~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

Deliberations were opened with prayer by Representative J. Roland Smith as follows:

Our thought for today is from Isaiah 9:2: “The people walking in darkness have seen a great light; on those living in the land of the shadow of death, a light has dawned.”

Let us pray. Lord God, You are near to all who call on You in truth. To know You is perfect knowledge. Instill within us Your divine wisdom and teach us Your word that we may know the truth and walk in it. Lead, guide, and direct each of these people to do Your will in all things. Please guard our defenders of freedom from all harm and comfort those at home. Hear us, O God of truth. Amen.

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

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

**MOTION ADOPTED**

Rep. ATWATER moved that when the House adjourns, it adjourn in memory of Lee Rigby of Manchester, England, which was agreed to.

**COMMUNICATION**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., June 3, 2013

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is, therefore, submitted for your consideration.

Master-in Equity Reappointment

Georgetown County Master-in Equity

Term Commencing: December 31, 2013

Term Expiring: December 31, 2019

Reappointment

The Honorable Joe M. Crosby

405 Dozier Street

Georgetown, South Carolina 29440

My very best,

Nikki R. Haley

Governor

On motion of Rep. GOLDFINCH the appointment was confirmed and a message was ordered sent to the Senate accordingly.

**COMMUNICATION**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., June 4, 2013

Mr. Speaker and Members of the House of Representatives:

This letter serves as notification that pursuant to South Carolina Code Section 59-125-30, I am transmitting herewith an interim appointment to the Winthrop University Board of Trustees.

Statewide Interim Appointment

**Winthrop University Board of Trustees**

Seat: At-large

Vice: Mr. Dalton B. Floyd

Mr. Glenn McCall

1520 Worthington Crossing

Rock Hill, South Carolina 29732

My very best,

Nikki R. Haley

Governor

On motion of Rep. POPE the appointment was confirmed.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2013

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Alexander, Sheheen and Massey of the Committee of Conference on the part of the Senate on S. 22:

S. 22 -- Senators Sheheen, Massey, L. Martin, Hayes, Campsen, Nicholson, Young and Alexander: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2013" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10 OF THE 1976 CODE, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY AMENDING SECTION 1-11-10, TO DIVEST THE BUDGET AND CONTROL BOARD OF CERTAIN PROGRAMS, POWERS, DUTIES, AND RESPONSIBILITIES AND TRANSFER THOSE PROGRAMS, POWERS, DUTIES, AND RESPONSIBILITIES TO OTHER GOVERNMENT AGENCIES; BY AMENDING SECTION 1-11-20, TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR THE TRANSITION; BY ADDING ARTICLE 2 TO CHAPTER 3, TITLE 1, TO ESTABLISH THE EXECUTIVE BUDGET AND STRATEGIC PLANNING OFFICE WITHIN THE DEPARTMENT OF ADMINISTRATION, AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY OF THE OFFICE; BY ADDING CHAPTER 2 TO TITLE 2 TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; BY ADDING CHAPTER 55 TO TITLE 11 TO ESTABLISH THE STATE FISCAL ACCOUNTABILITY AUTHORITY, TO PROVIDE FOR THE MEMBERSHIP OF THE AUTHORITY, AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE AUTHORITY; TO AMEND CHAPTER 35, TITLE 11 BY ADDING SECTION 11-35-315 TO ESTABLISH THE PROCUREMENT OVERSIGHT BOARD, THE MEMBERSHIP ON THE BOARD, AND THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE BOARD; TO AMEND CHAPTER 3, TITLE 2 BY ESTABLISHING THE LEGISLATIVE FISCAL OFFICE, AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE OFFICE, TO AMEND TITLE 2 BY ADDING CHAPTER 79 TO ENACT THE STATE AGENCY DEFICIT PREVENTION AND RECOGNITION ACT, AND TO PROVIDE FOR THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH AGENCY DEFICIT PREVENTION AND RECOGNITION; TO AMEND CHAPTER 17, TITLE 60 TO ESTABLISH THE CONFEDERATE RELIC ROOM AND MILITARY MUSEUM COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE COMMISSION; TO AMEND TITLE 2 BY ADDING A CHAPTER 9 TO ESTABLISH THE JOINT STRATEGIC TECHNOLOGY COMMITTEE, TO PROVIDE FOR THE MEMBERS ON THE COMMITTEE AND THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE COMMITTEE; TO ESTABLISH THE CHARLESTON NAVY BASE MUSEUM AUTHORITY, TO PROVIDE THAT THE AUTHORITY MAY EXERCISE ALL POWERS AND AUTHORITY GRANTED TO THE HUNLEY COMMISSION BY SPECIFIC STATUTORY AUTHORITY REFERENCED IN SECTIONS 54-7-100 AND 54-7-110; BY ADDING SECTION 1-11-185, TO PROVIDE FOR APPROVALS FOR PERMANENT IMPROVEMENT PROJECTS; BY ADDING SECTION 11-31-5, TO PROVIDE THAT STATE BOARD MEANS THE GOVERNING BODY OF THE STATE FISCAL AFFAIRS AUTHORITY; BY ADDING SECTION 11-50-65, TO PROVIDE THAT THE STATE FISCAL AFFAIRS AUTHORITY MUST PROVIDE ADMINISTRATIVE SUPPORT TO THE RURAL INFRASTRUCTURE AUTHORITY; TO AMEND SECTIONS 1-11-20, 1-11-25, 1-11-26, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-140, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435, 1-11-440, 1-15-10, CHAPTER 47, TITLE 2, 2-7-72, 2-7-73, 2-7-74, 2-7-76, 2-13-240, 2-15-50, 2-59-10, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, 10-11-90, 10-11-110, 10-11-140, 10-11-330, 11-9-610, 11-9-620, 11-9-630, 11-9-665, 11-9-670, 11-9-680, 11-9-820, 11-9-825, 11-9-830, 11-9-880, 11-9-890, 11-18-20, 11-27-10, 11-35-310, 11-35-3820, 11-35-3840, 11-35-5270, 11-37-30, 11-37-200, 11-38-20, 11-40-20, 11-40-250, 11-41-70, 11-41-80, 11-41-90, 11-41-100, 11-42-30, 11-42-40, 11-42-60, 11-43-510, 11-45-30, 11-45-55, 11-45-105, 11-49-40, 11-50-50, 11-49-100, 11-51-30, 11-51-125, 11-51-190, 11-53-20, 13-7-10, 13-7-30, 13-7-810, 13-7-830, 13-7-860, 15-78-140, 16-3-1620, 16-3-1680, 25-11-10, 25-11-80, 25-11-90, 25-11-310, 44-38-380, 44-53-530, 44-96-140, 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, 48-52-460, 48-52-635, 48-52-680, 59-109-30, 59-109-40, 59-115-20, 59-115-40, 63-11-500, 63-11-700, 63-11-730, 63-11-1110, 63-11-1140, 63-11-1310, 63-11-1340, 63-11-1360, AND 63-11-1510 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE DEPARTMENT OF ADMINISTRATION, STATE FISCAL ACCOUNTABILITY AUTHORITY, AND OTHER STATE AGENCIES, AND TO SUPPLEMENT SUCH PROVISIONS; AND TO REPEAL SECTIONS 1-30-110, 1-11-22, AND 11-11-90.

Very respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 4270 -- Reps. Atwater, Alexander, Allison, Anderson, Anthony, 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, 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 DECLARE NOVEMBER 2013 THE PULMONARY HYPERTENSION AWARENESS MONTH IN SOUTH CAROLINA TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF PULMONARY HYPERTENSION IN THE UNITED STATES.

Whereas, the South Carolina House of Representatives recognizes that the health of our community’s people is the foundation for a caring and productive society, and our future rests with our ability to adequately treat, and ultimately find cures for, individuals who are afflicted with a variety of illnesses, including pulmonary hypertension; and

Whereas, pulmonary hypertension (PH) is a rare disorder causing intolerable blood pressure levels in the arteries between the lungs and heart; and

Whereas, in 2001, there were 3,000 PH patients receiving treatment from 100 PH treating‑physicians. In 2006, those numbers had grown to an estimated 30,000 diagnosed patients and 3,000 treating physicians; and

Whereas, there are at least as many undiagnosed as diagnosed patients; and

Whereas, without treatment, PH patients live an average of 2.8 years past diagnosis. With early diagnosis and effective treatment, the disorder can be managed for twenty years or more; and

Whereas, education can help with early diagnosis and funding for research can help find a cure; and

Whereas, the Pulmonary Hypertension Association is a nonprofit organization that seeks ways to prevent and cure pulmonary hypertension, and to provide hope for the PH community through support, education, advocacy, and awareness;

Whereas, to recognize the seriousness of pulmonary hypertension, the South Carolina House of Representatives wishes to recognize November 2013 as “Pulmonary Hypertension Awareness Month” throughout the Palmetto State. Now, therefore,

Be it resolved by the House of Representatives:

That the South Carolina House of Representatives, by this resolution, declares November 2013 as “Pulmonary Hypertension Awareness Month” in South Carolina to promote the understanding of the growing risk of pulmonary hypertension in the United States.

Be it further resolved that a copy of this resolution be forwarded to the Pulmonary Hypertension Association.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4271 -- Reps. Cobb-Hunter, 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, 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 HOUSE RESOLUTION TO RECOGNIZE AND COMMEND ISAIAH OWENS FOR HIS OUTSTANDING SERVICE IN THE MORTUARY PROFESSION FOR FORTY-FOUR YEARS AND FOR THE COMPASSION AND KINDNESS HE HAS RENDERED TO HIS COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4272 -- Reps. Willis, 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, 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 and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE REVEREND MICHAEL WALLACE BEARDEN, FORMER PASTOR OF FOUNTAIN INN FIRST BAPTIST CHURCH, ON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-FIVE

YEARS OF FAITHFUL SERVICE TO HIS CONGREGATION AND HIS GOD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4273 -- Reps. Kennedy, 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, 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 CONGRATULATE MR. AND MRS. VIRGIL LEAPHART OF LEXINGTON COUNTY ON THE OCCASION OF THEIR GOLDEN WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4274 -- Rep. Funderburk: A HOUSE RESOLUTION TO CONGRATULATE ROSALYN S. MOSES, EXECUTIVE DIRECTOR OF THE FAMILY RESOURCE CENTER IN CAMDEN, ON BEING NAMED WINNER OF A JEFFERSON AWARD FOR PUBLIC SERVICE AND TO COMMEND HER FOR HER SELFLESS SERVICE TO THE CITIZENS OF SOUTH CAROLINA.

The Resolution was adopted.

**INTRODUCTION OF BILL**

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

H. 4275 -- Reps. Quinn, Finlay, Ballentine, Atwater, Bernstein, Sabb and J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-27-140 SO AS TO PROVIDE THAT ALL COUNTY BOARDS OF ELECTIONS AND VOTER REGISTRATION ARE UNDER THE DIRECT SUPERVISION AND CONTROL OF THE STATE ELECTION COMMISSION ACTING THROUGH ITS EXECUTIVE DIRECTOR, TO PROVIDE FOR REMOVAL OF CERTAIN OFFICIALS AND DISMISSAL OF CERTAIN EMPLOYEES WHO WILFULLY FAIL TO FOLLOW THE RECOMMENDATION OF THE STATE ELECTION COMMISSION; AND BY ADDING SECTION 7-27-145 SO AS TO DEVOLVE RESPONSIBILITY TO THE STATE ELECTION COMMISSION FOR CERTIFYING AN ELECTION WHEN A COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION DOES NOT OR CANNOT CERTIFY THE RESULTS WITHIN TWENTY-FOUR HOURS AFTER THE POLLS HAVE CLOSED.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Loftis | Long | Lowe |
| Lucas | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | 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 | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, June 4.

|  |  |
| --- | --- |
| Carl Anderson | Bakari Sellers |
| Lester P. Branham | William Bowers |
| Peter McCoy, Jr. | Jerry Govan |
| Jenny A. Horne | Patsy Knight |
| Tracy Edge | H. B. "Chip" Limehouse |
| Douglas "Doug" Brannon | Jackson "Seth" Whipper |
| Harold Mitchell |  |

**Total Present--12****2**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MACK a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Wendell James of Greenville was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3514 |
| Date: | ADD: |
| 06/04/13 | LOFTIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3639 |
| Date: | ADD: |
| 06/04/13 | RIVERS |

**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. 559 -- Senators Campsen and McGill: A BILL TO AMEND SECTION 50-5-1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO DECREASE THE MAXIMUM CATCH LIMITS FOR FLOUNDER AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN FIFTEEN FLOUNDER TAKEN BY MEANS OF GIG, SPEAR, HOOK AND LINE, OR SIMILAR DEVICE IN ANY ONE DAY, NOT TO EXCEED THIRTY FLOUNDER IN ANY ONE DAY ON ANY BOAT.

**S. 551--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 551 -- Senator Corbin: A BILL TO AMEND SECTION 50-11-310 OF THE 1976 CODE, RELATING TO OPEN SEASON FOR ANTLERED DEER, TO PROVIDE THAT OPEN SEASON IN GAME ZONE 1, WITH ARCHERY EQUIPMENT AND FIREARMS, IS OCTOBER 11 THROUGH JANUARY 1, AND TO PROVIDE THAT ON WMA LANDS, THE DEPARTMENT MAY PROMULGATE REGULATIONS IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT TO ESTABLISH SEASONS FOR THE HUNTING AND TAKING OF DEER.

Rep. HIOTT explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Loftis |
| Long | Lowe | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| 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. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Williams | Willis |
| Wood |  |  |

**Total--106**

Those who voted in the negative are:

**Total--0**

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

**S. 562--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 562 -- Senators Campsen and Davis: A BILL TO AMEND SECTION 27-27-10 OF THE 1976 CODE, RELATING TO RECOVERY FOR IMPROVEMENTS MADE IN GOOD FAITH, TO PROVIDE THAT THE DEFENDANT SHALL BE ENTITLED TO RECOVER THE FULL VALUE OF ALL IMPROVEMENTS IF HE HAS PURCHASED OR OTHERWISE ACQUIRED TITLE TO THE LANDS AND TENEMENTS IN THE ACTION.

Rep. DELLENEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

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

**Total--106**

Those who voted in the negative are:

**Total--0**

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

STATEMENT FOR THE JOURNAL

I abstained from voting on S. 562, relating to licensed real estate agents/investors/buyers to avoid any potential conflict of interest.

Rep. J. Wayne George

**S. 8--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 8 -- Senator L. Martin: A BILL TO AMEND SECTION 47-3-110, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE LIABILITY OF AN OWNER OR KEEPER OF A DOG FOR A DOG ATTACK, TO PROVIDE THAT LIABILITY DOES NOT EXTEND TO TRAINED LAW ENFORCEMENT DOGS IN THE PERFORMANCE OF OFFICIAL DUTIES OR DOGS ACTING IN DEFENSE OF A PERSON; AND TO AMEND CHAPTER 23, TITLE 23 BY ADDING SECTION 23-23-140, RELATING TO PATROL CANINE TEAMS.

Reps. TALLON, QUINN, J. R. SMITH, BANNISTER, HIXON, WELLS, POPE, BEDINGFIELD, G. R. SMITH, LOFTIS, HARDWICK, KENNEDY, SPIRES, HARDEE, D. C. MOSS, COLE, HIOTT, NORMAN, HOSEY, CLYBURN, ANDERSON, R. L. BROWN, V. S. MOSS, KING, POWERS NORRELL, COBB-HUNTER, HART, SELLERS, K. R. CRAWFORD, SABB and PATRICK requested debate on the Bill.

**H. 3174--DEBATE ADJOURNED**

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

H. 3174 -- Reps. Whitmire and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-9-12 SO AS TO ALLOW THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY TO EXEMPT CERTAIN HISTORIC PROPERTIES FROM THE APPLICATION OR ENFORCEMENT OF BUILDING CODES UPON THE RECOMMENDATION OF THE LOCAL HISTORIC PRESERVATION COMMISSION.

