbeville County who possesses a voter registration card cannot produce a picture identification when he presents himself to vote as required in subsection (a), then his precinct must electronically verify whether he has a valid driver’s license or identification card on record with the Department of Motor Vehicles. Upon obtaining positive verification, then he must be allowed to cast a ballot. However, if the Department of Motor Vehicles is unable to verify the existence of a valid driver’s license or identification card in its records, then the precinct must be equipped to issue a Department of Motor Vehicles identification card to the elector on site at no cost to him and then allow him to cast a ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. HART spoke in favor of the amendment.

Rep. LOFTIS moved to table the amendment.

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

Yeas 65; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Cole | Cooper |
| Crawford | Daning | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Horne | Huggins |
| Kelly | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Thompson |
| Toole | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Bowers | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Hayes |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Mack | McEachern |
| Mitchell | J. H. Neal | Neilson |
| Parks | Vick | Weeks |

**Total--33**

So, the amendment was tabled.

**SPEAKER IN CHAIR**

Rep. KING proposed the following Amendment No. 3A (COUNCIL\SWB\7065CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Aiken County who possesses a voter registration card cannot produce a picture identification when he presents himself to vote as required in subsection (a), then his precinct must electronically verify whether he has a valid driver’s license or identification card on record with the Department of Motor Vehicles. Upon obtaining positive verification, then he must be allowed to cast a ballot. However, if the Department of Motor Vehicles is unable to verify the existence of a valid driver’s license or identification card in its records, then the precinct must be equipped to issue a Department of Motor Vehicles identification card to the elector on site at no cost to him and then allow him to cast a ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN spoke in favor of the amendment.

Rep. LONG moved to table the amendment.

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

Yeas 63; Nays 32

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Horne | Huggins |
| Kelly | Knight | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | Rice | Sandifer |
| Scott | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Battle |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hayes | Hosey | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Mack | McEachern |
| McLeod | Mitchell | J. H. Neal |
| Neilson | Parks | Vick |
| Weeks | Williams |  |

**Total--32**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 4A (COUNCIL\SWB\7066CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Allendale County who possesses a voter registration card cannot produce a picture identification when he presents himself to vote as required in subsection (a), then his precinct must electronically verify whether he has a valid driver’s license or identification card on record with the Department of Motor Vehicles. Upon obtaining positive verification, then he must be allowed to cast a ballot. However, if the Department of Motor Vehicles is unable to verify the existence of a valid driver’s license or identification card in its records, then the precinct must be equipped to issue a Department of Motor Vehicles identification card to the elector on site at no cost to him and then allow him to cast a ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. HART spoke in favor of the amendment.

Rep. BRADY moved to table the amendment.

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

Yeas 65; Nays 34

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Erickson |
| Forrester | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Horne | Huggins |
| Kelly | Knight | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Bowers |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Mack |
| McEachern | McLeod | Miller |
| J. H. Neal | Parks | Weeks |
| Williams |  |  |

**Total--34**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 5A (COUNCIL\SWB\7067CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Anderson County who possesses a voter registration card cannot produce a picture identification when he presents himself to vote as required in subsection (a), then his precinct must electronically verify whether he has a valid driver’s license or identification card on record with the Department of Motor Vehicles. Upon obtaining positive verification, then he must be allowed to cast a ballot. However, if the Department of Motor Vehicles is unable to verify the existence of a valid driver’s license or identification card in its records, then the precinct must be equipped to issue a Department of Motor Vehicles identification card to the elector on site at no cost to him and then allow him to cast a ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. HART spoke in favor of the amendment.

Rep. A. D. YOUNG moved to table the amendment.

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

Yeas 65; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Erickson |
| Forrester | Frye | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Simrill | Skelton |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Battle | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hosey | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Kirsh | Knight | Mack |
| McEachern | McLeod | Miller |
| J. H. Neal | Neilson | Parks |
| G. M. Smith | Weeks | Williams |

**Total--36**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

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

Rep. KING proposed the following Amendment No. 6A (COUNCIL\SWB\7068CM10), which was ruled out of order:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Bamberg County who possesses a voter registration card cannot produce a picture identification when he presents himself to vote as required in subsection (a), then his precinct must electronically verify whether he has a valid driver’s license or identification card on record with the Department of Motor Vehicles. Upon obtaining positive verification, then he must be allowed to cast a ballot. However, if the Department of Motor Vehicles is unable to verify the existence of a valid driver’s license or identification card in its records, then the precinct must be equipped to issue a Department of Motor Vehicles identification card to the elector on site at no cost to him and then allow him to cast a ballot. /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN spoke in favor of the amendment.

**POINT OF ORDER**

Rep. LUCAS raised the Point of Order that Amendments 6A through 48A were out of order in that they were dilatory in nature and violated House Rule 8.3 and Mason's Manual Section 401(1). He stated that Amendments 6A through 48A were the same as previously debated and tabled Amendments 50A, 2A, 3A, 4A, and 5A except that each succeeding amendment simply changed the name of the individual county addressed by the amendment and consequently delayed and postponed the ultimate question before the House.

Rep. WEEKS argued contra.

Rep. HART argued contra.

Rep. JENNINGS argued contra.

