~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 16:8: “I keep the Lord always before me because He is my right hand, I shall not be moved.”

Let us pray. Lord God, in the midst of the turmoil of this world, continue to come into our lives to lead, bless, and console us. As we keep You in our sight, give these Representatives the strength, courage, and integrity to do the work required of them. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear us, O Lord, for You are always with us. Amen.

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

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

**MOTION ADOPTED**

Rep. CLYBURN moved that when the House adjourns, it adjourn in memory of Justine Odom Hickson of Aiken, which was agreed to.

**INVITATIONS**

On motion of Rep. BARFIELD, with unanimous consent, the following were taken up for immediate consideration and accepted:

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Economic Developers’ Association, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, March 1, 2011, at 6:00 p.m. at the Palmetto Club.

Sincerely,

Keely Fagen Yates

Association Executive

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the National Kidney Foundation, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, March 2, 2011, at 12:00 p.m. on the State House Grounds.

Sincerely,

Mary Higginbotham

Division Community & Legislative Affairs Manager

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Bankers Association, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, March 2, 2011, beginning at 6:00 p.m. at the Columbia Museum of Art.

Sincerely,

E. Anne Gillespie

Senior Vice President

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the Associated Marine Institutes of South Carolina (AMI Kids), the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, March 3, 2011, beginning at 8:00 a.m. in room 112 of the Blatt Building.

Sincerely,

Jean Denman

South Carolina Statewide Board

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Association of Technical College Commissioners, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, March 8, 2011, beginning at 6:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,

Jennifer Phelps

Executive Coordinator

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Prayer Fellowship, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, March 9, 2011, beginning at 7:30 a.m. at the Radisson Hotel and Conference Center.

Sincerely,

C. Tommy Young

Chairman

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the Carolina Recycling Association, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, March 9, 2011, beginning at 12:00 p.m. in Room 112 of the Blatt Building.

Sincerely,

Will Sagar,

President

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Summary Court Judges’ Association, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, March 9, 2011, beginning at 6:00 p.m. at Seawell’s.

Sincerely,

Judge Donna Williamson

Secretary

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Governor’s School for Science and Mathematics Foundation, the Members of the House of Representatives are invited to a Legislative Reception. The 19th Annual Townes Award Dinner will be held on Wednesday, March 9, 2011, beginning at 7:00 p.m. at the Marriott.

Sincerely,

Kim Bowman

CEO

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Aviation Association, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, March 10, 2011, beginning at 8:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Katie E. Koon

Executive Director

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Coroners Association, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, March 30, 2011, beginning at 8:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Kenneth L. Johnson

President

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina State Firefighters’ Association, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, March 30, 2011, beginning at 12:00 p.m. on the State House Grounds.

Sincerely,

Joe Palmer

Executive Director

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Home Builders Association, the Members of the House of Representatives are invited to a Legislative Reception. The 43rd Annual Bird Supper will be held on Wednesday, March 30, 2011, beginning at 6:30 p.m. at the Marriott.

Sincerely,

Mark Nix

Executive Director

February 22, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of Piedmont Municipal Power Agency, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, March 31, 2011, beginning at 8:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Coleman F. Smoak, Jr.

General Manager

**REGULATION RECEIVED**

The following was received and referred to the appropriate committee for consideration:

Document No. 4161

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

Water Classifications and Standards

Received by Speaker of the House of Representatives

February 17, 2011

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration January 24, 2012

**REPORTS OF STANDING COMMITTEES**

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

H. 3516 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEAR 2011-2012, AND TO PROVIDE THAT FOR FISCAL YEAR 2011-2012 COUNTIES MAY TRANSFER AMONG

APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

Ordered for consideration tomorrow.

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

H. 3419 -- Reps. Merrill and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TAXPAYER FAIRNESS ACT" BY ADDING SECTION 12-4-397 SO AS TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA DEPARTMENT OF REVENUE MUST INTERPRET TAX STATUTES OF THIS STATE, TO PROVIDE THAT TERMS IN THE TAX STATUTES OF THIS STATE MAY NOT BE GIVEN BROADER MEANING THAN INTENDED BY POLICY DOCUMENTS AND REGULATIONS OF THE DEPARTMENT OF REVENUE, TO PROVIDE THAT AMBIGUITY IN TAX STATUTES MUST BE RESOLVED IN FAVOR OF THE TAXPAYER, TO REQUIRE THE DEPARTMENT TO REPORT AMBIGUITIES TO CERTAIN MEMBERS OF THE GENERAL ASSEMBLY, AND TO DEFINE "TAX STATUTES OF THIS STATE".

Ordered for consideration tomorrow.

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

H. 3368 -- Reps. G. R. Smith, Harrell, Bingham, Harrison, Cooper, Huggins, Bowen, Brady, Atwater, Parker, Clemmons, Crawford, D. C. Moss, Pinson, Loftis, Lowe, Allison, Bedingfield, Owens, Frye, Hardwick, Lucas, Quinn, Hamilton, Toole, Bannister, Whitmire, Stringer, Ballentine, Henderson, Nanney, Hearn, Bikas, V. S. Moss, Sottile, Gambrell, J. R. Smith, Corbin, Brannon, McCoy, Crosby, Barfield, Cole, Daning, Delleney, Hixon, Horne, Long, Murphy, Sandifer, G. M. Smith, Spires and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY 15, 2010 FOR FISCAL YEAR 2010-2011, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND TO DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED, TO PROVIDE FOR THE PRIORITY USES OF THE REVENUES OF THIS FUND, TO PROVIDE FOR THE APPROPRIATION OF FUND REVENUES AFTER THESE PRIORITIES ARE MET, TO REQUIRE THAT APPROPRIATION OF REVENUES OF THIS FUND MUST BE BY A JOINT RESOLUTION ORIGINATING IN THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT THIS LIMIT FIRST APPLIES FOR FISCAL YEAR 2011-2012.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3718 -- Reps. Corbin, Loftis and G. R. Smith: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE NORTH GREENVILLE UNIVERSITY FOOTBALL TEAM ON ITS OUTSTANDING SEASON AND IMPRESSIVE WIN OF THE 2010 NATIONAL CHRISTIAN COLLEGIATE ATHLETIC ASSOCIATION VICTORY BOWL TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3719 -- Reps. Corbin, Loftis and G. R. Smith: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE NORTH GREENVILLE UNIVERSITY FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR WINNING THE 2010 NATIONAL CHRISTIAN COLLEGIATE ATHLETIC ASSOCIATION VICTORY BOWL TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the North Greenville University football team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for winning the 2010 National Christian Collegiate Athletic Association Victory Bowl title.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3715 -- Reps. Crawford, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 17, 2011, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

Be it resolved by the House of Representatives, the Senate concurring:

That Palmetto Boys State is authorized to use the Chambers of the House of Representatives and the Senate on Friday, June 17, 2011, from 11:30 a.m. to 1:00 p.m. for its annual State House meeting. If either House is in statewide session on this date or its chamber is otherwise unavailable, that chamber may not be used.