**S. 405--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 405 -- Senator L. Martin: A BILL TO AMEND SECTION 1-23-560, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE CODE OF JUDICIAL CONDUCT TO ADMINISTRATIVE LAW JUDGES AND THE ENFORCEMENT AND ADMINISTRATION OF THESE RULES BY THE STATE ETHICS COMMISSION, SO AS TO PROVIDE INSTEAD THAT THE JUDICIAL DEPARTMENT SHALL HANDLE COMPLAINTS AGAINST ADMINISTRATIVE LAW JUDGES FOR POSSIBLE VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT IN THE SAME MANNER AS COMPLAINTS AGAINST OTHER JUDGES.

Reps. SELLERS, J. E. SMITH, RUTHERFORD, NEAL, KING, MCEACHERN, SABB, GAMBRELL, THAYER, GAGNON, BANNISTER, R. L. BROWN, ANDERSON and DOUGLAS requested debate on the Bill.

**H. 4136--REQUEST FOR DEBATE AND POINT OF ORDER**

The following Bill was taken up:

H. 4136 -- Reps. Ballentine, Bannister, Rutherford, Stavrinakis and Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-6-1305 SO AS TO PROVIDE THAT A WHOLESALER OF ALCOHOLIC LIQUORS AND WINE MAY DONATE ALCOHOLIC LIQUORS AND WINE TO CERTAIN NONPROFIT ORGANIZATIONS AND TO A POLITICAL PARTY, ITS AFFILIATE, AND A CANDIDATE CAMPAIGN COMMITTEE LICENSED UNDER THE PROVISIONS OF SECTION 61-6-2000, TO PROVIDE FOR THE ACCEPTANCE OF THE DONATED ALCOHOLIC LIQUOR AND WINE, AND TO PROVIDE FOR THE RETURN TO THE WHOLESALER OF UNCONSUMED PRODUCTS AT THE CONCLUSION OF THE EVENT; TO AMEND SECTION 61-4-735, RELATING TO REGULATION OF PRACTICES BETWEEN WINE MANUFACTURERS, IMPORTERS, WHOLESALERS, AND RETAILERS, SO AS TO PROVIDE THAT A WHOLESALER OF WINE MAY DONATE WINE TO CERTAIN NONPROFIT ORGANIZATIONS AND TO A POLITICAL PARTY, ITS AFFILIATE, AND A CANDIDATE CAMPAIGN COMMITTEE LICENSED UNDER THE PROVISIONS OF SECTION 61-4-550, TO PROVIDE FOR THE ACCEPTANCE OF THE DONATED WINE, AND TO PROVIDE FOR THE RETURN TO THE WHOLESALER OF THE UNCONSUMED PRODUCTS AT THE CONCLUSION OF THE EVENT; TO AMEND SECTION 61-4-940, AS AMENDED, RELATING TO PRACTICES BETWEEN MANUFACTURER, WHOLESALER, AND RETAILER OF BEER PRODUCTS, SO AS TO PROVIDE THAT A WHOLESALER OF BEER MAY DONATE BEER TO CERTAIN NONPROFIT ORGANIZATIONS AND TO A POLITICAL PARTY, ITS AFFILIATE, AND A CANDIDATE CAMPAIGN COMMITTEE LICENSED UNDER THE PROVISIONS OF SECTION 61-4-550, TO PROVIDE FOR THE ACCEPTANCE OF THE DONATED BEER PRODUCTS, AND TO PROVIDE FOR THE RETURN TO THE WHOLESALER OF THE UNCONSUMED PRODUCTS AT THE CONCLUSION OF THE EVENT.

Rep. BANNISTER requested debate on the Bill.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 308--INTERRUPTED DEBATE**

The following Bill was taken up:

S. 308 -- Senators Bennett, Shealy, Grooms, Hembree, L. Martin, Massey, Campbell, Turner, Thurmond, Bryant, Verdin, S. Martin, Davis, Bright, Corbin, Campsen, Fair and Cromer: A BILL TO AMEND SECTION 16-23-465 OF THE 1976 CODE, RELATING TO THE CARRYING OF A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES, TO PERMIT THE POSSESSION OF A WEAPON UNLESS NOTICE OF A PROHIBITION IS PROVIDED BY THE BUSINESS, TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A BUSINESS BY SOMEONE CARRYING A FIREARM, AND TO REDUCE THE PENALTIES FOR VIOLATIONS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

Rep. QUINN moved to waive Rule 5.15.

Rep. G. R. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 84; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | G. A. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Huggins | Kennedy | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Newton |
| Norman | Ott | Owens |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Riley |
| Rivers | Rutherford | Ryhal |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Wells | White |
| Whitmire | Willis | Wood |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bowers | Branham |
| R. L. Brown | Cobb-Hunter | Dillard |
| Gilliard | Govan | Hart |
| Hodges | Hosey | Howard |
| Jefferson | King | M. S. McLeod |
| Neal | Parks | Powers Norrell |
| Ridgeway | Robinson-Simpson | Sabb |
| Weeks | Williams |  |

**Total--26**

So, Rule 5.15 was waived.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 308 (COUNCIL\MS\308C001.MS.AHB13):

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

/ SECTION 1. Section 16‑23‑465 of the 1976 Code, as last amended by Act 274 of 2002, is further amended to read:

“Section 16‑23‑465. (A) In addition to the penalties provided for by Sections 16‑11‑330, 16‑11‑620, ~~and~~ 16‑23‑460, 23‑31‑220, and ~~by~~ Article 1, ~~of~~ Chapter 23, ~~of~~ Title 16, a person convicted of carrying a ~~pistol or~~ firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than ~~two~~ three thousand dollars or imprisoned not more than ~~three~~ two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23~~,~~ must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person carrying a concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business’ premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a ‘NO CONCEALABLE WEAPONS ALLOWED’ sign in compliance with Section 23‑31‑235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23‑31‑235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business’ premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business’ premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business’ premises or portion of the premises when requested or refuses to remove the concealable weapon from a business’ premises or portion of the premises when requested may be charged with a violation of subsection (A).”

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

Renumber sections to conform.

Amend title to conform.

Rep. COLE explained the amendment.

**POINT OF ORDER**

Rep. HART raised the Point of Order that S. 308 was improperly before the House for debate. Rep. Hart argued that under Rule 5.15 the House was required to take a division vote when deciding whether to waive the printing requirement. He stated that the House had improperly taken a roll call vote concerning the question of waiving the printing, and, consequently, the House was improperly debating S. 308.

SPEAKER HARRELL overruled the point. The Speaker acknowledged that Rule 5.15 states that the question of waiving the printing shall be decided by division vote. But, the Speaker pointed out that the S.C. Constitution, in Article III, Section 22, requires that a roll call vote shall be taken on any question in the House when 10 members request a roll call vote. The SPEAKER pointed out that a division vote, at a minimum, was required to determine if two-thirds of the members present and voting wanted to waive the printing; however, the Constitutional mandates overruled the House Rule. Thus, because 10 members requested a roll call vote, the House had properly decided the question by a roll call vote. Thus, the SPEAKER overruled the point of order.

Further proceedings were interrupted by the expiration of time on the uncontested calendar, the pending question being consideration of Amendment No.1.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPEAKER IN CHAIR**

**S. 463--REQUESTS FOR DEBATE WITHDRAWN**

Reps. KING, BARFIELD, HARDWICK, SANDIFER, GAMBRELL, TALLON, ERICKSON and H. A. CRAWFORD withdrew their requests for debate on S. 463; however, other requests for debate remained on the Bill.

**S. 584--REQUESTS FOR DEBATE WITHDRAWN**

Reps. HARDWICK, H. A. CRAWFORD, HARDEE, HODGES, HIXON, OTT, G. R. SMITH, RUTHERFORD, BEDINGFIELD, SABB, RYHAL, HOSEY, LOFTIS, DOUGLAS, WEEKS, WILLIAMS, JEFFERSON, J. R. SMITH, ANDERSON, HAYES, RIDGEWAY, TOOLE, GILLIARD, PITTS, G. M. SMITH, KING, RILEY, K. R. CRAWFORD and MCCOY withdrew their requests for debate on the following Bill:

S. 584 -- Senators Campsen and Rankin: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, BY ADDING SECTION 50-9-15, TO DEFINE "LICENSE SALES VENDOR" AND "LICENSE YEAR"; TO AMEND SECTION 50-9-20, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, TO PROVIDE FOR THE DURATION OF LICENSES FOR RECREATIONAL AND COMMERCIAL USE, AND PERMITS THE DEPARTMENT TO ISSUE A LICENSE THAT EXPIRES ON THE DAY BEFORE THE ANNIVERSARY OF ITS ISSUANCE; TO AMEND SECTION 50-9-30, RELATING TO RESIDENCY REQUIREMENTS FOR LICENSES, TO REVISE THE REQUIREMENTS; TO AMEND SECTION 50-9-350, RELATING TO APPRENTICE HUNTING LICENSES, TO PROVIDE THAT THE HOLDER OF AN APPRENTICE HUNTING LICENSE WHO OBTAINS A CERTIFICATE OF COMPLETION PRIOR TO THE EXPIRATION DATE OF HIS APPRENTICE HUNTING LICENSE WILL USE HIS APPRENTICE HUNTING LICENSE AS HIS STATEWIDE HUNTING LICENSE, PROVIDED THE LICENSEE MUST HAVE THE CERTIFICATE OF COMPLETION IN HIS POSSESSION WHILE HUNTING; TO AMEND SECTION 50-9-510, RELATING TO LICENSES FOR PURCHASE FOR THE PRIVILEGE OF HUNTING, TO REMOVE THE HUNTING LICENSE VALID ONLY IN A SINGLE COUNTY, TO REMOVE RESTRICTIONS ON THE THREE YEAR LICENSE PURCHASE, TO CLARIFY REQUIREMENTS FOR MIGRATORY WATERFOWL PERMITS, AND TO PROVIDE FOR THE RETAINED VENDOR FEE; TO AMEND SECTION 50-9-530, RELATING TO CATAWBA LICENSES, TO PROVIDE THERE IS NO COST TO A CATAWBA HUNTING AND FISHING LICENSEE FOR ANY OTHER TAGS REQUIRED BY LAW FOR RECREATIONAL HUNTING AND FISHING EXCEPT FOR THOSE DEPARTMENT HUNTING AND FISHING ACTIVITIES CONTROLLED BY LOTTERY; TO AMEND SECTION 50-9-540, RELATING TO RECREATIONAL LICENSES, TO PROVIDE THAT RESIDENTS AND NONRESIDENTS MUST PURCHASE ANY OTHER LICENSE THAT GRANTS FISHING PRIVILEGE, TO DELETE THE LAKES AND RESERVOIRS PERMIT, AND TO CHANGE THE TEMPORARY NONRESIDENT FISHING LICENSE FROM SEVEN TO FOURTEEN DAYS; TO AMEND SECTION 50-9-610, RELATING TO ADDITIONAL REQUIREMENTS FOR TAKING NONGAME FRESHWATER FISH, TO PROVIDE THAT TAGS MUST BE ATTACHED AS PRESCRIBED; TO AMEND SECTION 50-9-665, RELATING TO BEAR TAGS, TO PROVIDE FOR THE REQUIREMENT FOR BEAR TAGS; TO AMEND SECTION 50-9-920, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO MAKE CONFORMING CHANGES AND TO PROVIDE FOR LICENSE REVENUE DISTRIBUTION; TO AMEND SECTION 50-9-950, RELATING TO THE FISH AND WILDLIFE PROTECTION FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-955, RELATING TO THE FISH AND WILDLIFE DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; TO AMEND SECTION 50-9-960, RELATING TO THE MARINE RESOURCES FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-965, RELATING TO THE MARINE RESOURCES DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; AND TO REPEAL SECTION 50-15-65(E).

**S. 463--REQUESTS FOR DEBATE WITHDRAWN**

Reps. ANDERSON, GILLIARD, WILLIAMS and ROBINSON-SIMPSON withdrew their requests for debate on S. 463; however, other requests for debate remained on the Bill.

**OBJECTION TO RECALL**

Rep. CROSBY asked unanimous consent to recall H. 3103 from the Committee on Medical, Military, Public and Municipal Affairs.

Rep. ATWATER objected.

**S. 732--RECALLED FROM COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. SPIRES, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

S. 732 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO REQUIREMENTS OF LICENSURE IN THE FIELD OF COSMETOLOGY (EDUCATIONAL REQUIREMENTS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4336, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. SPIRES moved that the House recede until 3:00 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 3:00 p.m. the House resumed, ACTING SPEAKER GOLDFINCH in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. WILLIS a leave of absence for the remainder of the day.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2013

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time today for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. SKELTON the invitation was accepted.

**H. 3472--DEBATE ADJOURNED**

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

H. 3472 -- Reps. Owens, Harrell, Patrick, Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb-Hunter, Allison, Pitts, Daning, Wood and Southard: A BILL TO AMEND SECTION 59-40-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED.

Rep. OWENS moved to adjourn debate upon the Senate Amendments until Wednesday, June 5, which was agreed to.

**H. 3710--DEBATE ADJOURNED**

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

H. 3710 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Rep. WHITE moved to adjourn debate upon the Senate Amendments until Wednesday, June 5, which was agreed to.

**H. 3971--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

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.

Rep. STRINGER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Ballentine | Barfield | Bedingfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | Knight | Loftis |
| Long | Lowe | Lucas |
| McCoy | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Newton | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | White |
| Whitmire | Wood |  |

**Total--95**

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. 3409--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3409 -- Reps. Sandifer and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-25 SO AS TO PROHIBIT CERTAIN ACTS BY RESIDENTIAL BUILDERS OR CONTRACTORS RELATING TO ROOFING SYSTEMS; AND TO AMEND SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF THE LICENSE BY THE RESIDENTIAL HOME BUILDERS COMMISSION, SO AS TO PROVIDE A CONFORMING CHANGE.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 1

Those who voted in the affirmative are:

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

**Total--98**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bingham |  |  |

**Total--1**

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

RECORD FOR VOTING

Please let the record reflect that I inadvertently voted “no” on H. 3409, but intended to vote in favor of the Bill. I did not see the error until the vote had been closed.

Rep. Kenny Bingham

**H. 3451--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3451 -- Reps. Tallon, Cole, Forrester, Kennedy, Murphy, Pope, Rutherford and Weeks: A BILL TO AMEND SECTION 56-7-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSES THAT A PERSON MAY BE CHARGED ON A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT THE OFFENSES OF SHOPLIFTING AND CRIMINAL DOMESTIC VIOLENCE MUST BE CHARGED ON A UNIFORM TRAFFIC TICKET.

Rep. WEEKS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

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

**Total--102**

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. 4268--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4268 -- Reps. D. C. Moss, V. S. Moss, Pope and King: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 55 IN YORK COUNTY FROM ITS INTERSECTION WITH THE YORK/CHEROKEE COUNTY LINE TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 161 "STATE REPRESENTATIVE HUGH J. LOVE HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "STATE REPRESENTATIVE HUGH J. LOVE HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 3639--DEBATE ADJOURNED**

Rep. COBB-HUNTER moved to adjourn debate upon the following Bill until Wednesday, June 5, which was adopted:

H. 3639 -- Reps. Sandifer and Rivers: 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. 3818--DEBATE ADJOURNED**

Rep. LOWE moved to adjourn debate upon the following Bill until Wednesday, June 5, 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. 3925--CONTINUED**

The following Bill was taken up:

H. 3925 -- Reps. Hardwick and Loftis: A BILL TO AMEND SECTION 48-1-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITING THE DISCHARGE OF POLLUTANTS INTO THE ENVIRONMENT AND REMEDIES FOR VIOLATIONS, SO AS TO CLARIFY PERSONS WHO MAY FILE A PETITION WITH THE DEPARTMENT DO NOT INCLUDE CERTAIN AGENCIES AND DEPARTMENTS OF THE STATE AND TO PROVIDE THAT ANY DECISION OF THE DEPARTMENT WITH RESPECT TO THE TYPE OF REVIEW OBTAINED IS NOT SUBJECT TO JUDICIAL REVIEW; TO AMEND SECTION 48-1-250, AS AMENDED, RELATING TO WHOM BENEFITS FROM CAUSES OF ACTION RESULTING FROM POLLUTION VIOLATIONS INURE, SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW NO PRIVATE CAUSE OF ACTION IS CREATED BY OR EXISTS UNDER THE POLLUTION CONTROL ACT; AND TO AMEND SECTION 6 OF ACT 198 OF 2012, RELATING TO THE SAVINGS CLAUSE, SO AS TO PROVIDE THAT THE SAVINGS CLAUSE OF ACT 198 OF 2012 APPLIES ONLY TO CASES FILED BEFORE JUNE 6, 2012, AND TO ANY FEDERAL PROJECT FOR WHICH A FINAL ENVIRONMENTAL IMPACT STATEMENT WAS ISSUED PRIOR TO JUNE 6, 2012, BUT NO RECORD OF DECISION WAS ISSUED PRIOR TO JUNE 6, 2012.

