~~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 I Corinthians 2:9: “But it is written, ‘What no eye has seen, nor ear heard, nor the human heart conceived, what God has prepared for those who love Him’.”

Let us pray. Merciful Lord, we come before You asking for Your blessings upon these Representatives as they strive to do their work. Encourage them to go to You in prayer as they deliberate the affairs of State. Lead them to heights unknown to achieve the work they were elected to do. Keep them in Your love and care. Look in favor upon our leaders of Nation and State. Give them the needed compassion and concern to help those whom they serve. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. 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. WEEKS moved that when the House adjourns, it adjourn in memory of Lawrence "Bubba" Vaughn, Jr., of Sumter, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3751 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO CONFORM WITH FEDERAL MANDATES ENACTED BY THE UNITED STATES CONGRESS IN THE TRADE ADJUSTMENT ASSISTANCE EXTENSION ACT OF 2011; BY ADDING SECTION 41-41-45 SO AS TO PROVIDE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SHALL IMPOSE A PENALTY ON FRAUDULENT OVERPAYMENTS OF UNEMPLOYMENT BENEFITS; BY ADDING SECTION 41-33-910 SO AS TO CREATE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE INTEGRITY FUND AND PROVIDE FOR ITS SOURCE AND USE; BY ADDING SECTION 41-35-135 SO AS TO PROVIDE THE DEPARTMENT SHALL CHARGE THE ACCOUNT OF AN EMPLOYER WHEN THE EMPLOYER FAILS TO RESPOND TIMELY OR ADEQUATELY TO A REQUEST BY THE DEPARTMENT FOR INFORMATION CONCERNING A CLAIM FOR UNEMPLOYMENT BENEFITS WHEN THE EMPLOYER HAS DEMONSTRATED A PATTERN OF FAILING TO TIMELY OR ADEQUATELY RESPOND TO THESE REQUESTS; AND TO AMEND SECTION 43-5-598, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE SOUTH CAROLINA EMPLOYABLES PROGRAM ACT, SO AS TO REVISE THE DEFINITION OF "NEW HIRE" TO APPLY WHERE THE SEPARATION OF AN EMPLOYEE FROM EMPLOYMENT IS FOR AT LEAST SIXTY CONSECUTIVE DAYS.

Ordered for consideration tomorrow.

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

H. 3752 -- Rep. Patrick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "EXPANDED VIRTUAL LEARNING ACT"; TO AMEND SECTION 59-16-15, RELATING TO THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, SO AS TO RESTYLE THE PROGRAM AS A VIRTUAL EDUCATION PROGRAM AND TO REMOVE LIMITS ON THE NUMBER OF ONLINE CREDITS A STUDENT MAY BE AWARDED UNDER THE PROGRAM; AND TO AMEND SECTION 59-40-65, RELATING TO ENROLLMENT OF CHARTER SCHOOL STUDENTS IN THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, SO AS TO MAKE A CONFORMING CHANGE.

Ordered for consideration tomorrow.

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

S. 10 -- Senators L. Martin and Fair: A JOINT RESOLUTION TO AUTHORIZE SCHOOL TRUSTEES OF A SCHOOL DISTRICT, IN FISCAL YEAR 2012-2013, TO SELL OR LEASE SCHOOL PROPERTY, REAL OR PERSONAL, IN THE SCHOOL DISTRICT AT ANY TIME THEY DEEM IT EXPEDIENT TO DO SO AND APPLY THE PROCEEDS OF THE SALE OR LEASE TO THE SCHOOL FUND OF THE DISTRICT.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3963 -- Rep. Kennedy: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE NAZARETH UNITED METHODIST CHURCH OF LEESVILLE ON THE OCCASION OF ITS HISTORIC TWO HUNDREDTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR TWO CENTURIES OF SERVICE TO GOD AND THE COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3965 -- Reps. J. R. Smith, Clyburn, Hixon, Taylor and Wells: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR GASPER LOREN TOOLE III OF AIKEN COUNTY UPON THE OCCASION OF HIS RETIREMENT FROM THE AIKEN COUNTY COMMISSION FOR HIGHER EDUCATION, TO THANK HIM FOR HIS MANY YEARS OF OUTSTANDING PUBLIC SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3966 -- Reps. McCoy, Stavrinakis, Quinn, Sellers, Simrill, Mitchell, Rutherford, Horne, Harrell, Pope, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McEachern, M. S. McLeod, W. J. McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Powers Norrell, Putnam, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sabb, Sandifer, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR UNIVERSITY OF SOUTH CAROLINA DEFENSIVE END JADEVEON CLOWNEY FOR HIS OUTSTANDING SEASON, AND TO CONGRATULATE HIM FOR BEING NAMED THE 2012 AT&T NATIONAL PLAYER OF THE YEAR AND SEC DEFENSIVE PLAYER OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3967 -- Reps. Douglas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF CARNELL MURPHY, SR., OF FAIRFIELD COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3968 -- Reps. Hamilton, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO PROCLAIM MAY 16, 2013, AS SENIOR HUNGER AWARENESS DAY IN SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO LEARN MORE ABOUT THE IMPACT OF HUNGER AND MALNUTRITION ON THE HEALTH OF OUR CITIZENS AND ON THE PROGRESS OF OUR STATE, AND TO WORK TOGETHER FOR A HUNGER-FREE SOUTH CAROLINA.

Whereas, the United States produces more than enough food to assure every American citizen a nutritious and nourishing diet every day; and

Whereas, air, water, and food are the three essential elements for life and proper development, and food is the only one of the three not readily available to everyone; and

Whereas, access to food can be impacted by, among other things, public policies and personal tragedies, which thereby help to impose access barriers and create food insecurity, affecting over 807,960 people in South Carolina, many of them seniors; and

Whereas, poor or inadequate nutrition can lead to various health concerns in older adults, including a weak immune system, which increases the risk of infections; poor wound healing; and muscle weakness, which can lead to falls resulting in fractures; and dental diseases; and

Whereas, seventeen percent of South Carolina’s senior population faces hunger, currently ranking the State as the eighth worst in the United States in senior‑adult hunger; and

Whereas, South Carolina ranks second on the Meals on Wheels’ Association’s list of “Top Senior Hunger States”; and

Whereas, nonprofit agencies, churches, synagogues, mosques, soup kitchens, shelters, and the South Carolina Association of Food Banks strive daily to carry out their commitment to reduce food waste and to feed all people by gathering, storing, and distributing nutritious food to those in need of nourishment; and

Whereas, the members of the South Carolina General Assembly recognize that it is vitally important to address the tragedy of senior hunger and malnutrition in this State and to bring awareness of this issue to the forefront. Now, therefore,

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

That the members of the South Carolina General Assembly, by this resolution, proclaim May 16, 2013, as Senior Hunger Awareness Day in South Carolina, encourage all South Carolinians to learn more about the impact of hunger and malnutrition on the health of our citizens and on the progress of our State, and to work together for a hunger‑free South Carolina.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3969 -- Reps. Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY, TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS, AS WELL AS IDENTIFY NASCAR'S RICH HISTORY IN THE STATE OF SOUTH CAROLINA, AND TO NAME THE WEEK OF MAY 5, 2013, THROUGH MAY 12, 2013, AS "DARLINGTON RACEWAY WEEK - A WEEK TOO TOUGH TO TAME" IN SOUTH CAROLINA.

Whereas, the Darlington Raceway opened on September 4, 1950, with the inaugural running of the Southern 500, the first stock car race on a paved track; and

Whereas, since 1950, Darlington Raceway has served as a cornerstone in the development of stock car racing, one of the fastest growing and most popular spectator sports in the country; and

Whereas, Darlington Raceway is celebrating its sixty‑fourth season of racing; and

Whereas, Darlington Raceway still hosts its annual spring race events, which will be held this year during the week of May 5, 2013; and

Whereas, South Carolina lays claim to many of the legends of NASCAR racing, including Rex White, David Pearson, Bud Moore, James Hylton, Tiny Lund, and Cale Yarborough; and

Whereas, the State of South Carolina is rich in historical references to the sport of stock car racing, as evidenced by the Darlington Raceway Stock Car Museum, and the National Motorsports Press Association Hall of Fame at Darlington Raceway, in addition to dirt raceways across the State of South Carolina that served as home to the fledgling sport of NASCAR racing in the 1950s; and

Whereas, the NASCAR events at Darlington focus our nation’s attention and the attention of the world upon our great State as a sport and tourism destination each year; and

Whereas, the annual economic impact that NASCAR racing has on South Carolina is in excess of fifty million dollars, as NASCAR fans from across the country and around the world visit the State each year to attend racing events and then vacation in communities throughout the Palmetto State; and

Whereas, the Darlington Raceway participates as a good corporate citizen at the local, regional, and state levels and is active in numerous community and charitable efforts in contributing to the improvement of the people and the State of South Carolina. Now, therefore,

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

That the members of the General Assembly of the State of South Carolina, by this resolution, express the belief that NASCAR racing is an integral and vital part of the State of South Carolina and its economy and recognize Darlington Raceway as one of our State’s most treasured attractions and NASCAR racing as a significant part of South Carolina’s rich history.

Be it further resolved that the week of May 5, 2013, through May 12, 2013, be officially recognized as “Darlington Raceway Week ‑ A Week Too Tough to Tame” in South Carolina.

Be it further resolved that a copy of this resolution be forwarded to NASCAR and the Darlington Raceway.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3970 -- Reps. G. R. Smith, J. R. Smith, Bedingfield, Hamilton, Finlay, Powers Norrell, Clyburn, Anderson, H. A. Crawford, Simrill, Bales, G. A. Brown, Atwater, Toole, Burns, Kennedy, Barfield, Gagnon, Govan, Nanney, Newton, Pope, Ridgeway and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 30, 2013, AS "NATIONAL FAST DAY" IN HONOR OF THE ONE HUNDRED FIFTIETH ANNIVERSARY OF PRESIDENT ABRAHAM LINCOLN'S PROCLAMATION APPOINTING A NATIONAL FAST DAY.

Whereas, the following proclamation was made by President Abraham Lincoln on March 30, 1863:

“A Proclamation.

Whereas, the Senate of the United States, devoutly recognizing the Supreme Authority and just Government of Almighty God, in all the affairs of men and of nations, has, by a resolution, requested the President to designate and set apart a day for National prayer and humiliation.

And whereas, it is the duty of nations as well as of men, to own their dependence upon the overruling power of God, to confess their sins and transgressions, in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon; and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations only are blessed whose God is the Lord.

And, insomuch as we know that, by His divine law, nations like individuals are subjected to punishments and chastisements in this world, may we not justly fear that the awful calamity of civil war, which now desolates the land, may be but a punishment, inflicted upon us, for our presumptuous sins, to the needful end of our national reformation as a whole People? We have been the recipients of the choicest bounties of Heaven. We have been preserved, these many years, in peace and prosperity. We have grown in numbers, wealth and power, as no other nation has ever grown. But we have forgotten God. We have forgotten the gracious hand which preserved us in peace, and multiplied and enriched and strengthened us; and we have vainly imagined, in the deceitfulness of our hearts, that all these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self‑sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us!

It behooves us then, to humble ourselves before the offended Power, to confess our national sins, and to pray for clemency and forgiveness.

Now, therefore, in compliance with the request, and fully concurring in the views of the Senate, I do, by this my proclamation, designate and set apart Thursday, the 30th. day of April, 1863, as a day of national humiliation, fasting and prayer. And I do hereby request all the People to abstain, on that day, from their ordinary secular pursuits, and to unite, at their several places of public worship and their respective homes, in keeping the day holy to the Lord, and devoted to the humble discharge of the religious duties proper to that solemn occasion.

All this being done, in sincerity and truth, let us then rest humbly in the hope authorized by the Divine teachings, that the united cry of the Nation will be heard on high, and answered with blessings, no less than the pardon of our national sins, and the restoration of our now divided and suffering Country, to its former happy condition of unity and peace.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this thirtieth day of March, in the year of our Lord one thousand eight hundred and sixty‑three, and of the Independence of the United States the eighty seventh.

By the President: Abraham Lincoln

William H. Seward, Secretary of State.”

Whereas, since America’s inception, such proclamations as this by President Lincoln have been a regular occurrence accepted nationally by government officials and citizens alike. In a spirit of unity, therefore, and in light of the urgency of the hour, the South Carolina General Assembly encourages the people of the Palmetto State to join with its members, as well as leaders and citizens throughout this land, in a day of prayer and fasting. Let us follow the example of our forefathers and observe April 30, 2013, as a day to humble ourselves before Almighty God in order to see healing in our land. Now, therefore,

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

That the members of the South Carolina General Assembly, by this resolution, recognize Tuesday, April 30, 2013, as “National Fast Day” in honor of the one hundred fiftieth anniversary of President Abraham Lincoln’s proclamation appointing a national fast day.

Be it further resolved that a copy of this resolution be provided to the Congressional Prayer Caucus Foundation, Inc.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 602 -- Senators Coleman, Hayes, Jackson, Sheheen, Peeler and Gregory: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 901 IN YORK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 72 TO ITS INTERSECTION WITH CHERRY ROAD "STATE REPRESENTATIVE BESSIE MOODY-LAWRENCE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "STATE REPRESENTATIVE BESSIE MOODY-LAWRENCE MEMORIAL HIGHWAY".

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. 624 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CANDICE GLOVER OF BEAUFORT COUNTY FOR HER SUCCESS ON AMERICAN IDOL AND TO WISH HER GODSPEED AS SHE CONTINUES HER QUEST TO BECOME THE SEASON TWELVE AMERICAN IDOL.

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. 629 -- Senator McGill: A CONCURRENT RESOLUTION TO COMMEND THE MEMBERS OF THE AMERICAN LEGION RIDERS OF SOUTH CAROLINA FOR THEIR CONDUCT AND SPONSORSHIP OF THE 2013 MOTORCYCLE BENEFIT RIDE TO BE HELD ON APRIL 20 AND APRIL 21, 2013, WHICH EACH YEAR RAISES SUBSTANTIAL FUNDS FOR SCHOLARSHIPS FOR CHILDREN WHO HAVE HAD A PARENT KILLED ON ACTIVE MILITARY SERVICE SINCE SEPTEMBER 11, 2001.

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. 3964 -- Reps. Williams, Jefferson, Robinson-Simpson, Anderson, Burns, Clyburn, Govan, Hosey, Pitts, Powers Norrell and Ridgeway: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-1-110 SO AS TO PROVIDE THAT ANY PERSON THAT IS IN THE BUSINESS OF SELLING MOTOR FUEL AT RETAIL IN THIS STATE AND CHARGES DIFFERENT PRICES FOR THE PURCHASE OF MOTOR FUEL BASED ON THE FORM OF PAYMENT, MUST CONSIDER A DEBIT CARD THE SAME AS CASH, AND CHARGE THE PURCHASER THE SAME AS IF THE PURCHASER PAID WITH CASH.

Referred to Committee on Labor, Commerce and Industry

H. 3971 -- Reps. Stringer and Willis: A BILL TO PROVIDE THAT THE GREENVILLE HOSPITAL SYSTEM BOARD OF TRUSTEES, AS DESIGNATED IN ACT 1285 OF 1966, IS CHANGED TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES.

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

H. 3972 -- Reps. Forrester, Erickson, Patrick, Allison, Ballentine, Brannon, Chumley, Long and Tallon: A BILL TO AMEND SECTION 7-25-180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL DISTRIBUTION OF CAMPAIGN LITERATURE AT A POLLING PLACE, SO AS TO CLARIFY THE RESTRICTION APPLIES TO THE EXTERIOR ENTRANCE AND TO INCLUDE BUTTONS, STICKERS, OR OTHER ITEMS THAT DISPLAY THE NAME OF A CANDIDATE IN THOSE TYPES OF CAMPAIGN LITERATURE THAT MAY NOT BE DISTRIBUTED OR DISPLAYED.

Referred to Committee on Judiciary

H. 3973 -- Reps. Bedingfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-115 SO AS TO PROVIDE THAT THE MONTH OF SEPTEMBER OF EVERY YEAR IS DESIGNATED AS "GOLDEN SEPTEMBER CHILDHOOD CANCER AWARENESS MONTH" IN SOUTH CAROLINA.

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

H. 3974 -- Reps. Loftis, Brannon, Burns, Erickson, Bannister, Barfield, Hamilton, Harrell, Henderson, Hosey, Murphy, G. M. Smith, G. R. Smith and J. R. Smith: A BILL TO AMEND SECTION 12-54-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCLOSURE OF RECORDS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO ALLOW THE DISCLOSURE OF CERTAIN INFORMATION TO THE SECRETARY OF STATE ABOUT A TAXPAYER WHO FILED AN INITIAL OR FINAL CORPORATE RETURN; AND BY ADDING SECTION 12-58-165 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO EXPUNGE THE RECORDING OF A LIEN ONCE THE LIEN IS FULLY PAID AND SATISFIED.

