~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from I Samuel 2:1: “My heart exults in the Lord.”

Let us pray. God of new life, fill us with hope and joy as we prepare to celebrate this day. Give these Representatives and staff the hope, love, and wisdom to accept the gifts that come our way as we discover the potential You have in store for us. Guide us through the agenda. Provide Your blessings on our Nation, President, State, Governor, Speaker, staff, and all who aid them in their duties. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

**MOTION ADOPTED**

Rep. RIDGEWAY moved that when the House adjourns, it adjourn in memory of Gregory Witherspoon of Manning, which was agreed to.

**REPORTS OF STANDING COMMITTEE**

Rep. HARDWICK, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

S. 913 -- Senator Campsen: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, BY ADDING SECTION 50-9-675 TO PROVIDE FOR A PERMIT TO ENGAGE IN FALCONRY IN THIS STATE, THE FEE FOR THE PERMIT, AND THAT A PERSON HOLDING A VALID FEDERAL FALCONRY PERMIT ON JANUARY 1, 2014, MAY ENGAGE IN FALCONRY WITHOUT A SOUTH CAROLINA FALCONER'S PERMIT UNTIL THE FEDERAL PERMIT EXPIRES; AND TO AMEND CHAPTER 11, TITLE 50, RELATING TO PROTECTION OF GAME, BY ADDING SECTION 50-11-50 TO PROVIDE FOR THE REGULATION OF FALCONRY AND TO PROVIDE A PENALTY FOR VIOLATIONS.

Ordered for consideration tomorrow.

Rep. HARDWICK, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

S. 1070 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-525 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES THE AUTHORITY TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; AND TO AMEND SECTION 50-11-520, AS AMENDED, 50-11-530, 50-11-540, AND 50-11-544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEYS, TO ESTABLISH "SOUTH CAROLINA YOUTH TURKEY HUNTING DAY", TO ESTABLISH BAG LIMITS FOR THE TAKING OF MALE WILD TURKEYS, TO PROVIDE THAT THE DEPARTMENT MUST CONDUCT AN ANALYSIS OF THE STATE'S WILD TURKEY RESOURCES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY WHICH RECOMMENDS CHANGES TO THE WILD TURKEY SEASON AND BAG LIMITS, TO REVISE THE DEPARTMENT'S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, AND TO ALLOW IT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEY, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS

PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL.

Ordered for consideration tomorrow.

Rep. HARDWICK, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

S. 1071 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-60, AS AMENDED, SECTIONS 50-11-120, 50-11-150, AND SECTIONS 50-11-310, 50-11-335, 50-11-430, ALL AS AMENDED, RELATING TO THE DIVISION OF THE STATE INTO GAME ZONES, SMALL GAME SEASONS, SMALL GAME BAG LIMITS, THE OPEN SEASON FOR ANTLERED DEER, THE BAG LIMIT ON ANTLERED DEER, AND BEAR HUNTING, SO AS TO DECREASE THE NUMBER OF GAME ZONES, REVISE THE DATES FOR THE VARIOUS SMALL GAME SEASONS, TO REVISE THE SMALL GAME BAG LIMITS FOR THE VARIOUS GAME ZONES, REVISE THE DATES FOR THE VARIOUS ANTLERED DEER OPEN SEASON; AND TO REPEAL SECTION 50-11-2110 RELATING TO FIELD TRIALS IN AND PERMITS FOR GAME ZONE NINE.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5085 -- Reps. J. E. Smith, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CAREY A. CAMPBELL, CHIEF OF STAFF FOR REPRESENTATIVE JAMES SMITH, AND TO WISH HER SUCCESS AND HAPPINESS AS SHE BEGINS HER SERVICE WITH THE UNITED STATES GLOBAL LEADERSHIP COALITION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5086 -- Reps. Ridgeway, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, 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 MRS. SUSAN CHARLES OF CLARENDON COUNTY, ON THE OCCASION OF HER ONE HUNDRED FIRST BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5087 -- Reps. Henderson, 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, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 HABITAT FOR HUMANITY OF SOUTH CAROLINA AFFILIATES AND TO HONOR THESE AGENCIES FOR CONTINUING TO FOSTER STRONGER FAMILIES AND NEIGHBORHOODS IN OUR STATE AND FOR THEIR COMMITMENT TO PROVIDING SUSTAINABLE HOMEOWNERSHIP FOR SOUTH CAROLINA FAMILIES, AND TO DECLARE MAY 22, 2014, "HABITAT FOR HUMANITY DAY IN SOUTH CAROLINA".