Rep. GOVAN argued contra.

Rep. LUCAS spoke in favor of the Point of Order.

Rep. KENNEDY argued contra.

Rep. NEAL argued contra.

Rep. SANDIFER spoke in favor of the Point of Order.

Rep. SKELTON spoke in favor of the Point of Order.

Rep. ALLEN argued contra.

Rep. LUCAS spoke in favor of the Point of Order.

Rep. MACK argued contra.

Rep. STAVRINAKIS argued contra.

Rep. SELLERS argued contra.

Rep. FORRESTER spoke in favor of the Point of Order.

Rep. WILLIAMS argued contra.

SPEAKER HARRELL stated that Amendments 6A through 48A were the same as the prior Amendments cited by Mr. Lucas, debated by the House, and ultimately tabled by the House except that each of Amendments 6A through 48A dealt with a different county in the state. He stated that similar Points of Order were raised throughout the House Journals and most recently on March 16, 2005, when former Speaker Wilkins sustained similar Points of Order raised in reference to the House's debate over Tort Reform. He stated further that Amendments 6A through 48A were out of order in that they were dilatory in nature and were in violation of both House Rule 8.3 and Section 401(1) of Mason's Manual. Therefore, he sustained the Point of Order and ruled Amendments 6A through 48A out of order.

Rep. KING proposed the following Amendment No. 52A (COUNCIL\SWB\7111CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Abbeville County possesses a voter registration card and cannot produce a picture identification card as contained in subsection (a), then the Department of Motor Vehicles must supply the elector a fifty dollar gasoline voucher to defray his cost to travel to a Department of Motor Vehicles office to obtain an identification card. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. GOVAN spoke against the amendment.

Rep. HORNE moved to table the amendment.

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

Yeas 69; Nays 32

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Hutto | Kelly | Kirsh |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stewart | Thompson |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--69**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Battle | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hosey | Howard |
| Jefferson | Jennings | Kennedy |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | Ott | Parks |
| Weeks | Williams |  |

**Total--32**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOVAN a leave of absence for the remainder of the day due to a prior engagement.

Rep. KING proposed the following Amendment No. 53A (COUNCIL\SWB\7112CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Aiken County possesses a voter registration card and cannot produce a picture identification card as contained in subsection (a), then the Department of Motor Vehicles must supply the elector a fifty dollar gasoline voucher to defray his cost to travel to a Department of Motor Vehicles office to obtain an identification card. /

Renumber sections to conform.

Amend title to conform.

Rep. HART spoke in favor of the amendment.

Rep. ERICKSON moved to table the amendment.

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

Yeas 66; Nays 32

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Hutto | Kelly | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stavrinakis | Thompson | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | T. R. Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Battle | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Gilliard |
| Gunn | Hart | Hosey |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | Neilson |
| Ott | Parks | Vick |
| Weeks | Williams |  |

**Total--32**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 54A (COUNCIL\SWB\7113CM10), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Allendale County possesses a voter registration card and cannot produce a picture identification card as contained in subsection (a), then the Department of Motor Vehicles must supply the elector a fifty dollar gasoline voucher to defray his cost to travel to a Department of Motor Vehicles office to obtain an identification card. /

Renumber sections to conform.

Amend title to conform.

Rep. HART spoke in favor of the amendment.

Rep. GILLIARD spoke against the amendment.

Rep. NANNEY moved to table the amendment.

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

Yeas 64; Nays 29

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Hutto | Kelly |
| Limehouse | Loftis | Long |
| Lowe | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stewart | Toole |
| Umphlett | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Battle | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Gilliard | Gunn | Hart |
| Hosey | Jefferson | Jennings |
| King | Kirsh | Mack |
| McEachern | McLeod | Mitchell |
| J. H. Neal | Neilson | Ott |
| Parks | Sellers | Vick |
| Weeks | Williams |  |

**Total--29**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 55A (COUNCIL\SWB\7114CM10), which was ruled out of order:

Amend the bill, as and if amended, Section 7‑13‑710, as contained in SECTION 1, by adding the following appropriately lettered subsection:

/ ( ) If an elector in Anderson County possesses a voter registration card and cannot produce a picture identification card as contained in subsection (a), then the Department of Motor Vehicles must supply the elector a fifty dollar gasoline voucher to defray his cost to travel to a Department of Motor Vehicles office to obtain an identification card. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

**POINT OF ORDER**

Rep. G. R. SMITH raised the Point of Order that Amendments 55A through 95A were out of order in that they were dilatory in nature and violated House Rule 8.3 and Mason's Manual Section 401(1). Rep. G. R. SMITH stated that the House had previously debated and tabled Amendments 96A, 52A, 53A, and 54A with the only difference in these amendments and succeeding amendments being the county referenced in the amendments.

Rep. KENNEDY argued contra.

Rep. SELLERS stated that a similar Point of Order was raised on May 25, 1988, in which Speaker Sheheen sustained a Point of Order asserting an amendment to be dilatory. However, Rep. SELLERS stated that the May 25, 1988, ruling stated that each amendment must be addressed individually and that amendments could not be ruled out of order and dilatory as a group.