Referred to Committee on Judiciary

H. 3975 -- Reps. Herbkersman, Newton, Patrick and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 10, TITLE 4 ENACTING THE "LOCAL OPTION SCHOOL OPERATING MILLAGE PROPERTY TAX CREDIT ACT" SO AS TO ALLOW A COUNTY GOVERNING BODY WITH REFERENDUM APPROVAL TO IMPOSE A ONE PERCENT SALES TAX THE REVENUE OF WHICH IS USED TO PROVIDE A CREDIT AGAINST PROPERTY TAX LEVIED IN THE COUNTY FOR SCHOOL OPERATIONS, TO PROVIDE FOR THE REFERENDUM, THE DISTRIBUTION OF THE REVENUE, THE CALCULATION AND APPLICATION OF THE CREDIT AND THE ADJUSTMENT OF THE MILLAGE INCREASE CAP TO REFLECT ANNUAL GROWTH IN THIS REVENUE, AND TO PROVIDE THAT THE TAX MAY BE RESCINDED BY REFERENDUM INITIATED BY A PETITION OF FIFTEEN PERCENT OF THE QUALIFIED ELECTORS OF THE COUNTY OR BY ORDINANCE IF THE GOVERNING BODY OF THE COUNTY DETERMINES THAT CHANGES IN STATE LAW PROVIDING FOR THE FINANCING OF SCHOOL OPERATIONS MAKE THE ORIGINAL PURPOSE OF THE TAX IMPOSSIBLE TO ACCOMPLISH UNDER THE EXISTING LAW.

Referred to Committee on Ways and Means

S. 37 -- Senators Campsen, Scott and Ford: 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, 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, 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, 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, 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. 163 -- Senators Campbell, McGill, O'Dell, Cleary, Ford and Alexander: A BILL TO AMEND SECTION 12-62-50 OF THE 1976 CODE, RELATING TO THE TAX REBATE TO A MOTION PICTURE PRODUCTION COMPANY BY THE SOUTH CAROLINA FILM COMMISSION, TO PROVIDE THAT THE REBATE MAY NOT EXCEED TWENTY PERCENT OF THE TOTAL AGGREGATE PAYROLL FOR PERSONS SUBJECT TO INCOME TAX WITHHOLDINGS OF SOUTH CAROLINA AND MAY NOT EXCEED TWENTY-FIVE PERCENT FOR RESIDENTS OF SOUTH CAROLINA AND FOR PERSONS EMPLOYED WITH THE PRODUCTION WHEN TOTAL PRODUCTION COSTS IN THIS STATE EQUAL OR EXCEED ONE MILLION DOLLARS DURING THE TAXABLE YEAR; AND TO AMEND SECTION 12-62-60, RELATING TO REBATES TO MOTION PICTURE PRODUCTION COMPANIES, TO PROVIDE THAT THE DEPARTMENT MAY REBATE UP TO THIRTY PERCENT OF THE EXPENDITURES IN SOUTH CAROLINA IF THERE IS A MINIMUM IN-STATE EXPENDITURE OF ONE MILLION DOLLARS.

Referred to Committee on Ways and Means

S. 334 -- Senators Leatherman, O'Dell, Bryant, Matthews, Jackson, Malloy, McGill, Fair, Coleman, Ford, Johnson, McElveen, Pinckney, Scott, Setzler, Williams, Nicholson, Allen, Lourie and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-4-352 SO AS TO REQUIRE THE GOVERNOR TO DEVELOP A PROTECTION PLAN TO MINIMIZE THE ACTUAL AND POTENTIAL COSTS AND EFFECTS OF IDENTITY THEFT DUE TO THE CYBER SECURITY BREACH AT THE DEPARTMENT OF REVENUE BY PROVIDING IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES, TO REQUIRE THE GOVERNOR TO DEVELOP A POLICY THAT ENSURES THE SAFETY OF ALL PERSONALLY IDENTIFIABLE INFORMATION IN THE POSSESSION OF THE DEPARTMENT OF REVENUE, INCLUDING THE ENCRYPTION OF PERSONALLY IDENTIFIABLE INFORMATION, TO SET FORTH THE PROCESS BY WHICH IDENTITY THEFT PROTECTION AND RESOLUTION SERVICES ARE PROCURED, TO REQUIRE THE GOVERNOR AND THE DEPARTMENT OF REVENUE TO ATTEMPT TO MAKE ENROLLMENT IN THESE PROGRAMS AS EASY AS POSSIBLE, TO PROVIDE THAT THESE PROGRAMS MUST BE FREE OF CHARGE TO THE ELIGIBLE PERSONS, AND TO DEFINE TERMS; BY ADDING SECTION 12-6-1141, SO AS TO PROVIDE AN INDIVIDUAL INCOME TAX DEDUCTION FOR THE ACTUAL COSTS, BUT NOT EXCEEDING TWO HUNDRED DOLLARS FOR AN INDIVIDUAL TAXPAYER, AND NOT EXCEEDING THREE HUNDRED DOLLARS FOR A JOINT RETURN OR A RETURN CLAIMING DEPENDENTS, INCURRED BY A TAXPAYER IN THE TAXABLE YEAR TO PURCHASE IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES; BY ADDING PART 7 TO CHAPTER 6, TITLE 37 SO AS TO ESTABLISH WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS THE IDENTITY THEFT UNIT AND TO PROVIDE ITS DUTIES; BY ADDING CHAPTER 36 TO TITLE 1 SO AS TO ESTABLISH THE DEPARTMENT OF INFORMATION SECURITY, TO PROVIDE THAT THE MISSION OF THE DEPARTMENT OF INFORMATION SECURITY IS TO PROTECT THE STATE'S INFORMATION AND CYBER SECURITY INFRASTRUCTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INFORMATION SECURITY IS THE CHIEF INFORMATION SECURITY OFFICER OF THE STATE AND TO PROVIDE THE CHIEF INFORMATION SECURITY OFFICER IS APPOINTED BY THE GOVERNOR, AND TO DEFINE TERMS, TO ESTABLISH THE TECHNOLOGY INVESTMENT COUNCIL TO ADOPT AND ANNUALLY REVIEW A STATEWIDE TECHNOLOGY PLAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COUNCIL, AND TO REQUIRE REPORTS; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO OFFICERS THAT ONLY MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO ADD THE CHIEF INFORMATION SECURITY OFFICER; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF INFORMATION SECURITY; AND BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO CREATE THE JOINT INFORMATION SECURITY OVERSIGHT COMMITTEE TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING CYBER SECURITY, INCLUDING THE RECEIPT OF IMPEDIMENTS TO IMPROVED CYBER SECURITY, AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE.

Referred to Committee on Ways and Means

S. 465 -- Senator Hayes: A BILL TO AMEND SECTION 38-71-1330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, SO AS TO REVISE THE DEFINITION OF AN "ELIGIBLE EMPLOYEE".

Referred to Committee on Labor, Commerce and Industry

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Branham | Brannon |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | W. J. McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, April 17.

|  |  |
| --- | --- |
| William Bowers | M.S. McLeod |
| Chris Hart | James Merrill |
| Jerry Govan | Grady Brown |

**Total Present--123**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. K. R. CRAWFORD a leave of absence for the day.

**DOCTOR OF THE DAY**

Announcement was made that Drs. Patricia Witherspoon and Brian McNiece of Columbia were the Doctors of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Reps. FINLAY and BERNSTEIN presented to the House the Hammond School "Skyhawks" Wrestling Team, the 2013 South Carolina Independent Schools Association Class AAA Champions, their coaches and other school officials.

**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. 3014 |
| Date: | ADD: |
| 04/17/13 | HART and GILLIARD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3868 |
| Date: | ADD: |
| 04/17/13 | GILLIARD and LIMEHOUSE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3224 |
| Date: | ADD: |
| 04/17/13 | HART |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3869 |
| Date: | ADD: |
| 04/17/13 | BALES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3027 |
| Date: | ADD: |
| 04/17/13 | HARRELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3101 |
| Date: | ADD: |
| 04/17/13 | DANING |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3125 |
| Date: | ADD: |
| 04/17/13 | WHIPPER and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3231 |
| Date: | ADD: |
| 04/17/13 | TAYLOR |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3236 |
| Date: | ADD: |
| 04/17/13 | WHIPPER and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3357 |
| Date: | ADD: |
| 04/17/13 | HODGES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3584 |
| Date: | ADD: |
| 04/17/13 | LOFTIS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3804 |
| Date: | ADD: |
| 04/17/13 | WHIPPER and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3827 |
| Date: | ADD: |
| 04/17/13 | LOFTIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3919 |
| Date: | ADD: |
| 04/17/13 | WHIPPER |

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLYBURN a temporary leave of absence to attend a funeral.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANDERSON a leave of absence for the remainder of the day to attend a funeral.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KING a temporary leave of absence for a district meeting.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. DANING a temporary leave of absence to attend a Senate hearing.

**SENT TO THE SENATE**

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

H. 3861 -- Reps. Herbkersman and Newton: A BILL TO AMEND SECTION 7-7-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO DELETE THE LEVY AND OKATIE PRECINCT, TO ADD THE GRAHAMVILLE 3, LEVY 1, LEVY 2, OKATIE 1, AND OKATIE 2 PRECINCTS, AND TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

H. 3560 -- Reps. Tallon, Harrell, Quinn, Stavrinakis, Patrick, Allison, McCoy, Pitts, Taylor, H. A. Crawford, Simrill, J. R. Smith, Crosby, Brannon, V. S. Moss, G. R. Smith, Henderson, Delleney, Cole, McEachern, Barfield, Ridgeway, Stringer, Nanney, R. L. Brown, Wood, Daning, Erickson, Clemmons, Powers Norrell, Funderburk, Mitchell, Merrill, Kennedy, D. C. Moss, Gagnon, Bannister, Atwater, Rivers, Owens, Bingham, Forrester, Ballentine, Toole, Hixon, Spires, Huggins, Lucas, Horne, Putnam, Weeks, M. S. McLeod and Anderson: A BILL TO AMEND SECTION 16-23-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO, AMONG OTHER THINGS, INDIVIDUALS WHO ARE PROHIBITED FROM POSSESSING OR ACQUIRING A HANDGUN, SO AS TO ALSO PROHIBIT A PERSON ADJUDICATED MENTALLY INCAPACITATED OR COMMITTED TO A MENTAL INSTITUTION FROM POSSESSING OR ACQUIRING A HANDGUN; TO AMEND SECTION 44-22-100, RELATING TO THE CONFIDENTIALITY OF MENTAL HEALTH COMMITMENT AND TREATMENT RECORDS, SO AS TO AUTHORIZE REPORTING INFORMATION IN THESE RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) TO BE UTILIZED IN DETERMINING IF A PERSON IS DISQUALIFIED FROM PURCHASING A FIREARM; AND BY ADDING ARTICLE 10, CHAPTER 31, TITLE 23 SO AS TO ESTABLISH A CONFIDENTIAL PROCESS FOR COMPILING AND TRANSMITTING INFORMATION ON PERSONS WHO HAVE BEEN ADJUDICATED MENTALLY INCAPACITATED OR COMMITTED TO A MENTAL INSTITUTION, THEREBY BEING DISQUALIFIED FROM POSSESSING OR ACQUIRING A HANDGUN AND TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION (SLED) TO TRANSMIT THIS INFORMATION TO NICS; TO REQUIRE SLED TO CROSS CHECK THE NAMES SENT TO NICS WITH SLED'S DATABASE FOR CONCEALED WEAPONS PERMITS TO ASCERTAIN IF ANY PERMITS MUST BE REVOKED; AND TO ESTABLISH A JUDICIAL PROCESS FOR PERSONS PROHIBITED FROM POSSESSING FIREARMS, DUE SOLELY TO AN ADJUDICATION AS MENTALLY INCAPACITATED OR COMMITMENT TO A MENTAL INSTITUTION, TO OBTAIN REMOVAL OF THE DISQUALIFICATIONS THAT PROHIBITED THEM FROM POSSESSING FIREARMS.

RECORD FOR VOTING

I was temporarily out of the Chamber seeking medical attention during the vote on H. 3560. I am in favor of tougher background check requirements for the purchase of firearms. If I had been present, I would have voted in favor of the Bill.

Rep. Christopher R. Hart

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 374 -- Senator Peeler: A BILL TO AMEND SECTION 30-5-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERFORMANCE OF THE DUTIES OF THE REGISTER OF DEEDS, SO AS TO ADD CHEROKEE COUNTY TO THOSE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THOSE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND TO AMEND SECTION 30-5-12, AS AMENDED, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD CHEROKEE COUNTY TO THOSE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY SHALL APPOINT THE REGISTER OF DEEDS.

**H. 3268--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3268 -- Reps. G. R. Smith, Bedingfield, Willis, Allison, Putnam, Chumley, Dillard, Hamilton, Henderson, Knight, Loftis, Nanney and Robinson-Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-11-2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6-11-2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3268 (COUNCIL\GGS\3268C001.GGS.ZW13), which was adopted:

Amend the bill, as and if amended, Section 6-11-2028, as contained in SECTION 1, by adding an appropriately numbered item at the end to read:

/ The provisions of this section expire two years from the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE explained the amendment.

Rep. NANNEY moved to table the amendment, which was not agreed to.

The question then recurred to the adoption of the amendment, which was agreed to by a division vote of 30 to 22.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 5

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| Brannon | R. L. Brown | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | Crosby | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Jefferson | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Vick | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Forrester | Henderson |
| Patrick | Stringer |  |

**Total--5**

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

**H. 3852--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3852 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EXAMINERS FOR THE LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO REQUIREMENTS OF LICENSURE FOR PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. ALEXANDER explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Bernstein | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| Burns | Clemmons | Cobb-Hunter |
| Crosby | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hardee | Hardwick | Harrell |
| Hayes | Herbkersman | Hiott |
| Hodges | Horne | Howard |
| Jefferson | Kennedy | Knight |
| Limehouse | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Neal | Newton | Owens |
| Parks | Pope | Powers Norrell |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Williams |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Chumley | H. A. Crawford |
| Forrester | Hamilton | Henderson |
| Hixon | Huggins | Loftis |
| Lowe | Nanney | Norman |
| Patrick | Pitts | Putnam |
| G. R. Smith | J. R. Smith | Stringer |
| Thayer | White | Whitmire |
| Willis |  |  |

**Total--25**

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

RECORD FOR VOTING

During the vote on H. 3852, I inadvertently pressed the ‘yea’ button and was unable to change my vote prior to the final tabulation. I intended to vote no on the passage of this Bill.

Rep. Samuel Rivers, Jr.

**H. 3868--REQUESTS FOR DEBATE**

The following Joint Resolution was taken up:

H. 3868 -- Reps. Stavrinakis, McCoy, Gilliard and Limehouse: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO INSTALL ELECTRONIC TRAFFIC CONTROL SIGNALS AT THE INTERSECTION OF FOLLY ROAD AND SOUTH GRIMBALL ROAD IN CHARLESTON COUNTY.

Rep. STAVRINAKIS explained the Joint Resolution.

Reps. CLEMMONS, BALLENTINE, TOOLE and ATWATER requested debate on the Joint Resolution.

Rep. STAVRINAKIS continued speaking.

Reps. BARFIELD requested debate on the Joint Resolution.