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5088 -- Reps. Herbkersman, 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, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 CONGRATULATE ARTHUR BERNARD CARTIER OF RIDGELAND FOR CAPTURING THE TITLE OF "HOUSE MEMBER FOR A DAY" IN THE 2014 SPEECH COMPETITION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5089 -- Reps. G. M. Smith, Weeks, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SINGER LEE BRICE FOR AN EXCEPTIONAL MUSICAL CAREER AND TO CONGRATULATE HIM UPON RECEIVING THE ACADEMY OF COUNTRY MUSIC AWARD FOR SONG OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5090 -- Reps. Bingham, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 CELEBRATE THE OCCASION OF THE ONE HUNDREDTH ANNIVERSARY OF THE CITY OF CAYCE, TO CONGRATULATE MAYOR ELISE PARTIN AND THE CITIZENS OF CAYCE ON A CENTURY OF SHOWCASING BOTH THE BEAUTY AND PROGRESS OF THIS GREAT SOUTH CAROLINA TOWN, AND TO DECLARE WEDNESDAY, MAY 14, 2014, "CITY OF CAYCE DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5091 -- Reps. H. A. Crawford, 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, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 HONOR THE FORESTBROOK MIDDLE SCHOOL MOCK TRIAL TEAM FROM MYRTLE BEACH AND TO CONGRATULATE THE STUDENTS AND THEIR COACHES ON CAPTURING THE INAUGURAL BATTLE OF THE CAROLINAS MOCK TRIAL CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5093 -- Reps. Bales, Alexander, Allison, Anderson, Anthony, Atwater, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 THE TRI-COUNTY ELECTRIC COOPERATIVE ON ITS QUICK RESPONSE IN RETURNING POWER TO ITS CUSTOMERS FOLLOWING WINTER STORMS LEON AND PAX.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5097 -- Rep. Douglas: A HOUSE RESOLUTION TO CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF FAIRFIELD MAGNET SCHOOL FOR MATH AND SCIENCE ON RECEIVING A COVETED 2014 CAROLINA FIRST PALMETTO'S FINEST AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5098 -- 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, R. L. Ott, Owens, Parks, Patrick, Pitts, Norrell, Pope, 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. WILLIE JACKSON, ON THE OCCASION OF THEIR PLATINUM 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. 5099 -- Reps. King, 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, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF MELVIN HENNIES THOMAS, SR., OF CHESTER AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5092 -- Reps. H. A. Crawford, 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, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF MYRTLE BEACH'S FORESTBROOK MIDDLE SCHOOL ON RECEIVING A COVETED 2014 CAROLINA FIRST PALMETTO'S FINEST AWARD.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5094 -- Reps. Pitts, 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, Norrell, Norman, R. L. Ott, Owens, Parks, Patrick, Pope, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HUNTER BOND OF LAURENS COUNTY FOR HIS SUCCESS AND SKILL AS A BASS FISHERMAN AND TO CONGRATULATE HIM FOR WINNING THE 2014 BASS FEDERATION/FORREST L. WOOD SOUTH CAROLINA STATE CHAMPIONSHIP AT THE ANDERSON OPEN ON LAKE RUSSELL.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5095 -- Reps. Pitts, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pope, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR GEORGE LEWIS COMPTON OF LAURENS COUNTY FOR HIS SUCCESS AND SKILL AS A BASS FISHERMAN AND TO CONGRATULATE HIM FOR WINNING THE 2014 BASS FEDERATION/FORREST L. WOOD SOUTH CAROLINA STATE CHAMPIONSHIP AT THE ANDERSON OPEN ON LAKE RUSSELL.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5096 -- Reps. Clemmons, Mack, Bannister, Whitmire, Henderson, McCoy, Delleney and Sandifer: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 28, 2014, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2014, AND TO FILL THE SUBSEQUENT FULL TERM WHICH WILL EXPIRE JUNE 30, 2020; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2018, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE SEAT TEN, WHOSE TERM EXPIRES JUNE 30, 2015; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2018; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 2, 3 AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2014; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING THREE SUCCESSOR MEMBERS TO FILL VACANCIES OR EXPIRED TERMS ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM THE CANDIDATES NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-10, SO AS TO FILL THE TERMS WHICH EXPIRE JUNE 30, 2019.