Be it further resolved that the State House security forces shall provide assistance and access as necessary for this meeting in accordance with previous procedures.

Be it further resolved that no charges may be made for the use of the House and Senate Chambers by Palmetto Boys State on this date.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 51 -- Senators McConnell and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS IN NORTH CHARLESTON IDENTIFIED AS THE "SEVEN MILE VIADUCT" THE "P. H. LIVINGSTON OVERPASS" AND ERECT APPRO-PRIATE MARKERS OR SIGNS AT THIS OVERPASS THAT CONTAIN THE WORDS "P. H. LIVINGSTON OVERPASS".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 558 -- Senator Cleary: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2011 AS NATIONAL CHILDREN'S DENTAL HEALTH MONTH, AND TO THANK SOUTH CAROLINA DENTAL-HEALTH-CARE PROVIDERS FOR MAKING FEBRUARY 4, 2011, "GIVE KIDS A SMILE DAY" THAT PROMOTED ORAL HEALTH AND JOINED IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR

ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 574 -- Senator Courson: A CONCURRENT RESOLUTION TO DECLARE MARCH 2011 AS "HOME SCHOOL RECOGNITION MONTH" IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOME SCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL-BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 589 -- Senators Lourie, Jackson and Courson: A CONCURRENT RESOLUTION TO CONGRATULATE DESA, INC., IN RICHLAND COUNTY ON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY, AND TO COMMEND ITS FOUNDER, PRESIDENT, AND CEO, DIANE E. SUMPTER, FOR HER MANY YEARS OF DEDICATED ADVOCACY ON BEHALF OF SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESSES AND FOR HER EXTENSIVE COMMUNITY SERVICE.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

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

H. 3716 -- Ways and Means Committee: A BILL TO AMEND CHAPTER 20, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION FINANCE ACT OF 1977, SO AS TO RENAME THE CHAPTER, DEFINE CERTAIN TERMS, REVISE THE PURPOSE OF THE CHAPTER, REVISE PUPIL WEIGHTINGS WITHIN THE ALLOCATION FORMULA, DELETE PROVISIONS REGARDING SCHOOL AND DISTRICT IMPROVEMENT PLANS, DELETE THE INFLATION ADJUSTMENT TO STATE FUNDS FOR SCHOOL DISTRICTS, DELETE THE PROVISION THAT A SCHOOL DISTRICT MAY NOT RECEIVE HOLD HARMLESS FUNDS, DELETE THE REQUIREMENT THAT TEACHER SALARIES MUST BE ADJUSTED TO STAY AT THE SOUTHEASTERN AVERAGE, PROVIDE WHAT THE STATE MINIMUM SALARY SCHEDULE MUST INCLUDE, PROVIDE THAT TEACHER SALARIES IN THE FISCAL YEAR AFTER A FURLOUGH HAS BEEN IMPOSED MUST BE BASED ON THE TEACHER SALARY IN THE YEAR PRIOR TO THE FURLOUGH, PROVIDE THAT TEACHER PAY RAISES MAY BE PROVIDED AT THE DISCRETION OF THE SCHOOL DISTRICT, REVISE HOW A TEACHER MAY QUALIFY FOR A PAY RAISE, REQUIRE THE DEPARTMENT TO DEVELOP AN INCENTIVE COMPENSATION SYSTEM BASED ON TEACHER PERFORMANCE FOR TEACHERS AND PROVIDE REPORTING REQUIREMENTS, REQUIRE A SCHOOL DISTRICT TO PUBLISH THE ACTUAL PERCENTAGE OF ITS PER PUPIL EXPENDITURES USED FOR CLASSROOM INSTRUCTION, INSTRUCTIONAL SUPPORT, AND NON-INSTRUCTIONAL PUPIL SERVICES, REQUIRE THE DISTRICT TO SPEND AT LEAST SEVENTY PERCENT OF ITS PER PUPIL EXPENDITURES IN THESE CATEGORIES, AND DELETE OBSOLETE REFERENCES; BY ADDING ARTICLE 2 TO CHAPTER 139, TITLE 59 SO AS TO REQUIRE EACH SCHOOL DISTRICT BOARD OF TRUSTEES TO DEVELOP FIVE-YEAR PLANS FOR THE DISTRICT AND FOR THE SCHOOLS OF THE DISTRICT, PROVIDE WHAT THESE PLANS MUST INCLUDE, AND PROVIDE FOR ALLOCATION OF FUNDING FOR ELEMENTS OF THE PLAN; AND BY ADDING SECTION 59-19-91 SO AS TO REQUIRE A SCHOOL DISTRICT BOARD OF TRUSTEES TO ESTABLISH AN IMPROVEMENT COUNCIL AT EACH SCHOOL IN THE DISTRICT, PROVIDE WHO MAY SERVE ON THE COUNCIL, PROVIDE THE DUTIES OF THE COUNCIL, AND PROVIDE TERMS FOR COUNCIL MEMBERS.