**H. 3602--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3602 -- Reps. Weeks, Cobb-Hunter, Clemmons, Pope, Kennedy, M. S. McLeod, Tallon, Murphy, Crosby, McCoy, Dillard, Long, Bowen, Munnerlyn, Sellers, Limehouse, Brannon, Gilliard, Bales, Barfield, Bowers, Branham, G. A. Brown, R. L. Brown, Daning, Delleney, Edge, Funderburk, Henderson, Horne, Howard, Huggins, Jefferson, Loftis, Lowe, W. J. McLeod, Merrill, D. C. Moss, Norman, Powers Norrell, Quinn, Sandifer, Simrill, G. M. Smith, Spires, Taylor, Wells, Whipper, Wood, Newton, Riley, Anderson and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-131 SO AS TO CREATE AN OFFENSE RELATING TO STEALING GOODS OR MERCHANDISE FROM A MERCHANT BY AFFIXING A PRODUCT CODE AND TO PROVIDE A PENALTY; BY ADDING SECTION 16-13-135 SO AS TO DEFINE NECESSARY TERMS, CREATE AN OFFENSE RELATING TO RETAIL THEFT, AND TO PROVIDE A PENALTY; TO AMEND SECTION 16-13-440, RELATING TO THE USE OF A FALSE OR FICTITIOUS NAME OR ADDRESS TO OBTAIN A REFUND FROM A BUSINESS ESTABLISHMENT FOR MERCHANDISE, SO AS TO INCLUDE USING A FALSE OR ALTERED IDENTIFICATION CARD TO COMMIT CERTAIN RETAIL THEFT OFFENSES; TO AMEND SECTION 16-13-180, AS AMENDED, RELATING TO RECEIVING STOLEN GOODS, SO AS TO INCLUDE RECEIVING OR POSSESSING STOLEN GOODS WHEN THE PERSON IS ON NOTICE BY LAW ENFORCEMENT THAT THE GOODS ARE STOLEN; TO AMEND SECTION 17-25-323, RELATING TO DEFAULT ON COURT-ORDERED PAYMENTS INCLUDING RESTITUTION BY PERSONS ON PROBATION OR PAROLE AND CIVIL JUDGMENTS AND LIENS, SO AS TO INCLUDE DEFENDANTS WHO DEFAULT ON THE VARIOUS MAGISTRATES COURT OR MUNICIPAL COURT-ORDERED PAYMENTS INCLUDING RESTITUTION IN THE PURVIEW OF THE STATUTE AND TO PROVIDE THAT A FILING FEE OR OTHER FEE MAY NOT BE REQUIRED WHEN SEEKING A CIVIL JUDGMENT; TO AMEND SECTION 14-25-65, AS AMENDED, RELATING TO PENALTIES THE MAGISTRATES COURT MAY IMPOSE, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT; AND TO AMEND SECTION 22-3-550, AS AMENDED, RELATING TO THE JURISDICTION OF THE MAGISTRATES COURT OVER MINOR OFFENSES, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT AND TO INCLUDE VIOLATIONS OF SECTIONS 16-13-180 AND 16-13-440 IN THOSE OFFENSES FOR WHICH A MAGISTRATE HAS THE POWER TO SENTENCE A PERSON TO CONSECUTIVE TERMS OF IMPRISONMENT TOTALING MORE THAN NINETY DAYS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3602 (COUNCIL\MS\3602C001.MS.AHB13), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 4 in its entirety and inserting:

/ SECTION 4. Section 16‑13‑180 of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“Section 16‑13‑180. (A) It is unlawful for a person to buy, receive, or possess stolen goods, chattels, or other property if the person knows or has reason to believe the goods, chattels, or property is stolen. A person is guilty of this offense whether or not anyone is convicted of the theft of the property.

(B) A person who violates the provisions of this section is guilty of a:

(1) misdemeanor triable in magistrates court or municipal court, notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, 22‑3‑550, and 14‑25‑65, if the value of the property is two thousand dollars or less. Upon conviction, the person must be fined not more than one thousand dollars, or imprisoned not more than thirty days;

(2) felony and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than five years if the value of the property is more than two thousand dollars but less than ten thousand dollars; or

(3) felony and, upon conviction, must be fined not less than two thousand dollars or imprisoned not more than ten years if the value of the property is ten thousand dollars or more.

(C) For the purposes of this section, the receipt of multiple items in a single transaction or event constitutes a single offense.

(D) For the purposes of this section, multiple offenses occurring within a ninety‑day period may be aggregated into a single count with the aggregated value used to determine whether the violation is a misdemeanor or felony as provided in subsection (B).” /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

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

Rep. WEEKS proposed the following Amendment No. 2 to H. 3602 (COUNCIL\MS\3602C002.MS.AHB13), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 4 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | Crosby |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--112**

Those who voted in the negative are:

**Total--0**

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

**H. 3014--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3014 -- Reps. J. E. Smith, Bernstein, M. S. McLeod, McEachern, Weeks, Hart and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "VETERANS TREATMENT COURT PROGRAM ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A VETERANS TREATMENT COURT PROGRAM IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A VETERANS TREATMENT COURT JUDGE, AND TO PROVIDE FOR REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A VETERANS TREATMENT COURT PROGRAM.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3014 (COUNCIL\MS\3014C001.MS.AHB13), which was adopted:

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

/ Whereas, researchers have shown that a significant number of members of the United States Armed Forces who have served in Iraq and Afghanistan will suffer, as a result of their military service, mental health injuries, such as post-traumatic stress disorder, depression, anxiety and acute stress, and injuries that affect brain function, such as traumatic brain injury; and

Whereas, while the vast majority of returning members of the United States Armed Forces do not have contact with the criminal justice system, and most veterans and members of the United States Armed Forces are well-adjusted, contributing members of society, psychiatrists and law enforcement officials agree that combat-related injuries have led to instances of criminality; and

Whereas, as a grateful State, we must continue to honor the military service of our men and women by providing them with an alternative to incarceration when feasible, permitting them instead to obtain proper treatment for mental health and substance abuse problems that have resulted from military service. Now, therefore, /

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

/ SECTION 1. Title 14 of the 1976 Code is amended by adding:

“CHAPTER 29

Veterans Treatment Program

Section 14‑29‑10. This Chapter may be cited as the ‘Veterans Treatment Court Program Act’.

Section 14‑29‑20. The General Assembly recognizes the success of various other states’ veterans court initiatives in rehabilitating certain nonviolent offenders who are veterans of a military conflict in which the United States military is or has been involved. The purpose of this chapter is to divert qualifying nonviolent military veteran offenders away from the criminal justice system and into appropriate treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative. This chapter intends to set standards and procedures to facilitate the creation and continuation of these programs across the State, while leaving local jurisdictions the flexibility to tailor individual programs to local needs.

Section 14‑29‑30. Each circuit solicitor may establish a veterans treatment court program subject to the availability of funds. Each circuit solicitor that receives state funding for the implementation of a veterans treatment court program must establish and administer at least one veterans treatment court program for the circuit within one hundred eighty days of receipt of funding. The circuit solicitor must administer the program and ensure that all eligible persons are permitted to apply for admission to the program.

Section 14‑29‑40. (A) The Chief Justice shall appoint judges of the veterans treatment court upon the recommendation of the circuit solicitor for that judicial circuit.

(B) A veterans treatment court judge must:

(1) be a member in good standing with the South Carolina Bar or a member, active or retired, of the Unified Judicial System;

(2) serve at the pleasure of the Chief Justice for a term of two years and may be reappointed;

(3) receive no salary for his service as a veterans treatment court judge and must serve as a veterans treatment court judge on a voluntary basis;

(4) receive an allowance for mileage, subsistence, and per diem when engaged in the exercise of his duties as a veterans treatment court judge;

(5) be exempt during his term from Rule 608, South Carolina Appellate Court Rules, relating to the appointment of lawyers for indigents;

(6) enjoy in a veterans treatment court proceeding or action the same privileges, immunities, and protections from civil liability as a circuit court judge;

(7) receive training provided for this service; and

(8) reside in the judicial circuit where he serves.

(C) A veterans treatment court judge shall preside subject to the Code of Judicial Conduct with the goal of instilling discipline, promoting rehabilitation, and encouraging participants’ successful completion of the veterans treatment court program. A veterans treatment court judge has the authority of a circuit court judge acting in probation matters, including, among other things, the authority to:

(1) maintain order and decorum in all proceedings, including use of the contempt power;

(2) issue an order of acceptance of a participant in the program and an order of dismissal from the program;

(3) impose by written order a sanction dismissing a participant from the veterans treatment court program or incarcerating him for failing to meet a condition, requirement, or goal ordered by the veterans treatment court;

(4) issue to a participant a certificate indicating his successful completion of the veterans treatment court program;

(5) order conditions or requirements of a rehabilitation plan for a participant, developed after consultation with the circuit solicitor, a drug or alcohol counselor, a veterans affairs counselor, or other professionals the veterans treatment court judge considers beneficial, with the conditions and requirements to include school, education, vocational training, work, drug or alcohol testing, counseling, reporting, treatment, curfew, monitoring, restitution, community service, anger management, or other measures the judge considers appropriate; and

(6) take action he considers necessary to carry out the veterans treatment court’s functions provided in this chapter.

Section 14‑29‑50. (A) A person seeking admission to the veterans treatment court program:

(1) must execute a veterans treatment court agreement specified in this chapter;

(2) must receive approval of the circuit solicitor;

(3) may not have been previously admitted to a veterans treatment court program;

(4) may have no prior conviction or pending charges for:

(a) a violent crime as defined in Section 16‑1‑60;

(b) an offense for which the offender was placed on the sex offender registry pursuant to Section 23‑3‑430;

(c) the offense of lynching in the first degree pursuant to Section 16‑3‑210 or lynching in the second degree pursuant to Section 16‑3‑220;

(d) the common law offense of assault and battery of a high and aggravated nature;

(e) the offense of carjacking pursuant to Section 16‑3‑1075;

(f) the offense of harassment or stalking pursuant to Article 17, Chapter 3, Title 16; or

(g) the offense of causing great bodily injury or death by operating a vehicle while under the influence of drugs or alcohol pursuant to Section 56‑5‑2945; and

(5) must have an active sentence of thirty days or more for a nonviolent crime not exempted pursuant to item (4).

(B) A veterans treatment court agreement required in subsection (A) may serve as the offender’s application for admission to a veterans treatment court program and jurisdiction, and shall include:

(1) sufficient proof that the offender is a veteran or current member of the United States Armed Forces, including the Reserves or National Guard;

(2) sufficient proof that the offender suffers from a brain injury, mental illness, or mental disorder, including post‑traumatic stress disorder;

(3) an acknowledgement by the offender that his application is voluntary and freely entered into;

(4) an agreement that, if accepted, he will comply with all conditions, rules and requirements imposed upon him in the veterans treatment court program, including a rehabilitation plan;

(5) an acknowledgement that, if accepted, he may be dismissed from the program at the discretion of the veterans treatment court judge and consequently transferred to the circuit court for commencement of his entire original sentence, without reduction;

(6) an acknowledgement and agreement that he has no right to appeal or enjoin a decision of the veterans treatment court judge;

(7) an acknowledgement and agreement that the post‑conviction relief procedures do not apply to the veterans treatment court program, and a relinquishment of all rights to post‑conviction relief;

(8) an agreement to cooperate fully with those involved in his rehabilitation plan and to comply with the requirements and conditions of the plan, including the submission to analysis, testing, treatment, counseling, evaluation, and providing complete personal, health, and family information, and executing releases to accomplish the provision of this information;

(9) an agreement to bear, subject to his ability to pay, the costs of analysis, testing, treatment, counseling, or evaluation in a rehabilitation plan prescribed in the program, and an agreement that funds paid by the participant or on his behalf during the course of the veterans treatment court program may not be refundable in any event, including his dismissal from the program;

(10) a general explanation of the purpose and concept of the veterans treatment court program;

(11) a statement of the offender’s knowing, willing, and full consent and submission to the authority of the veterans treatment court and its process;

(12) the signature of the offender and, if any, his counsel; and

(13) other statements, acknowledgements, or agreements the circuit solicitor may consider appropriate.

(C) In determining whether to accept an offender for admission to the veterans treatment court program, the circuit solicitor shall consider, among other things:

(1) the veterans treatment court agreement presented by the offender;

(2) the nature of the offense for which the offender was convicted in circuit court;

(3) the offender’s prior criminal history;

(4) the offender’s prior substance abuse history;

(5) the likelihood that the offender successfully will complete the program;

(6) the risk and danger posed to the community by the offender’s remaining at large;

(7) the benefits likely resulting to the community and this State from the offender’s acceptance into the program, including cost savings, public service or private employment, enhancement of the offender’s ability to pay restitution, support or comfort of his family, and the decreased likelihood of future criminal activity;

(8) the benefits likely resulting to the offender upon his being accepted into the program, including drug or alcohol rehabilitation, education, training, family support, discipline, employment, physical and mental health, and the opportunity for a productive life;

(9) a positive recommendation or statement from the victim, the victim’s family, law enforcement, or the community, the recommendation after screening by a qualified person selected by the solicitor or provided by a state, county, or municipal agency to determine the mental health or drug or alcohol dependence of the applicant and his likelihood of successful completion of a rehabilitation plan prescribed in this program;

(10) the risk and danger posed to the victim or victim’s family by the offender remaining at large; and

(11) other circumstances or matters the veterans treatment court judge may consider appropriate.

(D) The veterans treatment court’s acceptance of the offender as a participant must be presented to the circuit court. The circuit court, in its discretion, may order the transfer of the offender to the custody and jurisdiction of the veterans treatment court for commencement of the veterans treatment court program. The circuit court shall provide in its order that the participant must be returned to the circuit court for final disposition, as provided in this chapter, upon his successful completion of the program or his dismissal from the program.

(E) Notice must be provided to all victims pursuant to the Victims’ Bill of Rights.

Section 14‑29‑60. (A) When establishing a veterans treatment court program, the circuit solicitor:

(1) may address the particular requirements and circumstances of the circuit. The procedure is subject to and consistent with the uniform procedures provided in this chapter, including:

(a) a veterans treatment court program must be at least twelve months in duration but no more than eighteen months in duration for a participant, although the program may be extended for a maximum of six additional months by the veterans treatment court;

(b) a veterans treatment court session must be held in a courtroom assigned by the appropriate court official or another place the veterans treatment court judge considers appropriate and where proper decorum, safety, and efficiency must be maintained;

(c) a veterans treatment court session must be held at a time and place that will promote the maximum convenience and attendance of associated parties, especially a participating offender and his family, and, absent an agreement to the contrary, should be held on a weekday and commencing no earlier than 5:30 p.m.; and

(d) a veterans treatment court program may require the presence of a person necessary for the efficient operation of a veterans treatment court session;

(2) shall designate in his office a person to serve as his veterans treatment court administrator to supervise and coordinate the implementation of the program. These duties shall include the scheduling of the hearings, notification of the persons involved, maintenance and safeguarding of all records and orders associated with the program, filing of all orders and other appropriate documents with the appropriate clerk of court, and the production of a report required by this chapter; and

(3) through his designated administrator, shall supervise and coordinate the selection of counselors or other professionals to analyze, test, treat, and evaluate an applicant or participant contemplated in this chapter, and at least annually shall report to the South Carolina Commission on Prosecution Coordination information regarding funds expended by the circuit solicitor for these purposes.

(B) The South Carolina Commission on Prosecution Coordination shall assist the circuit solicitor and veterans treatment court in establishing a uniform system of procedures, statistics, and processes as set forth in this chapter, collecting reports it prescribes from the circuit administrator in order to measure the progress and operations of the veterans treatment courts, and annually issuing a comprehensive report of its findings and recommendations no later than sixty days following the end of the fiscal year.

(C) The Supreme Court may propose and adopt rules for the veterans treatment court program in the same manner as it proposes and promulgates rules for other courts in the Unified Judicial System.

Section 14‑29‑70. (A) The transfer of an offender from the custody and jurisdiction of the circuit court to custody and jurisdiction of the veterans treatment court must be made by issue of a written order from the circuit court in response to the approval of the application by the veterans treatment court. This order must provide for the suspension of the offender’s sentence pending the conclusion of the veterans treatment court program. The veterans treatment court then shall control and be responsible for the custody of the offender upon entry of the circuit court’s order.

(B) A veterans treatment court judge must transfer to the circuit court custody of a person who successfully completes the program, and the circuit court must immediately release the successful participant from his sentence. Where a person fails to successfully complete the program and is consequently dismissed from the program, the veterans treatment court must transfer custody of the person to the circuit court for commencement of the sentence interrupted by the veterans treatment court program. A court may not reduce a sentence for time spent participating in a veterans treatment court program and other conditions of the sentence.

(C) The constitutional notice requirements of the Victims’ Bill of Rights apply to a transfer, completion, or failure pursuant to this section.

Section 14-29-80. Nothing contained in this chapter affects the operation or establishment of juvenile drug courts in South Carolina.

Section 14-29-90. The General Assembly shall appropriate funds annually to an account to be maintained by the Supreme Court for the payment of mileage, subsistence, and per diem for veterans treatment court judges as provided by this chapter.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. 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.

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

The amendment was then adopted.

Rep. J. E. SMITH explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| H. A. Crawford | Crosby | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--114**

Those who voted in the negative are:

**Total--0**

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

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

**H. 3868--REQUESTS FOR DEBATE WITHDRAWN**

Reps. BALLENTINE withdrew his request for debate on the following Joint Resolution:

H. 3868 -- Reps. Stavrinakis, McCoy, Gilliard and Limehouse: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO INSTALL ELECTRONIC TRAFFIC CONTROL SIGNALS AT THE INTERSECTION OF FOLLY ROAD AND SOUTH GRIMBALL ROAD IN CHARLESTON COUNTY.

**H. 3474--RECONSIDERED**

The motion of Rep. ERICKSON to reconsider the vote whereby the following Bill was given third reading was taken up and agreed to.

H. 3474 -- Reps. Erickson, Owens, Newton, Patrick, Bowen, McCoy, Huggins, Herbkersman, Simrill, Atwater, Cole, Felder, Forrester, Gambrell, Henderson, Loftis, Long, Merrill, Nanney, Pope, Tallon, Thayer, White and Rivers: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY SCHOOL TERM, COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS, AND MAKE-UP DAYS, SO AS TO PROVIDE A SCHOOL DISTRICT MAY USE INSTRUCTIONAL HOURS OR INSTRUCTIONAL DAYS TO SATISFY REQUIREMENTS FOR SCHOOL CALENDARS, COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS, AND MAKE-UP DAYS, AND TO PROVIDE A DATE BEFORE WHICH THE OPENING DATE OF A SCHOOL MAY BEGIN UNLESS THE SCHOOL OPERATES ON A YEAR-ROUND MODIFIED CALENDAR.