SPEAKER HARRELL stated that at the time of the May 25, 1988 ruling, House Rule 8.3 only stated that dilatory "motions were out of order." Thus, the 1988 ruling was not based upon House Rule 8.3 but was instead based upon the old Mason's Manual of Legislative Procedure that was no longer utilized by the House. The SPEAKER explained further that House Rule 8.3 was amended in 1997 to expressly include the word "amendment" and now stated that "[n]o dilatory motion or amendment shall be entertained by the SPEAKER, prior precedents to the contrary notwithstanding." The inclusion of the word "amendment" along with the prohibition against the SPEAKER "entertaining" a dilatory amendment required him to address the amendments as a group in order to determine whether they were dilatory and therefore not appropriate for the House to "entertain" or "address" for debate. The SPEAKER concluded that Rep. SELLER's May 25, 1988, precedent, due to the 1997 change in the rules, and in consideration with the SPEAKER’s earlier ruling in the day, was not applicable to a Point of Order raised under the current House Rule 8.3. He therefore sustained Rep. G. R. SMITH'S point of order and ruled Amendments 55A through 95A, out of order.

Rep. CLYBURN proposed the following Amendment No. 104A (COUNCIL\MS\7703AB10), which was tabled:

Amend the bill, as and if amended, Section 7-15-320, as contained in SECTION 6, by inserting an appropriately lettered subsection to read:

/ ( ) A person who attempts to vote in an election but is unable to present the required identification, may vote under protest and his vote only may be counted if he provides the required identification to the local election board within twenty-four hours after the closing of the polls on election day. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. ALLISON moved to table the amendment.

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

Yeas 68; Nays 39

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Gunn |
| Hart | Harvin | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| Ott | Parks | Stavrinakis |
| Vick | Weeks | Williams |

**Total--39**

So, the amendment was tabled.

**POINT OF ORDER**

Rep. HART raised the Point of Order that under House 1.5 he was appealing the ruling of the SPEAKER whereby the SPEAKER had earlier ruled Amendments 55A through 95A out of order.

SPEAKER HARRELL stated that Rep. HART's Point of Order to appeal the ruling of the SPEAKER was out of order in that such a point or request for appeal must be made at the time of the ruling. The SPEAKER explained that the ruling had been addressed earlier, and the House had addressed, debated, and disposed of business since the ruling in question. Therefore he stated the request for an appeal was not timely, and he overruled the Point of Order.

Reps. CLEMMONS proposed the following Amendment No. 117A (COUNCIL\DKA\4009DW10), which was adopted:

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

/ SECTION 1. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7‑13‑710. (A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid and current:

(1) South Carolina driver’s license; ~~or~~

(2) other form of identification containing a photograph issued by the Department of Motor Vehicles~~, if he is not licensed to drive, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector.~~;

(3) passport;

(4) military identification containing a photograph issued by the federal government; or

(5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7‑5‑675.

~~If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.~~

(B) After presentation of the required identification described in subsection (A), ~~his~~ the elector’s name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(C)(1) If the elector cannot produce the identification as required in subsection (A), he may cast a provisional ballot that is counted only if the elector brings a valid and current photo identification to the county board of registration and elections before certification of the election by the county board of canvassers.

(2) If the manager disputes that the photograph contained on the required identification is the person presenting himself to vote, the elector may cast a provisional ballot. A determination of that provisional ballot must be made in accordance with Section 7‑13‑830.

(D)(1)(a) If an elector does not produce a valid and current photograph identification due to a religious objection to being photographed, he may complete an affidavit under penalty of perjury at the polling place and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

(b) If an elector does not produce a valid and current photograph identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photograph identification, he may complete an affidavit under the penalty of perjury at the pollingplace and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photograph identification. The elector also shall list the impediment, unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

(2) If the county board of registration and elections determines that the voter was challenged only for the inability to provide proof of identification and the required affidavit is submitted, the county board of registration and elections shall find that the provisional ballot is valid unless the board has grounds to believe the affidavit is false.

(3) If the county board of registration and elections determines that the voter has been challenged for a cause other than the inability to provide proof of identification as required by subsection (A), the county board of registration and elections shall:

(a) note on the envelope containing the provisional ballot that the voter complied with the proof of identification requirement; and

(b) proceed to determine the validity of the remaining challenges before ruling on the validity of the provisional ballot.”

SECTION 2. Section 7‑5‑125 of the 1976 Code, as added by Act 507 of 1988, is amended to read:

“Section 7‑5‑125. (A) ~~Any~~ A person who applies for registration to vote and is found to be qualified by the county board of registration to whom application is made must be issued a written notification of registration. This notification must be on a form prescribed and provided by the State Election Commission.

(B) If an elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.”

SECTION 3. Section 56‑1‑3350 of the 1976 Code, as last amended by Act 176 of 2005, is further amended to read:

“Section 56‑1‑3350. (A) Upon application by ~~any~~ a person five years of age or older who is a resident of South Carolina, the Department of Motor Vehicles shall issue a special identification card, as long as:

(1) the application is made on a form approved and furnished by the department; and

(2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth.

(B)(1) The fee for the issuance and renewal of the special identification card is five dollars ~~and~~ for a person between the ages of five and sixteen years.

(2) An identification card must be free to a person aged seventeen years or older.