Rep. HIOTT moved to continue the Bill, which was agreed to.

**H. 3644--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3644 -- Reps. Loftis, Gagnon, Herbkersman, Lowe, Lucas, D. C. Moss, Ott, Pitts and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-390 SO AS TO ESTABLISH WITHIN THE DIVISION OF STATE DEVELOPMENT OF THE DEPARTMENT OF COMMERCE THE CLEAN ENERGY INDUSTRY MARKET DEVELOPMENT ADVISORY COUNCIL AND PROVIDE FOR ITS MEMBERSHIP AND FUNCTIONS; TO AMEND SECTION 12-6-3588, RELATING TO THE RENEWABLE ENERGY TAX CREDIT INCENTIVE PROGRAM, SO AS TO REDESIGNATE THE PROGRAM THE SOUTH CAROLINA CLEAN ENERGY TAX INCENTIVE PROGRAM, TO REVISE DEFINITIONS TO EXTEND THE CREDIT TO ADDITIONAL FORMS OF ENERGY PRODUCTION AND OPERATIONS, TO DECREASE INVESTMENT THRESHOLDS AND DECREASE JOB CREATION THRESHOLDS FOR QUALIFYING FOR THE CREDIT AND MAKE THE CREDIT, PREVIOUSLY DUE TO EXPIRE DECEMBER 31, 2015, AVAILABLE THROUGH 2019 AND TO REVISE CREDIT ADMINISTRATION PROCEDURES; AND TO AMEND SECTION 12-6-3600, AS AMENDED, RELATING TO THE INCOME TAX CREDIT FOR CORN-BASED ETHANOL OR SOY-BASED BIODIESEL PRODUCTION IN THIS STATE, SO AS TO EXTEND THE CREDIT TO ALL LIQUID FUELS DERIVED FROM RENEWABLE SOURCES, MAKE CONFORMING DEFINITIONS, REDUCE THE AMOUNT OF LIQUID FUEL ELIGIBLE FOR THE CREDIT, AND TO EXTEND THE PERIOD DURING WHICH THE CREDIT MAY BE CLAIMED THROUGH 2019.

Rep. J. R. SMITH proposed the following Amendment No. 2 to H. 3644 (COUNCIL\BBM\3644C005.BBM.HTC13):

Amend the bill, and if amended in SECTION 2, page 3644‑3, by striking SECTION 12‑6‑3588(A) and inserting:

/ (A) The General Assembly has determined to enact the ‘South Carolina ~~Renewable~~ Clean Energy Tax Incentive Program’ as contained in this section to encourage business investment that will produce high quality employment opportunities and enhance this State’s position as a center for production and use of ~~renewable~~ clean energy products. The program accomplishes this goal by providing tax incentives to companies in the solar, wind, geothermal, hydrogen, energy storage, small modular reactors, and energy efficiency ~~and other renewable energy~~ industries ~~who~~ which are expanding or locating in South Carolina. /

Amend the bill further, in SECTION 2, page 3644‑4, by striking Section 12‑6‑3588(D)(1) and inserting:

/ (1) manufacture ~~renewable~~ clean energy systems ~~and~~ or components in South Carolina for solar, wind, geothermal, hydrogen, energy storage, small modular reactors, or energy efficiency ~~or other renewable energy~~ uses in order to be eligible for the tax credit authorized by this section; /

Renumber sections to conform.

Amend title to conform.

Rep. J. R. SMITH explained the amendment.

Rep. J. E. SMITH moved to table the amendment.

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

Yeas 43; Nays 65

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bernstein | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Cobb-Hunter | Dillard | Douglas |
| Funderburk | George | Gilliard |
| Govan | Hayes | Herbkersman |
| Hodges | Howard | Jefferson |
| King | Knight | Loftis |
| Lucas | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Munnerlyn |
| Neal | Newton | Norman |
| Parks | Powers Norrell | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Skelton | J. E. Smith | Stavrinakis |
| Williams |  |  |

**Total--43**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Burns | Chumley |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Edge | Erickson |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hamilton |
| Hardee | Hardwick | Henderson |
| Hiott | Hixon | Horne |
| Hosey | Huggins | Kennedy |
| Long | Lowe | McCoy |
| D. C. Moss | V. S. Moss | Nanney |
| Owens | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Riley | Ryhal | Sandifer |
| Sellers | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Wells | White |
| Whitmire | Wood |  |

**Total--65**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

Rep. COBB-HUNTER spoke against the amendment.

Rep. WHITE moved to adjourn debate on the Bill until Wednesday, June 5, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

**RATIFICATION OF ACTS**

At 3:45 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 44, S. 96) -- Senator Cleary: AN ACT TO AMEND SECTION 54-15-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA COMMISSIONERS OF PILOTAGE FOR THE UPPER COASTAL AREA, SO AS TO INCREASE THE NUMBER OF MEMBERS ON THE COMMISSION FROM SIX TO EIGHT, AND TO REVISE APPOINTMENT AND RELATED PROVISIONS.

(R. 45, S. 117) -- Senators Hayes, Courson, O’Dell, Verdin and Ford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑66‑75 SO AS TO REQUIRE A HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO ALLOW DISCLOSURE OF CERTAIN INFORMATION TO DESIGNATED FAMILY MEMBERS AND OTHER INDIVIDUALS AND TO AUTHORIZE THE INVOLVEMENT OF THESE FAMILY MEMBERS AND OTHER INDIVIDUALS IN THE TREATMENT OF THE PATIENT; TO SPECIFY THE CONTENTS OF THE AUTHORIZATION; TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR GOOD FAITH DISCLOSURE OF INFORMATION; AND TO AMEND SECTION 44‑66‑20, AS AMENDED, RELATING TO DEFINITIONS IN THE ADULT HEALTH CARE CONSENT ACT, SO AS TO DEFINE “PATIENT” AND “TREATMENT” AND TO AMEND OTHER DEFINITIONS.

(R. 46, S. 143) -- Senators Malloy, Ford, Massey, S. Martin and Hayes: AN ACT TO AMEND ARTICLES 1, 2, 3 AND 4 OF TITLE 62, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA PROBATE CODE, SO AS TO, AMONG OTHER THINGS, DEFINE THE JURISDICTION OF THE PROBATE CODE, TO DETERMINE INTESTATE SUCCESSION, TO PROVIDE FOR THE PROCESS OF EXECUTING A WILL, TO PROVIDE FOR THE PROCESS TO PROBATE AND ADMINISTER A WILL, AND TO PROVIDE FOR LOCAL AND FOREIGN PERSONAL REPRESENTATIVES; AND TO AMEND ARTICLES 6 AND 7 OF TITLE 62, RELATING TO THE SOUTH CAROLINA PROBATE CODE, SO AS TO PROVIDE FOR THE GOVERNANCE OF NONPROBATE TRANSFERS, AND TO AMEND THE SOUTH CAROLINA TRUST CODE.

(R. 47, S. 191) -- Senators Verdin, Sheheen, Lourie, Cromer, O’Dell, Hutto, Jackson, Alexander and McElveen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46‑3‑25 SO AS TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO CREATE AND MAINTAIN A PROGRAM TO FOSTER RELATIONSHIPS BETWEEN SOUTH CAROLINA FARMS, SCHOOL DISTRICTS, AND OTHER INSTITUTIONS AND TO PROVIDE THEM WITH FRESH AND MINIMALLY PROCESSED FOODS FOR CONSUMPTION BY STUDENTS.

(R. 48, S. 214) -- Senators Fair and Ford: AN ACT TO AMEND SECTION 40‑30‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE MASSAGE/BODYWORK PRACTICE ACT, SO AS TO ADD, REVISE, AND DELETE DEFINITIONS; TO AMEND SECTION 40‑30‑40, RELATING TO THE ADVISORY PANEL FOR MASSAGE/BODYWORK THERAPY UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, SO AS TO REDESIGNATE THE ADVISORY PANEL TO BE KNOWN AS THE “PANEL”, TO REVISE QUALIFICATIONS AND MANNER OF APPOINTMENT OF PANEL MEMBERS, AND TO PROVIDE COMPENSATION FOR MEMBERS AND REIMBURSEMENT OF CERTAIN EXPENSES; TO AMEND SECTION 40‑30‑50, RELATING TO DUTIES OF THE PANEL, SO AS TO PROVIDE ADDITIONAL DUTIES AND POWERS; TO AMEND SECTION 40‑30‑60, RELATING TO USE OF EMPLOYEES OF THE DEPARTMENT AND PROMULGATION OF REGULATIONS BY THE BOARD, SO AS TO REMOVE OBSOLETE REFERENCES; TO AMEND SECTION 40‑30‑90, RELATING TO REPORTING REQUIREMENTS, SO AS TO REMOVE AN OBSOLETE REFERENCE; TO AMEND SECTION 40‑30‑110, RELATING TO QUALIFICATIONS FOR LICENSURE, SO AS TO REQUIRE CLASSROOM STUDY INSTEAD OF SUPERVISED STUDY, AND TO SPECIFY PROFESSIONAL EXAMINATIONS CONSIDERED ACCEPTABLE FOR LICENSURE; TO AMEND SECTION 40‑30‑200, RELATING TO COMPLAINTS CONCERNING THE FITNESS OF A LICENSEE TO PRACTICE, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40‑30‑220, RELATING TO EQUITABLE REMEDIES AVAILABLE TO THE PANEL, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40‑30‑230, RELATING TO GROUNDS OF MISCONDUCT, SO AS TO MAKE CONFORMING CHANGES AND REVISE THE GROUNDS RELATED TO CONVICTIONS FOR CERTAIN CRIMINAL CONDUCT; TO AMEND SECTION 40‑30‑240, RELATING TO INVESTIGATIONS OF MISCONDUCT RELATED TO SUBSTANCE ABUSE, SO AS TO MAKE CONFORMING CHANGES AND REVISE LANGUAGE CONCERNING RECORDS THE PANEL OBTAINS IN AN INVESTIGATION; TO AMEND SECTION 40‑30‑250, RELATING TO ACTIONS THE BOARD MAY TAKE IN RESPONSE TO A DISCIPLINARY VIOLATION, SO AS TO MAKE CONFORMING CHANGES AND ADD PROVISIONS CONCERNING A PRIVATE REPRIMAND; TO AMEND SECTION 40‑30‑260, RELATING TO VOLUNTARY SURRENDER OF A LICENSE, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40‑30‑270, RELATING TO APPEALS FROM DISCIPLINARY PANEL DECISIONS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40‑30‑300, RELATING TO SERVICE OF PROCESS ON NONRESIDENTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40‑30‑310, RELATING TO CIVIL PENALTIES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40‑30‑65 RELATING TO THE CREATION AND STRUCTURE OF THE DISCIPLINARY PANEL, SECTION 40‑30‑70 RELATING TO DUTIES OF THE DISCIPLINARY PANEL, AND SECTION 40‑30‑210 RELATING TO PROCEDURES BEFORE THE DISCIPLINARY PANEL.

(R. 49, S. 221) -- Senator Hayes: AN ACT TO AMEND SECTION 36‑4A‑108, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNIFORM COMMERCIAL CODE‑FUNDS TRANSFERS, SO AS TO MAKE THE CHAPTER APPLICABLE TO REMITTANCE TRANSFERS, UNLESS THE REMITTANCE TRANSFER IS AN ELECTRONIC FUND TRANSFER, AND TO PROVIDE THAT, IN THE EVENT THERE IS AN INCONSISTENCY BETWEEN THE APPLICABLE PROVISION OF THE CHAPTER AND THE APPLICABLE PROVISION OF THE ELECTRONIC FUND TRANSFER ACT, THE PROVISION OF THE ELECTRONIC FUND TRANSFER ACT GOVERNS.

(R. 50, S. 250) -- Senators Cromer and Ford: AN ACT TO AMEND SECTION 33‑56‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ORGANIZATIONS EXEMPT FROM FILING REGISTRATION STATEMENTS TO SOLICIT CHARITABLE CONTRIBUTIONS, SO AS TO ADD PUBLIC SCHOOL DISTRICTS AND PUBLIC SCHOOLS AS ORGANIZATIONS EXEMPT FROM THE FILING REQUIREMENT.

(R. 51, S. 323) -- Senator Hayes: AN ACT TO AMEND THE OFFICIAL COMMENT TO SECTION 36‑9‑101, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CHAPTER TITLED “UNIFORM COMMERCIAL CODE ‑ SECURED TRANSACTIONS”, SO AS TO, INTER ALIA, IDENTIFY THE SPECIFIC VERSION OF THE UNITED STATES BANKRUPTCY CODE REFERENCED THROUGHOUT THE COMMENTS TO CHAPTER 9, TITLE 36; TO AMEND SECTION 36‑9‑102, RELATING TO THE DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 36, SO AS TO REVISE EXISTING OR PROVIDE NEW DEFINITIONS FOR CERTAIN TERMS, AND TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 36‑9‑105, RELATING TO THE CONTROL OF ELECTRONIC CHATTEL PAPER, SO AS TO CLARIFY THE CONDITIONS UNDER WHICH A SECURED PARTY IS DEEMED TO HAVE CONTROL OF ELECTRONIC CHATTEL PAPER; TO AMEND SECTION 36‑9‑307, RELATING TO THE DEBTOR’S LOCATION, SO AS TO INCLUDE PROVISIONS FOR DESIGNATING A MAIN OFFICE, HOME OFFICE, OR OTHER COMPATIBLE OFFICE; TO AMEND SECTION 36‑9‑311, RELATING TO THE PERFECTION OF SECURITY INTERESTS IN PROPERTY SUBJECT TO CERTAIN STATUTES, REGULATIONS, AND TREATIES, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 36‑9‑316, RELATING TO THE CONTINUED PERFECTION OF A SECURITY INTEREST FOLLOWING A CHANGE IN THE GOVERNING LAW, SO AS TO PROVIDE RULES THAT APPLY TO COLLATERAL TO WHICH A SECURITY INTEREST ATTACHES WITHIN FOUR MONTHS AFTER A DEBTOR CHANGES LOCATION; TO AMEND SECTION 36‑9‑317, RELATING TO THE PRIORITY OF INTERESTS, SO AS REVISE THE TERMINOLOGY OF CERTAIN TYPES OF INTERESTS AND PRIORITIES; TO AMEND SECTION 36‑9‑326, RELATING TO THE PRIORITY OF SECURITY INTERESTS CREATED BY A NEW DEBTOR, SO AS TO CLARIFY PROVISIONS REGARDING THE PERFECTION OF A SECURITY INTEREST; TO AMEND SECTION 36‑9‑406, RELATING TO THE DISCHARGE OF AN ACCOUNT DEBTOR, SO AS TO CLARIFY PROVISIONS REGARDING A SALE UNDER A DISPOSITION PURSUANT TO SECTION 36‑9‑610, OR AN ACCEPTANCE OF COLLATERAL PURSUANT TO SECTION 36‑9‑620; TO AMEND SECTION 36‑9‑408, RELATING TO RESTRICTIONS ON ASSIGNMENT OF PROMISSORY NOTES, SO AS TO CLARIFY PROVISIONS REGARDING A SALE UNDER A DISPOSITION PURSUANT TO SECTION 36‑9‑610, OR AN ACCEPTANCE OF COLLATERAL PURSUANT TO SECTION 36‑9‑620; TO AMEND SECTION 36‑9‑502, RELATING TO THE CONTENTS OF A FINANCING STATEMENT AND A RECORD OF MORTGAGE AS A FINANCING STATEMENT, SO AS TO CLARIFY PROVISIONS REGARDING THE NAME OF A DEBTOR ON A RECORD OF MORTGAGE AS A FINANCING STATEMENT; TO AMEND SECTION 36‑9‑503, RELATING TO THE NAME OF A DEBTOR AND SECURED PARTY, SO AS TO REVISE PROVISIONS REGARDING THE PROPER NAME OF A DEBTOR ON A FINANCING STATEMENT; TO AMEND SECTION 36‑9‑507, RELATING TO THE EFFECT OF CERTAIN EVENTS ON THE EFFECTIVENESS OF A FINANCING STATEMENT, SO AS TO REVISE PROVISIONS REGARDING THE SUFFICIENCY OF THE DEBTOR’S NAME; TO AMEND SECTION 36‑9‑515, RELATING TO THE DURATION AND EFFECTIVENESS OF A FINANCING STATEMENT, SO AS TO CLARIFY THE EFFECTIVENESS OF CERTAIN INITIALLY FILED FINANCING STATEMENTS; TO AMEND SECTION 36‑9‑516, AS AMENDED, RELATING TO WHAT CONSTITUTES FILING AND THE EFFECTIVENESS OF FILING, SO AS TO CLARIFY WHEN A DEBTOR IS AN INDIVIDUAL OR AN ORGANIZATION; TO AMEND 36‑9‑518, AS AMENDED, RELATING TO A CLAIM CONCERNING AN INACCURATE OR WRONGFULLY FILED RECORD, SO AS TO INCLUDE PROVISIONS REGARDING THE FILING OF AN INFORMATION STATEMENT; TO AMEND SECTION 36‑9‑521, REGARDING THE UNIFORM FORM OF A WRITTEN FINANCING STATEMENT AND AMENDMENT, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 36‑9‑607, RELATING TO COLLECTION AND ENFORCEMENT BY A SECURED PARTY, SO AS TO REVISE PROVISIONS REGARDING THE SECURED PARTY’S SWORN AFFIDAVIT; BY ADDING PART 8 TO CHAPTER 9, TITLE 36, SO AS TO ENTITLE PART 8 AS “TRANSITION”; AND TO MAKE CORRESPONDING CHANGES TO APPROPRIATE OFFICIAL COMMENTS AS NECESSARY TO REFLECT THE CHANGES TO CHAPTER 9, TITLE 36.