Without Reference

H. 3717 -- Reps. Sandifer, Bales and Neilson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 SO AS TO ENACT THE "APPRAISAL MANAGEMENT COMPANY ACT", TO CREATE THE SOUTH CAROLINA REAL ESTATE APPRAISAL MANAGEMENT SERVICES BOARD, TO PROVIDE THE PURPOSE OF THE BOARD, TO DEFINE CERTAIN TERMS, TO PROHIBIT THE PROVISION OF APPRAISAL MANAGEMENT SERVICES BY AN ENTITY UNLESS REGISTERED WITH THE BOARD AND TO SPECIFY REQUIREMENTS FOR THIS REGISTRATION AND ITS RENEWAL, TO SPECIFY EXEMPTIONS FROM THIS CHAPTER, TO PROVIDE OWNERSHIP LIMITS ON OWNERS AND CONTROLLING PERSONS, TO PROVIDE TRAINING REQUIREMENTS FOR CERTAIN EMPLOYEES OF AN APPRAISAL MANAGEMENT COMPANY, TO IMPOSE CERTAIN RECORD KEEPING AND REPORTING REQUIREMENTS FOR AN APPRAISAL MANAGEMENT COMPANY, TO PROHIBIT CERTAIN PERSONS RELATED TO AN APPRAISAL MANAGEMENT COMPANY FROM EXERTING OR ATTEMPTING TO EXERT CERTAIN INFLUENCE ON AN APPRAISAL, TO IMPOSE CERTAIN REQUIREMENTS CONCERNING THE PAYMENT BY AN APPRAISAL MANAGEMENT OF A COMPLETED APPRAISAL OR VALUATION STUDY, TO RESTRICT THE CONDUCT OF AN APPRAISAL MANAGEMENT COMPANY WITH RESPECT TO THE MODIFICATION OR USE OF A COMPLETED APPRAISAL REPORT, TO RESTRICT THE ABILITY OF AN APPRAISAL MANAGEMENT COMPANY TO CHANGE THE COMPOSITION OF AN APPRAISER PANEL AND PROVIDE A PROCEDURE FOR A VIOLATION, TO PROVIDE THE BOARD MAY CENSURE AN APPRAISAL MANAGEMENT COMPANY IN CERTAIN CIRCUMSTANCES, TO ENABLE THE BOARD TO CONDUCT ADJUDICATORY PROCEEDINGS SUBJECT TO CERTAIN RESTRICTIONS; TO DESIGNATE SECTIONS 40-60-5 THROUGH 40-60-230 AS ARTICLE 1 OF CHAPTER 60, TITLE 40, ENTITLED "REAL ESTATE APPRAISERS", AND TO RETITLE CHAPTER 60, TITLE 40 AS "REAL ESTATE APPRAISAL PROFESSIONALS ACT".

Referred to Committee on Labor, Commerce and Industry

H. 3720 -- Reps. Cooper and Henderson: A BILL TO AMEND SECTION 12-6-3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE JOBS TAX CREDIT, SO AS TO REVISE THE REQUIREMENTS OF A QUALIFYING SERVICE-RELATED FACILITY AND A TECHNOLOGY INTENSIVE FACILITY; BY ADDING SECTION 12-6-3411 SO AS TO PROVIDE THAT A CORPORATION ESTABLISHING A NATIONAL CORPORATE HEADQUARTERS OR EXPANDING OR ADDING TO AN EXISTING NATIONAL CORPORATE HEADQUARTERS IN THIS STATE, WHICH IN CONNECTION THEREWITH ADDS AT LEAST FIFTY NEW FULL-TIME JOBS SHALL BE EXEMPT FROM PAYING STATE CORPORATE INCOME TAXES FOR A PERIOD OF TEN YEARS; TO AMEND SECTION 12-20-105, AS AMENDED, RELATING TO TAX CREDITS FOR PROVIDING INFRASTRUCTURE, SO AS TO INCREASE THE MAXIMUM AGGREGATE CREDIT TO FOUR HUNDRED THOUSAND DOLLARS ANNUALLY; TO AMEND SECTIONS 4-12-30, 4-29-67, AND 12-44-90, ALL AS AMENDED, RELATING TO FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT A COUNTY AUDITOR OR COUNTY ASSESSOR MAY REQUEST AND OBTAIN ANY FINANCIAL BOOKS AND RECORDS FROM A SPONSOR THAT SUPPORT THE SPONSOR'S TAX FORM OR RETURN TO VERIFY THE CALCULATIONS OF THE FEE IN LIEU OF TAXES TAX FORM OR RETURN; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT COMPUTERS, COMPUTER EQUIPMENT, COMPUTER HARDWARE AND SOFTWARE PURCHASES FOR A DATACENTER AND ELECTRICITY USED BY A DATACENTER.

Referred to Committee on Ways and Means

H. 3721 -- Reps. Loftis, Brantley, Simrill, Clyburn, Stavrinakis, Spires, Parker, Williams, Jefferson, Butler Garrick, Frye, Allen, Gambrell, Hodges, Howard, Knight, Lowe, Munnerlyn and Pitts: A BILL TO AMEND SECTION 56-15-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING COURSE REQUIREMENTS, SO AS TO PROVIDE THAT A DEALER WHO HAS OPERATED A DEALERSHIP FOR AT LEAST FIVE YEARS OR HAS COMPLETED SUCCESSFULLY AT LEAST EIGHT HOURS OF PRE-LICENSING EDUCATION COURSES WITHIN THE LAST FIVE YEARS, IS NOT REQUIRED TO COMPLETE ADDITIONAL PRE-LICENSING COURSES WHEN HE MOVES HIS DEALERSHIP TO ANOTHER LOCATION.

Referred to Committee on Labor, Commerce and Industry

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7-13-350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

Referred to Committee on Judiciary

S. 563 -- Senators Rose and Matthews: A BILL TO AMEND ACT 1627 OF 1972, AS AMENDED, RELATING TO THE DORCHESTER COUNTY CAREER AND TECHNOLOGY CENTER BOARD OF TRUSTEES, TO PROVIDE THAT THE DORCHESTER COUNTY COUNCIL SHALL APPOINT ALL MEMBERS OF THE BOARD OF TRUSTEES.

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

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bikas |
| Bingham | Bowen | Brady |
| Branham | Brannon | Brantley |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Quinn | Rutherford | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Tribble |
| Vick | Viers | Weeks |
| White | Whitmire | Williams |
| Willis | Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, February 22.

|  |  |
| --- | --- |
| Paul Agnew | Bakari Sellers |
| Anne Thayer | Tracy Edge |
| Wendell Gilliard | William Bowers |
| Chris Hart | Grady Brown |
| Jerry GovanDavid Mack | Jackson "Seth" Whipper |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. SMITH a leave of absence due to military service.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HORNE a leave of absence for the day due to a prior commitment with the Liberty Fellowship Program.