**S. 295--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. BEDINGFIELD, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

S. 295 -- Senators Fair, Cromer, Verdin and Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-11-2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6-11-2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES.

**H. 3858--RECALLED AND REFERRED TO COMMITTEE ON JUDICIARY**

On motion of Rep. SIMRILL, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Judiciary:

H. 3858 -- Reps. Bowen, Whipper, Cobb-Hunter, Owens, Hiott, Skelton, J. R. Smith, Spires, Gilliard, Douglas, Bales, Anderson, Hosey, Munnerlyn, Bowers, Jefferson, Southard, Merrill, Norman, Huggins, Stavrinakis, R. L. Brown, Clyburn, Crosby, Daning, Finlay, Funderburk, Gagnon, Gambrell, George, Hardee, Hart, Herbkersman, Hixon, Hodges, Howard, Lucas, M. S. McLeod, Mitchell, D. C. Moss, V. S. Moss, Pitts, Powers Norrell, Putnam, Ridgeway, Rivers, Ryhal, J. E. Smith, Sottile, Taylor, Wells, Williams, Willis and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-5-3890 AND 56-5-3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 56-1-720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON'S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF DISTRACTED DRIVING; AND TO AMEND SECTION 56-5-2920, RELATING TO RECKLESS DRIVING, SO AS TO PROVIDE THAT RECKLESS DRIVING INCLUDES DISTRACTED DRIVING OR INATTENTIVE DRIVING THAT INCLUDES TEXTING WHILE DRIVING WHEN BODILY INJURY OCCURS.

**H. 3829--RECALLED FROM COMMITTEE ON EDUCATION AND PUBLIC WORKS**

On motion of Rep. BEDINGFIELD, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works:

H. 3829 -- Reps. Bedingfield, Stringer, Allison, Bannister, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 53, TITLE 59 SO AS TO BE CAPTIONED THE "GREENVILLE TECHNICAL COLLEGE AREA COMMISSION"; TO DESIGNATE SECTIONS 1A, 4, AND 5 OF ACT 743 OF 1962 AS SECTIONS 59-53-1500, 59-53-1510, AND 59-53-1520, RESPECTIVELY, OF ARTICLE 18, CHAPTER 53, TITLE 59; AND TO AMEND ARTICLE 18, CHAPTER 53, TITLE 59, RELATING TO THE MEMBERSHIP, POWERS, AND DUTIES OF THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO RECONSTITUTE THE MEMBERSHIP OF THE COMMISSION AND THE TERMS AND APPOINTING PROCEDURES FOR MEMBERS.

**H. 3248--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3248 -- Reps. Rutherford, King, Loftis, Gilliard, Jefferson and Williams: A BILL TO AMEND SECTION 16-13-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL IDENTITY FRAUD, SO AS TO ADD CONFORMING LANGUAGE CONTAINED IN FINANCIAL TRANSACTION CARD CRIME TO PROVIDE THAT IT IS NOT A DEFENSE WHEN SOME OF THE ACTS OF THE CRIME DID NOT OCCUR IN THIS STATE OR WITHIN A CITY, COUNTY, OR LOCAL JURISDICTION; AND TO AMEND SECTION 37-20-130, RELATING TO THE INITIATION OF A LAW ENFORCEMENT INVESTIGATION OF IDENTITY THEFT, SO AS TO DELETE THE LANGUAGE ALLOWING REFERRAL OF THE MATTER TO THE LAW ENFORCEMENT AGENCY WHERE THE CRIME WAS COMMITTED FOR INVESTIGATION.

Rep. POPE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Norman |
| Ott | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--110**

Those who voted in the negative are:

**Total--0**

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

**H. 3621--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3621 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OR SUSPENSION OF A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE BY AN INSURER, SO AS TO REVISE PROVISIONS CONCERNING A REVOCATION OF THE LICENSEE OF A HAZARDOUS INSURER.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Delleney | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Norman |
| Ott | Parks | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**H. 3047--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3047 -- Reps. Hardwick and Sottile: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-581 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO GIG FOR FLOUNDER IN SALT WATERS DURING DAYLIGHT HOURS, TO DEFINE THE TERM "DAYLIGHT HOURS", AND TO PROVIDE A PENALTY.

Rep. HARDWICK explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 4

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McCoy | McEachern | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Wells | Whipper |
| White | Williams | Willis |
| Wood |  |  |

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Gilliard | Putnam |
| G. R. Smith |  |  |

**Total--4**

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

**H. 3571--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3571 -- Reps. Barfield and Hardee: A BILL TO AMEND SECTION 50-13-665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

Rep. HARDWICK explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Parks |
| Patrick | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--108**

Those who voted in the negative are:

**Total--0**

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

**H. 3838--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3838 -- Reps. Norman, Delleney, Felder, Pope and Simrill: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 72 IN YORK COUNTY FROM ITS INTERSECTION WITH RAWLSVILLE ROAD TO ITS INTERSECTION WITH CRAIG ROAD "EZRA DEWITT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "EZRA DEWITT MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3862--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3862 -- Rep. Barfield: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A BALANCED BUDGET AMENDMENT CONVENTION OF THE SEVERAL STATES OF THE UNITED STATES.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 545--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 545 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 76 AND 576 AT WAHEE ROAD IN MARION COUNTY "ROBERT J. MCINTYRE, SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "ROBERT J. MCINTYRE, SR. INTERSECTION".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 479--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 479 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2013.

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEE**

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

H. 3936 -- Rep. Brannon: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 221 IN THE CITY OF CHESNEE FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 11 TO ITS INTERSECTION WITH OCONEE STREET "MAYOR C. E. 'CLIFF' EDWARDS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MAYOR C. E. 'CLIFF' EDWARDS HIGHWAY".

Ordered for consideration tomorrow.

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

S. 218 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 15 IN CLARENDON COUNTY FROM ITS INTERSECTION WITH JIM ROSS ROAD TO THE SUMMERTON TOWN LIMIT "PATROLMAN JOHN RAY RIDDLE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS

PORTION OF HIGHWAY THAT CONTAIN THE WORDS "PATROLMAN JOHN RAY RIDDLE MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

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

S. 544 -- Senators Hayes, Coleman, Gregory and Peeler: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 72 IN YORK COUNTY FROM ITS INTERSECTION WITH RAWLSVILLE ROAD TO ITS INTERSECTION WITH CRAIG ROAD "EZRA DEWITT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "EZRA DEWITT MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3976 -- Reps. Govan, Jefferson, Cobb-Hunter, Ott and Hosey: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF WILLAR MAE FLAGLER TISDALE OF WILLIAMSBURG COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3977 -- Reps. Mitchell, Allison, Brannon, Chumley, Cole, Forrester, Tallon and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SPARTANBURG METHODIST COLLEGE MEN'S BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE 2013 NATIONAL JUNIOR COLLEGE ATHLETIC ASSOCIATION (NJCAA) REGION 10 TOURNAMENT CHAMPIONSHIP TITLE.

The Resolution was adopted.

**INTRODUCTION OF BILL**

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

H. 3978 -- Reps. White and G. M. Smith: A BILL TO AMEND ARTICLE 2, CHAPTER 7, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAID NURSING HOME PERMITS, TO DEFINE "MEDICAID PERMIT DAY", TO SPECIFY THE MANNER IN WHICH ADDITIONAL MEDICAID PERMIT DAYS ARE ALLOCATED, TO SET FORTH COMPLIANCE STANDARDS AND PENALTIES FOR VIOLATIONS, AND TO PROVIDE CERTAIN REPORTING REQUIREMENTS.

Referred to Committee on Ways and Means

**H. 3474--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3474 -- Reps. Erickson, Owens, Newton, Patrick, Bowen, McCoy, Huggins, Herbkersman, Simrill, Atwater, Cole, Felder, Forrester, Gambrell, Henderson, Loftis, Long, Merrill, Nanney, Pope, Tallon, Thayer, White and Rivers: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY SCHOOL TERM, COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS, AND MAKE-UP DAYS, SO AS TO PROVIDE A SCHOOL DISTRICT MAY USE INSTRUCTIONAL HOURS OR INSTRUCTIONAL DAYS TO SATISFY REQUIREMENTS FOR SCHOOL CALENDARS, COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS, AND MAKE-UP DAYS, AND TO PROVIDE A DATE BEFORE WHICH THE OPENING DATE OF A SCHOOL MAY BEGIN UNLESS THE SCHOOL OPERATES ON A YEAR-ROUND MODIFIED CALENDAR.

Rep. ERICKSON requested unanimous consent to amend the Bill on third reading, which was agreed to.

Rep. ERICKSON moved to adjourn debate on the Bill until Thursday, April 18, which was agreed to.

**H. 3868--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3868 -- Reps. Stavrinakis, McCoy, Gilliard and Limehouse: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO INSTALL ELECTRONIC TRAFFIC CONTROL SIGNALS AT THE INTERSECTION OF FOLLY ROAD AND SOUTH GRIMBALL ROAD IN CHARLESTON COUNTY.

Rep. MCCOY spoke in favor of the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Bales |
| Ballentine | Bannister | Barfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| Crosby | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Finlay | Forrester | Funderburk |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Harrell | Hart | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater |  |  |

**Total--1**

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

**H. 3868--MOTION TO RECONSIDER TABLED**

Rep. MCCOY moved to reconsider the vote whereby the following Joint Resolution was given second reading:

H. 3868 -- Reps. Stavrinakis, McCoy, Gilliard and Limehouse: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO INSTALL ELECTRONIC TRAFFIC CONTROL SIGNALS AT THE INTERSECTION OF FOLLY ROAD AND SOUTH GRIMBALL ROAD IN CHARLESTON COUNTY.

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3024--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3024 -- Reps. McCoy, Henderson, Long, Weeks and Erickson: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE ANY PERSON IN THIS STATE TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT; TO AMEND SECTION 63-7-360, RELATING TO MANDATORY REPORTING TO THE CORONER, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-450, RELATING TO INFORMATION THE DEPARTMENT OF SOCIAL SERVICES MUST PROVIDE TO PERSONS REQUIRED TO REPORT, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3024 (COUNCIL\NL\3024C001.NL.DG13):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 63‑7‑310 of the 1976 Code, as last amended by Act 227 of 2010, is further amended to read:

“Section 63‑7‑310. (A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner’s or coroner’s office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school or college administrator, coach, school teacher, counselor, principal, assistant principal, school attendance officer, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, foster parent, police or law enforcement officer, firefighter, camp counselor, scout leader, animal control officer, juvenile justice worker, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, judge, or a volunteer non‑attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA, and any other person whose duties require direct contact or supervision of children must report in accordance with this section when in the person’s professional or volunteer capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63‑7‑20.

(B) If a person required to report pursuant to subsection (A) has received information in the person’s professional or volunteer capacity which gives the person reason to believe that a child’s physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be child abuse or neglect if committed by a parent, guardian, or other person responsible for the child’s welfare, but the reporter believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child’s welfare, the reporter must make a report to the appropriate law enforcement agency.

(C) ~~Except as provided in subsection (A), a person, including, but not limited to, a volunteer non‑attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA, who has reason to believe that a child’s physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report, and is encouraged to report, in accordance with this section~~ A person in subsection (A) or (B) who reports child abuse or neglect to a supervisor or person in charge of an institution, school, facility, or agency is not relieved of the individual duty to report in accordance with this section. The duty to report is not superseded by an internal investigation within the institution, school, facility, or agency.

(D) Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found.” /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

Reps. PITTS, LOFTIS, G. R. SMITH, HARDWICK, BEDINGFIELD, GOLDFINCH, CLEMMONS, V. S. MOSS, GAMBRELL, WHITE, VICK, SANDIFER and RYHAL requested debate on the Bill.

**H. 3592--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3592 -- Reps. Sandifer and Loftis: A BILL TO AMEND ARTICLE 8, CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007", SO AS TO DELETE CERTAIN DEFINITIONS, TO CHANGE CERTIFICATION STANDARDS WITH WHICH MAJOR FACILITY PROJECTS MUST COMPLY, TO ELIMINATE REFERENCE TO THE LEED AND GREEN GLOBES CERTIFICATION RATING SYSTEMS, AND TO MAKE TECHNICAL CORRECTIONS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3592 (COUNCIL\NBD\3592C001. NBD.VR13):

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

/ SECTION 1. Section 48-52-830 of the 1976 Code is amended to read:

“Section 48-52-830. (A)(1) All major facility projects in this State, as defined in Section 48‑52‑810(10)(i), must be designed, constructed, and at least certified as receiving two globes using the Green Globes Rating System in place as of January 1, 2013 or receiving the LEED Silver standard in place as of January 1, 2013. All major facility projects in this State, as defined in Section 48‑52‑810(10)(a)(ii) or (iii), must be analyzed using a life cycle cost analysis comparing the cost and benefits of designing, constructing, maintaining, and operating the facility at the LEED Silver standard or two globes standard, or better, with certification; normal industry and regulatory standards as applicable; or some standard between the two that causes the project to be designed and constructed in a manner that achieves the lowest thirty‑year life cycle cost.

(2) In obtaining certification as receiving two globes using the Green Globes Rating System, a major facility project must earn at least twenty percent of the available points for energy performance under ‘C.1.1 Energy Consumption’. In obtaining certification as meeting the LEED Silver standard, a major facility project must earn at least forty percent of the available points for energy performance under "EA Credit 1: Optimize Energy Performance". The State Engineer's Office may waive the requirements of this item for a proposed major facility project should it determine that the costs of meeting this item are not economically feasible. The State Engineer's Office shall notify the board of the reason for the issuance of a waiver.

(B) Notwithstanding another provision of law, the board may ~~petition the General Assembly to require all major facility projects be certified to a high‑performance~~ utilize on the Green Globes Rating System in place as of January 1, 2013, or the LEED Silver standard in place as of January 1, 2013 as a building rating system standard ~~in addition to or instead of the systems provided in this chapter. However, any alternate rating system adopted by the General Assembly must be no less stringent than the systems provided in this chapter~~ for purposes of this article.

(C) The board shall administer and enforce the provisions in this article. Also, the board may adopt rules and promulgate regulations to comply with the goals set forth in Section 48‑52‑820.”

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

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER explained the amendment.

Reps. J. E. SMITH and COBB-HUNTER requested debate on the Bill.

Rep. FORRESTER continued speaking.

Rep. J. E. SMITH spoke against the amendment.

Reps. FUNDERBURK, LOWE, SANDIFER, NEAL, BERNSTEIN, JEFFERSON, OTT, GOVAN, MUNNERLYN, PARKS, GAMBRELL, SABB, LONG, POWERS NORRELL, RIDGEWAY, WEEKS, R. L. BROWN, BRANNON, ALLISON, WILLIAMS, WHIPPER, HOSEY, GILLIARD, MACK, FORRESTER, GOLDFINCH, H. A. CRAWFORD, HARDWICK, BEDINGFIELD, NANNEY, LOFTIS, G. R. SMITH, ROBINSON-SIMPSON, BOWERS and POPE requested debate on the Bill.

**H. 3609--DEBATE ADJOURNED**

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

H. 3609 -- Reps. Barfield, Clemmons and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROHIBIT THE SALE, POSSESSION, AND USE OF CERTAIN LASER POINTING DEVICES UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE DEFINITIONS, EXEMPTIONS, AND REMEDIES.

**H. 3869--DEBATE ADJOURNED**

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

H. 3869 -- Reps. Sandifer, Gambrell and Bales: A BILL TO AMEND SECTION 40-59-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RENEWAL OF LICENSES ISSUED BY THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION, SO AS TO MAKE THE RENEWAL PERIOD BIENNIAL, TO REQUIRE A LICENSEE SEEKING RENEWAL TO SUBMIT A CERTIFICATE OF COMPLIANCE WITH CONTINUING EDUCATIONAL REQUIREMENTS, TO PROVIDE SPECIFIC REQUIREMENTS OF MANDATORY CONTINUING EDUCATION REQUIRED OF A LICENSEE, AND TO PROVIDE THE COMMISSION MAY ESTABLISH ADDITIONAL PROFESSIONAL DESIGNATIONS FOR LICENSES TO RECOGNIZE ENHANCED PROFESSIONAL QUALIFICATIONS AND EXPERIENCE; AND TO AMEND SECTION 40-59-240, RELATING TO RESIDENTIAL SPECIALTY CONTRACTORS, SO AS TO REQUIRE LICENSEES COMPLETE CERTAIN CONTINUING EDUCATION APPROVED BY THE COMMISSION, AND TO PROVIDE A RESIDENTIAL SPECIALTY CONTRACTOR WHO HAS COMPLETED CONTINUING EDUCATIONAL REQUIREMENTS IN ADDITION TO OTHER EXISTING REQUIREMENTS IS EXEMPT FROM RELATED ADDITIONAL EXAMINATIONS REQUIRED BY A COUNTY OR MUNICIPALITY.