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

That the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives Wednesday, May 28, 2014, at noon to elect a successor to the Honorable Daniel F. Pieper, Judge of the Court of Appeals, Seat 7, upon his retirement on or before July 1, 2014, and the successor will fill the subsequent full term which will expire June 30, 2020; to elect a successor to the Honorable Alexander S. Macaulay, Judge of the Circuit Court, Tenth Judicial Circuit, Seat 2, upon his retirement on or before December 31, 2014, and the successor will fill the subsequent full term that will expire June 30, 2018; to elect a successor to the Honorable Lee S. Alford, Judge of the Circuit Court, Sixteenth Judicial Circuit, Seat 2, upon his retirement on or before December 31, 2014, and the successor will fill the unexpired term of that office which will expire June 30, 2016; to elect a successor to the Honorable Kellum W. Allen, Judge of the Family Court, Eleventh Judicial Circuit, Seat 1, upon his retirement on or before July 7, 2014, and the successor will fill the unexpired term of that office which will expire June 30, 2016; and for the purpose of electing a member to the board of trustees of Winthrop University to fill the term of a member for At‑Large Seat 10, whose term expires on June 30, 2015; and for the purpose of electing a member to the SC Public Service Commission, Seat 2, whose term expires on June 30, 2018; to elect a member to the SC Public Service Commission, Seat 4, whose term expires on June 30, 2018; to elect a member to the SC Public Service Commission, Seat 6, whose term expires on June 30, 2018; and for the purpose of electing successor members to the South Carolina Consumer Affairs Commission for Seats 2, 3 and 4, so as to fill the terms which expire April 14, 2014; and for the purpose of filling three vacancies or expired terms on the Legislative Audit Council pursuant to Section 2‑15‑10 from among the candidates nominated by the Legislative Audit Council Nominating Committee pursuant to Section 2‑15‑20, whose terms expire June 30, 2019.

Be it further resolved that all nominations must be made by the Chairman of the Judicial Merit Selection Commission, and that no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1179 -- Senator Cromer: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF ALL OF SOUTH CAROLINA'S CHILDREN AND TO DECLARE MAY 14, 2014, "CHILDHOOD APRAXIA OF SPEECH DAY" IN 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. 1213 -- Senators Hayes, Peeler, Gregory and Coleman: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE WINTHROP UNIVERSITY WOMEN'S BASKETBALL TEAM FOR CAPTURING THE 2014 VISITMYRTLEBEACH.COM BIG SOUTH WOMEN'S CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

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. 5100 -- Rep. Horne: A BILL TO AMEND SECTION 63-7-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO CHILD PROTECTION AND PERMANENCY, SO AS TO ADD DEFINITIONS FOR "SAFETY PLAN" AND "VOLUNTARY TREATMENT PLAN"; TO AMEND SECTION 63-7-640, RELATING TO PRELIMINARY INVESTIGATIONS THAT MUST OCCUR WITHIN TWENTY-FOUR HOURS AFTER A CHILD IS TAKEN INTO EMERGENCY PROTECTIVE CUSTODY, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO OBSERVE AND INTERVIEW THE CHILD DURING THE PRELIMINARY INVESTIGATION AND TO DEVELOP A SAFETY PLAN OR VOLUNTARY TREATMENT PLAN IN CERTAIN CIRCUMSTANCES; AND BY ADDING SECTION 63-7-645 SO AS TO REQUIRE THE DEPARTMENT TO DEVELOP A SAFETY PLAN OR VOLUNTARY TREATMENT PLAN THAT ADDRESSES THE SAFETY CONCERNS AND CORRECTIVE ACTION REQUIRED BY THE PARENT OR GUARDIAN WHEN THE DEPARTMENT ALLOWS A CHILD TO REMAIN IN THE HOME OR WITH AN ALTERNATIVE CAREGIVER, RATHER THAN ASSUMING LEGAL CUSTODY, AND TO REQUIRE

SERVICE PROVIDERS TO SUBMIT PROGRESS REPORTS TO THE DEPARTMENT.

Referred to Committee on Judiciary

H. 5101 -- Rep. Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-1-100 SO AS TO PROHIBIT THE SALE OF A CHILDREN'S PRODUCT CONTAINING FORMALDEHYDE OR THAT RELEASES FORMALDEHYDE, AND TO PROVIDE THAT MANUFACTURERS MAY NOT REPLACE FORMALDEHYDE WITH OTHER HARMFUL CHEMICALS.

Referred to Committee on Labor, Commerce and Industry

H. 5102 -- Reps. Lucas, D. C. Moss, Simrill, Delleney and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-43-185 SO AS TO PROVIDE A FORMULA, BEGINNING JULY 1, 2014, FOR THE DISTRIBUTION OF FINANCIAL ASSISTANCE FROM THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK BASED ON THE BOUNDARIES OF REGIONAL COUNCILS OF GOVERNMENTS; TO AMEND SECTION 11-43-130, RELATING TO THE DEFINITION OF "ELIGIBLE PROJECT" FOR PURPOSES OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK ACT, SO AS TO PROVIDE ADDITIONAL CRITERIA FOR THE SELECTION OF PROJECTS ELIGIBLE TO RECEIVE FINANCIAL ASSISTANCE PURSUANT TO THAT ACT; AND TO AMEND ACT 114 OF 2007, RELATING TO THE REORGANIZATION OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, SO AS TO DELETE LANGUAGE PROVIDING THAT THE AUTHORITY OF THE GOVERNOR TO APPOINT THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION EXPIRES EFFECTIVE JULY 1, 2015.