**LEAVE OF ABSENCE**

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

**STATEMENT OF ATTENDANCE**

Rep. SELLERS 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, February 17.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Marc New of North Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3066 |
| Date: | ADD: |
| 02/22/11 | LOFTIS, POPE, SIMRILL, LUCAS, NORMAN, D. C. MOSS and CLEMMONS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3070 |
| Date: | ADD: |
| 02/22/11 | POPE, SIMRILL and CLEMMONS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3152 |
| Date: | ADD: |
| 02/22/11 | POPE, SIMRILL and CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3407 |
| Date: | ADD: |
| 02/22/11 | TRIBBLE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3467 |
| Date: | ADD: |
| 02/22/11 | HAMILTON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3713 |
| Date: | ADD: |
| 02/22/11 | J. R. SMITH |

**ORDERED TO THIRD READING**

The following Bill and Joint Resolutions were taken up, read the second time, and ordered to a third reading:

H. 3704 -- Rep. Hosey: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF BARNWELL COUNTY SCHOOL DISTRICT FORTY-FIVE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 3705 -- Rep. Hosey: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF BARNWELL COUNTY SCHOOL DISTRICT TWENTY-NINE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 3706 -- Rep. Hosey: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF BARNWELL COUNTY SCHOOL DISTRICT NINETEEN WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 3392 -- Reps. Clemmons, Sellers, Allen, G. M. Smith and Weeks: A BILL TO AMEND SECTION 7-13-35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE FOR GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE POSTED TIME AT WHICH ABSENTEE BALLOTS MAY BEGIN TO BE EXAMINED FROM 2:00 P.M. TO 9:00 A.M. AND TO REQUIRE NOTIFICATION OF THE DATE THE MAKE-UP ELECTION WILL BE HELD IN THE EVENT OF INCLEMENT WEATHER OR OTHER EMERGENCY; TO AMEND SECTION 7-13-40, AS AMENDED, RELATING TO THE DATE BY WHICH THE PARTY CHAIRMAN, VICE CHAIRMAN, OR SECRETARY MUST PROVIDE WRITTEN CERTIFICATION OF THE CANDIDATES' NAMES TO THE STATE ELECTION COMMISSION, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, AS AMENDED, RELATING TO SPECIAL ELECTIONS, SO AS TO PROVIDE THAT IF THE GOVERNOR DECLARES A STATE OF EMERGENCY COVERING AN ENTIRE JURISDICTION HOLDING AN ELECTION, THE ELECTION MUST BE POSTPONED AND HELD ON THE NEXT TUESDAY; AND TO AMEND SECTION 7-13-350, AS AMENDED, RELATING TO THE CERTIFICATION OF CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED TO THE STATE ELECTION COMMISSION FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN SEPTEMBER.

Rep. CLEMMONS explained the Bill.

S. 345 -- Senators Setzler, McGill, Land, Reese, Elliott, Williams, Nicholson, Lourie, Coleman, Sheheen, Matthews, Leventis, Alexander, Pinckney, Malloy, O'Dell, S. Martin, Peeler and L. Martin: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF ANY SCHOOL DISTRICT OF THIS STATE MAY WAIVE UP TO FIVE DAYS SCHOOL DAYS MISSED DUE TO INCLEMENT WEATHER DURING THE 2010-2011 SCHOOL YEAR FROM THE MAKE UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO INCLEMENT WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Rep. WHITMIRE explained the Joint Resolution.