(R. 52, S. 382) -- Senators Grooms, Alexander, L. Martin, Campbell, Davis, McGill, Nicholson, O’Dell, Reese, Shealy, Johnson, Verdin, Williams, Cleary, Allen, Rankin, Setzler, Lourie, Scott, Ford, Turner, Bennett, Corbin, Bright, Hutto, Jackson, Sheheen, Pinckney, Cromer, Hembree, Matthews, McElveen, Young, Hayes and Malloy: AN ACT TO AMEND SECTION 56‑15‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR REGULATING MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO DEFINE THE TERMS “DUE CAUSE” AND “MATERIAL BREACH”; TO AMEND SECTION 56‑15‑40, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, SO AS TO PROVIDE THAT A MANUFACTURER, DISTRIBUTOR, WHOLESALER, DISTRIBUTOR BRANCH OR DIVISION, FACTORY BRANCH OR DIVISION, WHOLESALE BRANCH OR DIVISION, OFFICER, AGENT, OR OTHER REPRESENTATIVE THEREOF, MAY NOT REQUIRE OR COERCE A MOTOR VEHICLE DEALER TO OFFER TO SELL OR SELL ANY EXTENDED SERVICE CONTRACT, EXTENDED MAINTENANCE PLAN, FINANCIAL PRODUCT, OR INSURANCE PRODUCT OFFERED, SOLD, OR SPONSORED BY THE MANUFACTURER OR TO SELL, ASSIGN, OR TRANSFER ANY RETAIL INSTALLMENT SALES CONTRACT OR LEASE OBTAINED BY THE MOTOR VEHICLE DEALER IN CONNECTION WITH THE SALE OR LEASE OF A NEW MOTOR VEHICLE MANUFACTURED BY THE MANUFACTURER TO A SPECIFIED FINANCE COMPANY, CLASS OF FINANCE COMPANIES, LEASING COMPANY, CLASS OF LEASING COMPANIES, OR TO ANY OTHER SPECIFIED PERSON; TO DEFINE THE TERM “FINANCIAL SERVICES COMPANY”; AND TO PROVIDE THAT A MANUFACTURER OR DISTRIBUTOR MAY NOT USE A CERTAIN FINANCIAL SERVICES COMPANIES OR LEASING COMPANIES TO ACCOMPLISH ILLEGAL CONDUCT; BY ADDING SECTION 56‑15‑47 SO AS TO PROVIDE THAT A MANUFACTURER MAY NOT PREVENT A MOTOR VEHICLE DEALER FROM DESIGNATING A SUCCESSOR TO THE DEALERSHIP IN THE EVENT OF DEATH OR INCAPACITY OF THE MOTOR VEHICLE DEALER, AND TO PROVIDE THE CONDITIONS UPON WHICH A PERSON MAY SUCCEED TO A FRANCHISE; TO AMEND SECTION 56‑15‑60, RELATING TO MOTOR VEHICLE DEALER’S CLAIMS FOR COMPENSATION, SO AS TO PROVIDE THAT ALL WARRANTY CLAIMS, SERVICE CLAIMS, OR INCENTIVE CLAIMS NOT SPECIFICALLY DISAPPROVED IN WRITING WITHIN THIRTY DAYS OF RECEIPT SHALL BE CONSTRUED AS APPROVED AND PAYMENT MUST FOLLOW WITHIN THIRTY DAYS, AND A MANUFACTURER SHALL NOT UNREASONABLY DISAPPROVE A CLAIM THAT RESULTS IN A CLERICAL OR ADMINISTRATIVE ERROR AND THAT CLAIM DISAPPROVAL MUST BE BASED ON A MATERIAL DEFECT; BY ADDING SECTION 56‑15‑95 SO AS TO PROVIDE THAT A MANUFACTURER MAY NOT TERMINATE OR CANCEL A FRANCHISE OR SELLING AGREEMENT OF A MOTOR VEHICLE DEALER WITHOUT DUE CAUSE, AND TO PROVIDE THE FACTORS THE COURT MUST USE WHEN IT DETERMINES WHETHER DUE CAUSE EXISTS; BY ADDING SECTION 56‑15‑96 SO AS TO PROVIDE THAT A PERFORMANCE STANDARD, SALES EFFECTIVENESS STANDARD, SALES OBJECTIVE, OR PROGRAM FOR MEASURING DEALERSHIP PERFORMANCE THAT MAY HAVE A MATERIAL EFFECT ON A MOTOR VEHICLE DEALER SHALL BE FAIR, REASONABLE, EQUITABLE, BASED ON ACCURATE INFORMATION, AND UNIFORMLY APPLIED TO OTHER SIMILARLY SITUATED MOTOR VEHICLE DEALERS; AND BY ADDING SECTION 56‑15‑98 SO AS TO PROVIDE THAT A MANUFACTURER OR DISTRIBUTOR, OFFICER, AGENT, OR ANY REPRESENTATIVE OF A MANUFACTURER OR DISTRIBUTOR MAY NOT UNREASONABLY ALTER A NEW MOTOR VEHICLE DEALER’S AREA OF RESPONSIBILITY, AND TO PROVIDE A PROCEDURE TO ALTER A NEW MOTOR VEHICLE DEALER’S AREA OF RESPONSIBILITY.

(R. 53, S. 417) -- Senators Alexander and Davis: AN ACT 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 MAY 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 IS INCORPORATED INTO THE NEW ARTICLE ADDED BY THIS ACT.

(R. 54, S. 438) -- Senators L. Martin and Campbell: AN ACT 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.

(R. 55, S. 464) -- Senators Hayes and Malloy: AN ACT TO AMEND SECTION 38‑77‑150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATORY MINIMUM UNINSURED MOTORIST INSURANCE COVERAGE, SO AS TO INCREASE THE MINIMUM COVERAGE TO TWENTY‑FIVE THOUSAND DOLLARS; TO AMEND SECTION 56‑9‑20, RELATING TO DEFINITIONS IN THE MOTOR VEHICLE RESPONSIBILITY ACT, SO AS TO REVISE THE DEFINITION OF “PROOF OF FINANCIAL RESPONSIBILITY” TO CONFORM AND TO INCREASE THE AMOUNT OF COVERAGE REQUIRED FOR MULTIPLE BODILY INJURIES; AND TO AMEND SECTION 56‑9‑353, RELATING TO POLICIES AND BONDS, AND SECTION 56‑9‑480, RELATING TO SATISFACTION OF JUDGMENTS, SO AS TO MAKE CONFORMING CHANGES.

(R. 56, S. 465) -- Senator Hayes: AN ACT 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”.

(R. 57, S. 530) -- Senators Hayes, Campbell and L. Martin: AN ACT 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 WHO OFFER ONLY CLOSED PANEL HEALTH PLANS TO ITS EMPLOYEES ALSO OFFER A POINT‑OF‑SERVICE OPTION TO ITS EMPLOYEES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT A POINT‑OF‑SERVICE OPTION MAY NOT DISCRIMINATE AGAINST CERTAIN HEALTH CARE PROVIDERS BY EXCLUDING THEM FROM NETWORK PARTICIPATION ON THE BASIS OF THEIR PROFESSION, 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.

(R. 58, S. 559) -- Senators Campsen and McGill: AN ACT TO AMEND SECTION 50‑5‑1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO DECREASE THE MAXIMUM CATCH LIMITS FOR FLOUNDER AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN FIFTEEN FLOUNDER TAKEN BY MEANS OF GIG, SPEAR, HOOK AND LINE, OR SIMILAR DEVICE IN ANY ONE DAY, NOT TO EXCEED THIRTY FLOUNDER IN ANY ONE DAY ON ANY BOAT.

(R. 59, S. 620) -- Senator Verdin: AN ACT TO AMEND SECTION 56‑3‑2335, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF RESEARCH AND DEVELOPMENT LICENSE PLATES, SO AS TO INCLUDE THE MANUFACTURE AND RESEARCH AND DEVELOPMENT OF TRANSMISSIONS IN THIS STATE AS A PART OF THE DEFINITION OF THE TERM “RESEARCH AND DEVELOPMENT BUSINESS”, TO INCLUDE A PERSON OR COMPANY IN THE BUSINESS OF OPERATING A GROUP OF VEHICLES DRIVEN BY THEIR EMPLOYEES FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF A RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS AS A PART OF THE DEFINITION OF THE TERM “CONTRACTED FLEET OWNER”, TO DEFINE THE TERM “TRANSMISSIONS”, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE RESEARCH AND DEVELOPMENT LICENSE PLATES FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF A RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS ON A MOTOR VEHICLE, TO PROVIDE THAT THE DEPARTMENT MAY ENTER INTO RECIPROCAL AGREEMENTS WITH OTHER STATES CONCERNING THE REGISTRATION AND OPERATION OF VEHICLES OWNED BY A RESEARCH AND DEVELOPMENT BUSINESS FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS, AND TO PROVIDE THAT IT IS THE SOLE RESPONSIBILITY OF THE RESEARCH AND DEVELOPMENT BUSINESS OR CONTRACTED FLEET OWNER TO TAKE ANY OTHER ACTIONS REQUIRED BY ANOTHER STATE THAT ARE NECESSARY FOR THE RESEARCH AND DEVELOPMENT BUSINESS OR CONTRACTED FLEET OWNER, TO LEGALLY TEST AND EVALUATE THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS IN THAT STATE.

(R. 60, S. 635) -- Senators Shealy, Campbell, Corbin, Turner, Bryant and Campsen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48‑23‑300 SO AS TO PROVIDE THAT A MAJOR FACILITY PROJECT REQUESTING THIRD‑PARTY CERTIFICATION SHALL NOT BE ALLOWED TO SEEK A RATING POINT THAT WOULD DISCRIMINATE AGAINST WOOD PRODUCTS OF THIS STATE DERIVED FROM FOREST LANDS CERTIFIED BY THE SUSTAINABLE FORESTRY INITIATIVE OR THE AMERICAN TREE FARM SYSTEM.

(R. 61, S. 636) -- Senator Alexander: AN ACT TO AMEND SECTION 7‑7‑430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO ADD THE “NEW HOPE” PRECINCT, 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, AND TO CORRECT ARCHAIC LANGUAGE.

(R. 62, S. 641) -- Senator Campsen: A JOINT RESOLUTION TO DEFINE “FALCONRY” AND MAKE IT LAWFUL TO ENGAGE IN FALCONRY IN SOUTH CAROLINA JANUARY 1, 2014, THROUGH DECEMBER 31, 2014, TO PROVIDE FOR THE REGULATION OF FALCONRY, AND TO PROVIDE A PENALTY FOR VIOLATIONS.

(R. 63, S. 643) -- Senators Hayes and Leatherman: AN ACT TO AMEND ACT 288 OF 2012, RELATING TO THE 2012‑2013 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.48, SECTION 1A, PART IB, THAT DIRECTS THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY DELETING THE SET MAXIMUM AMOUNT THAT MAY BE TRANSFERRED.

(R. 64, S. 674) -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERMS AND CONDITIONS FOR THE PUBLIC’S USE OF LAKES AND PONDS OWNED AND LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4341, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 65, H. 3061) -- Reps. McCoy, M.S. McLeod, Stavrinakis and Sellers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑63‑75 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION, TO POST ON ITS WEBSITE NATIONALLY RECOGNIZED GUIDELINES AND PROCEDURES CONCERNING THE MANAGEMENT OF CONCUSSIONS SUSTAINED BY STUDENT ATHLETES, TO REQUIRE EACH LOCAL SCHOOL DISTRICT TO DEVELOP ITS OWN GUIDELINES AND PROCEDURES BASED ON THE MODEL GUIDELINES AND PROCEDURES, TO REQUIRE AN INFORMATION SHEET ON CONCUSSIONS AND BRAIN INJURY BE PROVIDED TO CERTAIN PERSONS EACH YEAR WHO PARTICIPATE IN ATHLETICS, TO REQUIRE THE REMOVAL FROM PLAY AND EVALUATION OF A STUDENT ATHLETE BELIEVED TO HAVE SUSTAINED A CONCUSSION DURING PLAY, TO ALLOW FOR THE EVALUATION TO BE UNDERTAKEN BY CERTAIN TRAINED PERSONS, TO PROVIDE LIMITED LIABILITY FOR CERTAIN TRAINED PERSONS WHO EVALUATE STUDENT ATHLETES, TO PROVIDE A STUDENT ATHLETE REMOVED FROM PLAY AND EVALUATED MAY NOT RETURN TO PLAY UNTIL HE HAS RECEIVED WRITTEN MEDICAL CLEARANCE BY A PHYSICIAN, AND TO DEFINE NECESSARY TERMS.

(R. 66, H. 3193) -- Reps. Rutherford and King: AN ACT TO AMEND SECTION 24‑13‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER, SO AS TO PROVIDE THAT ANY TIME SERVED UNDER HOUSE ARREST BY A PRISONER MAY BE USED IN COMPUTING TIME SERVED BY A PRISONER.

(R. 67, H. 3538) -- Reps. Bannister, Tallon, Sandifer, Hamilton, Erickson, Gambrell, Brannon, Allison, Felder and Weeks: AN ACT TO AMEND SECTION 16‑17‑500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS FOR MINORS, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16‑17‑501, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF RELEVANT TOBACCO PRODUCT FOR MINORS OFFENSES, SO AS TO DEFINE THE TERMS “ALTERNATIVE NICOTINE PRODUCT” AND “ELECTRONIC CIGARETTE”; AND TO AMEND SECTIONS 16‑17‑502, 16‑17‑503, AND 16‑17‑504, RELATING TO DISTRIBUTION OF TOBACCO PRODUCT SAMPLES, ENFORCEMENT AND REPORTING, AND IMPLEMENTATION, RESPECTIVELY, ALL SO AS TO MAKE CONFORMING CHANGES TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS.