Referred to Committee on Ways and Means

H. 5103 -- Rep. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-9-635 SO AS TO PROVIDE THAT IN A COUNTY WHICH HAS A COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT, BEGINNING JULY 1, 2014, ANY ELECTED COUNTY OFFICIAL, NOT INCLUDING MEMBERS OF THE COUNTY GOVERNING BODY, MUST RECEIVE A SALARY WHICH IS AT LEAST EQUAL TO NINETY PERCENT OF THAT PAID TO THE COUNTY ADMINISTRATOR.

Referred to Committee on Judiciary

H. 5104 -- Reps. Long, Erickson, Crosby, Gagnon, W. J. McLeod, Norrell, Pitts and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN DRUG AND ALCOHOL-RELATED OFFENSES COMMITTED BY A PERSON WHO SEEKS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE OR BY A PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE AND SEEKS MEDICAL ASSISTANCE, TO ALLOW THE COURT TO CONSIDER AS A MITIGATING FACTOR IN PROCEEDINGS RELATED TO OTHER CRIMINAL OFFENSES WHETHER THE PERSON SOUGHT MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING AN OVERDOSE, TO LIMIT THE IMMUNITY TO ALLOW PROSECUTION OF A PERSON FOR OTHER CRIMES ARISING OUT OF THE DRUG OR ALCOHOL-RELATED OVERDOSE, TO ALLOW FOR ADMISSIBILITY OF CERTAIN EVIDENCE, TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR LAW ENFORCEMENT OFFICERS RELATING TO THE ARREST OF A PERSON LATER DETERMINED TO QUALIFY FOR LIMITED IMMUNITY, AND FOR OTHER PURPOSES.

Referred to Committee on Judiciary

H. 5105 -- Reps. Felder, Delleney, King, Long, D. C. Moss, V. S. Moss, Norman, Pope and Simrill: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE JOB TAX CREDIT, SO AS TO ADD CERTAIN ESTABLISHMENTS TO THE DEFINITION OF “QUALIFYING SERVICE-RELATED FACILITY” IF THE ESTABLISHMENT HAS A NET INCREASE OF AT LEAST ONE THOUSAND NEW FULL-TIME JOBS AT A SINGLE CORPORATE CAMPUS IN THIS STATE, WITH AN AVERAGE CASH COMPENSATION LEVEL OF AT LEAST ONE

AND ONE-HALF TIMES EITHER THE STATE OR COUNTY PER CAPITA INCOME.

Referred to Committee on Ways and Means

H. 5106 -- Rep. Horne: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-845 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO ISSUE DEFICIENCY NOTICES TO FAMILY CHILDCARE HOMES IF AN INSPECTION REVEALS A DEFICIENCY, TO PROVIDE FOR THE CORRECTION PROCESS, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND SECTION 63-13-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO CHILDCARE FACILITIES, SO AS TO CHANGE THE DEFINITION OF "COMPLAINT"; TO AMEND SECTION 63-13-70, RELATING TO THE REQUIREMENT TO MAINTAIN A REGISTER ABOUT CHILDREN ENROLLED IN CHILDCARE FACILITIES, SO AS ALSO TO APPLY TO FAMILY CHILDCARE HOMES; TO AMEND SECTION 63-13-80, RELATING TO AUTHORIZED AND REQUIRED INSPECTIONS AND INVESTIGATIONS OF CHILDCARE FACILITIES, SO AS TO CLARIFY THE RIGHT OF THE DEPARTMENT TO INVESTIGATE A COMPLAINT MADE AGAINST A CHILDCARE CENTER OR GROUP HOME, AND ALSO TO MAKE THE REQUIREMENT AND AUTHORIZATION REGARDING INSPECTIONS AND INVESTIGATIONS APPLICABLE TO FAMILY CHILDCARE HOMES; TO AMEND SECTION 63-13-110, RELATING TO THE REQUIREMENT TO HAVE ON PREMISES AT ALL TIMES A CAREGIVER WITH A CURRENT FIRST AID AND CHILD-INFANT CARDIOPULMONARY RESUSCITATION CERTIFICATE, SO AS ALSO TO APPLY TO FAMILY CHILDCARE HOMES; TO AMEND SECTION 63-13-160, RELATING TO INJUNCTIONS AGAINST CONTINUED OPERATION OF A CHILDCARE FACILITY, SO AS ALSO TO APPLY TO FAMILY CHILDCARE HOMES; TO AMEND SECTION 63-13-810, RELATING TO THE REQUIREMENT FOR REGISTRATION OF FAMILY CHILDCARE HOMES, SO AS TO REDESIGNATE THE DEFINITION OF FAMILY CHILDCARE HOME TO SECTION 63-13-20; AND TO REPEAL SECTION 63-13-840 RELATING TO VISITS TO FAMILY CHILDCARE HOMES.