**H. 3410--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Bill until Thursday, February 24, which was adopted:

H. 3410 -- Reps. Owens, Cooper, Harrell, Branham, Limehouse, Atwater, Bikas, Govan, Loftis, Skelton, Taylor, Young, Williams, Daning, Quinn, Brannon, J. M. Neal, Bowen, Patrick, Norman, Whitmire, Willis, Thayer, Erickson, Weeks, Munnerlyn, McEachern, Vick, Sandifer, Viers, Hixon and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA HIGHER EDUCATION EFFICIENCY AND ADMINISTRATIVE POLICIES ACT OF 2011"; TO AMEND SECTIONS 2-47-30, 2-47-35, 2-47-40, AND 2-47-50, AS AMENDED, RELATING THE JOINT BOND REVIEW COMMITTEE, SO AS TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY STATE AGENCIES AND FOR THE APPROVAL OF THESE PROJECTS; BY ADDING SECTION 2-47-53 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO DEFINE PERMANENT IMPROVEMENT PROJECTS WITH RESPECT TO THOSE INSTITUTIONS, TO ALLOW THE COMMITTEE TO REQUEST ASSISTANCE WITH THE REVIEW OF PROJECTS, AND TO DEFINE PERMANENT IMPROVEMENT PROJECTS WITH RESPECT TO THOSE INSTITUTIONS; BY ADDING SECTION 2-47-54 SO AS TO ALLOW PUBLIC INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO GROUND LEASE AGREEMENTS WITH A PRIVATE ENTITY AND TO PROVIDE REQUIREMENTS FOR THOSE AGREEMENTS; BY ADDING SECTION 59-53-168 SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH A TIERED SYSTEM FOR CATEGORIZING TECHNICAL COLLEGES WITH RESPECT TO FINANCIAL STRENGTH AND OTHER FACTORS BY WHICH TECHNICAL COLLEGES MAY APPLY FOR CERTAIN EFFICIENCY POLICIES GRANTED BY THE BOARD AND TO REQUIRE THE BOARD TO ESTABLISH AN ADVISORY BOARD AND REPORT TO THE GENERAL ASSEMBLY; TO AMEND SECTIONS 59-53-290, 59-53-630, 59-53-740, 59-53-1784, AND 59-53-2430, ALL RELATING TO LEASE AGREEMENTS OF TECHNICAL COLLEGES, SO AS TO PROVIDE FOR THE FAVORABLE REVIEW OF THE AGREEMENT BY THE JOINT BOND REVIEW COMMITTEE AND ITS APPROVAL BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND SECTION 1-11-65, RELATING TO APPROVAL OF REAL PROPERTY TRANSACTIONS BY THE STATE BUDGET AND CONTROL BOARD AND ACCEPTANCE OF THE TRANSFER OF TANGIBLE PERSONAL PROPERTY BY A STATE ENTITY, SO AS TO EXEMPT CERTAIN REAL PROPERTY TRANSACTIONS MADE FOR OR BY THESE INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-147-42 AND 59-147-43 AND TO AMEND SECTION 59-147-30, AS AMENDED, RELATING TO THE PROCEDURES FOR THE ISSUANCE OF REVENUE BONDS UNDER THE HIGHER EDUCATION REVENUE BOND ACT, ALL SO AS TO REVISE THESE PROCEDURES AND THE PURPOSES FOR WHICH THE BONDS MAY BE USED; BY ADDING ARTICLE 7 TO CHAPTER 101, TITLE 59 SO AS TO PROVIDE FOR CERTAIN PROVISIONS APPLICABLE TO BOND ACTS FOR INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 11-35-1210, AS AMENDED, RELATING TO CERTIFICATION OF THE BUDGET AND CONTROL BOARD TO ALLOW GOVERNMENTAL BODIES TO MAKE DIRECT PROCUREMENTS, SO AS TO PROVIDE FOR APPROVAL OF PROCUREMENT AUTHORITY BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND SECTION 11-35-1550, AS AMENDED, RELATING TO SMALL PURCHASES UNDER THE CONSOLIDATED PROCUREMENT CODE AND BID PROCEDURES ON PROCUREMENTS UP TO FIFTY THOUSAND DOLLARS, SO AS TO INCREASE THE AMOUNT OF AUTHORIZED SMALL PURCHASES BY PUBLIC INSTITUTIONS OF HIGHER LEARNING AND TO AUTHORIZE THESE INSTITUTIONS TO USE PURCHASING CARDS FOR THESE PURCHASES IN THE AMOUNT AUTHORIZED; TO AMEND SECTION 11-35-3310, AS AMENDED, RELATING TO INDEFINITE DELIVERY CONTRACTS FOR CONSTRUCTION, ARCHITECTURAL-ENGINEERING AND LAND SURVEYING SERVICES, SO AS TO RAISE THE PERMITTED AMOUNTS OF THESE CONTRACTS; TO AMEND SECTION 11-35-4810, AS AMENDED, RELATING TO COOPERATIVE PURCHASES OF PUBLIC ENTITIES UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO ESTABLISH CERTAIN EXCEPTIONS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING IN REGARD TO NOTICE AND ELIGIBLE VENDORS; TO AMEND SECTION 1-7-170, RELATING TO THE REQUIRED APPROVAL OF THE ATTORNEY GENERAL BEFORE AN AGENCY OR DEPARTMENT OF THIS STATE MAY ENGAGE AN ATTORNEY AT LAW ON A FEE BASIS AND EXCEPTIONS TO THIS REQUIREMENT, SO AS TO ESTABLISH A SPECIAL APPROVAL PROCEDURE FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-101-55 SO AS TO PROVIDE THAT STATE APPROPRIATED FUNDS MAY NOT BE USED TO PROVIDE OUT-OF-STATE SUBSIDIES TO STUDENTS ATTENDING STATE-SUPPORTED INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 59-101-620, RELATING TO LIMITATIONS ON EDUCATIONAL FEE WAIVERS OFFERED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO REVISE THESE LIMITATIONS FOR CERTAIN INSTITUTIONS AND TO PROVIDE FOR ANNUAL REPORTING REQUIREMENTS TO THE COMMISSION ON HIGHER EDUCATION IN REGARD TO THESE WAIVERS; BY ADDING SECTION 59-112-115 SO AS TO PROVIDE THAT WHEN THE GOVERNING BOARD OF A FOUR-YEAR AND GRADUATE LEVEL PUBLIC INSTITUTION OF HIGHER LEARNING IN THIS STATE ADOPTS A CHANGE TO THE TUITION OR FEES IMPOSED ON STUDENTS, THE CHANGE ONLY MAY BE IMPLEMENTED BY THE INSTITUTION AFTER A PUBLICALLY RECORDED ROLL CALL VOTE, AND A MAJORITY VOTE SHALL BE REQUIRED TO IMPLEMENT ANY CHANGE TO THE TUITION OR FEES, AND TO PROVIDE REPORTING REQUIREMENTS; AND TO AMEND SECTION 1-11-55, RELATING TO LEASING OF REAL PROPERTY FOR GOVERNMENTAL BODIES, SO AS TO ALLOW PUBLIC INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO LEASE AGREEMENTS UP TO ONE HUNDRED THOUSAND DOLLARS ANNUALLY UPON APPROVAL BY THE INSTITUTIONAL BOARDS.

**H. 3413--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3413 -- Reps. Sandifer and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 140 TO TITLE 44 SO AS TO ESTABLISH THE SOUTH CAROLINA HEALTH INFORMATION EXCHANGE (SCHIEX), TO ESTABLISH THE SOUTH CAROLINA HEALTH INFORMATION EXCHANGE COUNCIL AS THE GOVERNING BODY OF SCHIEX TO OVERSEE AND GOVERN THE EXCHANGE OF HEALTH-RELATED INFORMATION THROUGH SCHIEX, TO PROVIDE FOR THE COUNCIL'S POWERS AND DUTIES, AND TO FURTHER PROVIDE FOR THE ELECTRONIC MOVEMENT OF HEALTH-RELATED INFORMATION THROUGH SCHIEX; AND TO AMEND SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURES, SO AS TO INCLUDE THE EXECUTIVE DIRECTOR OF SCHIEX IN THESE EXEMPTIONS.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\AGM\18694AB11), which was adopted:

Amend the bill, as and if amended, Section 44‑140‑40(A), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (A)(1) There is established the South Carolina Health Information Exchange Council, a body corporate and politic, which shall serve as the governance authority for SCHIEx. The Council consists of:

 (a) a representative of a hospital in this State;

 (b) a physician licensed in good standing and actively practicing in this State in a rural health clinic;

 (c) a physician licensed in good standing and actively practicing in this State;

 (d) a representative of a federally qualified health center in this State;

 (e) a pharmacist licensed in good standing and actively practicing in this State;

 (f) the Director or a designee of the Department of Health and Human Services;

 (g) the Executive Director of the State Budget and Control Board or a designee with experience regarding the State Health Plan;

 (h) the Commissioner or a designee of the Department of Health and Environmental Control;

 (i) a representative of a regional health information organization in this State that provides countywide services or that serves a population of more than ten thousand;

 (j) a representative of research institutions in this State;

 (k) a patient representative; and

 (l) two representatives of health insurance plans regulated by the South Carolina Department of Insurance, one of whom must be appointed by the President *Pro Tempore* of the Senate for a four‑year term and until a successor is appointed and qualifies, and one of whom must be appointed by the Speaker of the House for a four‑year term and until a successor is appointed and qualifies.