**H. 3818--DEBATE ADJOURNED**

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

H. 3818 -- Reps. K. R. Crawford, Sandifer, Erickson, Simrill, G. M. Smith, Gambrell and Bannister: A BILL TO AMEND SECTION 38-71-1730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSED PANEL HEALTH PLANS, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EMPLOYERS THAT OFFER ONLY CLOSED PANEL HEALTH PLANS TO ITS EMPLOYEES ALSO OFFER A POINT-OF-SERVICE OPTION TO ITS EMPLOYEES, TO MAKE CONFORMING CHANGES, AND TO INCREASE THE ALLOWABLE DIFFERENCES BETWEEN COINSURANCE PERCENTAGES FOR IN-NETWORK AND OUT-OF-NETWORK COVERED SERVICES AND SUPPLIES UNDER A POINT-OF-SERVICE OPTION.

**H. 3224--DEBATE ADJOURNED**

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

H. 3224 -- Reps. J. E. Smith, Bernstein, Erickson and Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MILITARY SERVICE OCCUPATION, EDUCATION, AND CREDENTIALING ACT"; BY ADDING SECTION 59-101-400 SO AS TO PROVIDE A PUBLIC, POST-SECONDARY INSTITUTION OF HIGHER EDUCATION IN THIS STATE MAY AWARD EDUCATIONAL CREDIT TO AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES FOR A COURSE THAT IS PART OF HIS MILITARY TRAINING OR SERVICE, SUBJECT TO CERTAIN CONDITIONS, AND TO REQUIRE THE INSTITUTION TO IMPLEMENT RELATED POLICIES AND REGULATIONS WITHIN A SPECIFIED TIME FRAME; BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 40 SO AS TO PROVIDE MISCELLANEOUS LICENSURE PROVISIONS FOR MILITARY PERSONNEL, TO PROVIDE A PERSON LICENSED BY BOARD OR COMMISSION UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IS EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS AND FEE ASSESSMENTS DURING ACTIVE DUTY IN THE UNITED STATES ARMED FORCES, TO PROVIDE A BOARD OR COMMISSION MAY ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE A BOARD OR COMMISSION SHALL ACCEPT CERTAIN COURSEWORK OR EXPERIENCE OBTAINED DURING THE COURSE OF MILITARY SERVICE TO SATISFY RELATED PROFESSIONAL OR OCCUPATIONAL EDUCATION OR TRAINING LICENSURE REQUIREMENTS; AND TO REPEAL SECTIONS 40-1-75 RELATING TO EXEMPTING ACTIVE DUTY MILITARY PERSONNEL FROM CONTINUING EDUCATION REQUIREMENTS, AND 40-1-77 RELATING TO TEMPORARY PROFESSIONAL OR OCCUPATIONAL LICENSES FOR MILITARY SPOUSES, THE SUBSTANCE OF WHICH ARE INCORPORATED INTO THE NEW ARTICLE ADDED BY THIS ACT.

**H. 3782--DEBATE ADJOURNED**

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

H. 3782 -- Rep. Delleney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-87 SO AS TO ENACT THE "PUBLIC EMPLOYER PAYROLL DEDUCTION POLICY ACT", TO PROHIBIT DEDUCTIONS FROM THE COMPENSATION OF A PUBLIC EMPLOYEE FOR DUES, FEES, AND ASSESSMENTS FOR TRANSMISSION TO ANY PUBLIC EMPLOYEE ORGANIZATION, ANY INTERMEDIARY, OR PRIVATE INDIVIDUAL, UNLESS THE DEDUCTION IS OTHERWISE SPECIFICALLY AUTHORIZED.

**H. 3870--DEBATE ADJOURNED**

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

H. 3870 -- Reps. Gambrell, Bowen, D. C. Moss, Gagnon, Putnam, Sandifer and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-49-65 SO AS TO PROVIDE IN THE "FIREFIGHTER MOBILIZATION ACT OF 2000" THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) HAS SPECIFIC AND EXCLUSIVE JURISDICTION ON BEHALF OF THE STATE IN MATTERS PERTAINING TO THE RESPONSE TO AND CRISIS MANAGEMENT OF ACTS OF TERRORISM AND EMERGENCY EVENT MANAGEMENT OF EXPLOSIVE DEVICES; TO AMEND SECTION 23-49-20, RELATING TO THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION OVERSIGHT COMMITTEE, SO AS TO ADD THE CHIEF OF SLED TO THE COMMITTEE AND TO CORRECT OBSOLETE REFERENCES; TO AMEND SECTION 23-49-50, RELATING TO THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION PLAN, SO AS TO RENAME THE COMMITTEE AS THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION AND EMERGENCY RESPONSE TASK FORCE PLAN, TO ADD THE TASK FORCE TO THOSE RESOURCES THAT THE PLAN IS INTENDED TO OFFER, AND TO PROVIDE THE PLAN IS OPERATIONAL WHEN THE CHIEF OF SLED DIRECTS A RESPONSE TO A TERRORIST OR EXPLOSIVE DEVICE EVENT; TO AMEND SECTION 23-49-60, RELATING TO THE DUTIES OF THE COMMITTEE, SO AS TO PROVIDE THE COMMITTEE SHALL DEVELOP GUIDELINES FOR USING RESOURCES ALLOCATED TO THE TASK FORCE AT THE STATE AND REGIONAL LEVEL; TO AMEND SECTION 23-49-70, RELATING TO STATE AND REGIONAL COORDINATORS APPOINTED BY THE COMMITTEE TO EXECUTE THE PLAN, SO AS TO MAKE A CONFORMING CHANGE TO THE NAME OF THE PLAN, TO REQUIRE THE OFFICE OF STATE FIRE MARSHAL TO PROVIDE ADMINISTRATIVE SUPPORT AS REQUIRED BY THE COMMITTEE TO PERFORM ITS PRESCRIBED FUNCTIONS, AND TO PROVIDE THAT THE STATE COORDINATOR APPOINTED BY THE COMMITTEE SHALL REPORT TO THE STATE FIRE MARSHAL AND PROVIDE ADMINISTRATIVE SUPPORT TO THE COMMITTEE; TO AMEND SECTION 23-49-80, RELATING TO INFORMATION REQUIRED OF THE SOUTH CAROLINA STATE FIREMEN'S ASSOCIATION, SO AS TO CORRECT OBSOLETE LANGUAGE; AND TO AMEND SECTION 23-49-110, RELATING TO DEFINITIONS, SO AS TO DEFINE ADDITIONAL TERMS.

**H. 3771--DEBATE ADJOURNED**

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

H. 3771 -- Reps. Sandifer, Bales, Putnam, Goldfinch and Erickson: A BILL TO AMEND SECTION 40-57-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA REAL ESTATE COMMISSION, SO AS TO DETAIL PROCEDURES FOR APPOINTING THE SEVEN COMMISSIONERS WHO REPRESENT THE SEVEN CONGRESSIONAL DISTRICTS, AND TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE COMMISSION, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE COMMISSION, AND TO PROVIDE THESE PERSONNEL ONLY MAY BE TERMINATED BY THE DIRECTOR.

**H. 3815--DEBATE ADJOURNED**

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

H. 3815 -- Reps. Sandifer and Erickson: A BILL TO AMEND SECTION 40-6-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ANNUAL LICENSE FEE FOR AUCTIONEERS, SO AS TO MAKE THE FEE BIENNIAL; AND TO AMEND SECTION 40-6-240, RELATING TO THE LICENSING PERIOD FOR AN AUCTIONEER LICENSE AND CONTINUING EDUCATION REQUIRED FOR RENEWAL OF THE LICENSE, SO AS TO EXTEND THE PERIOD TO TWO YEARS AND MAKE CONFORMING CHANGES, AND TO INCREASE THE AMOUNT OF CONTINUING EDUCATION THAT A LICENSEE MUST EARN DURING THE LICENSING PERIOD PRECEDING RENEWAL FROM FOUR HOURS TO EIGHT HOURS.

**H. 3797--DEBATE ADJOURNED**

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

H. 3797 -- Reps. Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-90-165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38-90-215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38-90-250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38-90-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38-90-20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38-90-35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38-90-40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38-90-50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38-90-55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38-90-60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38-90-80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38-90-90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38-90-100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-90-130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38-90-180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO INSURANCE, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38-90-210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38-90-220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38-90-230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38-90-240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38-90-450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38-90-235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

**S. 578--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 578 -- Senators Leatherman, Ford, Setzler, Thurmond, Peeler, Hembree, L. Martin, McElveen, Sheheen, Campbell, Young, Alexander, Cleary, Courson, Johnson, Grooms, Williams, O'Dell, Massey, Bennett, Cromer, Shealy, Turner, Matthews, Fair and Pinckney: A BILL TO AMEND VARIOUS PROVISIONS OF CHAPTER 41, TITLE 11 OF THE 1976 CODE, THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION DEBT TO SUPPORT AN ENHANCED ECONOMIC DEVELOPMENT PROJECT, TO MAKE FINDINGS THAT THE ISSUANCE OF THE BONDED INDEBTEDNESS SUPPORTS A PUBLIC PURPOSE AND IS IN THE BEST INTEREST OF THE STATE, TO PROVIDE QUALIFYING INVESTMENT AND JOB CREATION CRITERIA, AND TO PROVIDE FOR THE TERMS, CONDITIONS, AND REQUIREMENTS FOR THE ISSUANCE OF THE BONDED INDEBTEDNESS.

Rep. HARRELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 115; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--115**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Chumley | Norman |  |

**Total--2**

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

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

**OBJECTION TO RECALL**

Rep. SKELTON asked unanimous consent to recall H. 3344 from the Committee on Judiciary.

Rep. LOFTIS objected.

**S. 237--RECALLED AND REFERRED TO COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. OWENS, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Medical, Military, Public and Municipal Affairs:

S. 237 -- Senators Shealy, Setzler, Courson, Turner, Cromer, Massey, Young and Alexander: A BILL TO AMEND SECTION 10-1-161 OF THE 1976 CODE, RELATING TO STATE CAPITOL BUILDING FLAGS FLOWN AT HALF-STAFF, TO PROVIDE THAT FLAGS ATOP THE STATE CAPITOL BUILDING MUST BE LOWERED TO HALF-STAFF FOR MEMBERS OF THE UNITED STATES MILITARY SERVICES, WHO WERE RESIDENTS OF THIS STATE AND WHO LOST THEIR LIVES IN THE LINE OF DUTY, ON THE DAY WHEN THEIR NAMES ARE RELEASED TO THE GENERAL PUBLIC, AND THE FLAGS SHALL REMAIN AT HALF-STAFF UNTIL AT LEAST DAWN THE SECOND DAY AFTER FUNERAL SERVICES ARE CONDUCTED.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEE**

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3263 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 79 TO TITLE 2, TO ENACT THE "SOUTH CAROLINA MILITARY PREPAREDNESS AND ENHANCEMENT ACT" SO AS TO ESTABLISH AND PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE SOUTH CAROLINA MILITARY PREPAREDNESS AND ENHANCEMENT COMMISSION, TO PROVIDE THAT THIS COMMISSION SHALL ACT TO ENHANCE THE VALUE OF MILITARY FACILITIES LOCATED IN THIS STATE AND ASSIST DEFENSE COMMUNITIES WITH THIS VALUE ENHANCEMENT, TO ESTABLISH THE SOUTH CAROLINA MILITARY VALUE REVOLVING LOAN ACCOUNT TO PROVIDE LOANS TO ASSIST DEFENSE COMMUNITIES TO ENHANCE THE VALUE OF MILITARY FACILITIES, AND TO PROVIDE FOR OTHER METHODS AND INCENTIVES TO ACCOMPLISH THESE PURPOSES.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3354 -- Reps. King, Knight, Hart, Howard, J. E. Smith, Cobb-Hunter, Neal, Douglas and Powers Norrell: A BILL TO AMEND SECTION 44-63-84, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS TO WHOM DEATH CERTIFICATES MAY BE ISSUED, SO AS TO PROVIDE THAT THE COUNTY REGISTRAR SHALL ISSUE, UPON REQUEST, DEATH CERTIFICATES THAT WERE FILED ELECTRONICALLY; AND TO MAKE TECHNICAL CORRECTIONS.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3979 -- Reps. Harrell, R. L. Brown, Crosby, Gilliard, Goldfinch, Horne, Limehouse, Mack, McCoy, Merrill, Rivers, Sottile, Stavrinakis, Whipper, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Loftis, Long, Lowe, Lucas, McEachern, M. S. McLeod, W. J. McLeod, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Southard, Spires, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO SUPPORT PLANS TO CREATE THE NATIONAL MEDAL OF HONOR MUSEUM ON THE WATERFRONT IN MOUNT PLEASANT, SOUTH CAROLINA, OVERLOOKING THE CITY OF CHARLESTON, WHICH WILL SERVE AS A PERMANENT PLACE OF HONOR AND RECOGNITION FOR THOSE INDIVIDUALS WHO HAVE BEEN AWARDED THE HIGHEST LEVEL OF RECOGNITION FOR THEIR SACRIFICE AND SERVICE; AS A PLACE TO INSPIRE CURRENT AND FUTURE GENERATIONS ABOUT THE IDEALS OF COURAGE, PATRIOTISM, LEADERSHIP, AND SACRIFICE; TO HELP THEM UNDERSTAND THE MEANING AND PRICE OF FREEDOM; AND TO ENCOURAGE THEM TO

EMBRACE THEIR RESPONSIBILITIES AS CITIZENS IN A DEMOCRACY.

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

**INTRODUCTION OF BILL**

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

H. 3980 -- Rep. Daning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-3-145 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE PERMITS THAT ALLOW CERTAIN VEHICLES AND TRAILERS TO TRANSPORT UNPROCESSED FOREST PRODUCTS.

Referred to Committee on Education and Public Works

**LEAVE OF ABSENCE**

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

**H. 3609--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3609 -- Reps. Barfield, Clemmons and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROHIBIT THE SALE, POSSESSION, AND USE OF CERTAIN LASER POINTING DEVICES UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE DEFINITIONS, EXEMPTIONS, AND REMEDIES.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3609 (COUNCIL\NL\3609C001. NL.DG13):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Chapter 1, Title 39 of the 1976 Code is amended by adding:

“Section 39‑1‑100. (A) It is unlawful for an individual to sell a laser device to a minor under the age of eighteen years.

(B) It is unlawful to sell a laser device to an individual who does not present upon demand proper proof of age. Failure to demand identification to verify an individual’s age is not a defense to an action initiated pursuant to this subsection. Proof that is demanded, presented, and reasonably relied upon for the individual’s proof of age is a defense to an action initiated pursuant to this subsection.

(C) An individual who knowingly violates the provisions of subsection (A) or (B) in person, by agent, or in any other way is guilty of a misdemeanor and, upon conviction, must be:

(1) for a first offense, fined not less than one hundred dollars nor more than two hundred dollars;

(2) for a second offense, which occurs within three years of the first offense, fined not less than two hundred dollars nor more than three hundred dollars; and

(3) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars.

(D)(1) A minor under the age of eighteen years may not purchase, attempt to purchase, possess, or attempt to possess a laser device, or present or offer proof of age that is false or fraudulent for the purpose of purchasing or possessing a laser device. A minor under the age of eighteen may possess a laser device if it is:

(a) used by an individual as an emergency signaling device to send an emergency distress signal;

(b) used for legitimate educational purposes so long as it is used solely for that purpose;

(c) used for legitimate business purposes and during the normal course of that business;

(d) necessary for the individual’s employment, education, trade or occupation, so long as it is used solely for that purpose; or

(e) used as part of a gun sight, so long as it is used in a lawful manner.

(2) A minor who knowingly violates a provision of this subsection in person, by agent, or in any other way commits a noncriminal offense and is subject to a civil fine of twenty‑five dollars. The civil fine is subject to all applicable court costs, assessments, and surcharges.

(3) A violation of this subsection is not a criminal or delinquent offense and no criminal or delinquent record may be maintained. A minor may not be detained, taken into custody, arrested, placed in jail or in any other secure facility, committed to the custody of the Department of Juvenile Justice, or found to be in contempt of court for a violation of this subsection.

(4) A violation of this subsection is not grounds for denying, suspending, or revoking an individual’s participation in a state college or university financial assistance program including, but not limited to, a Life Scholarship, a Palmetto Fellows Scholarship, or a need‑based grant.

(E) As used in this section, ‘laser’ means a device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum, and when discharged exceeds one milliwatt continuous wave.” /

Renumber sections to conform.

Amend title to conform.

Rep. MACK explained the amendment.