(C) The identification card expires five years from the date of issuance. ~~The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section “indigent” means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

~~(a)~~ ~~a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

~~(b)~~ ~~an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c)~~ ~~a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

(D) Special identification cards issued to persons under the age of twenty‑one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty‑one.

(E) 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~~

~~Highway Fund~~

~~June 30, 2005~~ ~~60 percent~~ ~~40 percent~~

~~June 30, 2006~~ ~~20 percent~~ ~~80 percent~~

~~June 30, 2007~~ ~~0 percent~~ ~~100 percent~~.”

SECTION 4. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provision of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) An early voting center must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at the early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish one early voting center. The early voting center must be supervised by election commission employees who shall serve as poll managers.

(E) The early voting period the Thursday before a statewide primary or general election and ends the following Saturday.

(F) The county board of registration and elections shall open the early voting center from 7:00 a.m. until 7:00 p.m. on Thursday and Friday and 9:00 a.m. to 5:00 p.m. on Saturday.

“(G) A sign must be posted prominently in an early voting center and must have printed on it ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS.’”

SECTION 5. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 253 of 2006, is further amended to read:

“(C) The executive director shall:

(1) maintain a complete master file of all qualified electors by county and by precincts;

(2) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

(3) enter names on the master file as they are reported by the county registration boards;

(4) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

(5) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

(6) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

(7) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

(8) obtain information from any other source which may assist him in carrying out the purposes of this section;

(9) perform such other duties relating to elections as may be assigned him by the State Election Commission;

(10) furnish at reasonable price any precinct lists to a qualified elector requesting them;

(11) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993; ~~and~~

(12) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the United States Code, Title 42, Section 1973ff, et seq; and

(13) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 6. Section 7‑15‑320 of the 1976 Code, as last amended by Act 25 of 1997, is further amended to read:

“Section 7‑15‑320 .(A) A qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.

(B) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person except that physically disabled persons, certified poll watchers, poll managers, county voter registration board members and staff, and county election commission members and staff working on election day, a person admitted to a hospital as an emergency patient on the day of an election or within a four day period before an election, and persons whose employment obligations required that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board, and persons confined to a jail or pre‑trial facility pending disposition of arrest or trial may vote by absentee ballot whether or not absent from their county of residence:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(4) persons in employment;

(5) physically disabled persons;

(6) governmental employees, their spouses, and dependents residing with them;

(7) electors with a death or funeral in the family within a three day period before the election;

(8) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day);

(9) certified poll watchers, poll managers, county voter registration board members and staff, countyand state election commission members and staff working on election day;

(10) overseas citizens;

(11) persons attending sick or physically disabled persons;

(12) persons admitted to hospitals as emergency patients on the day of an election or within a four day period before the election;

(13) persons who will be serving as jurors in a state or federal court on election day;

(14) persons sixty‑five years of age or older;

(15) persons confined to a jail or pre‑trial facility pending disposition of arrest or trial.”

SECTION 7. Section 7‑15‑330 of the 1976 Code, as last amended by Act 193 of 1989, is further amended to read:

“Section 7‑15‑330. (A) To vote by absentee ballot, a qualified elector ~~or a member of his immediate family must~~ shall request an application to vote by absentee ballot in person, ~~by telephone,~~ or by mail from the county registration board, ~~or at an extension office of the board of registration as established by the county governing body,~~ for the county of the voter’s residence. ~~A person requesting an application for a qualified elector as the qualified elector’s authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of registration until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate or a member of a candidate’s paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.~~

(B) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held. However, completed applications must be returned to the county registration board in person or by mail before 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of registration until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7‑15‑320. A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four‑day period before the election may obtain an application from the registration board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of registration.

(C) The board of registration shall serially number each absentee ballot application form and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; and the date upon which the form is issued. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(D) A person who violates the provisions of this section is subject to the penalties provided in Section 7‑25‑170.”

SECTION 8. Section 7‑15‑385 of the 1976 Code, as last amended by Act 416 of 1996, is further amended to read:

“Section 7‑15‑385.(A) Upon receipt of the ballot or ballots, the absentee ballot applicant ~~must~~ shall mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’, which in turn must be placed in the return‑addressed envelope. The applicant ~~must~~ shall then return the return‑addressed envelope to the board of registration by mail, by personal delivery, or by authorizing another person to return the envelope for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of registration at the time the envelope is returned. The voter ~~must~~ shall sign the form, or ~~in the event~~ if the voter cannot write because of a physical handicap or illiteracy, the voter ~~must~~ shall make his mark and have the mark witnessed by someone designated by the voter. The authorization must be preserved as part of the record of the election, and the board of registration ~~must note~~ shall record the authorization and the name of the authorized returnee ~~in the record book~~ as required by Section 7‑15‑330.

(B) A candidate or a member of a candidate’s paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not permitted to serve as an authorized returnee for ~~any~~ a person unless the person is a member of the voter’s immediate family as defined in Section 7‑15‑310.

(C) The oath ~~set forth~~ provided for in Section 7‑15‑380 must be signed and witnessed on each returned envelope. The board of registration ~~must~~ shall record, ~~in the record book~~ as required by Section 7‑15‑330, the date the return‑addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board.