 (2) The members enumerated in items (1), (2), (5), and (11) must be appointed by the President *Pro Tempore* of the Senate for four‑year terms and until their successors are appointed and qualify. The members enumerated in items (3), (4), (9), and (10) must be appointed by the Speaker of the House of Representatives for four‑year terms and until their successors are appointed and qualify. A vacancy in appointed members of the Council must be filled by the appointing authority for the vacated position for the unexpired portion of the term. The remaining members serve ex officio. /

Renumber sections to conform.

Amend title to conform.

Rep. GAMBRELL explained the amendment.

The amendment was then adopted.

Rep. GAMBRELL explained the Bill.

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

**H. 3584--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3584 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 58-37-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FINANCING AGREEMENTS FOR THE INSTALLATION OF CERTAIN ENERGY-EFFICIENCY AND CONSERVATION IMPROVEMENTS, SO AS TO CORRECT AN ERRONEOUS CROSS-REFERENCE, AND TO PROVIDE WHERE AN ELECTRICITY OR NATURAL GAS PROVIDER CONTRACTS WITH A THIRD PARTY TO PERFORM CERTAIN FUNCTIONS, THE LIABILITY OF THE THIRD PARTY IS LIMITED IN A SPECIFIC MANNER.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\AGM\18693AB11), which was adopted:

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

/ SECTION 1. Section 58‑37‑50(H) and (J) of the 1976 Code, as added by Act 141 of 2010, is amended to read:

 “(H) An electricity provider or natural gas provider may enter into agreements for the installation of energy efficiency and conservation measures and the recovery of the costs, including financing costs, of the measures with respect to rental properties by filing a notice of meter conservation charge as provided in subsection (G) and by complying with the provisions of this subsection:

 (1) The energy audit required by subsection (F) ~~above~~ must be conducted and the results provided to both the landlord and the tenant living in the rental property at the time the agreement is entered.

 (2) If both the landlord and tenant agree, the electricity provider or natural gas provider may recover the costs of the energy efficiency and conservation measures, including financing costs, through a meter conservation charge on the account associated with the rental property occupied by the tenant. The agreement must provide notice to the landlord of the provisions contained in subsection (H)(3).

 (3) With respect to a subsequent tenant occupying a rental unit benefiting from the installation of energy efficiency and conservation measures, the electricity provider or natural gas provider may continue to recover the costs, including financing costs, of the measures through a meter conservation charge on the account associated with the rental property occupied by the tenant. With respect to a subsequent tenant, the landlord must give a written notice of meter conservation charge in the same manner as required by Section ~~27‑40‑420~~ 27‑40‑240. If the landlord fails to give the subsequent tenant the required notice of meter conservation charge, the tenant may deduct from his rent, for no more than one‑half of the term of the rental agreement, the amount of the meter conservation charge paid to the electricity provider or natural gas provider.

 (J) An electricity provider or natural gas provider may contract with third parties to perform functions permitted under this section, including the financing of the costs of energy efficiency and conservation measures. A third party must comply with all applicable provisions of this section. When an electricity or natural gas provider contracts with a third party to perform administrative or financing function under this subsection, the liability of the third party is limited in the same manner as an electricity provider or natural gas provider is under subsection (E).”

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

Renumber sections to conform.

Amend title to conform.

Rep. GAMBRELL explained the amendment.

The amendment was then adopted.

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

**H. 3066--DEBATE ADJOURNED**

Rep. HARRISON moved to adjourn debate upon the following Bill until Tuesday, March 1, which was adopted:

H. 3066 -- Reps. G. R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G. M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D. C. Moss and Clemmons: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2011" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, AS AMENDED, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435, 2-13-240, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 10-11-140, 10-11-330; 11-9-610, 11-9-620, 11-9-630, 11-35-3810, AS AMENDED, 11-35-3820, AS AMENDED, 11-35-3830, AS AMENDED, 11-35-3840, AS AMENDED, 13-7-30, AS AMENDED, 13-7-830, AS AMENDED, 44-53-530, AS AMENDED, AND 44-96-140; 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, AND 48-52-460; AND BY ADDING SECTION 1-11-185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

**H. 3178--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3178 -- Reps. Pitts, Limehouse, Hixon and Long: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3499ZW11), which was adopted:

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

SECTION 1. Section 61‑4‑550 of the 1976 Code, as last amended by Act 259 of 2010, is further amended to read:

 “Section 61‑4‑550. (A) The department may issue permits ~~to nonprofit organizations~~ running for a period not exceeding fifteen days for a fee of ten dollars per day. ~~For purposes of this section, a ‘nonprofit organization’ is an entity which is organized and operated exclusively for social, benevolent, patriotic, recreational, or fraternal purposes, and which is exempt from federal income taxes pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19). It also includes political parties and their affiliates duly certified by the Secretary of State.~~ These special permits may be issued only for locations at fairs and special functions.

 (B) The department shall require the applicant to obtain a criminal records check conducted by the State Law Enforcement Division within ninety days prior to an initial application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it was obtained more than ninety days before. ~~For a subsequent application, the applicant is not required to obtain a new criminal records check unless:~~

 ~~(1)~~ ~~more than two years have elapsed since the most recent criminal records check was conducted; or~~

 ~~(2)~~ ~~the nonprofit organization has added or replaced a principal. For purposes of this section, all principals are deemed to be the applicant.~~

 (C) ~~The department shall require the applicant to notify in writing a minimum of fifteen days prior to the first day of a fair or special function the sheriff, or sheriff’s designee, of the county in which the fair or special function is to be located. Upon request of the applicant, the sheriff may waive the fifteen day notification requirement. A timely objection within seventy‑two hours of the receipt of the notice by the sheriff, or his official designee, submitted in writing to the department is sufficient grounds to deny the application.~~ The department shall require the applicant to complete the law enforcement notification provision contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that local law enforcement has been notified of the temporary permit application and given an opportunity to object. The applicant must notify the sheriff or his official designee if the event is in the county or notify the chief of police or his official designee if the event is in the city. If the city does not have a chief of police, then the sheriff or his official designee must be notified.