(R. 68, H. 3554) -- Reps. Cole, Forrester, G.M. Smith, Stavrinakis, Herbkersman and Merrill: AN ACT TO AMEND SECTION 61‑4‑1515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SAMPLES AND SALES OF BEER AT BREWERIES, SO AS TO SPECIFY THAT TWELVE PERCENT ALCOHOL BY WEIGHT IS THE MAXIMUM THAT MAY BE OFFERED FOR ON‑PREMISES CONSUMPTION, TO ALLOW FOR THE SALE OF FORTY‑EIGHT OUNCES OF BEER TO A CONSUMER EVERY TWENTY‑FOUR HOURS, OF WHICH ONLY SIXTEEN OUNCES MAY BE MORE THAN EIGHT PERCENT ALCOHOL BY WEIGHT, TO REQUIRE THE BREWERY TO ESTABLISH A SYSTEM TO MONITOR SUCH SALES AND SAMPLES, TO PROVIDE THE BEER MUST BE SOLD AT THE APPROXIMATE RETAIL PRICE, TO PROVIDE THAT APPROPRIATE TAXES MUST BE REMITTED, TO REQUIRE THE BREWERY TO POST CERTAIN INFORMATION, TO REQUIRE THE BREWERY TO PROVIDE CERTAIN ALCOHOL ENFORCEMENT TRAINING, TO REQUIRE THE BREWERY TO MAINTAIN CERTAIN LIABILITY INSURANCE, TO CLARIFY THAT A CERTAIN PROVISION APPLIES TO OFF‑PREMISES CONSUMPTION, TO INCREASE THE FINE AND PENALTIES FOR A BREWERY VIOLATING CERTAIN OFF‑PREMISES CONSUMPTION PROVISIONS; TO AMEND SECTION 61‑4‑960, RELATING TO RETAILERS OF BEER FOR OFF‑PREMISES CONSUMPTION AND BEER TASTINGS, SO AS TO ALLOW A BEER TASTING TO BE HELD IN CONJUNCTION WITH A WINE TASTING, AND TO REQUIRE THE DEPARTMENT OF REVENUE AND THE STATE LAW ENFORCEMENT DIVISION TO SUBMIT A REPORT DETAILING CERTAIN INFORMATION REGARDING THE EFFECT OF THE AMENDMENTS TO SECTION 61‑4‑1515.

(R. 69, H. 3725) -- Reps. Putnam, Ballentine, Patrick, Huggins, H.A. Crawford, Mitchell, Allison, Barfield, Chumley, Felder, Gagnon, Henderson, Hixon, Owens, Rivers, Ryhal, Simrill, Spires, Stringer, Taylor, Willis, Wood, Sellers, Long and Erickson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SAFE ACCESS TO VITAL EPINEPHRINE (SAVE) ACT”; BY ADDING SECTION 59‑63‑95 SO AS TO ALLOW SCHOOL DISTRICT AND PRIVATE SCHOOL GOVERNING AUTHORITIES TO OBTAIN AND STORE SUPPLIES OF EPINEPHRINE AUTO‑INJECTORS FOR SCHOOLS TO USE IN CERTAIN CIRCUMSTANCES; TO AUTHORIZE CERTAIN PEOPLE TO PRESCRIBE AND DISPENSE PRESCRIPTIONS FOR EPINEPHRINE AUTO‑INJECTORS FOR ADMINISTRATION OR SELF‑ADMINISTRATION BY STUDENTS AND OTHER PEOPLE; TO AUTHORIZE CERTAIN SCHOOL PERSONNEL TO PROVIDE EPINEPHRINE AUTO‑INJECTORS TO STUDENTS FOR SELF‑ADMINISTRATION OF THE INJECTOR; TO AUTHORIZE CERTAIN PERSONNEL TO ADMINISTER EPINEPHRINE AUTO‑INJECTORS TO STUDENTS AND OTHER PEOPLE; TO REQUIRE CERTAIN GOVERNING AUTHORITIES OF SCHOOL DISTRICTS AND PRIVATE SCHOOLS, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND THE STATE DEPARTMENT OF EDUCATION, TO DEVELOP AND IMPLEMENT A PLAN FOR MANAGEMENT OF STUDENTS WITH LIFE‑THREATENING ALLERGIES, INCLUDING FOR ADMINISTRATION AND PROVISION OF EPINEPHRINE AUTO‑INJECTORS TO STUDENTS AND OTHER PEOPLE; TO PROVIDE THAT SCHOOLS ARE NOT SUBJECT TO THE SOUTH CAROLINA PHARMACY ACT AND RELEVANT REGULATIONS GOVERNING THE PRACTICE OF PHARMACY FOR PURPOSES OF CERTAIN ACTIONS TAKEN PURSUANT TO THE SECTION; AND TO PROVIDE FOR IMMUNITY FROM LIABILITY WITH REGARD TO USE OF EPINEPHRINE AUTO‑INJECTORS BY SCHOOLS.

(R. 70, H. 3751) -- Rep. Sandifer: AN ACT 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 IN A CERTAIN MANNER; BY ADDING SECTION 41‑35‑135 SO AS TO PROVIDE CIRCUMSTANCES WHEN THE DEPARTMENT SHALL CHARGE THE ACCOUNT OF AN EMPLOYER FOR OVERPAYMENT OF 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, EFFECTIVE OCTOBER 1, 2013; 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”; AND TO MANDATE IMPLEMENTATION OF AN ONLINE, PREFILING PROGRAM BY THE DEPARTMENT FOR USE OF EMPLOYERS TO ADDRESS POTENTIAL BENEFIT CLAIMS.

(R. 71, H. 3762) -- Reps. Ott, Skelton, Hardwick, Hodges, Knight, Bales, Jefferson, Parks, Sellers, Finlay, Funderburk, Gagnon, Gambrell, George, Hayes, Hiott, Hixon, Horne, Lowe, D.C. Moss, Norman, Pitts, Putnam, Riley, White, Williams and Vick: AN ACT TO AMEND SECTIONS 50‑11‑740, AS AMENDED, AND 50‑11‑745, RELATING TO THE CONFISCATION, FORFEITURE, SALE, AND RELEASE OF PROPERTY USED FOR THE UNLAWFUL HUNTING OF WILDLIFE, SO AS TO PROVIDE ADDITIONAL TYPES OF PROPERTY THAT ARE COVERED BY BOTH PROVISIONS, TO REVISE THE DEFINITION OF THE TERM “HUNTING” BY EXCLUDING REFERENCES TO THE CARCASS OF A COYOTE, ARMADILLO, OR FERAL HOG, TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT RELATES TO THE HUNTING OF CERTAIN ANIMALS UNDER SECTION 50-11-710, TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO PAY THE NET PROCEEDS FROM THE SALE OF A CONFISCATED DEVICE TO THE STATE TREASURER FOR DEPOSIT INTO THE FISH AND WILDLIFE PROTECTION FUND, AND REQUIRE THAT THE NET PROCEEDS FROM A SALE MUST BE DEPOSITED IN A COUNTY’S GAME AND FISH FUND, AND TO REVISE THE PENALTIES THAT MAY BE IMPOSED FOR THE UNLAWFUL HUNTING OF WILDLIFE.

(R. 72, H. 3907) -- Reps. Willis, Owens, Stringer, Daning, Brannon, Rivers, Kennedy, King, Mitchell, Putnam, Wells and Wood: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 56 SO AS TO AUTHORIZE THE DEPARTMENT OF MOTOR VEHICLES TO ACCEPT UNCERTIFIED CHECKS FOR PAYMENT FOR PRODUCTS OR SERVICES ISSUED BY THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT MAY REFUSE TO PROVIDE A PERSON ANY PRODUCT OR SERVICE, EXCEPT AN IDENTIFICATION CARD, UNTIL THE PERSON HAS PAID ALL FEES OWED THE DEPARTMENT AS A RESULT OF A RETURNED CHECK, TO PROVIDE THAT THE DEPARTMENT MAY CHARGE A FEE SPECIFIED IN SECTION 34‑11‑70 TO COVER THE COSTS ASSOCIATED WITH THE COLLECTION OF FEES, TO PROVIDE THAT THESE PROVISIONS SHALL NOT INTERFERE WITH A BONA FIDE SALE OF A MOTOR VEHICLE BY A DEALER, TO PROVIDE THAT THE DEPARTMENT MAY CHARGE A PROCESSING FEE FOR THE USE OF CREDIT CARDS, AND TO PROVIDE THAT ALL PROCESSING FEES COLLECTED PURSUANT TO THIS ARTICLE MUST BE PLACED IN A SPECIAL RESTRICTED ACCOUNT TO BE USED BY THE DEPARTMENT TO DEFRAY ITS COSTS.

(R. 73, H. 4038) -- Reps. Sandifer and Harrell: AN ACT TO AMEND SECTION 40‑22‑280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE APPLICATION OF THE CHAPTER CONCERNING ENGINEERS AND SURVEYORS, SO AS TO ADD AN EXEMPTION FOR THE WORK OR PRACTICE OF RENDERING CERTAIN ENGINEERING SERVICES TO A CORPORATION OPERATING UNDER A PRODUCTION CERTIFICATE ISSUED BY THE FEDERAL AVIATION AUTHORITY, AND TO DEFINE A RELATED TERM.

**HOUSE RESOLUTION**

The following was introduced:

H. 4276 -- Reps. Atwater, Alexander, Allison, Anderson, Anthony, 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, 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 RECOGNIZE AND HONOR THE STUDENTS, ADMINISTRATORS, FACULTY, STAFF, AND PARENTS OF LAKE MURRAY ELEMENTARY SCHOOL OF LEXINGTON COUNTY FOR THEIR OUTSTANDING WORK AND TO CONGRATULATE THEM FOR BEING SELECTED AS A LIGHTHOUSE SCHOOL.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4277 -- Rep. Ott: A HOUSE RESOLUTION TO THANK DONNA GLENN TINSLEY HOLLEY OF COLUMBIA FOR HER SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4278 -- Rep. Ott: A HOUSE RESOLUTION TO THANK MICHAEL R. THOMPSON OF SPARTANBURG COUNTY FOR HIS SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4279 -- Reps. Funderburk, 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, 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 RECOGNIZE AND HONOR FOSTER CARE REVIEW BOARD 5E FOR ITS OUTSTANDING SERVICE TO THE COMMUNITY AND TO THE FOSTER CHILDREN UNDER ITS SUPERVISION AND TO CONGRATULATE REVIEW BOARD MEMBERS SANDRA INABINET, MARY LONG, LAURIE PARKS, AND HEIDI LOVIT FOR THEIR SELECTION AS THE 2012 REVIEW BOARD OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4280 -- Rep. Govan: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DEACON CHARLES J. OWENS FOR HIS YEARS OF DEDICATED SERVICE TO MOUNT PISGAH BAPTIST CHURCH OF ORANGEBURG.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4281 -- Rep. Govan: A HOUSE RESOLUTION TO HONOR AND COMMEND DEACON DAVID PHILLIPS OF ORANGEBURG FOR HIS MANY YEARS OF DEDICATED SERVICE TO HIS CHURCH AND COMMUNITY AND TO EXTEND BEST WISHES TO HIM IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4282 -- Reps. McEachern, 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, Lucas, Mack, McCoy, 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 RECOGNIZE AND HONOR ROBERT E. "BOB" DAVIS, CHIEF FINANCIAL OFFICER FOR RICHLAND SCHOOL DISTRICT TWO, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTEEN YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4286 -- Reps. Gilliard, 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, 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 RECOGNIZE AND HONOR TOMMY DOYLE, THE GENERAL MANAGER OF PALMETTO CARRIAGE WORKS AND TOURS, FOR HIS YEARS OF OUTSTANDING SERVICE TO THE CHARLESTON COMMUNITY AND TO THE TOURISM INDUSTRY IN SOUTH CAROLINA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 762 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA STUDENT LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES IN 2013 AT A DATE AND TIME DETERMINED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT IF SUBSEQUENT TO A DETERMINATION EITHER BODY IS IN SESSION, THE CHAMBERS MAY NOT BE USED AND ALTERNATE DATES AND TIMES MAY BE SELECTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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

That the South Carolina Student Legislature be authorized to use the Chambers of the South Carolina Senate and the South Carolina House of Representatives in 2013 at a date and time determined by the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives, provided that if subsequent to a determination either body is in session, the Chambers may not be used and the South Carolina Student Legislature may use the Chambers on alternate dates and times as may be selected by the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives.

Be it further resolved that the use of the Chambers of the South Carolina Senate and the South Carolina House of Representatives by the South Carolina Student Legislature must be in accordance with the policies and Rules of each respective body.

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. 766 -- Senator Lourie: A CONCURRENT RESOLUTION TO CONGRATULATE THE BLYTHEWOOD GARDEN CLUB ON THE OCCASION OF ITS SIXTIETH ANNIVERSARY AND TO COMMEND THE CLUB ON SIX DECADES OF CONTRIBUTING TO THE BEAUTIFICATION OF THE STATE OF SOUTH CAROLINA.

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. 768 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT WILLIAM "DON" RHODES OF THE SOUTH CAROLINA STATE TRANSPORT POLICE, UPON THE OCCASION OF HIS RETIREMENT, AND TO EXTEND SINCERE APPRECIATION FOR HIS DEDICATION TO THE CAUSE OF TRUCK SAFETY, EDUCATION, INDUSTRY PROFESSIONAL DEVELOPMENT, REASONABLE ENFORCEMENT PRACTICES, AND GENUINE DEVOTION TO HIS DUTIES, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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. 4283 -- Reps. Long, Erickson, Allison, Wood, Nanney, H. A. Crawford, Felder, Horne and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-25-130 SO AS TO PROHIBIT A PERSON CONVICTED WITH CERTAIN CRIMINAL DOMESTIC VIOLENCE OFFENSES FROM RECEIVING OR CONTINUING TO RECEIVE ALIMONY FROM THE VICTIM OF THE CRIMINAL DOMESTIC VIOLENCE OFFENSE.

Referred to Committee on Judiciary

H. 4284 -- Reps. Weeks, G. M. Smith and J. E. Smith: A BILL TO AMEND SECTION 59-39-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ISSUANCE OF HIGH SCHOOL DIPLOMAS TO CERTAIN VETERANS OF THE UNITED STATES MILITARY, SO AS TO INCLUDE VETERANS OF THE ERA ENCOMPASSING THE KOREAN WAR AND VIETNAM WAR.

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

H. 4285 -- Rep. King: A BILL TO AMEND SECTION 40-19-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE AS AN EMBALMER OR FUNERAL DIRECTOR, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE AS A FUNERAL DIRECTOR TO INCLUDE AN ASSOCIATE'S DEGREE IN MORTUARY SCIENCE FROM AN ACCREDITED PROGRAM IN MORTUARY SCIENCE AND A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR UNIVERSITY FOR A PERSON SEEKING INITIAL LICENSURE AFTER DECEMBER 31, 2013.

Referred to Committee on Labor, Commerce and Industry

**H. 3174--DEBATE ADJOURNED**

Rep. HORNE moved to adjourn debate upon the following Bill until Tuesday, January 14, 2014, which was adopted:

H. 3174 -- Reps. Whitmire and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-9-12 SO AS TO ALLOW THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY TO EXEMPT CERTAIN HISTORIC PROPERTIES FROM THE APPLICATION OR ENFORCEMENT OF BUILDING CODES UPON THE RECOMMENDATION OF THE LOCAL HISTORIC PRESERVATION COMMISSION.