(D) The board ~~must~~ securely shall store the envelopes in a locked box within the office of the registration board.”

SECTION 9. Section 7‑1‑25 of the 1976 Code, as added by Act 103 of 1999, is amended to read:

“Section 7‑1‑25. (A) A person’s residence is his domicile. ‘Domicile’ means a person’s fixed home where he has an intention of returning when he is absent. A person has only one domicile.

(B) For voting purposes, a person has changed his domicile if he (1) has abandoned his prior home and (2) has established a new home, has a present intention to make that place his home, and has no present intention to leave that place.

(C) For voting purposes, a spouse may establish a separate domicile.

(D) For voting purposes*,* factors to consider in determining a person’s intention regarding his domicile include, but are not limited to:

(1) a voter’s address reported on income tax returns;

(2) a voter’s real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12‑43‑220(C);

(3) a voter’s physical mailing address;

(4) a voter’s address on driver’s license or other identification issued by the Department of Motor Vehicles;

(5) a voter’s address on legal and financial documents;

(6) a voter’s address utilized for educational purposes, such as public school assignment and determination of tuition at institutions of higher education;

(7) a voter’s address on an automobile registration;

(8) a voter’s address utilized for membership in clubs and organizations;

(9) the location of a voter’s personal property;

(10) residence of a voter’s parents, spouse, and children; and

(11) whether a voter temporarily relocated due to medical care for the voter or for a member of the voter’s immediate family.”

SECTION 10. Section 7‑5‑230 of the 1976 Code, as last amended by Act 103 of 1999, is further amended to read:

“Section 7‑5‑230. (A) The boards of registration to be appointed under Section 7‑5‑10 ~~shall~~ must be the judges of the legal qualifications of all applicants for registration. The board is empowered to require proof of these qualifications as it considers necessary.

(B) Once a person is registered, challenges of the qualifications of ~~any~~ an elector, except for challenges issued at the polls pursuant to Sections 7‑13‑810, 7‑13‑820, and 7‑15‑420 must be made in writing to the board of registration in the county of registration. The board ~~must~~, within ten days following the challenge and after first giving notice to the elector and the challenger, shall hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications ~~set forth~~ provided for in Section 7‑5‑120.

(C) ~~When~~ If a challenge is made regarding the residence or domicile of an elector, the board ~~may~~ shall consider the provisions of Section 7‑1‑25(D) ~~following proof to establish residence including, but not limited to, income tax returns; real estate interests; mailing address; address on driver’s license; official papers and documents requiring the statement of residence address; automobile registration; checking and savings accounts; past voting record; membership in clubs and organizations; location of personal property; and the elector’s statements as to his intent~~.

(D) ~~Any~~ A person denied registration or restoration of his name on the registration books shall have the right of appeal from the decision of the board of registration denying him registration or such restoration to the court of common pleas of the county or any judge ~~thereof~~ of these and subsequently to the Supreme Court.”

SECTION 11. Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7‑5‑675. The State Elections Commission shall implement a system in order to issue voter registration cards with a photograph of the elector.”

SECTION 12. The State Elections Commission shall establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission shall educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at each election held after September 30, 2010.

(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county before October 15, 2011.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than October 15, 2011.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

(8) Notify each registered elector who does not have a South Carolina issued driver’s license or identification card a notice of the provisions of this act by no later than October 15, 2011. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It also must state the availability of a free South Carolina identification card pursuant to Section 56‑1‑3350.

(9) In addition to the items contained in this section, the State Elections Commission may implement additional educational programs in its discretion.

SECTION 13. The State Election Commission is directed to create a list containing all registered voters of South Carolina who are otherwise qualified to vote but do not have a South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles as of January 1, 2012. The list must be made available to a registered voter upon request. The Department of Motor Vehicles shall provide the list of persons with a South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles at no cost to the commission. The commission may charge a reasonable fee for the provision of the list in order to recover associated costs of producing the list.

SECTION 14. The General Assembly finds that all the provisions contained in this act related to one subject as required by Article III, Section 17 of the Constitution of this State in that each provision relates directly to or in conjunction with other sections to the subject of election reform as stated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 15. The provisions of this act are not severable. If any section, subsection, item, subitem, paragraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, it is to be conclusively presumed that the General Assembly would not have enacted any section, subsection, item, subitem, paragraph, sentence, clause, phrase or word of this act without the other provisions in this act and therefore this act in its entirety will be deemed invalid.

SECTION 16. Section 7-15-470 of the 1976 Code is repealed.

SECTION 17. SECTION 11 takes effect on July 1, 2011. However, the implementation of the procedures provided for in this SECTION is contingent upon the State Election Commission’s receipt of funds necessary to implement these provisions. Until the provisions of this SECTION are fully funded and executed, implementation of the provisions of this SECTION do not prohibit the State Election Commission from issuing voter registration cards by the methods allowed before the implementation of this SECTION.

SECTION 18. Except as otherwise provided in this act, this act takes effect upon approval by the Governor, except that SECTION 1 is effective upon preclearance approval by the United States Department of Justice. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS spoke in favor of the amendment.

Rep. MACK spoke against the amendment.

Rep. JENNINGS spoke against the amendment.