 (D) ~~Organizations granted permits pursuant to this section are subject to penalties imposed pursuant to violations of Article 1, Chapter 4, Title 61.~~ The department may issue up to twenty‑five special permits on one application for special functions in a twelve‑month period to the same applicant. This does not prohibit the applicant from applying for additional special permits within the same twelve‑month period.

SECTION 2. Section 61‑6‑2000 of the 1976 Code, as last amended by Act 259 of 2010, is further amended to read:

 “Section 61‑6‑2000. (A) ~~Notwithstanding another provision of this article, the department may issue to a nonprofit organization a temporary license to sell alcoholic liquor by the drink at a special function for a period not to exceed twenty‑four hours. A qualifying nonprofit organization may sell tickets at the door. The application for this temporary license must include a statement by the applicant as to the nature and date of the special function at which alcoholic liquor by the drink is to be sold, as well as other information required by the department. The department shall charge a nonrefundable filing fee of thirty‑five dollars for processing each event on the application. The department may deny the application if the completed application and filing fee are not submitted at least fifteen days before the date of the special function, but upon request by the applicant, the department may waive this requirement. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.~~  In addition to the licenses authorized pursuant to the provisions of subarticle 1 of this article, the department also may issue a temporary license for a period not to exceed twenty‑four hours to a nonprofit organization, as defined by the Secretary of State, which authorizes an organization to purchase and sell at a single social occasion alcoholic liquors by the drink. Notwithstanding another provision of this article, the issuance of this permit authorizes the organization to purchase alcoholic liquors from licensed retail dealers in the same manner that a person with a biennial license is issued pursuant to the provisions of subarticle 1 of this article are authorized to make these purchases. The fee for the permit is thirty‑five dollars payable at the time of application. The permit application must include a statement by the applicant as to the nature and date of the social occasion at which the alcoholic liquors are to be sold. The issuance or nonissuance of permits authorized pursuant to the provisions of this section is within the discretion of the department.

 (B) The department shall require the applicant to obtain a criminal background check conducted by the State Law Enforcement Division within ninety days prior to an initial application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it was obtained more than ninety days before. ~~For a subsequent application, the applicant is not required to obtain a new criminal records check unless:~~

 ~~(1)~~ ~~more than two years have elapsed since the most recent criminal records check was conducted; or~~

 ~~(2)~~ ~~the nonprofit organization has added or replaced a principal. For purposes of this section, all principals are deemed to be the applicant.~~

 (C) ~~The department shall require the applicant to notify in writing within fifteen days the sheriff, or the sheriff’s designee, of the county in which the special function is to be located. Upon request of the applicant, the sheriff may waive the fifteen day notification requirement. A timely objection within seventy‑two hours of receipt of the notice by the sheriff, or his official designee, submitted in writing to the department is sufficient grounds to deny the application.~~ The department shall require the applicant to complete the law enforcement notification provision contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that local law enforcement has been notified of the temporary permit application and given an opportunity to object. The applicant must notify the sheriff or his official designee if the event is in the county or notify the chief of police or his official designee if the event is in the city. If the city does not have a chief of police, then the sheriff or his official designee must be notified.

 (D) The department may issue up to twenty‑five temporary licenses on one application for special functions in a twelve‑month period to the same nonprofit organization. This does not prohibit the nonprofit organization from applying for additional temporary licenses within the same twelve‑month period.

 ~~(E) For purposes of this section, “nonprofit organization” is an entity that is organized and operated exclusively for social, benevolent, patriotic, recreational, or fraternal purpose, and is exempt from federal income taxes pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19). It also includes a political party or affiliate of a political party duly certified by the Secretary of State.~~

 ~~(F) Organizations granted permits pursuant to this section are subject to penalties imposed pursuant to violations of Article 13, Chapter 6, Title 61.~~”

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

Renumber sections to conform.

Amend title to conform.

Rep. VIERS explained the amendment.

Rep. VIERS spoke in favor of the amendment.

The amendment was then adopted.

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

**H. 3152--DEBATE ADJOURNED**

Rep. YOUNG moved to adjourn debate upon the following Joint Resolution until Tuesday, March 1, which was adopted:

H. 3152 -- Reps. Young, Daning, Harrison, Allison, G. R. Smith, Stringer, Taylor, Forrester, Hamilton, Murphy, G. M. Smith, Bingham, Long, Patrick, Viers, Funderburk, Horne, Willis, Weeks, Pope, Simrill and Clemmons: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE FOR THE JOINT ELECTION OF GOVERNOR AND LIEUTENANT GOVERNOR.

**H. 3070--DEBATE ADJOURNED**

Rep. YOUNG moved to adjourn debate upon the following Joint Resolution until Tuesday, March 1, which was adopted:

H. 3070 -- Reps. Young, Harrison, G. R. Smith, H. B. Brown, Taylor, Hamilton, Murphy, G. M. Smith, Bingham, Long, Patrick, Viers, Funderburk, Horne, Willis, Simrill, Pope and Clemmons: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

**H. 3417--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3417 -- Rep. Funderburk: A BILL TO AMEND SECTION 6-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY TO ESTABLISH SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO INCLUDE THE PROVISION OF EMERGENCY MEDICAL AND RESCUE RESPONSE SERVICES AS AN AUTHORIZED PURPOSE FOR WHICH A SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT MAY BE ESTABLISHED.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\GGS\22028ZW11), which was adopted:

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

/ SECTION 1. Section 6‑11‑10 of the 1976 Code is amended to read:

 “Section 6‑11‑10. In order to protect the public health, electric lighting districts, water supply districts, fire protection districts, and sewer districts may be established ~~as herein provided~~ pursuant to this section for the purpose of supplying lights, ~~and~~ water, ~~and~~ providing fire protection, rescue response services, a sewerage collection system, and a sewage treatment plant to a portion of any county in this State which is not included in ~~any~~ an incorporated city or town.”