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

**H. 3869--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3869 -- Reps. Sandifer, Gambrell and Bales: A BILL TO AMEND SECTION 40-59-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RENEWAL OF LICENSES ISSUED BY THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION, SO AS TO MAKE THE RENEWAL PERIOD BIENNIAL, TO REQUIRE A LICENSEE SEEKING RENEWAL TO SUBMIT A CERTIFICATE OF COMPLIANCE WITH CONTINUING EDUCATIONAL REQUIREMENTS, TO PROVIDE SPECIFIC REQUIREMENTS OF MANDATORY CONTINUING EDUCATION REQUIRED OF A LICENSEE, AND TO PROVIDE THE COMMISSION MAY ESTABLISH ADDITIONAL PROFESSIONAL DESIGNATIONS FOR LICENSES TO RECOGNIZE ENHANCED PROFESSIONAL QUALIFICATIONS AND EXPERIENCE; AND TO AMEND SECTION 40-59-240, RELATING TO RESIDENTIAL SPECIALTY CONTRACTORS, SO AS TO REQUIRE LICENSEES COMPLETE CERTAIN CONTINUING EDUCATION APPROVED BY THE COMMISSION, AND TO PROVIDE A RESIDENTIAL SPECIALTY CONTRACTOR WHO HAS COMPLETED CONTINUING EDUCATIONAL REQUIREMENTS IN ADDITION TO OTHER EXISTING REQUIREMENTS IS EXEMPT FROM RELATED ADDITIONAL EXAMINATIONS REQUIRED BY A COUNTY OR MUNICIPALITY.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3869 (COUNCIL\AGM\3869C002. AGM.AB13) which was tabled:

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

/ SECTION 1. Section 40‑59‑230 of the 1976 Code is amended to read:

“Section 40‑59‑230. (A) Unless otherwise provided under the provisions of this chapter, the commission shall ~~annually~~ biennially renew all licenses upon the applicant’s submission to the commission ~~of~~, together with a certificate of compliance of educational requirements by an organization approved by the commission to oversee the completed renewal application, proof of financial responsibility or bond, acceptable to the commission and payment of all applicable fees. If a license has been in inactive status for more than three years, the person shall file a new application as in the case of the issuance of an original license and is required to take and successfully complete the examination.

(B) As a condition of license renewal, the commission ~~may~~ shall require by regulation a licensee to satisfactorily complete continuing education ~~through a program approved by the commission~~. These classes may be conducted as some combination of approved online and in‑class work. At least six hours of coursework must be completed on a biennial basis in the core areas of building codes, safety, and business law and practices and at least ten hours of coursework may be completed biennially and applied to advanced certificate designations that will be kept on file by a South Carolina professional organization designated by the commission and made available to the commission. No additional continuing education or examination may be required by a county or municipality.

(C) A licensee must notify the commission in writing within thirty days of any change in the information required to be on file with the commission including, but not limited to, the licensee’s current mailing address.

(D) The commission may establish additional professional designations for licenses which shall not be a condition of licensure, but which shall recognize enhanced professional qualifications and experience.”

SECTION 2. Section 40‑59‑240(B) and (C) of the 1976 Code is amended to read:

“(B) Residential specialty contractors must be qualified and experienced in the particular areas of the contracting vocation in which they intend to, and do, engage. The commission, by regulation, may require examination in these areas. The commission also shall require by regulation a licensee to satisfactorily complete continuing educational requirements by a South Carolina organization approved by the commission. These classes may be conducted as some combination of approved online and in‑class work. At least six hours of coursework must be completed on a biennial basis in the core areas of building codes, safety, and business law and practices.

(C) Residential specialty contractors are not exempt from complying with county and municipal business license ordinances or other regulatory ordinances. A county or municipality may require a residential specialty contractor to be examined and licensed in accordance with standards adopted by the county or municipality; however, if a residential specialty contractor has passed an examination in his area of contracting and approved by the commission and has satisfactorily completed the core areas of continuing education from an organization approved by the commission, then, no additional continuing education or examination may be required by a county or municipality.”

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

Renumber sections to conform.

Amend title to conform.

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

Rep. SANDIFER proposed the following Amendment No. 2 to H. 3869 (COUNCIL\BBM\3869C002.BBM.HTC13), which was adopted:

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

/ SECTION 1. Section 40‑59‑230 of the 1976 Code is amended to read:

“Section 40‑59‑230. (A) Unless otherwise provided under the provisions of this chapter, the commission shall ~~annually~~ biennially renew all licenses upon the applicant’s submission to the commission ~~of~~, together with a certificate of compliance of educational requirements by an organization approved by the commission to oversee the completed renewal application, proof of financial responsibility or bond, acceptable to the commission and payment of all applicable fees. If a license has been in inactive status for more than three years, the person shall file a new application as in the case of the issuance of an original license and is required to take and successfully complete the examination.

(B) As a condition of license renewal, the commission ~~may~~ shall require by regulation a licensee to satisfactorily complete continuing education ~~through a program approved by the commission~~. These classes may be conducted as some combination of approved online and in‑class work. At least six hours of coursework must be completed on a biennial basis in the core areas of building codes, safety, and business law and practices. No additional continuing education or examination may be required by a county or municipality.

(C) A licensee must notify the commission in writing within thirty days of any change in the information required to be on file with the commission including, but not limited to, the licensee’s current mailing address.”

SECTION 2. Section 40‑59‑240(B) and (C) of the 1976 Code is amended to read:

“(B) Residential specialty contractors must be qualified and experienced in the particular areas of the contracting vocation in which they intend to, and do, engage. The commission, by regulation, may require examination in these areas. The commission also shall require by regulation a licensee to satisfactorily complete continuing educational requirements by a South Carolina organization approved by the commission. These classes may be conducted as some combination of approved online and in‑class work. At least six hours of coursework must be completed on a biennial basis in the core areas of building codes, safety, and business law and practices.

(C) Residential specialty contractors are not exempt from complying with county and municipal business license ordinances or other regulatory ordinances. A county or municipality may require a residential specialty contractor to be examined and licensed in accordance with standards adopted by the county or municipality; however, if a residential specialty contractor has passed an examination in his area of contracting and approved by the commission and has satisfactorily completed the core areas of continuing education from an organization approved by the commission, then, no additional continuing education or examination may be required by a county or municipality.”

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

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--110**

Those who voted in the negative are:

**Total--0**

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

**H. 3818--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Tuesday, April 23, which was adopted:

H. 3818 -- Reps. K. R. Crawford, Sandifer, Erickson, Simrill, G. M. Smith, Gambrell and Bannister: A BILL TO AMEND SECTION 38-71-1730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSED PANEL HEALTH PLANS, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EMPLOYERS THAT OFFER ONLY CLOSED PANEL HEALTH PLANS TO ITS EMPLOYEES ALSO OFFER A POINT-OF-SERVICE OPTION TO ITS EMPLOYEES, TO MAKE CONFORMING CHANGES, AND TO INCREASE THE ALLOWABLE DIFFERENCES BETWEEN COINSURANCE PERCENTAGES FOR IN-NETWORK AND OUT-OF-NETWORK COVERED SERVICES AND SUPPLIES UNDER A POINT-OF-SERVICE OPTION.

**H. 3224--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3224 -- Reps. J. E. Smith, Bernstein, Erickson and Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MILITARY SERVICE OCCUPATION, EDUCATION, AND CREDENTIALING ACT"; BY ADDING SECTION 59-101-400 SO AS TO PROVIDE A PUBLIC, POST-SECONDARY INSTITUTION OF HIGHER EDUCATION IN THIS STATE MAY AWARD EDUCATIONAL CREDIT TO AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES FOR A COURSE THAT IS PART OF HIS MILITARY TRAINING OR SERVICE, SUBJECT TO CERTAIN CONDITIONS, AND TO REQUIRE THE INSTITUTION TO IMPLEMENT RELATED POLICIES AND REGULATIONS WITHIN A SPECIFIED TIME FRAME; BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 40 SO AS TO PROVIDE MISCELLANEOUS LICENSURE PROVISIONS FOR MILITARY PERSONNEL, TO PROVIDE A PERSON LICENSED BY BOARD OR COMMISSION UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IS EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS AND FEE ASSESSMENTS DURING ACTIVE DUTY IN THE UNITED STATES ARMED FORCES, TO PROVIDE A BOARD OR COMMISSION MAY ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE A BOARD OR COMMISSION SHALL ACCEPT CERTAIN COURSEWORK OR EXPERIENCE OBTAINED DURING THE COURSE OF MILITARY SERVICE TO SATISFY RELATED PROFESSIONAL OR OCCUPATIONAL EDUCATION OR TRAINING LICENSURE REQUIREMENTS; AND TO REPEAL SECTIONS 40-1-75 RELATING TO EXEMPTING ACTIVE DUTY MILITARY PERSONNEL FROM CONTINUING EDUCATION REQUIREMENTS, AND 40-1-77 RELATING TO TEMPORARY PROFESSIONAL OR OCCUPATIONAL LICENSES FOR MILITARY SPOUSES, THE SUBSTANCE OF WHICH ARE INCORPORATED INTO THE NEW ARTICLE ADDED BY THIS ACT.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3224 (COUNCIL\AGM\3224C001. AGM.AB13), which was adopted:

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

/ SECTION 1. This act is known and may be cited as the “Military Service Occupation, Education, and Credentialing Act”.

SECTION 2. Article 1, Chapter 101, Title 59 of the 1976 Code is amended by adding:

“Section 59‑101‑400. (A) A state‑supported‑post‑secondary educational institution governed by this title, including a technical and comprehensive educational institution, may award educational credit to a student honorably discharged from the Armed Forces of the United States for a course that is part of the military training or service of the student, provided:

(1) the award must be made within three years after the enrollment of the student at the institution;

(2) the course meets the standards of the American Council of Education or equivalent standards for awarding academic credit; and

(3) the award is based upon the admissions standards, role, scope, and mission of the institution.

(B) An institution authorized to award education credit under subsection (A) shall:

(1) develop a policy concerning the provisions of subsection (A) before January 1, 2014; and

(2) adopt rules and procedures to implement the provisions of this section to become effective on the beginning of the 2013‑2014 academic year of the institution.”

SECTION 3. Chapter 1, Title 40 of the 1976 Code is amended by adding:

“Article 3

Miscellaneous Licensure Provisions for Military Personnel

Section 40‑1‑610. A person whose profession or occupation is regulated by this title is exempt from completing continuing education requirements for his profession or occupation while serving on active military duty.

Section 40‑1‑620. A person whose profession or occupation is regulated by this title may not be assessed, and is exempt from being required to pay, a license fee for his profession or occupation for the calendar year or years in which he serves any period of active military duty.

Section 40‑1‑630. (A) A board or commission that regulates the licensure of a profession or occupation under Title 40 may issue a temporary professional license for a profession or occupation it regulates to the spouse of an active duty member of the United States Armed Forces if the member is assigned to a duty station in this State pursuant to the official active duty military orders of the member.

(B)(1) A person seeking a temporary professional license under subsection (A) shall submit an application to the board or commission from which it is seeking the temporary license on forms the board or commission shall create and provide. In addition to general personal information about the applicant, the application must include proof that the:

(a) applicant is married to a member of the United States Armed Forces who is on active duty;

(b) applicant holds a valid license issued by another state, the District of Columbia, a possession or territory of the United States, or a foreign jurisdiction for the profession for which temporary licensure is sought;

(c) applicant holds the license in subitem (b) in ‘good standing’ as evidenced by a certificate of good standing from the state, possession or territory of the United States, or foreign jurisdiction that issued the license;

(d)(i) applicant submitted at his expense to a fingerprint‑based background check conducted by the State Law Enforcement Division to determine if the applicant has a criminal history in this State and a fingerprint‑based background check conducted by the Federal Bureau of Investigation to determine if the person has other criminal history, and the official results of these checks must be provided to the board or commission to which application for temporary licensure is made; and

(ii) the provisions of this subitem only apply if a similar background check is required to obtain ordinary licensure in the profession or occupation for which temporary licensure is sought by the applicant; and

(e) spouse of the applicant is assigned to a duty station in this State pursuant to the official active duty military orders of the member.

(C) A temporary license issued under this section expires one year from the date of issue and may not be renewed.

Section 40‑1‑640. (A) A professional or occupational board or commission governed by this title may accept the education, training, and experience completed by an individual as a member of the Armed Forces or Reserves of the United States, National Guard of any state, the Military Reserves of any state, or the Naval Militias of any state and apply this education, training, and experience in the manner most favorable toward satisfying the qualifications for issuance of the requested license or certification or approval for license examination in this State, subject to the receipt of evidence considered satisfactory by the board or commission.

(B) Nothing in this section may be construed to require the issuance of a license or certificate to an applicant who does not otherwise meet the stated eligibility standards, criteria, qualifications or requirements for licensure or certification, nor may the provisions be construed to automatically allow issuance of any license or certificate without testing or examination, without proper consideration by the licensing and examination board, or without proper verification that the applicant is not subject to pending criminal charges or disciplinary actions, has not been convicted of any offense prohibiting licensure or certification, and has no other impairment that would prohibit licensure or certification in this State.”

SECTION 4. Sections 40‑1‑75 and 40‑1‑77 of the 1976 Code are repealed.

SECTION 5. This act takes effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Herbkersman | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--108**

Those who voted in the negative are:

**Total--0**

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

**H. 3782--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3782 -- Rep. Delleney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-87 SO AS TO ENACT THE "PUBLIC EMPLOYER PAYROLL DEDUCTION POLICY ACT", TO PROHIBIT DEDUCTIONS FROM THE COMPENSATION OF A PUBLIC EMPLOYEE FOR DUES, FEES, AND ASSESSMENTS FOR TRANSMISSION TO ANY PUBLIC EMPLOYEE ORGANIZATION, ANY INTERMEDIARY, OR PRIVATE INDIVIDUAL, UNLESS THE DEDUCTION IS OTHERWISE SPECIFICALLY AUTHORIZED.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3782 (COUNCIL\NL\3782C001. NL.DG13):

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Article 1, Chapter 11, Title 8 of the 1976 Code is amended by adding:

“Section 8‑11‑87. (A) Except where otherwise specifically authorized by law and by a signed writing of the public employee, deductions from the compensation of a public employee must not be made for dues, fees, and assessments for transmission to any public employee organization, any intermediary, or private individual.

(B) For purposes of this section, a ‘public employee’ means an employee of the state or any political subdivision thereof, including school districts.” /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, April 18, which was agreed to.

**H. 3870--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3870 -- Reps. Gambrell, Bowen, D. C. Moss, Gagnon, Putnam, Sandifer and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-49-65 SO AS TO PROVIDE IN THE "FIREFIGHTER MOBILIZATION ACT OF 2000" THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) HAS SPECIFIC AND EXCLUSIVE JURISDICTION ON BEHALF OF THE STATE IN MATTERS PERTAINING TO THE RESPONSE TO AND CRISIS MANAGEMENT OF ACTS OF TERRORISM AND EMERGENCY EVENT MANAGEMENT OF EXPLOSIVE DEVICES; TO AMEND SECTION 23-49-20, RELATING TO THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION OVERSIGHT COMMITTEE, SO AS TO ADD THE CHIEF OF SLED TO THE COMMITTEE AND TO CORRECT OBSOLETE REFERENCES; TO AMEND SECTION 23-49-50, RELATING TO THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION PLAN, SO AS TO RENAME THE COMMITTEE AS THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION AND EMERGENCY RESPONSE TASK FORCE PLAN, TO ADD THE TASK FORCE TO THOSE RESOURCES THAT THE PLAN IS INTENDED TO OFFER, AND TO PROVIDE THE PLAN IS OPERATIONAL WHEN THE CHIEF OF SLED DIRECTS A RESPONSE TO A TERRORIST OR EXPLOSIVE DEVICE EVENT; TO AMEND SECTION 23-49-60, RELATING TO THE DUTIES OF THE COMMITTEE, SO AS TO PROVIDE THE COMMITTEE SHALL DEVELOP GUIDELINES FOR USING RESOURCES ALLOCATED TO THE TASK FORCE AT THE STATE AND REGIONAL LEVEL; TO AMEND SECTION 23-49-70, RELATING TO STATE AND REGIONAL COORDINATORS APPOINTED BY THE COMMITTEE TO EXECUTE THE PLAN, SO AS TO MAKE A CONFORMING CHANGE TO THE NAME OF THE PLAN, TO REQUIRE THE OFFICE OF STATE FIRE MARSHAL TO PROVIDE ADMINISTRATIVE SUPPORT AS REQUIRED BY THE COMMITTEE TO PERFORM ITS PRESCRIBED FUNCTIONS, AND TO PROVIDE THAT THE STATE COORDINATOR APPOINTED BY THE COMMITTEE SHALL REPORT TO THE STATE FIRE MARSHAL AND PROVIDE ADMINISTRATIVE SUPPORT TO THE COMMITTEE; TO AMEND SECTION 23-49-80, RELATING TO INFORMATION REQUIRED OF THE SOUTH CAROLINA STATE FIREMEN'S ASSOCIATION, SO AS TO CORRECT OBSOLETE LANGUAGE; AND TO AMEND SECTION 23-49-110, RELATING TO DEFINITIONS, SO AS TO DEFINE ADDITIONAL TERMS.