Referred to Committee on Judiciary

S. 356 -- Senators Alexander and Reese: A BILL TO AMEND CHAPTER 1, TITLE 26, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTARIES PUBLIC, SO AS TO DEFINE TERMS, TO MAKE GRAMMATICAL CORRECTIONS, TO PROVIDE THAT TO BE QUALIFIED FOR A NOTARIAL COMMISSION, A PERSON MUST BE REGISTERED TO VOTE AND READ AND WRITE IN THE ENGLISH LANGUAGE, TO AUTHORIZE AND PROHIBIT CERTAIN ACTS OF A NOTARY PUBLIC, TO PROVIDE MAXIMUM FEE A NOTARY MAY CHARGE, TO PROVIDE THE PROCESS FOR GIVING A NOTARIAL CERTIFICATE, TO SPECIFY CHANGES FOR WHICH A NOTARY MUST NOTIFY THE SECRETARY OF STATE, TO PROVIDE THE ELEMENTS AND PENALTIES OF CERTAIN CRIMES RELATING TO NOTARIAL ACTS, AND TO PROVIDE THE FORM FOR A NOTARIZED DOCUMENT SENT TO ANOTHER STATE, AMONG OTHER THINGS.

Referred to Committee on Judiciary

S. 459 -- Senators Sheheen, Rankin, Alexander and Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-55, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HOLDS A BEGINNER'S PERMIT OR A RESTRICTED DRIVER'S LICENSE TO DRIVE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE; AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO DRIVE A MOTOR VEHICLE THROUGH A SCHOOL ZONE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE WHEN THE SCHOOL ZONE'S WARNING LIGHTS HAVE BEEN ACTIVATED.

Referred to Committee on Education and Public Works

S. 779 -- Senator Davis: A BILL TO AMEND CHAPTER 19, TITLE 16 OF THE 1976 CODE, RELATING TO GAMBLING AND LOTTERIES, BY ADDING SECTION 16-19-60, TO PROVIDE THAT CERTAIN SOCIAL CARD AND DICE GAMES ARE NOT UNLAWFUL.

Referred to Committee on Judiciary

S. 813 -- Senators Hayes, Peeler, O'Dell, Alexander, McElveen, McGill, Pinckney, Johnson, Williams and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-11-625 SO AS TO PROVIDE A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A PUBLIC LIBRARY AFTER HAVING BEEN WARNED BY AN EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE LIBRARY NOT TO DO SO OR WITHOUT HAVING BEEN WARNED FAILS AND REFUSES, WITHOUT GOOD CAUSE OR GOOD EXCUSE, TO LEAVE IMMEDIATELY UPON BEING ORDERED OR REQUESTED TO DO SO IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, AND TO PROVIDE THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

Referred to Committee on Judiciary

S. 862 -- Senators Shealy and Turner: A BILL TO AMEND SECTION 40-59-260 OF THE 1976 CODE, RELATING TO THE EXCEPTION FOR PROJECTS BY A PROPERTY OWNER FOR PERSONAL USE, TO PROVIDE THAT AN OWNER OF RESIDENTIAL PROPERTY WHO IMPROVES THE PROPERTY OR WHO BUILDS OR IMPROVES THE STRUCTURES OR APPURTENANCES ON THE PROPERTY AT A COST OF MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS SHALL NOT WITHIN TWO YEARS AFTER COMPLETION OR ISSUANCE OF A CERTIFICATE OFFER THE STRUCTURE FOR SALE OR RENT, AND CONSTRUCTION OR IMPROVEMENTS TO THE STRUCTURE, GROUP OF STRUCTURES, OR APPURTENANCES THAT COST THE OWNER-BUILDER LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS ARE NOT EVIDENCE OF "SALE" OR "RENT" FOR THE PURPOSES OF THIS SECTION.