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

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. G. R. SMITH explained the Bill.

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

**H. 3349--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3349 -- Reps. Clemmons, Sellers, Allen, G. M. Smith and Weeks: A BILL TO AMEND SECTION 7-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS FOR REGISTRATION TO VOTE, SO AS TO AUTHORIZE A UNITED STATES CITIZEN OUTSIDE THE UNITED STATES UNDER CERTAIN CONDITIONS TO BE ELIGIBLE TO REGISTER AND VOTE WHERE HIS PARENT IS A QUALIFIED ELECTOR; AND TO AMEND SECTION 7-15-110, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AUTHORIZE A PERSON TO VOTE BY ABSENTEE BALLOT IF HE OR A PARENT LAST RESIDED IN THIS STATE IMMEDIATELY BEFORE HIS OR HIS PARENT'S DEPARTURE FROM THE UNITED STATES.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\GGS\22029ZW11), which was adopted:

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

/ SECTION \_\_. This act may be cited as the “South Carolina Uniformed and Overseas Citizens Absentee Voters Act”.

SECTION \_\_. Section 7‑15‑400 of the 1976 Code is amended to read:

 “Section 7‑15‑400. (A) A qualified ~~absentee~~ elector ~~as provided in subsection (C) of this section~~ of this state who is eligible to vote as provided by the United States Code, Title 42, Section 1973ff, et seq. may apply not earlier than ninety days before an election for a special write‑in absentee ballot. This ballot must be used for each general and special election and primaries for federal offices, statewide offices, and members of the General Assembly.

 (B) The application for a special write‑in absentee ballot may be made on the federal postcard application form, ~~or~~ its electronic equivalent, or on a form prescribed by the State Election Commission.

 (C) In order to qualify for a special write‑in absentee ballot, the voter must state that he is unable to vote by regular absentee ballot or in person due to requirements of military service or due to living in an isolated ~~areas~~ area or an extremely remote ~~areas~~ area of the world. This statement may be made on the federal postcard application, or on a form prepared by the State Election Commission and supplied and returned with the special write‑in absentee ballot.

 (D) Upon receipt of this application, the County Board of Registration shall issue the special write‑in absentee ballot ~~which~~ that must be prescribed and provided by the State Election Commission. The ballot shall list the offices for election in the general election. It may list the candidates for office if known at the time of election. This ballot shall permit the elector to vote by writing in a party preference for each federal, state, and local office, the names of specific candidates for each federal, state, and local office, or the name of the person whom the voter prefers for each office.

 (E) A qualified elector may alternatively submit a federal write‑in absentee ballot for a federal, state, or local office, or state or local ballot measure.

 (F) A qualified elector may use the declaration accompanying a federal write‑in absentee ballot simultaneously to register to vote and as an application for an absentee ballot.”

SECTION \_\_. Section 7‑15‑405(A) of the 1976 Code is amended to read:

 “(A) For the qualified electors of this State who are eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the United States Code, Title 42, Section 1973ff, et seq., an absentee ballot with an absentee instant runoff ballot for each potential second primary must be ~~mailed~~ sent to the elector at least forty‑five days prior to the primary election.”

SECTION \_\_. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

 “Section 7‑15‑406. For the qualified electors of this State who are eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the United States Code, Title 42, Section 1973ff, et seq., an absentee ballot must be sent to the elector at least forty‑five days prior to an election.”

SECTION \_\_. Section 7‑15‑460 of the 1976 Code is amended to read:

 “Section 7‑15‑460. (A) To ensure that all South Carolina residents eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the United States Code, Title 42, Section 1973ff, et seq., have the opportunity to receive and cast any ballot they would have been eligible to cast if they resided in, and had remained in, South Carolina, the State Election Commission must, in cooperation with United States government agencies, take all steps and action ~~as may be~~ necessary, including, but not limited to, electronic transmissions of Standard Form 76A, or its successor form, issued by the federal government as an application for voter registration, ~~and~~ an application for absentee ballots, and electronic transmissions of absentee ballots ~~to or from any elector eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act~~ for all elections for federal, state, and local offices to voters in accordance with their preferred method of transmission.

 (B) The State Election Commission shall provide an electronic free-access ballot tracking system for all South Carolina residents eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act.

~~(B)~~(C) The State Election Commission shall promulgate all regulations necessary for the implementation of this section.”

SECTION \_\_. Section 7‑15‑220 of the 1976 Code is amended to read:

 “Section 7‑15‑220. (A) The oath, a copy of which is required by item (2) of Section 7‑15‑200 to be sent each absentee ballot applicant, and which is required by Section 7‑15‑230 to be returned with the absentee ballot applicant’s ballot, ~~shall~~ must be signed by the absentee ballot applicant and witnessed. The oath ~~shall~~ must be in the following form:

 ‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots with which this oath is enclosed is my ballot, and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.’

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

Signature of Voter

Dated on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, ~~19~~20\_\_

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

Signature of Witness

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

Address of Witness

 (B) Qualified voters under the Uniformed and Overseas Citizens Absentee Voters Act are exempt from witness requirements in subsection (A).”

SECTION \_\_. Section 7‑15‑380 of the 1976 Code is amended to read:

 “Section 7‑15‑380. (A) The oath, which is required by Section 7‑15‑370 to be imprinted on the return‑addressed envelope~~,~~ furnished each absentee ballot applicant, must be signed by the absentee ballot applicant and witnessed. The address of the witness shall appear on the oath. In the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The oath must be in the following form:

 ‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots contained in this envelope is my ballot, and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.’

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

Signature of Voter

Dated on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, ~~19~~20\_\_

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

Signature of Witness

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

Address of Witness

 (B) Qualified voters under the Uniformed and Overseas Citizens Absentee Voters Act are exempt from witness requirements in subsection (A).”

SECTION \_\_. This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

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

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

**ADJOURNMENT**

At 1:06 p.m. the House, in accordance with the motion of Rep. CLYBURN, adjourned in memory of Justine Odom Hickson of Aiken, to meet at 10:00 a.m. tomorrow.

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