Rep. GAMBRELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Branham | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Cobb-Hunter |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--106**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Cole |  |  |

**Total--1**

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

RECORD FOR VOTING

During the vote on H. 3870, I inadvertently pressed the ‘nay’ button and was unable to change my vote prior to the final tabulation. I intended to vote in favor of the passage of this Bill.

Rep. Derham Cole, Jr.

**H. 3771--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3771 -- Reps. Sandifer, Bales, Putnam, Goldfinch and Erickson: A BILL TO AMEND SECTION 40-57-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA REAL ESTATE COMMISSION, SO AS TO DETAIL PROCEDURES FOR APPOINTING THE SEVEN COMMISSIONERS WHO REPRESENT THE SEVEN CONGRESSIONAL DISTRICTS, AND TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE COMMISSION, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE COMMISSION, AND TO PROVIDE THESE PERSONNEL ONLY MAY BE TERMINATED BY THE DIRECTOR.

**H. 3815--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3815 -- Reps. Sandifer and Erickson: A BILL TO AMEND SECTION 40-6-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ANNUAL LICENSE FEE FOR AUCTIONEERS, SO AS TO MAKE THE FEE BIENNIAL; AND TO AMEND SECTION 40-6-240, RELATING TO THE LICENSING PERIOD FOR AN AUCTIONEER LICENSE AND CONTINUING EDUCATION REQUIRED FOR RENEWAL OF THE LICENSE, SO AS TO EXTEND THE PERIOD TO TWO YEARS AND MAKE CONFORMING CHANGES, AND TO INCREASE THE AMOUNT OF CONTINUING EDUCATION THAT A LICENSEE MUST EARN DURING THE LICENSING PERIOD PRECEDING RENEWAL FROM FOUR HOURS TO EIGHT HOURS.

Rep. TOOLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--109**

Those who voted in the negative are:

**Total--0**

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

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

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. HARRELL.

**H. 3145--DEBATE ADJOURNED**

Rep. HARRELL moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3145 -- Reps. Huggins, Daning, Lowe, Weeks and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-37-45 SO AS TO PROVIDE FOR EXPEDITED EJECTMENTS OF CERTAIN TENANTS BY LANDLORDS; AND TO AMEND SECTION 8-21-1010, AS AMENDED, RELATING TO MAGISTRATES FEES, SO AS TO PROVIDE A FEE FOR FILING AN EXPEDITED EJECTMENT.

**H. 3176--DEBATE ADJOURNED**

Rep. HARRELL moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3176 -- Reps. Clemmons and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; BY ADDING SECTION 7-13-200 SO AS TO PROVIDE UNIFORM DATES FOR ELECTION EVENTS; BY ADDING SECTION 7-13-1115 SO AS TO REQUIRE A BALLOT TO INDICATE A VOTE CAST FOR A SINGLE CANDIDATE IN ORDER TO BE CERTIFIED AS PART OF THE TOTAL NUMBER OF VOTES CAST; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, AS AMENDED, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-13-330, AS AMENDED, RELATING TO THE BALLOT FORM AND INSTRUCTIONS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING ON GENERAL ELECTION BALLOTS; TO AMEND SECTION 7-13-1340, AS AMENDED, RELATING TO REQUIREMENTS FOR VOTE RECORDERS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD; TO AMEND SECTION 7-15-360, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-365, AS AMENDED, RELATING TO BALLOTS AND INSTRUCTIONS FURNISHED BY COUNTY BOARDS OF REGISTRATION, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-370, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES AND THE DUTIES OF THE COUNTY REGISTRATION BOARD, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; AND TO REPEAL SECTION 7-15-470 RELATING TO ABSENTEE BALLOTS OTHER THAN PAPER BALLOTS.

**H. 3165--DEBATE ADJOURNED**

Rep. HARRELL moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3165 -- Reps. Tallon, Henderson, G. R. Smith, Long, V. S. Moss, Atwater, Taylor, Toole and Erickson: A BILL TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO REVISE THE METHOD OF DETERMINING THE BENEFITS OF A PERSON DISCHARGED FROM EMPLOYMENT FOR ILLEGAL DRUG USE, GROSS MISCONDUCT, AND FAILURE TO ACCEPT WORK, TO DEFINE CERTAIN TERMS, TO SPECIFY CRITERIA FOR A LABORATORY QUALIFIED TO PERFORM A TEST FOR ILLEGAL DRUG USE BY A PERSON SEEKING OR RECEIVING UNEMPLOYMENT BENEFITS, TO LIMIT THE LIABILITY OF AN EMPLOYER FOR ACTS OR OMISSIONS IN THE DISCLOSURE OF A DRUG TEST PERFORMED UNDER THIS SECTION, AND TO PROVIDE THE MISUSE OF BIOLOGICAL MATERIAL OBTAINED IN THE COURSE OF THIS DRUG TESTING IS A MISDEMEANOR SUBJECT TO CERTAIN MONETARY PENALTIES.

**H. 3236--DEBATE ADJOURNED**

Rep. HARRELL moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3236 -- Reps. Sellers, J. E. Smith, W. J. McLeod, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-185 SO AS TO ENACT THE "CERVICAL CANCER PREVENTION ACT", TO PROVIDE THAT BEGINNING WITH THE 2013-2014 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE "CERVICAL CANCER VACCINATION SERIES", AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

**H. 3639--DEBATE ADJOURNED**

Rep. HARRELL moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3639 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-15-70 SO AS TO PROVIDE FOR THE FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONTRACTS BY STIPULATING THAT STATE OR LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES, IN REGARD TO A PUBLIC BUILDING, MAY NOT REQUIRE OR PROHIBIT A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FROM ENTERING INTO OR ADHERING TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT AND MAY NOT OTHERWISE DISCRIMINATE AGAINST A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FOR BECOMING OR REFUSING TO BECOME A SIGNATORY TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT, TO PROVIDE THAT STATE AND LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES SHALL NOT AWARD A GRANT, TAX ABATEMENT, OR TAX CREDIT CONDITIONED UPON THE INCLUSION OF SUCH AGREEMENTS IN THE AWARD, AND TO PROVIDE EXCEPTIONS TO AND EXEMPTIONS FROM THESE PROVISIONS.

**H. 3369--DEBATE ADJOURNED**

Rep. HARRELL moved to adjourn debate upon the following Bill until Thursday, April 18, which was adopted:

H. 3369 -- Reps. Sandifer, Limehouse, Sottile, Clemmons, Crosby, Daning, Spires, Toole, Simrill, Putnam, Loftis, Bedingfield, Quinn, Huggins, Finlay, Kennedy, Owens, Gagnon, Gambrell, Whitmire, Herbkersman, G. R. Smith, Barfield, Hardwick, Edge, K. R. Crawford, D. C. Moss, Hiott, Forrester, Long, W. J. McLeod, Funderburk, Southard, Hixon, V. S. Moss, Anthony, Ryhal, Wells, Skelton, Taylor, Norman, Henderson, Atwater, Pitts, Lowe, Horne and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 42-1-378 SO AS TO PROVIDE THAT AN EMPLOYEE COVERED BY THE FEDERAL EMPLOYERS' LIABILITY ACT, THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT OR ANY OF ITS EXTENSIONS, OR THE JONES ACT IS EXEMPT FROM WORKERS' COMPENSATION LAWS.

**S. 2--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 2 -- Senators Campsen, L. Martin, Cromer, Hayes and Grooms: A BILL TO ESTABLISH THE "EQUAL ACCESS TO THE BALLOT ACT", BY AMENDING SECTION 8-13-1356, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF A STATEMENT OF ECONOMIC INTEREST BY A CANDIDATE, TO PROVIDE THAT A CANDIDATE WHO IS NOT A PUBLIC OFFICIAL AND A CANDIDATE WHO IS A PUBLIC OFFICIAL SHALL ELECTRONICALLY FILE OR UPDATE A STATEMENT OF ECONOMIC INTEREST, AS APPLICABLE, PRIOR TO FILING A STATEMENT OF INTENTION OF CANDIDACY OR NOMINATION FOR PETITION; TO AMEND SECTION 7-11-15, TO PROVIDE THAT THE FILING PERIOD RUNS FROM MARCH TWENTY-THIRD TO MARCH THIRTIETH, TO REQUIRE THAT THE PARTY EXECUTIVE COMMITTEE NOT ACCEPT A STATEMENT OF INTENTION OF CANDIDACY UNLESS THE COMMITTEE VERIFIES THAT THE CANDIDATE FILED AN ELECTRONIC STATEMENT OF ECONOMIC INTEREST, AND TO PROVIDE THAT INTENTIONS OF CANDIDACY ARE TO BE SUBMITTED TO THE APPROPRIATE ELECTION COMMISSION BY NOON ON THE FIFTH DAY AFTER THE FILING DEADLINE.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 2 (COUNCIL\GGS\S2C001.GGS.SD13):

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

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

“Section 7‑13‑46. (A) In every general election year the State Election Commission and every county board of registration and elections shall:

(1) designate a specified place, other than a private residence, where a person may file as a candidate;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which some person authorized by law must be present at the designated place to accept filings;

(3) place and pay for an advertisement at least five by seven inches in size to appear two weeks before the filing period begins in a newspaper of general circulation in the county which notifies the public of the dates of the filing periods, the location and hours for signing the statement of intention of candidacy, and the notice of candidacy and pledge set by the party executive committees, the offices that may be filed for, the place and street address where filings must be turned in to the party official, and the hours that an authorized person will be present to receive filings, paid for at the rates prescribed by law for legal notices;

(4) allow for a single designee, selected by the state chair for all filings preformed at the State Election Commission and the county chair for all other filings, for each recognized political party within the county to be present at the place selected by the board to accept election filings at all times filings are to be accepted.

(B) In every general election year a political party, acting through its chairman, shall:

(1) designate a person to be in attendance at the place designated pursuant to subsection (A)(1) during the hours established pursuant to subsection (A)(2) who will accept notice of candidacy, intention of candidacy and pledge documents from all candidates, or their designee, that present themselves to file for elective office in that county. The person designated by the party or his designee must accept all filings offered;

(2) cause to be delivered to the State Election Commission or County Board of Registration and Elections, as the case may be, all documents received from candidates for elective office; and

(3) cause all documents received from candidates for office to be marked with the time and date received by the party. The time and date recorded by the party on the documents pursuant to this subsection shall serve as the time and date that the State Election Commission or county board of registration and elections receives the documents.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. Notwithstanding another provision of law, individual counties, by ordinance, may alter the number of members serving on their board of registration and elections.”

SECTION 3. Article 11, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1115. (A) All candidates for public office must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.

(B) An individual, who becomes a candidate other than by filing, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.”

SECTION 4. Section 7‑11‑10 of the 1976 Code, as last amended by Act 419 of 1982, is further amended to read:

“Section 7‑11‑10. 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~~ however, ~~no~~ a person who was defeated as a candidate for nomination to an office in a party primary or party convention shall 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~~ that office before the election is held.”

SECTION 5. Section 7‑11‑15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~

(A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the State Election Commission;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the state Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county in which they reside;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county the office serves;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(E) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the State Election Commission.

(F) The county party must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(G) A candidate’s name may not appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy, notice of candidacy and pledge, and filing fee have not been filed with the county board of registration and elections or State Election Commission, as appropriate, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy and proof that his filing fee was received by the appropriate body.

(H) Copies of the filing documents showing the time and date filed and the candidate’s signature must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(I) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater, and must be made by check payable to the State Election Commission. A candidate whose check is returned to the State Election Commission for insufficient funds may not have his name placed on a ballot.

(J) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be available to the public at the offices of the State Election Commission, the office of the Clerk of Court in each county, and available for printing from a website maintained by the State Election Commission and must be filed in duplicate by the candidate. The county board of Registration and Elections or State Election Commission, as appropriate, must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate.

(K) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as appropriate, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of state House of Representatives or state Senator, the discretion must be exercised by the state committee.

(L) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.”

SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7‑11‑30. ~~If a party nominates candidates by conventions, the state convention shall nominate the party's candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party's candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention, except the office of state Senator and of member of the House of Representatives. The nomination of the party's candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks' published notices of the calls. Any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.~~

(A) A party may choose to nominate candidates for all offices, including but not limited to Governor, Lieutenant Governor, United States Senator, United States House of Representatives, circuit solicitor, state Senator, and members of the state House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 7. Section 7‑11‑210 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑11‑210. Every candidate for selection as a nominee of ~~any~~a political party for ~~any~~a state office, United States Senator, member of Congress, or solicitor, to be voted for in ~~any~~a party primary election or political party convention, shall file with and place in the possession of the ~~treasurer of the state committee~~ State Election Commission by twelve o’clock noon on March thirtieth a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate and by the appropriate filing official: ‘I hereby file my notice as a candidate for the nomination as \_\_\_\_\_\_\_\_\_\_ in the primary election or convention to be held on \_\_\_\_\_\_\_\_\_\_. I affiliate with the \_\_\_\_\_\_\_\_\_\_ Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write‑in candidate for this office or any other office for which the party has a nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office.’

Every candidate for selection in a primary election as the nominee of ~~any~~a political party for member of the Senate, member of the House of Representatives, and all county and township offices shall file with and place in the possession of the county ~~chairman or other officer as may be named by the county committee of the county in which they reside~~ board of registration and elections of the county in which they reside by twelve o’clock noon on March thirtieth a like notice and pledge.

~~The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be signed in the presence of the county chairman or other officer as may be named by the county committee with whom the candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.~~ The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate. A notice of candidacy of a candidate signed by an agent on behalf of a candidate is not valid.

~~In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the state chairman of the party which held the primary (if the office involved is one voted for in the general election by the electors of more than one county), or the county chairman of the party which held the primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining the person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of these facts to issue an order.~~”

SECTION 8. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. ~~In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ninth, or if April ninth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and such candidate’s name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.~~ In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county board of registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be compiled by the State Election Commission and forwarded to the respective state executive committees not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.”

SECTION 9. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) All counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.

(B) Notwithstanding the provisions of subsection (A), a county by affirmative vote of its county council may choose not to combine its existing board of registration and board of elections provided this vote occurs within one calendar year of the effective date of this act. If a county council fails to conduct the vote described in this subsection, then the provisions of subsection (A) shall apply. If a county chooses not to combine its existing boards of registration and elections pursuant to this subsection, the existing board of elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county as required by Title 7.”

SECTION 10. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260.~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 11. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 12. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 13. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 14. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 15. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 16. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 17. Section 8‑13‑365 of the 1976 Code, as last amended by Act 190 of 2010, is further amended to read:

“Section 8‑13‑365.(A) The ~~commission~~ State Ethics Commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 from all persons and entities subject to its jurisdiction. These disclosures and reports must be filed using an Internet‑based filing system as prescribed by the ~~commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system.~~ State Ethics Commission, which shall forward these reports to the appropriate supervisory office. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.

(B) ~~The Ethics Commission must submit to the General Assembly a report no later than one year after implementation of subsection (A), concerning the effectiveness of mandatory electronic filing, and must make recommendations as to the implementation of mandatory filing for all other candidates and entities.~~ Notwithstanding another provision of law, a disclosure form filed pursuant to this section must be deemed to satisfy any other filing requirement required by law.”

SECTION 18. Section 8‑13‑1110 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 8‑13‑1110. (A) ~~No public official, regardless of compensation, and no public member, or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office.~~ The State Ethics Commission must furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, a candidate who is not an incumbent public official and who must otherwise file a statement of economic interests is subject to the same disclosure requirements as an incumbent public official. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect ~~with the appropriate supervisory office~~. All disclosure statements are matters of public record open to inspection upon request.

(B) ~~Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided~~ All public officials must file a Statement of Economic Interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last. This includes elected officials, and the following:

(1) a person appointed to fill the unexpired term of an elective office;

(2) a salaried member of a state board, commission, or agency;

(3) the chief administrative official, or employee, and the deputy or assistant administrative official, or employee, or director of a division, institution, or facility of ~~any~~ an agency or department of state government;

(4) the city administrator, city manager, or chief municipal administrative official, or employee, by whatever title;

(5) the county manager, county administrator, county supervisor, or chief county administrative official, or employee, by whatever title;

(6) the chief administrative official, or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

(7) a school district and county superintendent of education;

(8) a school district board member and a county board of education member;

(9) the chief finance official, or employee, and the chief purchasing official, or employee, of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

(10) a public official;

(11) a public member who serves on a state board, commission, or council; and

(12) Department of Transportation District Engineering Administrators.”

SECTION 19. Section 7‑11‑220 of the 1976 Code is repealed.

SECTION 20. Section 8‑13‑1356 of the 1976 Code is repealed.

SECTION 21. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY moved to adjourn debate on the amendment, which was agreed to.