**S. 308--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

S. 308 -- Senators Bennett, Shealy, Grooms, Hembree, L. Martin, Massey, Campbell, Turner, Thurmond, Bryant, Verdin, S. Martin, Davis, Bright, Corbin, Campsen, Fair and Cromer: A BILL TO AMEND SECTION 16-23-465 OF THE 1976 CODE, RELATING TO THE CARRYING OF A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES, TO PERMIT THE POSSESSION OF A WEAPON UNLESS NOTICE OF A PROHIBITION IS PROVIDED BY THE BUSINESS, TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A BUSINESS BY SOMEONE CARRYING A FIREARM, AND TO REDUCE THE PENALTIES FOR VIOLATIONS.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 308 (COUNCIL\MS\308C001.MS.AHB13), which was adopted:

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

/ SECTION 1. Section 16‑23‑465 of the 1976 Code, as last amended by Act 274 of 2002, is further amended to read:

“Section 16‑23‑465. (A) In addition to the penalties provided for by Sections 16‑11‑330, 16‑11‑620, ~~and~~ 16‑23‑460, 23‑31‑220, and ~~by~~ Article 1, ~~of~~ Chapter 23, ~~of~~ Title 16, a person convicted of carrying a ~~pistol or~~ firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than ~~two~~ three thousand dollars or imprisoned not more than ~~three~~ two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23~~,~~ must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person carrying a concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business’ premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a ‘NO CONCEALABLE WEAPONS ALLOWED’ sign in compliance with Section 23‑31‑235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23‑31‑235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business’ premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business’ premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business’ premises or portion of the premises when requested or refuses to remove the concealable weapon from a business’ premises or portion of the premises when requested may be charged with a violation of subsection (A).”

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

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

The amendment was then adopted.

Rep. PITTS proposed the following Amendment No. 2 to S. 308 (COUNCIL\MS\308C002.MS.AHB13), which was adopted:

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

/ SECTION \_\_.A. Section 23‑31‑210 of the 1976 Code, as last amended by Act 347 of 2006, is further amended to read:

“Section 23‑31‑210. As used in this article:

(1) ‘Resident’ means an individual who is present in South Carolina with the intention of making a permanent home in South Carolina or military personnel on permanent change of station orders.

(2) ‘Qualified nonresident’ means an individual who owns real property in South Carolina, but who resides in another state.

(3) ‘Picture identification’ means:

(a) a valid ~~South Carolina~~ driver’s license~~, or if the applicant is a qualified nonresident, a valid driver’s license~~ issued by the state in which the applicant resides; or

(b) an official photographic identification card issued by the Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State.

~~(4)~~ ~~‘Proof of residence’ means a person’s current address on the original or certified copy of:~~

~~(a)~~ ~~a valid South Carolina driver’s license;~~

~~(b)~~ ~~an official identification card issued by the Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State;~~

~~(c)~~ ~~a voter registration card; or~~

~~(d)~~ ~~another document that SLED may determine that fulfills this requirement.~~

~~(5)~~(4) ‘Proof of training’ means an original document or certified copy of the document supplied by an applicant that certifies that he is either:

(a) a person who, within three years before filing an application, has successfully completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course ~~must be a minimum of eight hours and~~ must include, but is not limited to:

(i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;

(ii) information on handgun use and safety;

(iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child; and

(iv) the actual firing of the handgun in the presence of the instructor;

(b) a person who demonstrates any of the following must comply with the provisions of subitem (a)(i) only:

(i) a person who demonstrates the completition of basic military training provided by any branch of the United States military who produces proof of his military service through the submission of a DD214 form;

(ii) a retired law enforcement officer who produces proof that he is a graduate of the Criminal Justice Academy or that he was a law enforcement officer prior to the requirement for graduation from the Criminal Justice Academy; or

(iii) a retired state or federal law enforcement officer who produces proof of graduation from a federal or state academy that includes firearms training as a graduation requirement.

(c) an instructor certified by the National Rifle Association or another SLED‑approved competent national organization that promotes the safe use of handguns;

~~(c)~~(d) a person who can demonstrate to the Director of SLED or his designee that he has a proficiency in both the use of handguns and state laws pertaining to handguns;

~~(d)~~(e) an active duty police handgun instructor;

~~(e)~~(f) a person who has a SLED‑certified or approved competitive handgun shooting classification; or

~~(f)~~(g) a member of the active or reserve military, or a member of the National Guard who has had handgun training in the previous three years.

SLED shall promulgate regulations containing general guidelines for courses and qualifications for instructors which would satisfy the requirements of this item. For purposes of subitems (a) and (b), ‘proof of training’ is not satisfied unless the organization and its instructors meet or exceed the guidelines and qualifications contained in the regulations promulgated by SLED pursuant to this item.

~~(6)~~(5) ‘Concealable weapon’ means a firearm having a length of less than twelve inches measured along its greatest dimension that must be carried in a manner that is hidden from public view in normal wear of clothing except when needed for self‑defense, defense of others, and the protection of real or personal property.

~~(7)~~(6) ‘Proof of ownership of real property’ means a certified current document from the county assessor of the county in which the property is located verifying ownership of the real property. SLED must determine the appropriate document that fulfills this requirement.”

B. Section 23‑31‑215 of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“Section 23‑31‑215. (A) Notwithstanding any other provision of law, except subject to subsection (B) ~~of this section~~, SLED must issue a permit, which is no larger than three and one‑half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least twenty‑one years of age and who is not prohibited by state law from possessing the weapon upon submission of:

(1) a completed application signed by the person;

(2) ~~one current full face color photograph of the person, not smaller than one inch by one inch nor larger than three inches by five inches~~ photocopy of a driver’s license;

(3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;

(4) proof of actual or corrected vision rated at 20/40 within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver’s license;

(5) proof of training;

(6) payment of a ~~fifty‑dollar~~ seventy‑five dollar application fee for a resident of this State and seventy‑five dollars for a nonresident. This fee must be waived for disabled veterans and retired law enforcement officers; and

(7) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant’s fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

(B) Upon submission of the items required by subsection (A) ~~of this section~~, SLED must conduct or facilitate a local, state, and federal fingerprint review of the applicant. SLED ~~must~~ also must conduct a background check of the applicant through notification to and input from the sheriff of the county where the applicant resides or if the applicant is a qualified nonresident, where the applicant owns real property in this State. The sheriff within ten working days after notification by SLED, ~~must~~ may submit a recommendation on an application. Before making a determination whether or not to issue a permit under this article, SLED must consider the recommendation provided pursuant to this subsection. ~~The failure of the sheriff to submit a recommendation within the ten‑day period constitutes a favorable recommendation for the issuance of the permit to the applicant~~. If the fingerprint review and background check are favorable, SLED must issue the permit.

(C) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received; otherwise, SLED shall issue a concealable weapon permit. If an applicant is unable to comply with the provisions of Section 23‑31‑210~~(4)~~(5), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23‑31‑210~~(4)(a)~~(5). The course shall cost fifty dollars. SLED shall use the proceeds to defray the training course’s operating costs. If a permit is granted by operation of law because an applicant was not notified of a denial within the ninety‑day notification period, the permit may be revoked upon written notification from SLED that sufficient grounds exist for revocation or initial denial.

(D) Denial of an application may be appealed. The appeal must be in writing and state the basis for the appeal. The appeal must be submitted to the Chief of SLED within thirty days from the date the denial notice is received. The chief shall issue a written decision within ten days from the date the appeal is received. An adverse decision shall specify the reasons for upholding the denial and may be reviewed by the Administrative Law ~~Judge Division~~ Court pursuant to Article 5, Chapter 23 ~~of~~, Title 1, upon a petition filed by an applicant within thirty days from the date of delivery of the division’s decision.

(E) SLED must make permit application forms available to the public. A permit application form shall require an applicant to supply:

(1) name, including maiden name if applicable;

(2) date and place of birth;

(3) sex;

(4) race;

(5) height;

(6) weight;

(7) eye and hair color;

(8) current residence address~~, or if the applicant is a qualified nonresident, current residence address and where the applicant owns real property in this State~~; and

(9) all residence addresses for the three years preceding the application date.

(F) The permit application form shall require the applicant to certify that:

(1) he is not a person prohibited under state law from possessing a weapon;

(2) he understands the permit is revoked and must be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon; and

(3) ~~he is a resident of this State, is military personnel on permanent change of station orders, or is a qualified nonresident; and~~

~~(4)~~ all information contained in his application is true and correct to the best of his knowledge.

(G) Medical personnel, law enforcement agencies, organizations offering handgun education courses pursuant to Section 23‑31‑210~~(4)(a)~~(5), and their personnel, who in good faith provide information regarding a person’s application, must be exempt from liability that may arise from issuance of a permit; provided, however, a weapons instructor must meet the requirements established in Section 23‑31‑210~~(4)(b), (c), (d), (e), or (f)~~(5) in order to be exempt from liability under this subsection.

(H) A permit application must be submitted in person ~~or~~, by mail, or online to SLED headquarters which shall verify the legibility and accuracy of the required documents. If an applicant submits his application online, SLED may continue to make all contact with that applicant through online communications.

(I) SLED must maintain a list of all permit holders and the current status of each permit. SLED may release the list of permit holders or verify an individual’s permit status only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is required to be released pursuant to a subpoena or court order. SLED may charge a fee not to exceed its costs in releasing the information under this subsection. Except as otherwise provided in this subsection, a person in possession of a list of permit holders obtained from SLED must destroy the list.

(J) A permit is valid statewide unless revoked because the person has:

(1) become a person prohibited under state law from possessing a weapon;

(2) moved his permanent residence to another state and no longer owns real property in this State;

(3) voluntarily surrendered the permit; or

(4) been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm. However, if the person subsequently is found not guilty of the offense, then his permit must be reinstated at no charge.

Once a permit is revoked, it must be surrendered to a sheriff, police department, a SLED agent, or by certified mail to the Chief of SLED. A person who fails to surrender his permit in accordance with this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty‑five dollars.

(K) A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4 ~~of~~, Chapter 31 ~~of~~, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:

(1) identifies himself as a law enforcement officer; and

(2) requests identification or a driver’s license from a permit holder.

A permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty‑five dollars.

(L) SLED shall issue a replacement for lost, stolen, damaged, or destroyed permit identification cards after the permit holder has updated all information required in the original application and the payment of a five‑dollar replacement fee. Any change of permanent address must be communicated in writing to SLED within ten days of the change accompanied by the payment of a fee of five dollars to defray the cost of issuance of a new permit. SLED shall then issue a new permit with the new address. A permit holder’s failure to notify SLED in accordance with this subsection constitutes a misdemeanor punishable by a twenty‑five dollar fine. The original permit shall remain in force until receipt of the corrected permit identification card by the permit holder, at which time the original permit must be returned to SLED.

(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a~~:~~

(1) ~~police, sheriff, or highway patrol station or any other law enforcement office or facility~~ law enforcement, correctional, or detention facility;

(2) ~~detention facility, prison, or jail or any other correctional facility or office;~~

~~(3)~~ courthouse or courtroom;

~~(4)~~(3) polling place on election days;

~~(5)~~(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;

~~(6)~~(5) school or college athletic event not related to firearms;

~~(7)~~(6) daycare facility or pre‑school facility;

~~(8)~~(7) place where the carrying of firearms is prohibited by federal law;

~~(9)~~(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body; ~~or~~

~~(10)~~(9) hospital, medical clinic, doctor’s office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or

(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23‑31‑220 and 23‑31‑235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary.

A person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.

Nothing contained ~~herein~~ in this section may be construed to alter or affect the provisions of Sections 10‑11‑320, 16‑23‑420, 16‑23‑430, 16‑23‑465, 44‑23‑1080, 44‑52‑165, 50‑9‑830, and 51‑3‑145.

(N) Valid out‑of‑state permits to carry concealable weapons held by a resident of a reciprocal state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(O) A permit issued pursuant to this article is not required for a person:

(1) specified in Section 16‑23‑20, items (1) through (5) and items (7) through (11);

(2) carrying a self‑defense device generally considered to be nonlethal including the substance commonly referred to as ‘pepper gas’; or

(3) carrying a concealable weapon in a manner not prohibited by law.

(P) Upon renewal, a permit issued pursuant to this article is valid for ~~four~~ five years. Subject to subsection (Q) ~~of this section~~, SLED shall renew a currently valid permit upon:

(1) payment of a fifty‑dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;

(2) completion of the renewal application; and

(3) ~~submission of a photocopy of the applicant’s valid South Carolina driver’s license or South Carolina identification card, or if the applicant is a qualified nonresident, a photocopy of the applicant’s valid driver’s license or identification card issued by the state in which the applicant resides~~ picture identification or facsimile copy thereof.

(Q) Upon submission of the items required by subsection (P) ~~of this section~~, SLED must conduct or facilitate a ~~local,~~ state~~,~~ and federal ~~fingerprint review~~ background check of the applicant. If the background check is favorable, SLED must renew the permit.

(R) No provision contained within this article shall expand, diminish, or affect the duty of care owed by and liability accruing to, as may exist at law immediately before the effective date of this article, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a concealable weapon. Absence of a sign prohibiting concealable weapons shall not constitute negligence or establish a lack of duty of care.

(S) ~~Once a concealed weapon permit holder is no longer a resident of this State or is no longer a qualified nonresident, his concealed weapon permit is void, and immediately must be surrendered to SLED~~ At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail or online if permitted by subsection (H) at the permit holder’s address of record that the permit is set to expire along with notification of the permit holder’s opportunity to renew the permit pursuant to the provisions of subsections (P) and (Q).

(T) During the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year:

(1) the number of permits;

(2) the number of permits that were issued;

(3) the number of permit applications that were denied;

(4) the number of permits that were renewed;

(5) the number of permit renewals that were denied;

(6) the number of permits that were suspended or revoked; and

(7) the name, address, and county of a person whose permit was revoked, including the reason for the revocation ~~under~~ pursuant to ~~Section 23‑31‑215~~ subsection (J)(1).

The report must include a breakdown of such information by county.

(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars.”

C. Section 16‑23‑20(9)(a) of the 1976 Code, as last amended by Act 28 of 2007, is further amended to read:

“(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance. If the person has been issued a concealed weapons permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle’s passenger compartment; or”

D. Section 16‑23‑10(10) of the 1976 Code, as added by Act 294 of 2004, is amended to read:

(10) ‘Luggage compartment’ means the trunk of a motor vehicle which has a trunk; however, with respect to a motor vehicle which does not have a trunk, the term ‘luggage compartment’ refers to the area of the motor vehicle in which the manufacturer designed that luggage be carried or to the area of the motor vehicle in which luggage is customarily carried. In a station wagon, van, hatchback vehicle, truck, or sport utility vehicle, the term ‘luggage compartment’ refers to the area behind~~, but not under,~~ the rearmost seat. ~~In a truck, the term ‘luggage compartment’ refers to the area behind the rearmost seat, but not under the front seat.~~” /

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

The amendment was then adopted.

Rep. PITTS explained the Bill.

Rep. SKELTON spoke upon the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 12

Those who voted in the affirmative are:

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

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Branham |
| R. L. Brown | Cobb-Hunter | Dillard |
| Gilliard | Hodges | Howard |
| Jefferson | Parks | Sabb |

**Total--12**

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

RECORD FOR VOTING

I was called out of the Chamber temporarily to attend to a constituent matter and missed the vote on S. 308. If I had been present, I would have voted in favor of the Bill.

Rep. Andy Patrick

RECORD FOR VOTING

I abstained from voting on H. 308, as I am a constable and did not want to vote on a Bill that might cause the perception of a conflict of interest.

Rep. Bill Hixon

**H. 3514--POINT OF ORDER**

The following Bill was taken up:

H. 3514 -- Reps. Hamilton, Delleney, Taylor, Putnam and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-13-180 SO AS TO DEFINE NECESSARY TERMS, PROHIBIT THE OPERATION OF A PUBLIC UNMANNED AIRCRAFT SYSTEM AND THE DISCLOSURE OF PERSONAL INFORMATION ACQUIRED THROUGH THE OPERATION OF A PUBLIC UNMANNED AIRCRAFT SYSTEM, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE EXCEPTIONS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3514 (COUNCIL\MS\3514C001.MS.AHB13):

Amend the bill, as and if amended, by deleting Section 17-13-180(N), as contained in SECTION 1, page 9, and inserting:

/ (N) It is unlawful to operate an unmanned aircraft for the purpose, in whole or in part, of using the public unmanned aircraft system as a weapon or to deliver a weapon against a person or property and this action is punishable pursuant to the provisions of Article 7, Chapter 23, Title 16. /

Amend the bill further, Section 17-13-180, as contained in SECTION 1, by adding an appropriately lettered subsection at the end to read:

/( ) Nothing in this section creates any liability for a manufacturer of an unmanned aircraft system, as defined in subsection (A)(13), when an agency, as defined in subsection (A)(1), is found to be in violation by a court of competent jurisdiction, as defined in subsection (A)(3), of the provisions of this section. /

Renumber sections to conform.