Referred to Committee on Ways and Means

S. 1084 -- Senators Nicholson, Scott, Williams, Hutto, Cromer, Campbell, O'Dell, Reese, Lourie, Coleman, Kimpson and Sheheen: A BILL TO AMEND SECTIONS 44-29-150 AND 44-29-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PERSONS APPLYING FOR EMPLOYMENT IN SCHOOLS, KINDERGARTENS, NURSERY, OR DAYCARE CENTERS TO BE TESTED FOR AND FREE FROM ACTIVE TUBERCULOSIS AND PROVIDING THAT RETESTING OF CONSECUTIVELY RETURNING EMPLOYEES IS NOT REQUIRED, SO AS TO REQUIRE INDIVIDUALS RETURNING TO EMPLOYMENT IN CONSECUTIVE YEARS IN THESE SETTINGS TO BE TESTED AND FREE FROM TUBERCULOSIS IN AN ACTIVE STAGE.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 1096 -- Senators Campsen and Cromer: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS IMPOSED ON THE TAKING OF CERTAIN FISH, TO IMPOSE CATCH LIMITS FOR TAKING OR POSSESSING IN ANY ONE DAY A COMBINATION OF SPOT, WHITING, AND ATLANTIC CROAKER.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| King | Knight | Limehouse |
| Long | Lowe | Lucas |
| Mack | McEachern | W. J. McLeod |
| Merrill | V. S. Moss | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Weeks |
| Wells | Whipper | White |
| Williams | Willis | Wood |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, April 10.

|  |  |
| --- | --- |
| Beth Bernstein | Grady Brown |
| William Clyburn | Chandra Dillard |
| Craig Gagnon | Jerry Govan |
| Chris Hart | Ralph Kennedy |
| Dwight Loftis | Peter McCoy, Jr. |
| Mia S. McLeod | Dennis Moss |
| Elizabeth Munnerlyn | Chris Murphy |
| Wendy Nanney | Joseph Neal |
| Anne Parks | Joshua Putnam |
| Todd Rutherford | Bakari Sellers |
| William "Bill" Taylor | Anne Thayer |
| McLain R. "Mac" Toole | Ted Vick |
| William R. "Bill" Whitmire |  |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ATWATER a leave of absence for the day due to a business commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SABB a leave of absence for the day due to a speaking engagement at Voorhees College.

**SPECIAL PRESENTATION**

Reps. QUINN and BINGHAM presented to the House the River Bluff High School Varsity Cheerleading Squad, the 2013 South Carolina Class AAA State Champions, their coaches, and other school officials.

**SPECIAL PRESENTATION**

Reps. ANDERSON and RIDGEWAY presented to the House the Williamsburg Academy Varsity Football Team, the 2013 South Carolina Independent School Association Class A State Champions, their coaches, and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

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. 3112 |
| Date: | ADD: |
| 04/10/14 | M. S. MCLEOD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3893 |
| Date: | ADD: |
| 04/10/14 | RIVERS, CROSBY, MCCOY and WOOD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4348 |
| Date: | ADD: |
| 04/10/14 | BALES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4476 |
| Date: | ADD: |
| 04/10/14 | GILLIARD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4859 |
| Date: | ADD: |
| 04/10/14 | BALES and M. S. MCLEOD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4919 |
| Date: | ADD: |
| 04/10/14 | BOWERS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4927 |
| Date: | ADD: |
| 04/10/14 | WHIPPER, R. L. BROWN and M. S. MCLEOD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4959 |
| Date: | ADD: |
| 04/10/14 | HIXON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4979 |
| Date: | ADD: |
| 04/10/14 | RIVERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5005 |
| Date: | ADD: |
| 04/10/14 | BEDINGFIELD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5078 |
| Date: | ADD: |
| 04/10/14 | LUCAS |

**CO-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 5072 |
| Date: | REMOVE: |
| 04/10/14 | SIMRILL, HUGGINS, TALLON, COLE, MURPHY, NEWTON, J. E. SMITH, RUTHERFORD, R. L. OTT, SELLERS, FUNDERBURK, SPIRES, NORRELL, COBB-HUNTER, ROBINSON-SIMPSON, HOWARD, DILLARD, MCEACHERN, NEAL, WILLIS, SKELTON, ALLISON, FORRESTER, BEDINGFIELD, PUTNAM and EDGE |

**CO-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 5073 |
| Date: | REMOVE: |
| 04/10/14 | SIMRILL, NEWTON, WILLIS, SKELTON, J. E. SMITH, RUTHERFORD, R. L. OTT, SELLERS, FUNDERBURK, SPIRES, NORRELL, COBB-HUNTER, ROBINSON-SIMPSON, HOWARD, DILLARD, MCEACHERN, NEAL, HUGGINS, COLE, ALLISON, BEDINGFIELD, FORRESTER, PUTNAM, EDGE and HIOTT |

**H. 4033--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4033 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-2426 SO AS TO PROVIDE THAT ONE-HALF OF THE PAID ADMISSIONS TO A SOCCER SPECIFIC STADIUM IS EXEMPT FROM THE ADMISSION LICENSE TAX IMPOSED PURSUANT TO SECTION 12-21-2420, AND TO DEFINE THE TERM "SOCCER SPECIFIC STADIUM".