Rep. WEEKS moved to table the amendment.

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

Yeas 37; Nays 69

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Gunn |
| Harvin | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| Ott | Parks | Rutherford |
| Sellers | Stavrinakis | Weeks |
| Williams |  |  |

**Total--37**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Thompson | Toole |
| Umphlett | Vick | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--69**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 66; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Duncan |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Thompson | Toole | Umphlett |
| Viers | White | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Battle | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Gunn |
| Hart | Harvin | Hodges |
| Hosey | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Mack | McEachern | McLeod |
| Mitchell | J. H. Neal | Ott |
| Rutherford | Sellers | Stavrinakis |
| Vick | Weeks | Williams |

**Total--36**

So, the amendment was adopted.

Rep. CLEMMONS proposed the following Amendment No. 118A (COUNCIL\DKA\4021DW10), which was ruled out of order:

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

/ SECTION \_\_. Section 7‑11‑70 of the 1976 Code is amended to read:

“Section 7‑11‑70. (A) A candidate’s nominating petition for any office in this State shall contain the signatures of at least five percent of the qualified registered electors of the geographical area of the office for which he offers as a candidate; provided, that no petition candidate is required to furnish the signatures of more than ten thousand qualified registered electors for any office. The official number of qualified registered electors of the geographical area of any office must be the number of registered electors of such area registered one hundred twenty days prior to the date of the election for which the nomination petition is being submitted.

(B) The petition must be certified to the State Election Commission in the case of national, state, circuit, and multicounty district offices; with the county election commission in the case of countywide or less than countywide offices with the exception of municipal offices; with the clerk of a municipality in case of a municipal office, and the certified petition shall constitute and be kept as a public record.

(C) No qualified elector who voted in a primary election is eligible to sign a petition for a candidate to run for an office to be filled at the general election following that primary.

(D) A qualified elector otherwise eligible to sign a petition for a candidate to appear on a general election ballot may not sign more than one petition per general election per office.”

SECTION \_\_. Article 1, Chapter 11, Title 7 of the 1976 Code is amended by adding:

“Section 7‑11‑75. A person offering for election as a petition candidate in any general election must have first notified the entity to which the petition is required to be filed by the beginning date of the primary election preceding that general election, of his intention to file as a petition candidate for that office. This notification shall be in writing and is considered in the public domain and not confidential. Failure to provide notification disqualifies that person as a petition candidate for the office for that general election.”

SECTION \_\_. Section 7‑11‑80 of the 1976 Code, as last amended by Act 510 of 1984, is further amended to read:

“Section 7‑11‑80. All nominating petitions for any political office or petition of any political party seeking certification ~~as such~~ in the State of South Carolina shall be standardized as follows:

(1) shall be on good quality original bond paper sized 8 1/2 x 14~~.~~;

(2) shall contain a concise statement of purpose; in the case of nomination of candidates, the name of the candidate, the office for which he offers, and the date of the election for ~~such~~ the office shall be contained in ~~such~~ the petition~~.~~;

(3) shall contain in separate columns from left to right the following:

(a) signature of voter and printed name of voter;

(b) address of residence where registered; and

(c) precinct of voter~~.~~;

(4) no single petition page shall contain the signatures of registered voters from different counties~~.~~;

(5) all signatures of registered voters shall be numbered consecutively and legible so that the name of the voter can be identified beyond a reasonable doubt~~.~~;

(6) petitions with more than one page must have the pages consecutively numbered upon filing with the appropriate authority. The State Election Commission may furnish petition forms to the county election officials and to interested persons.”

SECTION \_\_. Section 7‑11‑85 of the 1976 Code, as added by Act 263 of 1984, is further amended to read:

“Section 7‑11‑85. (A) Every signature on a petition requiring five hundred or less signatures must be checked for validity by the respective county board of voter registration against the signatures of the voters on the original applications for registration on file in the registration board office. When a petition requires more than five hundred signatures, ~~every one of the first~~ five hundred consecutive signatures chosen randomly must be checked for validity and at least one out of every other group of ten signatures ~~thereafter beginning with the five hundred and first signature~~ appearing before and after the five hundred signature block also must be chosen randomly and ~~must be~~ checked for validity. If the projected number of valid signatures, using this percentage method for the signatures over five hundred plus the number of valid signatures in the ~~first~~ five hundred signature block, total at least the number of signatures required by law on the petition, it must be certified as a valid petition. No petition, however, may be rejected if the number of signatures over five hundred checked using the percentage method plus the number of valid signatures in the ~~first~~ five hundred signature block does not total at least the number required by law. If insufficient signatures are found using the percentage method in order to certify as a valid petition, the board of voter registration must check every signature over five hundred separately, or ~~such~~ the number over five hundred until the required number of valid signatures is found.

(B) If it is a petition seeking to certify a new political party or if the office for which the petition has been submitted comprises more than one county, and using the percentage method of checking does not result in the required number of valid signatures, the executive director of the commission shall designate which counties must check additional signatures.