Amend title to conform.

Rep. HAMILTON explained the amendment.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3764--DEBATE ADJOURNED**

Rep. COLE moved to adjourn debate upon the following Bill until Tuesday, January 14, 2014, which was adopted:

H. 3764 -- Reps. Long, K. R. Crawford, Powers Norrell, Knight, Erickson, Barfield, Delleney, Dillard, Douglas, Gagnon, Henderson, Loftis, Newton, Pope, Ridgeway, Spires, Stringer and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "NONEMBRYONIC AND NONFETAL CELL THERAPY ACT" BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF NONEMBRYONIC AND NONFETAL CELL OR TISSUE BANKS; TO DEFINE NONEMBRYONIC AND NONFETAL CELL FOR PURPOSES OF THE ARTICLE; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM REGULATING NONEMBRYONIC AND NONFETAL CELL OR TISSUE BANKS OR FROM TAKING DISCIPLINARY ACTION OR IMPOSING PENALTIES OR CIVIL OR CRIMINAL LIABILITY FOR ENGAGING IN ACTIVITIES AUTHORIZED BY THIS ARTICLE; TO PROHIBIT LICENSING BOARDS FROM ABSOLVING THEMSELVES OF THE RESPONSIBILITY TO REGULATE LICENSEES OR TO REGULATE PROCEDURES USED TO PERFORM THE ACTIVITIES PERMITTED PURSUANT TO THIS ARTICLE; TO PROHIBIT IMMUNITY FROM PENALTIES OR CIVIL AND CRIMINAL LIABILITY FOR INDIVIDUALS WHO FAIL TO EXERCISE REASONABLE CARE IN PROVIDING SERVICES PURSUANT TO THIS ARTICLE; AND TO ESTABLISH QUALIFICATIONS AND LIMITATIONS PERTAINING TO THE PURCHASE, COMPOUNDING, DELIVERY, AND ADMINISTRATION OF NONEMBRYONIC AND NONFETAL CELLS.

**S. 610--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 610 -- Senators Rankin, Cleary, Hembree and McGill: A BILL TO AMEND SECTION 11-41-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO CLARIFY THAT THE DEFINITION OF "ECONOMIC DEVELOPMENT PROJECT", INCLUDING A NATIONAL AND INTERNATIONAL CONVENTION AND TRADE SHOW CENTER OWNED BY A PUBLIC ENTITY INCLUDES AN ADJACENT FACILITY ALLOWING SPECIFIC EVENTS THEREBY MAKING ADDITIONAL TIME AND SPACE AVAILABLE FOR THE MAJOR CONVENTIONS, TRADE SHOWS, AND SPECIAL EVENTS CONTEMPLATED BY THE ACT AND REQUIRE JOINT BOND REVIEW COMMITTEE REVIEW AND COMMENT ON SUCH AN ADJACENT FACILITY; AND TO AMEND SECTION 11-41-70, RELATING TO PURPOSES OF THE ISSUE OF BONDS PURSUANT TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT AND SPECIFIC REQUIREMENTS APPLICABLE TO A PUBLIC ENTITY RECEIVING BOND PROCEEDS, SO AS TO EXTEND FROM TEN TO FIFTEEN YEARS THE PERIOD IN WHICH A NATIONAL AND INTERNATIONAL CONVENTION AND TRADE SHOW CENTER MUST BE COMPLETED.

Rep. ANTHONY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

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

**Total--104**

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.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4287 -- 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 CONGRATULATE ROBERTA DAVIS LAND OF FAIRFIELD COUNTY, UPON THE OCCASION OF HER EIGHTIETH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4288 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 120 ALONG UNITED STATES HIGHWAY 20 IN LEE COUNTY "STATE REPRESENTATIVE GRADY A. BROWN INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS EXIT THAT CONTAIN THE WORDS "STATE REPRESENTATIVE GRADY A. BROWN INTERCHANGE".

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

**S. 484--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 484 -- Senator Setzler: A BILL TO AMEND SECTION 9-11-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISABILITY RETIREMENT FOR MEMBERS OF THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN MEMBERS BE ELIGIBLE FOR, AND PROVIDE PROOF OF, SOCIAL SECURITY BENEFITS TO CONTINUE TO RECEIVE A DISABILITY BENEFIT.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 484 (COUNCIL\BBM\484C005. BBM.HTC13), which was adopted:

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

/ SECTION 1. Section 9‑11‑80 of the 1976 Code, as last amended by Act 278 of 2012, is further amended to read:

“Section 9‑11‑80. (1) On the application of a member in service or the member’s employer, a member who has the years of earned service required for the member’s class pursuant to Section 9‑11‑60(1) or any contributing member who is disabled as a result of an injury arising out of and in the course of the performance of the member’s duties regardless of length of membership, may be retired by the retirement board not less than thirty days and not more than nine months next following the date of filing the application on a disability retirement allowance if the system, after a medical examination of the member, certifies that the member is mentally or physically incapacitated for the further performance of duty, that the incapacity is likely to be permanent, and that the member should be retired. For purposes of this section, a member is considered to be in service on the date the application is filed if the member is not retired and the last day the member was employed by a covered employer in the system occurred not more than ninety days before the date of filing.

The South Carolina Retirement System may contract with the Department of Vocational Rehabilitation to evaluate the medical evidence submitted with the disability application relative to the job being performed and make recommendations to the system. The system may approve a disability retirement subject to the member participating in vocational rehabilitation with the Department of Vocational Rehabilitation. Upon determination by the department that a member retired on disability is able to reenter the job market and work is available, the retirement system may adjust the benefit paid by the system in accordance with Sections 9‑1‑1580, 9‑1‑1590, 9‑9‑60, and 9‑11‑90.

(2)(A) Upon disability retirement based upon an application received by the system before January 1, 2014, the member shall receive a disability retirement allowance which shall be equal to a service retirement allowance computed on the basis of his average final compensation, his years of credited service and his accumulated additional contributions at the date of his disability retirement; provided, however, that, at disability retirement, his disability retirement allowance shall be determined on the basis of the number of years of credited service the member would have completed had he remained in service until attaining age fifty‑five and on the basis of the average final compensation. For the purpose of calculating the disability retirement allowance, the additional credited service so determined ~~shall~~ must be either Class One service, ~~or~~ Class Two service, or Class Three service depending upon the classification of the member at the time of retirement.

(B) Upon disability retirement based upon an application received by the system after December 31, 2013, the member shall receive a disability retirement allowance which is equal to a service retirement allowance computed on the basis of the member’s average final compensation, the member’s years of credited service, and the member’s accumulated additional contributions at the date of the member’s disability retirement. However, at disability retirement, the member’s disability retirement allowance must be determined on the basis of the member’s average final compensation at retirement and on the basis of the number of years of credited service the member would have completed had the member remained in service until attaining age fifty‑five or until attaining twenty‑five years of credited service, whichever is less. For the purpose of calculating the disability retirement allowance, the additional credited service so determined must be either Class One service, ~~or~~ Class Two service, or Class Three service depending upon the classification of the member at the time of retirement.

(3)~~(A)~~ Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three‑year period thereafter, the Board may require any disability beneficiary who has not yet attained the age of fifty‑five years to undergo a medical examination, such examination to be made at the place of residence of the beneficiary or other place mutually agreed upon, by the system. If a disability beneficiary who has not yet attained the age of fifty‑five years refuses to submit to any such medical examination, the member’s retirement allowance may be discontinued until the member’s withdrawal of such refusal, and if the refusal continues for one year, all the member’s rights in and to the member’s retirement allowance may be revoked, but upon revocation any unexpended portion of the member’s accumulated contributions to date of retirement shall be returned to the member.

~~(B)~~ ~~To continue to receive a disability retirement allowance, a member who is retired on a disability retirement allowance based upon an application received by the system after December 31, 2013, and who has not yet attained the age of fifty‑five years shall provide proof to the system that the member is qualified for the receipt of Social Security disability benefits. This proof must be submitted to the system within thirty days of the third anniversary of the member’s disability retirement date and within thirty days of each anniversary thereafter. A member’s disability retirement allowance ceases upon a determination by the Social Security Administration that the member is no longer entitled to Social Security disability benefits for any reason. If any disability beneficiary who has not yet attained the age of fifty‑five years refuses to provide proof of disability required by the board, his disability retirement allowance must be discontinued until the member provides such proof. If a member’s refusal to provide proof that the member remains qualified for Social Security disability benefits continues for one year, all of the member’s rights in and to the member’s disability retirement allowance pursuant to this section may be revoked by the board.~~ (4) If the system certifies that the member’s disability has been removed and that the member has regained earning capacity, the member’s disability retirement allowance may be discontinued, or if the disability has been partly removed and the member’s earning capacity regained in part, the disability retirement allowance may be reduced proportionately as provided pursuant to Section 9‑1‑1580. The determination of the board as to any disputed question, after due consideration accorded to the member, is conclusive. If the retirement allowance of any member retired for disability is discontinued or reduced, and if the member again suffers disability within five years of the date of the member’s recovery and again loses earning capacity, the member is entitled to apply to the board for a restoration of the original retirement allowance, and the board may restore all or part of the member’s original retirement allowance. At the expiration of the five‑year period, if the retirement allowance has not been restored, all rights in and to the member’s disability retirement allowance are revoked. The member then is entitled to a deferred early retirement allowance as provided in Section 9‑11‑70 based upon the member’s average final compensation and credited service at the member’s date of disability retirement.

(5) After age fifty‑five, a disability retiree is subject to the same earnings limitation as a service retiree.

(6) Notwithstanding any other provision of this section, upon retirement for disability after October 15, 1992, at any age, a member must receive a disability retirement allowance equal to at least fifteen percent of his average final compensation.”

SECTION 2. A. Section 9‑11‑10(18) of the 1976 Code, as last amended by Act 153 of 2005, is further amended to read:

“(18) ~~[Reserved]~~ ‘Medical board’ means the board provided for in Section 9‑11‑30(2).”

B. Section 9‑11‑30(2) of the 1976 Code, as last amended by Act 153 of 2005, is further amended to read:

“(2) ~~[Reserved]~~ The board shall designate a medical board composed of three physicians who are not members of the system. If required, other physicians who are not members of the system may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the system, shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board its conclusions and recommendations upon all matters referred to it.”

SECTION 3. Part III, SECTION 6 of Act 153 of 2005 is amended to read:

SECTION 6. Excluding Chapter 11, in Title 9 of the 1976 Code, wherever the phrase ‘medical board’ or any variant of ‘medical board’ appears, it must be construed to mean the ‘system’ unless the context clearly requires otherwise. The Code Commissioner shall replace the reference in future code supplements and replacement volumes as the Code Commissioner determines appropriate.”

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

Renumber sections to conform.

Amend title to conform.

Rep. PITTS 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 106; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Barfield | Bedingfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | 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. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Williams |
| Wood |  |  |

**Total--106**

Those who voted in the negative are:

**Total--0**

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

**S. 481--POINT OF ORDER**

The following Bill was taken up:

S. 481 -- Senators Malloy, McGill, Leatherman, Setzler, Johnson and Ford: A BILL TO AMEND SECTION 12-21-2425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIONS LICENSE TAX EXEMPTION FOR A MOTORSPORTS ENTERTAINMENT COMPLEX, SO AS TO REQUIRE THE COMPLEX TO BE A NASCAR SANCTIONED SPEEDWAY THAT HOSTS AT LEAST ONE RACE EACH YEAR FEATURING THE PREEMINENT NASCAR CUP SERIES, INSTEAD OF REQUIRING THE SPEEDWAY TO HAVE AT LEAST SIXTY THOUSAND SEATS FOR RACE PATRONS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3765--POINT OF ORDER**

The following Bill was taken up:

H. 3765 -- Reps. Herbkersman, Knight, Hosey, Merrill, R. L. Brown and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-4310 SO AS TO CREATE THE CHARITABLE BINGO ADVISORY COMMITTEE, PROVIDE FOR ITS MEMBERSHIP AND PURPOSES, AND REQUIRE A DEPARTMENT OF REVENUE DESIGNEE AS LIAISON; BY ADDING SECTION 12-21-4320 SO AS TO PROVIDE FOR ESTABLISHMENT OF AN INFORMATIONAL CHARITABLE BINGO WEBSITE BY THE DEPARTMENT AND REQUIRING THE DEPARTMENT'S RESPONSE TO INQUIRIES AS PERMANENTLY ACCESSIBLE ADVISORY OPINIONS; BY ADDING SECTION 12-21-4330 SO AS TO PROVIDE FOR ALLOWABLE PROMOTIONAL EXPENSES; TO AMEND SECTION 12-21-3920, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO TAX ACT, SO AS TO INCLUDE SPECIFIC NAMED GAMES IN THE DEFINITION "BINGO", AND TO PROVIDE THAT THE DEFINITION OF A "CARD" INCLUDES AN INSTANT BINGO TICKET; TO AMEND SECTIONS 12-21-3940 AND 12-21-3950, BOTH AS AMENDED, RELATING TO APPLICATIONS FOR LICENSING BY NONPROFIT ORGANIZATIONS AND PROMOTERS, RESPECTIVELY, SO AS TO PROVIDE FOR AN INFORMAL APPEAL OF A REJECTION AS A FIRST STEP IN AN APPEAL; TO AMEND SECTION 12-21-3990, AS AMENDED, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO SPECIFY THE MANNER OF PLAYING BINGO WITH INSTANT BINGO TICKETS; TO AMEND SECTION 12-21-4000, AS AMENDED, RELATING TO PROCEDURES FOR OPERATING A BINGO GAME, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF BINGO PROCEDURES FOR BINGO PLAYED WITH INSTANT BINGO TICKETS, TO INCREASE THE ALLOWABLE EXPENSE FOR PROMOTIONS FROM ONE HUNDRED DOLLARS TO TWO HUNDRED FIFTY DOLLARS FOR EACH SESSION, AND TO SPECIFY THE INTENT OF THIS SECTION; TO AMEND SECTION 12-21-4007, RELATING TO SITE SELECTION AND ELECTRONIC DABBER SPECIFICATIONS, SO AS TO INCREASE FROM ONE TO TWO UNITS FOR THE USE OF AN ELECTRONIC DABBER BY A PLAYER; TO AMEND SECTION 12-21-4020, AS AMENDED, RELATING TO CLASSES OF BINGO LICENSEES, SO AS TO PROVIDE FOR OPERATIONAL HOURS; TO AMEND SECTION 12-21-4120, AS AMENDED, RELATING TO A CLARIFICATION FROM THE DEPARTMENT AS TO PLAY OR OPERATION OF A GAME, SO AS TO FURTHER PROVIDE FOR A BINGO ADVISORY OPINION; TO AMEND SECTION 12-21-4190, AS AMENDED, RELATING TO BINGO CARD CHANGES AND DISTRIBUTION OF REVENUES, SO AS TO PROVIDE FOR A FIVE PERCENT PRIZE FEE FOR CERTAIN TYPES OF BINGO WHICH MUST BE COLLECTED BY THE PROMOTER AND REMITTED TO THE DEPARTMENT OF REVENUE AND TO PROVIDE HOW THE PRIZE FEE EFFECTS PRIZE LIMITS; AND TO AMEND SECTION 12-21-4240, RELATING TO LICENSES TO MANUFACTURE, DISTRIBUTE, OR USE BINGO CARDS, SO AS TO INCLUDE ITEMS OTHER THAN BINGO CARDS TO WHICH THIS SECTION APPLIES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3089--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3089 -- Reps. Pope, Tallon, Hixon, Wells, McCoy and Daning: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS ALLOWED FROM SOUTH CAROLINA TAXABLE INCOME OF AN INDIVIDUAL FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW A MAXIMUM THREE THOUSAND DOLLAR A YEAR DEDUCTION FOR VOLUNTEER STATE CONSTABLES DESIGNATED BY THE STATE LAW ENFORCEMENT DIVISION AS STATE CONSTABLES AND TO PROVIDE THE ELIGIBILITY REQUIREMENTS FOR THIS DEDUCTION.