Rep. MERRILL moved to adjourn debate on the Bill, which was adopted.

**H. 4476--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4476 -- Rep. Weeks: A BILL TO AMEND SECTION 56-5-2953, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECORDING OF AN INCIDENT SITE AND BREATH TEST SITE WHEN A PERSON IS CHARGED WITH A TRAFFIC OFFENSE RELATED TO THE UNLAWFUL USE OF ALCOHOL OR ANOTHER ILLEGAL SUBSTANCE, SO AS TO PROVIDE THAT THE VIDEO RECORDING TAKEN AT THE BREATH TEST SITE ALSO MUST INCLUDE AN AUDIBLE RECORDING.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4476 (COUNCIL\GGS\4476C001.GGS.AHB14), which was adopted:

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

/ SECTION 1. Section 56‑5‑2953 of the 1976 Code, as last amended by Act 201 of 2008, is further amended to read:

Section 56‑5‑2953. (A) A person who violates Section 56‑5‑2930, 56‑5‑2933, or 56‑5‑2945 must have his conduct at the incident site and the breath test site video recorded.

(1)(a) The video recording at the incident site must:

(i) not begin later than the activation of the officer’s blue lights;

(ii) include an audio recording;

(iii) include any field sobriety tests administered; and

~~(iii)~~(iv) include the arrest of a person for a violation of Section 56‑5‑2930 or Section 56‑5‑2933, or a probable cause determination in that the person violated Section 56‑5‑2945, and show the person being advised of his Miranda rights.

(b) A refusal to take a field sobriety test does not constitute disobeying a police command.

(2) The video recording at the breath test site must:

(a) include the entire breath test procedure, the person being informed that he is being video recorded, and that he has the right to refuse the test;

(b) include the person taking or refusing the breath test and the actions of the breath test operator while conducting the test; and

(c) also include the person’s conduct during the required twenty‑minute pretest waiting period, unless the officer submits a sworn affidavit certifying that it was physically impossible to video record this waiting period.

(3) The video recordings of the incident site and of the breath test site are admissible pursuant to the South Carolina Rules of Evidence in a criminal, administrative, or civil proceeding by any party to the action.

(B) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56‑5‑2930, 56‑5‑2933, or 56‑5‑2945. Failure by the arresting officer to produce the video or audio recording required by this section is not alone a ground for dismissal of any charge made pursuant to Section 56‑5‑2930, 56‑5‑2933, or 56‑5‑2945 if the arresting officer submits a sworn affidavit certifying that the video or audio recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable condition, and certifying that there was no other operable breath test facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video or audio recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, road blocks, traffic accident investigations, and citizens’ arrests, where an arrest has been made and the video and audio recording equipment ~~has~~have not been activated by blue lights, the failure by the arresting officer to produce the video or audio recordings required by this section is not alone a ground for dismissal. However, as soon as video and audio recording is practicable in these circumstances, video and audio recording must begin and conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the video or audio recording based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer’s failure to produce the video or audio recording.

(C) A video or audio recording must not be disposed of in any manner except for its transfer to a master recording for consolidation purposes until the results of any legal proceeding in which it may be involved are finally determined.

(D) SLED is responsible for purchasing, maintaining, and supplying all necessary video recording equipment for use at the breath test sites. SLED also is responsible for monitoring all breath test sites to ensure the proper maintenance of video recording equipment. The Department of Public Safety is responsible for purchasing, maintaining, and supplying all videotaping and audio equipment for use in all law enforcement vehicles used for traffic enforcement. The Department of Public Safety also is responsible for monitoring all law enforcement vehicles used for traffic enforcement to ensure proper maintenance of video and audio recording equipment.

(E) Beginning one month from the effective date of this section, all of the funds received in accordance with Section 14‑1‑208(C)(9) must be expended by SLED to equip all breath test sites with video recording devices and supplies. Once all breath test sites have been equipped fully with video recording devices and supplies, eighty‑seven and one‑half percent of the funds received in accordance with Section 14‑1‑208(C)(9) must be expended by the Department of Public Safety to purchase, maintain, and supply video recording equipment for vehicles used for traffic enforcement. The remaining twelve and one‑half percent of the funds received in accordance with Section 14‑1‑208(C)(9) must be expended by SLED to purchase, maintain, and supply video recording equipment for the breath test sites. Funds must be distributed by the State Treasurer to the Department of Public Safety and SLED on a monthly basis. The Department of Public Safety and SLED are authorized to carry forward any unexpended funds received in accordance with Section 14‑1‑208(C)(9) as of June thirtieth of each year and to expend these carried forward funds for the purchase, maintenance, and supply of video recording equipment. The Department of Public Safety and SLED must report the revenue received under this section and the expenditures for which the revenue was used as required in the department’s and SLED’s annual appropriation request to the General Assembly.