(C) No signatures on a petition may be rejected if the address of a voter, registration certificate number of a voter, or the precinct of a voter, as required by Section 7‑11‑80, is missing or incorrect if the signature is otherwise valid, and if the board can otherwise verify that the voter is currently a qualified elector in that jurisdiction who registered to vote at least thirty days before submission of the petition. The signature of a voter may ~~only~~ be rejected if it is illegible and cannot be found in the records of the board of voter registration, is missing from the petition, or is not that of the voter, or if the registration of the voter has been deleted for any of the reasons named in items (2) or (3) of subsection (C) of Section 7‑3‑20.

(D) The board of voter registration shall complete a summary form containing the results of checking any petition and must give the completed form to the requesting authority. The form used for this purpose must be prescribed and provided by the executive director.

(E) In addition to all other requirements, all qualified electors signing a petition for a candidate to appear on a general election ballot for election to a particular office must have been a qualified elector who registered to vote at least thirty days before submission of the petition.”

SECTION \_\_. Article 1, Chapter 11, Title 7 of the 1976 Code is amended by adding:

“Section 7‑11‑95. (A) The entity to which a petition must be filed may reject the petition if, after a hearing with notice to all parties, the entity finds that by a preponderance of the evidence fraud of any kind or degree was committed in the execution of the petition. The entity must give all parties supporting and objecting to the petition an opportunity to be heard at the hearing.

(B) The validation of the signatures on a petition and the determination of whether or not fraud was committed in the execution of the petition must be conducted in public after notice required by the Freedom of Information Act.”

SECTION \_\_. Article 1, Chapter 11, Title 7 of the 1976 Code is amended by adding:

“Section 7‑11‑100. Decisions of a local entity to which a petition must be filed under this article may be appealed to the State Election Commission and thereafter to a court of competent jurisdiction in the manner in which appeals from the State Election Commission may be taken.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS spoke in favor of the amendment.

**POINT OF ORDER**

Rep. WEEKS raised the Point of Order that Amendment No. 118A was out of order in that it was not germane to the bill.

SPEAKER HARRELL stated that while the bill dealt with identification requirements for an individual to cast a vote and time frames in which a vote may be cast, the amendment dealt with the nominating process of potential candidates and the election ballot composition. Therefore, he sustained the Point of Order and ruled the amendment out of order.

Rep. CLEMMONS proposed the following Amendment No. 119A (COUNCIL\DKA\4022DW10), which was ruled out of order:

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

/ SECTION \_\_. Section 7‑11‑10 of the 1976 Code is amended to read:

“Section 7‑11‑10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention or by petition; provided, ~~no~~ that a person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ may not have his name placed on the ballot for the ensuing general or special election, except that this proviso ~~shall~~ does not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for ~~such~~ the office before the election is held.

(B) A candidate may not file more than one statement of intention of candidacy for a single election.

(C) A candidate may not be nominated by more than one political party for a single office for the same election.”

SECTION \_\_. Section 7‑13‑320(D) of the 1976 Code is amended to read:

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate’s name may not appear on the ballot more than once for any single office for the same election.”

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

“Section 7‑13‑1115. (A) In order to be certified as part of the total number of votes cast, a ballot must indicate a vote cast for a single candidate. A vote, with the exception of a vote for electors for President of the United States and Vice President of the United States pursuant to Section 7‑13‑1320, may not be cast for a political party.

(B) A ballot that does not contain an individual vote for a single candidate for a single office, whether indicated on the ballot or as a write in, must be considered improperly marked as to that office only.”

SECTION \_\_. Section 7‑13‑330 of the 1976 Code, as amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑330. The arrangement of general election ballots containing the names of candidates for office must conform as nearly as possible to the following plan, with a column or columns added in case of nomination by petition and a blank column added for write‑in votes, and must contain the specified instructions there set forth and no other:

GENERAL ELECTION OFFICIAL BALLOT

No. \_\_\_\_\_\_ \_\_\_\_\_\_\_\_ COUNTY, SOUTH CAROLINA

November \_\_\_, \_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Initials of Issuing Officer

OFFICIAL BALLOT

GENERAL ELECTION

\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ County, South Carolina

November \_\_\_, \_\_\_\_\_

Precinct \_\_\_\_\_\_\_\_\_\_

INSTRUCTIONS‑‑~~To vote a straight party ticket, make a cross (X) in the circle (O) under the name of your party. Nothing further need or should be done.~~ To vote ~~a mixed ticket, or in other words for candidates of different parties or petition candidates, omit making a cross (X) mark in the party circle at the top and~~ make a cross (X) in the voting square [ ] opposite the name of each candidate on the ballot for whom you wish to vote. Only those candidates for whom the voting square is marked shall receive a vote. If you wish to vote for a candidate not on any ticket, write or place the name of such candidate on your ticket opposite the name of the office. Before leaving the booth, fold the ballot so that the initials of the manager may be seen on the outside of the ballot.

Nomination by

Name of Party Name of Party Petition

Names of Office 0 0

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

STATE Governor Governor Governor

Governor [ ] Name of [ ] Name of [ ] Name of

Candidate Candidate Candidate

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

Lieutenant Lieut. Governor Lieut. Governor Lieut. Gov.