Rep. POPE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| Brannon | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| 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 |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| McCoy | McEachern | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Newton | Norman | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Rivers |
| Robinson-Simpson | Rutherford | Sabb |
| Sandifer | Simrill | Skelton |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Wood |

**Total--102**

Those who voted in the negative are:

**Total--0**

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

**H. 4258--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Bill until Wednesday, June 5, which was adopted:

H. 4258 -- Reps. Skelton and Hiott: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO REVISE THE MEMBERSHIP OF THE BOARD TO SEVEN SEATS, TO PROVIDE FOR THE ADDITION OF AN AT-LARGE SEAT, TO PROVIDE FOR THE ELECTION OF THE AT-LARGE MEMBER, AND TO PROVIDE FOR THE FILLING OF A VACANCY OF THE AT-LARGE SEAT BY SPECIAL ELECTION.

**H. 4259--POINT OF ORDER**

The following Bill was taken up:

H. 4259 -- Reps. Goldfinch and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-760 SO AS TO ENACT THE "SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT", TO PROVIDE THAT A PERSON WHO, WITH THE INTENT OF SECURING A TANGIBLE BENEFIT, KNOWINGLY AND FALSELY REPRESENTS HIMSELF TO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES OR TO HAVE BEEN AWARDED A DECORATION, MEDAL, RIBBON, OR OTHER DEVICE AUTHORIZED BY CONGRESS OR PURSUANT TO FEDERAL LAW FOR THE ARMED FORCES OF THE UNITED STATES, IS GUILTY OF A MISDEMEANOR.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 707--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 707 -- Senator Lourie: A BILL TO PROVIDE FOR THE AUTHORITY OF THE CITY OF COLUMBIA TO APPOINT AND COMMISSION FIREFIGHTERS TO SERVE AS CERTIFIED LAW ENFORCEMENT OFFICERS WHO HAVE THE FULL POWERS AS CERTIFIED LAW ENFORCEMENT OFFICERS AND TO REQUIRE FIREFIGHTERS TO MEET CERTAIN QUALIFICATIONS TO BE COMMISSIONED AS A CERTIFIED LAW ENFORCEMENT OFFICER.

Rep. RUTHERFORD proposed the following Amendment No. 1 to S. 707 (COUNCIL\MS\707C002.MS.AHB13), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety, and inserting:

/ SECTION 1. The City of Columbia is granted authority to appoint and commission members of its fire department as certified law enforcement officers, for the limited purposes of the investigation of any suspected arson within the city limits and for performing the duties of fire chief. As it relates to any qualified arson investigation or fire chief duties, the individual appointed and commissioned shall have the full powers of South Carolina certified law enforcement officers. The individuals appointed and commissioned by the City of Columbia shall meet the minimum qualifications for South Carolina certified law enforcement officers as established by law. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

Rep. J. E. SMITH moved to waive Rule 5.15, which was waived by a division vote of 76 to 2.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Finlay |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | 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 | Spires |
| Stavrinakis | Tallon | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Wood |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Forrester | Southard |  |

**Total--2**

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

**S. 151--POINT OF ORDER**

The following Bill was taken up:

S. 151 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 56-1-2080 OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR A COMMERCIAL DRIVER'S LICENSE, TO ESTABLISH THE INTRASTATE VISION WAIVER PROGRAM, TO PROVIDE THAT CERTAIN VISUALLY IMPAIRED INDIVIDUALS MAY OBTAIN A WAIVER FROM THE SIGHT REQUIREMENTS ASSOCIATED WITH A COMMERCIAL DRIVER'S LICENSE, AND TO PROVIDE FOR THE WAIVER'S ELIGIBILITY REQUIREMENTS FOR THE WAIVER, THE CIRCUMSTANCES UNDER WHICH A WAIVER MAY GRANTED, AND THE PROCEDURES FOR OBTAINING A WAIVER.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**SPEAKER IN CHAIR**

**S. 584--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 584 -- Senators Campsen and Rankin: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, BY ADDING SECTION 50-9-15, TO DEFINE "LICENSE SALES VENDOR" AND "LICENSE YEAR"; TO AMEND SECTION 50-9-20, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, TO PROVIDE FOR THE DURATION OF LICENSES FOR RECREATIONAL AND COMMERCIAL USE, AND PERMITS THE DEPARTMENT TO ISSUE A LICENSE THAT EXPIRES ON THE DAY BEFORE THE ANNIVERSARY OF ITS ISSUANCE; TO AMEND SECTION 50-9-30, RELATING TO RESIDENCY REQUIREMENTS FOR LICENSES, TO REVISE THE REQUIREMENTS; TO AMEND SECTION 50-9-350, RELATING TO APPRENTICE HUNTING LICENSES, TO PROVIDE THAT THE HOLDER OF AN APPRENTICE HUNTING LICENSE WHO OBTAINS A CERTIFICATE OF COMPLETION PRIOR TO THE EXPIRATION DATE OF HIS APPRENTICE HUNTING LICENSE WILL USE HIS APPRENTICE HUNTING LICENSE AS HIS STATEWIDE HUNTING LICENSE, PROVIDED THE LICENSEE MUST HAVE THE CERTIFICATE OF COMPLETION IN HIS POSSESSION WHILE HUNTING; TO AMEND SECTION 50-9-510, RELATING TO LICENSES FOR PURCHASE FOR THE PRIVILEGE OF HUNTING, TO REMOVE THE HUNTING LICENSE VALID ONLY IN A SINGLE COUNTY, TO REMOVE RESTRICTIONS ON THE THREE YEAR LICENSE PURCHASE, TO CLARIFY REQUIREMENTS FOR MIGRATORY WATERFOWL PERMITS, AND TO PROVIDE FOR THE RETAINED VENDOR FEE; TO AMEND SECTION 50-9-530, RELATING TO CATAWBA LICENSES, TO PROVIDE THERE IS NO COST TO A CATAWBA HUNTING AND FISHING LICENSEE FOR ANY OTHER TAGS REQUIRED BY LAW FOR RECREATIONAL HUNTING AND FISHING EXCEPT FOR THOSE DEPARTMENT HUNTING AND FISHING ACTIVITIES CONTROLLED BY LOTTERY; TO AMEND SECTION 50-9-540, RELATING TO RECREATIONAL LICENSES, TO PROVIDE THAT RESIDENTS AND NONRESIDENTS MUST PURCHASE ANY OTHER LICENSE THAT GRANTS FISHING PRIVILEGE, TO DELETE THE LAKES AND RESERVOIRS PERMIT, AND TO CHANGE THE TEMPORARY NONRESIDENT FISHING LICENSE FROM SEVEN TO FOURTEEN DAYS; TO AMEND SECTION 50-9-610, RELATING TO ADDITIONAL REQUIREMENTS FOR TAKING NONGAME FRESHWATER FISH, TO PROVIDE THAT TAGS MUST BE ATTACHED AS PRESCRIBED; TO AMEND SECTION 50-9-665, RELATING TO BEAR TAGS, TO PROVIDE FOR THE REQUIREMENT FOR BEAR TAGS; TO AMEND SECTION 50-9-920, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO MAKE CONFORMING CHANGES AND TO PROVIDE FOR LICENSE REVENUE DISTRIBUTION; TO AMEND SECTION 50-9-950, RELATING TO THE FISH AND WILDLIFE PROTECTION FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-955, RELATING TO THE FISH AND WILDLIFE DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; TO AMEND SECTION 50-9-960, RELATING TO THE MARINE RESOURCES FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-965, RELATING TO THE MARINE RESOURCES DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; AND TO REPEAL SECTION 50-15-65(E).

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to S. 584 (COUNCIL\SWB\584C001.SWB.CM13):

Amend the bill, as and if amended, by deleting SECTION 6 on page 8 in its entirety and inserting:

/ SECTION 6. Section 50‑9‑525(A) of the 1976 Code is amended to read:

“(A) A resident who is determined to be ~~totally~~ disabled and receiving benefits under a Social Security program, the Civil Service Retirement System, the South Carolina State Retirement System, the Railroad Retirement Board, the Veterans Administration, or Medicaid, or their successor agencies or programs, may obtain a three year disability combination license or a three year disability fishing license at no cost. The license must be issued by the department from its designated offices and is valid for three years from the date of issue. Disability recertification is required for renewal. To recertify, an applicant must furnish proof, in the manner prescribed by the department, that he or she is currently receiving disability benefits and is a domiciled resident of this State. The department may waive the proof of disability benefit requirement for renewals where the resident is at least sixty‑five years of age.” /

Amend the bill further by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Section 50‑9‑35 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

Section 50‑9‑35. ~~A person who obtains a license, permit, stamp, or tag as a resident and subsequently transfers their domiciled residency outside of this State, does not lose the privileges for the duration of the license. However, a privilege required to engage in hunting and fishing activities not authorized by the license must be obtained as a nonresident.~~ Any person licensed by another state as a resident for any purpose is not eligible to apply for, obtain, or hold any South Carolina license, permit, stamp, or tag required by the title. It is unlawful to obtain, attempt to obtain, or possess a license, permit, stamp, or tag require by this title while licensed as a resident of another state for any purpose.

Any person who lawfully acquires a resident South Carolina license, permit, stamp, or tag and who during the term of that instrument transfers their domicile outside of this State, may continue the privileges until expiration of that license, permit, stamp or tag. /

Renumber sections to conform.

Amend title to conform.

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

Rep. HARDWICK proposed the following Amendment No. 2 to S. 584 (COUNCIL\SWB\584C002.SWB.CM13), which was adopted:

Amend the bill, and if amended, by deleting SECTION 6 on page 8 in its entirety and inserting:

/ SECTION 6. Section 50‑9‑525(A) of the 1976 Code is amended to read:

“(A) A resident who is determined to be ~~totally~~ disabled and receiving benefits under a Social Security program, the Civil Service Retirement System, the South Carolina State Retirement System, the Railroad Retirement Board, the Veterans Administration, or Medicaid, or their successor agencies or programs, may obtain a three year disability combination license or a three year disability fishing license at no cost. The license must be issued by the department from its designated offices and is valid for three years from the date of issue. Disability recertification is required for renewal. To recertify, an applicant must furnish proof, in the manner prescribed by the department, that he or she is currently receiving disability benefits and is a domiciled resident of this State. The department may waive the proof of disability benefit requirement for renewals where the resident is at least sixty‑five years of age.” /

Amend the bill further by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Section 50‑9‑35 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

Section 50‑9‑35. ~~A person who obtains a license, permit, stamp, or tag as a resident and subsequently transfers their domiciled residency outside of this State, does not lose the privileges for the duration of the license. However, a privilege required to engage in hunting and fishing activities not authorized by the license must be obtained as a nonresident.~~ Any person licensed by another state as a resident for any purpose is not eligible to apply for, obtain, or hold any South Carolina resident license, permit, stamp, or tag required by the title. It is unlawful to obtain, attempt to obtain, or possess a license, permit, stamp, or tag require by this title while licensed as a resident of another state for any purpose.

Any person who lawfully acquires a resident South Carolina license, permit, stamp, or tag and who during the term of that instrument transfers their domicile outside of this State, may continue the privileges until expiration of that license, permit, stamp or tag. /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to S. 584 (COUNCIL\SWB\584C001.SWB.CM13), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 6 on page 8 in its entirety and inserting:

/ SECTION 6. Section 50‑9‑525(A) of the 1976 Code is amended to read:

“(A) A resident who is determined to be ~~totally~~ disabled and receiving benefits under a Social Security program, the Civil Service Retirement System, the South Carolina State Retirement System, the Railroad Retirement Board, the Veterans Administration, or Medicaid, or their successor agencies or programs, may obtain a three year disability combination license or a three year disability fishing license at no cost. The license must be issued by the department from its designated offices and is valid for three years from the date of issue. Disability recertification is required for renewal. To recertify, an applicant must furnish proof, in the manner prescribed by the department, that he or she is currently receiving disability benefits and is a domiciled resident of this State. The department may waive the proof of disability benefit requirement for renewals where the resident is at least sixty‑five years of age.” /

Amend the bill further by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Section 50‑9‑35 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

Section 50‑9‑35. ~~A person who obtains a license, permit, stamp, or tag as a resident and subsequently transfers their domiciled residency outside of this State, does not lose the privileges for the duration of the license. However, a privilege required to engage in hunting and fishing activities not authorized by the license must be obtained as a nonresident.~~ Any person licensed by another state as a resident for any purpose is not eligible to apply for, obtain, or hold any South Carolina license, permit, stamp, or tag required by the title. It is unlawful to obtain, attempt to obtain, or possess a license, permit, stamp, or tag require by this title while licensed as a resident of another state for any purpose.

Any person who lawfully acquires a resident South Carolina license, permit, stamp, or tag and who during the term of that instrument transfers their domicile outside of this State, may continue the privileges until expiration of that license, permit, stamp or tag. /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON 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 106; Nays 0

Those who voted in the affirmative are:

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

**Total--106**

Those who voted in the negative are:

**Total--0**

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

**S. 463--REQUEST FOR DEBATE WITHDRAWN, AMENDED AND ORDERED TO THIRD READING**

Upon the withdrawal of request for debate by Rep. KNIGHT, the following Bill was taken up:

S. 463 -- Senators Hayes and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-53-95 SO AS TO REQUIRE THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A PROFESSIONAL SURETY BONDSMAN OR RUNNER MUST PROVIDE HIS BUSINESS, MAILING, RESIDENTIAL, AND EMAIL ADDRESSES WITH THE APPLICATION, TO PROVIDE HE MUST NOTIFY THE DEPARTMENT OF A CHANGE OF ANY OF THESE ADDRESSES OR A LEGAL NAME CHANGE WITHIN THIRTY DAYS, AND TO PROVIDE A PENALTY FOR A VIOLATION; TO AMEND SECTION 38-43-107, AS AMENDED, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS AN INSURANCE PRODUCER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; TO AMEND SECTION 38-47-15, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS AN ADJUSTER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; TO AMEND SECTION 38-48-30, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A PUBLIC ADJUSTER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; AND TO AMEND SECTION 38-49-25, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 463 (COUNCIL\AGM\463C001. AGM.AB13), which was adopted:

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

/ SECTION 1. Section 38‑53‑90 of the 1976 Code is amended to read:

“Section 38‑53‑90. (A) Before a license is issued to an applicant permitting him to act as a professional bondsman or runner, the applicant shall furnish to the director or his designee a complete set of his fingerprints and a recent passport size full‑face photograph in the manner prescribed by the director. Before a license is issued to a new or renewal applicant permitting him to act as a professional, surety bondsman, or runner, the applicant must undergo a state criminal records check, supported by his fingerprints, by the South Carolina Law Enforcement Division (SLED) and a national criminal records check, supported by his fingerprints, by the Federal Bureau of Investigation (FBI). The results of these criminal records checks must be reported by the department. The cost associated with the criminal history record must be borne by the applicant. The applicant’s fingerprints must be certified by an authorized law enforcement officer.

(B) Before being issued the license, every applicant for a license as a professional bondsman, surety bondsman, or runner shall certify to the director that he:

~~(a)~~(1) is eighteen years of age or older;

~~(b)~~(2) is a resident of this State;

~~(c)~~(3) is a person of good moral character and has not been convicted of a felony or any crime involving moral turpitude within the last ten years;

~~(d)~~(4) has knowledge, training, or experience of sufficient duration and extent to satisfy reasonably the director or his designee that he possesses the competence necessary to fulfill the responsibilities of a licensee.”

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

Renumber sections to conform.

Amend title to conform.

Rep. GAMBRELL explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Barfield | Bedingfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | G. A. Brown |
| 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 |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pope |
| Powers Norrell | Putnam | 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 | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Wood |

**Total--111**

Those who voted in the negative are:

**Total--0**

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

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

**ADJOURNMENT**

At 5:44 p.m. the House, in accordance with the motion of Rep. ATWATER, adjourned in memory of Lee Rigby of Manchester, England, to meet at 10:00 a.m. tomorrow.

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