Rep. DELLENEY proposed the following Amendment No. 3 to S. 2 (COUNCIL\AGM\2C001.AGM.AB13), which was adopted:

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

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

“Section 7‑13‑46. (A) In every general election year the county board of registration and elections shall:

(1) designate a specified place, other than a private residence, where a person may file as a candidate;

(2) establish regular hours of not less than four hours a day during the final seventy-two hours of the filing period in which some person authorized by law must be present at the designated place to accept filings;

(3) place an advertisement at least five by seven inches in size to appear two weeks before the filing period begins in a newspaper of general circulation in the county which notifies the public of the dates of the filing periods, the location and hours for signing the statement of intention of candidacy, and the notice of candidacy and pledge set by the party executive committees, the offices that may be filed for, the place and street address where filings must be turned in to the county board of registration and elections, and the hours that an authorized person will be present to receive filings, paid for at the rates prescribed by law for legal notices;

(4) allow for a single designee, selected by the county chair, for each recognized political party within the county to be present at the place selected by the board to accept election filings at all times filings are to be accepted; and

(5) transmit, in writing, to each political party in the county a listing of all candidates who have filed for the various offices that the county board accepts filings for. If a particular party requests, and the county board has the ability, the county board will provide daily electronic mail updates to an identified party designee.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. Notwithstanding another provision of law, individual counties, by ordinance, may alter the number of members serving on their board of registration and elections.”

SECTION 3. Article 11, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1115. (A) All candidates for public office must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.

(B) An individual, who becomes a candidate other than by filing, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.”

SECTION 4. Section 7‑11‑10 of the 1976 Code, as last amended by Act 419 of 1982, is further amended to read:

“Section 7‑11‑10. 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~~ however, ~~no~~ a person who was defeated as a candidate for nomination to an office in a party primary or party convention shall 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~~ that office before the election is held.”

SECTION 5. Section 7‑11‑15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~

(A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the State Election Commission;

(2) obtain the signature of the appropriate State Election Commission official on the statement of intention of candidacy; and

(3) file the signed statement of intention of candidacy and the notice of candidacy and pledge with the State Election Commission along with the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the state Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county in which they reside;

(2) obtain the signature of the appropriate county board of registration and elections official in the county in which the candidate resides on the statement of intention of candidacy; and

(3) file the signed statement of intention of candidacy and the notice of candidacy and pledge with the county board of registration and elections in the county in which the candidate resides, along with the filing fee for office pursuant to this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county the office serves;

(2) obtain the signature of the appropriate county board of registration and elections official in the county on the statement of intention of candidacy; and

(3) file the signed statement of intention of candidacy and the notice of candidacy and pledge with the county board of registration and elections, along with the filing fee for office pursuant to this section.

(E) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the State Election Commission.

(F) The county board of registration and elections or the State Election Commission, where appropriate, must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(G) A candidate’s name may not appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy, notice of candidacy and pledge, and filing fee have not been filed with the county board of registration and elections or State Election Commission, as appropriate, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy and proof that his filing fee was received by the appropriate body.

(H) Copies of the filing documents showing the time and date filed, the candidate’s signature, and the signature of the election official must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(I) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater, and must be made by check payable to the State Election Commission. A candidate whose check is returned to the State Election Commission for insufficient funds may not have his name placed on a ballot.

(J) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be available to the public at the offices of the State Election Commission, the office of the Clerk of Court in each county, and available for printing from a website maintained by the State Election Commission and must be filed in duplicate by the candidate. The county board or State Election Commission, as appropriate, with which it is filed must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate.

(K) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as appropriate, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of state House of Representatives or state Senator, the discretion must be exercised by the state committee.

(L) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.”

SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7‑11‑30. ~~If a party nominates candidates by conventions, the state convention shall nominate the party’s candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party’s candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention, except the office of state Senator and of member of the House of Representatives. The nomination of the party’s candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks’ published notices of the calls. Any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.~~

(A) A party may choose to nominate candidates for all offices, including but not limited to Governor, Lieutenant Governor, United States Senator, United States House of Representatives, circuit solicitor, state Senator, and members of the state House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 7. Section 7‑11‑210 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑11‑210. Every candidate for selection as a nominee of ~~any~~ a political party for ~~any~~ a state office, United States Senator, member of Congress, or solicitor, to be voted for in ~~any~~ a party primary election or political party convention, shall file with and place in the possession of the ~~treasurer of the state committee~~ State Election Commission by twelve o’clock noon on March thirtieth a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate and by the appropriate filing official: ‘I hereby file my notice as a candidate for the nomination as \_\_\_\_\_\_\_\_\_\_ in the primary election or convention to be held on \_\_\_\_\_\_\_\_\_\_. I affiliate with the \_\_\_\_\_\_\_\_\_\_ Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write‑in candidate for this office or any other office for which the party has a nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office.’

Every candidate for selection in a primary election as the nominee of ~~any~~ a political party for member of the Senate, member of the House of Representatives, and all county and township offices shall file with and place in the possession of the county ~~chairman or other officer as may be named by the county committee of the county in which they reside~~ board of registration and elections of the county in which they reside by twelve o’clock noon on March thirtieth a like notice and pledge.

~~The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be signed in the presence of the county chairman or other officer as may be named by the county committee with whom the candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.~~ The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate. A notice of candidacy of a candidate signed by an agent on behalf of a candidate is not valid.

~~In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the state chairman of the party which held the primary (if the office involved is one voted for in the general election by the electors of more than one county), or the county chairman of the party which held the primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining the person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of these facts to issue an order.~~”

SECTION 8. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. ~~In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ninth, or if April ninth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and such candidate’s name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.~~ In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county board of registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be compiled by the State Election Commission and forwarded to the respective state executive committees not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.”

SECTION 9. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) All counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.

(B) Notwithstanding the provisions of subsection (A), a county by affirmative vote of its county council may choose not to combine its existing board of registration and board of elections provided this vote occurs within one calendar year of the effective date of this act. If a county council fails to conduct the vote described in this subsection, then the provisions of subsection (A) shall apply. If a county chooses not to combine its existing boards of registration and elections pursuant to this subsection, the existing board of elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county as required by Title 7.”

SECTION 10. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260. ~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 11. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 12. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 13. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 14. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 15. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 16. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 17. Section 8‑13‑365 of the 1976 Code, as last amended by Act 190 of 2010, is further amended to read:

“Section 8‑13‑365.(A) The ~~commission~~ State Ethics Commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 from all persons and entities subject to its jurisdiction. These disclosures and reports must be filed using an Internet‑based filing system as prescribed by the ~~commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system.~~ State Ethics Commission, which shall forward these reports to the appropriate supervisory office. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.

(B) ~~The Ethics Commission must submit to the General Assembly a report no later than one year after implementation of subsection (A), concerning the effectiveness of mandatory electronic filing, and must make recommendations as to the implementation of mandatory filing for all other candidates and entities.~~ Notwithstanding another provision of law, a disclosure form filed pursuant to this section must be deemed to satisfy any other filing requirement required by law.”

SECTION 18. Section 8‑13‑1110 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 8‑13‑1110. (A) ~~No public official, regardless of compensation, and no public member, or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office.~~ The State Ethics Commission must furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, a candidate who is not an incumbent public official and who must otherwise file a statement of economic interests is subject to the same disclosure requirements as an incumbent public official. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect ~~with the appropriate supervisory office~~. All disclosure statements are matters of public record open to inspection upon request.

(B) ~~Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided~~ All public officials must file a Statement of Economic Interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last. This includes elected officials, and the following:

(1) a person appointed to fill the unexpired term of an elective office;

(2) a salaried member of a state board, commission, or agency;

(3) the chief administrative official, or employee, and the deputy or assistant administrative official, or employee, or director of a division, institution, or facility of ~~any~~ an agency or department of state government;

(4) the city administrator, city manager, or chief municipal administrative official, or employee, by whatever title;

(5) the county manager, county administrator, county supervisor, or chief county administrative official, or employee, by whatever title;

(6) the chief administrative official, or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

(7) a school district and county superintendent of education;

(8) a school district board member and a county board of education member;

(9) the chief finance official, or employee, and the chief purchasing official, or employee, of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

(10) a public official;

(11) a public member who serves on a state board, commission, or council; and

(12) Department of Transportation District Engineering Administrators.”

SECTION 19. Section 7‑11‑220 of the 1976 Code is repealed.

SECTION 20. Section 8‑13‑1356 of the 1976 Code is repealed.

SECTION 21. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY explained the amendment.

The amendment was then adopted.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 2 (COUNCIL\GGS\S2C001.GGS.SD13), which was tabled:

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

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

“Section 7‑13‑46. (A) In every general election year the State Election Commission and every county board of registration and elections shall:

(1) designate a specified place, other than a private residence, where a person may file as a candidate;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which some person authorized by law must be present at the designated place to accept filings;

(3) place and pay for an advertisement at least five by seven inches in size to appear two weeks before the filing period begins in a newspaper of general circulation in the county which notifies the public of the dates of the filing periods, the location and hours for signing the statement of intention of candidacy, and the notice of candidacy and pledge set by the party executive committees, the offices that may be filed for, the place and street address where filings must be turned in to the party official, and the hours that an authorized person will be present to receive filings, paid for at the rates prescribed by law for legal notices;

(4) allow for a single designee, selected by the state chair for all filings preformed at the State Election Commission and the county chair for all other filings, for each recognized political party within the county to be present at the place selected by the board to accept election filings at all times filings are to be accepted.

(B) In every general election year a political party, acting through its chairman, shall:

(1) designate a person to be in attendance at the place designated pursuant to subsection (A)(1) during the hours established pursuant to subsection (A)(2) who will accept notice of candidacy, intention of candidacy and pledge documents from all candidates, or their designee, that present themselves to file for elective office in that county. The person designated by the party or his designee must accept all filings offered;

(2) cause to be delivered to the State Election Commission or County Board of Registration and Elections, as the case may be, all documents received from candidates for elective office; and

(3) cause all documents received from candidates for office to be marked with the time and date received by the party. The time and date recorded by the party on the documents pursuant to this subsection shall serve as the time and date that the State Election Commission or county board of registration and elections receives the documents.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. Notwithstanding another provision of law, individual counties, by ordinance, may alter the number of members serving on their board of registration and elections.”

SECTION 3. Article 11, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1115. (A) All candidates for public office must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.

(B) An individual, who becomes a candidate other than by filing, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.”

SECTION 4. Section 7‑11‑10 of the 1976 Code, as last amended by Act 419 of 1982, is further amended to read:

“Section 7‑11‑10. 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~~ however, ~~no~~ a person who was defeated as a candidate for nomination to an office in a party primary or party convention shall 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~~ that office before the election is held.”

SECTION 5. Section 7‑11‑15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~

(A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the State Election Commission;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the state Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county in which they reside;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county the office serves;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(E) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the State Election Commission.

(F) The county party must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(G) A candidate’s name may not appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy, notice of candidacy and pledge, and filing fee have not been filed with the county board of registration and elections or State Election Commission, as appropriate, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy and proof that his filing fee was received by the appropriate body.

(H) Copies of the filing documents showing the time and date filed and the candidate’s signature must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(I) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater, and must be made by check payable to the State Election Commission. A candidate whose check is returned to the State Election Commission for insufficient funds may not have his name placed on a ballot.

(J) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be available to the public at the offices of the State Election Commission, the office of the Clerk of Court in each county, and available for printing from a website maintained by the State Election Commission and must be filed in duplicate by the candidate. The county board of Registration and Elections or State Election Commission, as appropriate, must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate.

(K) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as appropriate, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of state House of Representatives or state Senator, the discretion must be exercised by the state committee.

(L) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.”

SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7‑11‑30. ~~If a party nominates candidates by conventions, the state convention shall nominate the party's candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party's candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention, except the office of state Senator and of member of the House of Representatives. The nomination of the party's candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks' published notices of the calls. Any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.~~

(A) A party may choose to nominate candidates for all offices, including but not limited to Governor, Lieutenant Governor, United States Senator, United States House of Representatives, circuit solicitor, state Senator, and members of the state House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 7. Section 7‑11‑210 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑11‑210. Every candidate for selection as a nominee of ~~any~~a political party for ~~any~~a state office, United States Senator, member of Congress, or solicitor, to be voted for in ~~any~~a party primary election or political party convention, shall file with and place in the possession of the ~~treasurer of the state committee~~ State Election Commission by twelve o’clock noon on March thirtieth a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate and by the appropriate filing official: ‘I hereby file my notice as a candidate for the nomination as \_\_\_\_\_\_\_\_\_\_ in the primary election or convention to be held on \_\_\_\_\_\_\_\_\_\_. I affiliate with the \_\_\_\_\_\_\_\_\_\_ Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write‑in candidate for this office or any other office for which the party has a nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office.’

Every candidate for selection in a primary election as the nominee of ~~any~~a political party for member of the Senate, member of the House of Representatives, and all county and township offices shall file with and place in the possession of the county ~~chairman or other officer as may be named by the county committee of the county in which they reside~~ board of registration and elections of the county in which they reside by twelve o’clock noon on March thirtieth a like notice and pledge.

~~The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be signed in the presence of the county chairman or other officer as may be named by the county committee with whom the candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.~~ The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate. A notice of candidacy of a candidate signed by an agent on behalf of a candidate is not valid.

~~In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the state chairman of the party which held the primary (if the office involved is one voted for in the general election by the electors of more than one county), or the county chairman of the party which held the primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining the person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of these facts to issue an order.~~”

SECTION 8. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. ~~In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ninth, or if April ninth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and such candidate’s name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.~~ In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county board of registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be compiled by the State Election Commission and forwarded to the respective state executive committees not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.”

SECTION 9. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) All counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.

(B) Notwithstanding the provisions of subsection (A), a county by affirmative vote of its county council may choose not to combine its existing board of registration and board of elections provided this vote occurs within one calendar year of the effective date of this act. If a county council fails to conduct the vote described in this subsection, then the provisions of subsection (A) shall apply. If a county chooses not to combine its existing boards of registration and elections pursuant to this subsection, the existing board of elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county as required by Title 7.”

SECTION 10. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260.~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 11. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 12. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 13. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 14. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 15. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 16. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 17. Section 8‑13‑365 of the 1976 Code, as last amended by Act 190 of 2010, is further amended to read:

“Section 8‑13‑365.(A) The ~~commission~~ State Ethics Commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 from all persons and entities subject to its jurisdiction. These disclosures and reports must be filed using an Internet‑based filing system as prescribed by the ~~commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system.~~ State Ethics Commission, which shall forward these reports to the appropriate supervisory office. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.

(B) ~~The Ethics Commission must submit to the General Assembly a report no later than one year after implementation of subsection (A), concerning the effectiveness of mandatory electronic filing, and must make recommendations as to the implementation of mandatory filing for all other candidates and entities.~~ Notwithstanding another provision of law, a disclosure form filed pursuant to this section must be deemed to satisfy any other filing requirement required by law.”

SECTION 18. Section 8‑13‑1110 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 8‑13‑1110. (A) ~~No public official, regardless of compensation, and no public member, or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office.~~ The State Ethics Commission must furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, a candidate who is not an incumbent public official and who must otherwise file a statement of economic interests is subject to the same disclosure requirements as an incumbent public official. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect ~~with the appropriate supervisory office~~. All disclosure statements are matters of public record open to inspection upon request.

(B) ~~Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided~~ All public officials must file a Statement of Economic Interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last. This includes elected officials, and the following:

(1) a person appointed to fill the unexpired term of an elective office;

(2) a salaried member of a state board, commission, or agency;

(3) the chief administrative official, or employee, and the deputy or assistant administrative official, or employee, or director of a division, institution, or facility of ~~any~~ an agency or department of state government;

(4) the city administrator, city manager, or chief municipal administrative official, or employee, by whatever title;

(5) the county manager, county administrator, county supervisor, or chief county administrative official, or employee, by whatever title;

(6) the chief administrative official, or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

(7) a school district and county superintendent of education;

(8) a school district board member and a county board of education member;

(9) the chief finance official, or employee, and the chief purchasing official, or employee, of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

(10) a public official;

(11) a public member who serves on a state board, commission, or council; and

(12) Department of Transportation District Engineering Administrators.”

SECTION 19. Section 7‑11‑220 of the 1976 Code is repealed.

SECTION 20. Section 8‑13‑1356 of the 1976 Code is repealed.

SECTION 21. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 86; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bernstein | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| Cobb-Hunter | Cole | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Funderburk | Gambrell | George |
| Gilliard | Govan | Harrell |
| Hayes | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Limehouse | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Neal | Newton | Norman |
| Ott | Parks | Patrick |
| Pope | Powers Norrell | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Toole | Vick | Weeks |
| White | Whitmire |  |

**Total--86**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Burns |
| Chumley | Clemmons | H. A. Crawford |
| Finlay | Forrester | Gagnon |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Henderson | Loftis |
| Nanney | Owens | Pitts |
| Putnam | G. R. Smith | Taylor |
| Thayer | Wells | Willis |
| Wood |  |  |

**Total--25**

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

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

**ADJOURNMENT**

At 1:23 p.m. the House, in accordance with the motion of Rep. WEEKS, adjourned in memory of Lawrence "Bubba" Vaughn, Jr., of Sumter, to meet at 10:00 a.m. tomorrow.

\*\*\*