Governor [ ] Name of [ ] Name of [ ] Name of

Candidate Candidate Candidate

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

Secretary of Sec. of State Sec. of State Sec. of State

State [ ] Name of [ ] Name of [ ] Name of

Candidate Candidate Candidate

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

CONGRES‑ U.S. Senator U.S. Senator U.S. Senator

SIONAL [ ] Name of [ ] Name of [ ] Name of

Senator Candidate Candidate Candidate

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

Representative U.S. Repre‑ U.S. Repre‑ U.S. Repre‑

in Congress sentative sentative sentative

[ ] Name of [ ] Name of [ ] Name of

District Candidate Candidate Candidate ”

SECTION \_\_. Section 7‑13‑1340 of the 1976 Code, as last amended by Act 223 of 2006, is further amended to read:

“Section 7‑13‑1340. A vote recorder or optical scan voting device must not be adopted or used unless it:

(a) provides facilities for voting for the candidates as may be nominated and upon the questions as may be submitted;

(b) ~~permits each elector, at other than primaries, to vote a straight party or body ticket, in one operation; and, in one operation, to vote for all the candidates of one party or body for every office to be voted for, except those offices as to which the elector votes for individual candidates;~~

~~(c)~~ permits each elector, at other than primaries, to vote a ticket selected from the nominees of any and all parties or bodies, from independent nominations, and from persons not in nomination;

~~(d)~~(c) permits each elector to vote, at any election, for any person and for any office for whom and for which the elector is lawfully entitled to vote, whether or not the name of the person or persons appears upon a ballot label as a candidate for election, and to vote for as many persons for an office as the elector is entitled to vote for, and to vote for or against any question upon which the elector is entitled to vote;

~~(e)~~(d) precludes, when used in conjunction with a tabulating machine, the counting of votes for any candidate, or upon any question, for whom or upon which an elector is not entitled to vote, and precludes the counting of votes for more persons for any office than the elector is entitled to vote for or for fewer than the elector is required to vote for, and precludes the counting of votes for any candidate for the same office or upon any question more than once;

~~(f)~~(e) permits voting in absolute secrecy, so that a person shall not see or know for whom any other elector has voted or is voting, except an elector whom the person has assisted or is assisting in voting, as prescribed by law;

~~(g)~~(f) is constructed of material of good quality, in a neat and workmanlike manner;

~~(h)~~(g) records, when properly operated, correctly and accurately every vote cast;

~~(i)~~(h) is constructed so that an elector may readily learn the method of operating it;

~~(j)~~(i) is safely transportable; and

~~(k)~~(j) if approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7‑13‑1330(C), is able to electronically transmit vote totals for all elections to the State Election Commission in a format and time frame specified by the commission.”

SECTION \_\_. Section 7‑15‑360 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7‑15‑360. The board of registration of each county must be furnished by the commissioners of election of the county or the county committee for each political party holding a primary, a sufficient number of ballots and envelopes not to exceed fifteen percent of the number of registered voters in that county to enable the board of registration to deliver these materials to qualified electors who desire to vote by absentee ballot. If an absentee ballot is not available at the time the voter requests it, the board of registration must provide a blank ballot to allow the voter to write in his~~:~~ ~~(1)~~ selections of candidates~~; (2) selection of party, if he wishes to vote a straight party ticket;~~ and ~~(3)~~ support or opposition of any ballot measure.

SECTION \_\_. Section 7‑15‑365 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7‑15‑365. The board of registration of each county must be furnished by the municipal election commission of each municipality holding an election or the executive committee of a municipal party holding a primary, a sufficient number of ballots, envelopes, and instructions to the absentee voter not to exceed fifteen percent of the number of registered voters in the municipality and sufficient postage to enable the board of registration to deliver materials to qualified electors desiring to vote by absentee ballot. The envelope required by item (4) of Section 7‑15‑370 must bear the return address of the county board of registration. If an absentee ballot is not available at the time the voter requests it, the board of registration must provide a blank ballot to allow the voter to write in his~~:~~ ~~(1)~~ selections of candidates~~;~~ ~~(2) selection of party, if he wishes to vote a straight party ticket;~~ and ~~(3)~~ support or opposition of any ballot measure.”

SECTION \_\_. The last paragraph of Section 7‑15‑370 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“If absentee ballots are not available at the time the voter requests one, the board of registration must provide a blank ballot to allow the voter to write in his~~: (1)~~ selections of candidates~~; (2) selection of party, if he wishes to vote straight party ticket;~~ and ~~(3)~~ support or opposition of any ballot measure.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS spoke in favor of the amendment.

**POINT OF ORDER**

Rep. WEEKS raised the Point of Order that Amendment No. 119A was out of order in that it was not germane to the bill.

SPEAKER HARRELL stated that while the bill dealt with identification requirements for an individual to cast a vote and the timeframes in which a vote may be cast, the amendment dealt with the nominating process of potential candidates and the contents of the election ballot. Therefore, he sustained the Point of Order and ruled the amendment out of order.

The Senate Amendments, as amended, were then agreed to and the Bill was ordered returned to the Senate.

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

**ADJOURNMENT**

At 5:49 p.m. the House, in accordance with the motion of Rep. FUNDERBURK, adjourned in memory of Dr. Robert E. "Jack" David of Camden, former Executive Director of the South Carolina Employment Security Commission, to meet at 10:00 a.m. tomorrow.

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