(F) The Department of Public Safety and SLED must promulgate regulations necessary to implement the provisions of this section.

(G) The provisions contained in Section 56‑5‑2953(A), (B), and (C) take effect for each law enforcement vehicle used for traffic enforcement once the law enforcement vehicle is equipped with a video recording device. The provisions contained in Section 56‑5‑2953(A), (B), and (C) take effect for a breath test site once the breath test site is equipped with a video recording device.”

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

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 89; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bingham |
| Bowers | Branham | Brannon |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Douglas | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Knight | Limehouse | Long |
| Lowe | Lucas | Mack |
| McEachern | W. J. McLeod | Merrill |
| Munnerlyn | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Patrick | Pitts | Putnam |
| Quinn | Ridgeway | Riley |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Williams |
| Willis | Wood |  |

**Total--89**

Those who voted in the negative are:

**Total--0**

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

**H. 4476--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. WEEKS, with unanimous consent, it was ordered that H. 4476 be read the third time tomorrow.

**S. 1034--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

S. 1034 -- Senator L. Martin: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 5 AND 8 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2014.

Rep. DELLENEY moved to adjourn debate on the Joint Resolution until Tuesday, May 6, which was agreed to.

**H. 4354--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4354 -- Reps. Harrell, Cobb-Hunter, G. M. Smith, Long, Douglas, Felder, R. L. Brown and Goldfinch: A BILL TO AMEND SECTION 44-115-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT OF A PATIENT TO RECEIVE A COPY OF HIS MEDICAL RECORD OR HAVE IT TRANSFERRED TO ANOTHER PHYSICIAN, SO AS TO PROVIDE THE PATIENT MAY CHOOSE TO RECEIVE THE RECORD EITHER AS A PHOTOCOPY REPRODUCTION OR IN AN ELECTRONIC FORMAT STORED ON DIGITAL MEDIA; AND TO AMEND SECTION 44-115-80, RELATING TO FEES PHYSICIANS MAY CHARGE TO SEARCH AND DUPLICATE A MEDICAL RECORD, SO AS TO SPECIFY WHAT FEES MAY BE CHARGED FOR A PHOTOCOPY REPRODUCTION AND FOR AN ELECTRONIC REPRODUCTION, AND TO PROVIDE AN EXEMPTION FROM FEES FOR REPRODUCTIONS REQUESTED TO SATISFY A REQUIREMENT OF AN INSURER OR GOVERNMENTAL ENTITY THAT PROVIDES BENEFITS RELATED TO THE MEDICAL NEEDS OF THE PATIENT.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4354 (COUNCIL\AGM\4354C002.AGM.AB14), which was adopted:

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

/ SECTION 1. Section 44‑7‑325 of the 1976 Code is amended to read:

“Section 44‑7‑325. (A)(1) A health care facility, as defined in Section 44‑7‑130, and a health care provider licensed pursuant to Title 40 may charge a fee for the search and duplication of a medical record, whether in paper format or electronic format, but the fee may not exceed:

(a) Sixty‑five cents per page for the first thirty printed pages and fifty cents per page for all other pages, ~~and~~ plus a clerical fee not to exceed twenty dollars for searching and handling, which combined with the per page print costs may not ~~to~~ exceed ~~fifteen~~ two hundred dollars per request ~~plus~~, and to which may be added actual postage and applicable sales tax.

(b) Sixty‑five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty dollars for searching and handling, which combined with the per page costs may not exceed one hundred and fifty dollars, but to which may be added actual postage and applicable sales tax.

(2) ~~However~~ Notwithstanding the provisions of subsection (A), no fee may be charged for records copied at the request of a health care provider or for records sent to a health care provider at the request of the patient for the purpose of continuing medical care.

(3) The facility or provider may charge a patient or the patient’s representative no more than the actual cost of reproduction of an X‑ray. Actual cost means the cost of materials and supplies used to duplicate the X‑ray and the labor and overhead costs associated with the duplication.

(B) Except for those requests for medical records pursuant to Section 42‑15‑95:

(1) A health care facility shall comply with a request for copies of a medical record:

(a) no later than forty‑five days after the patient has been discharged or forty‑five days after the request is received, whichever is later; and

(b) in a printed format or in an electronic format if requested to be delivered in electronic format, but only if the record is stored in an electronic format at the time of the request.

(2) Nothing in this section may compel a health care facility to release a copy of a medical record prior to thirty days after discharge of the patient.”

SECTION 2. Section 44‑115‑30 of the 1976 Code is amended to read:

“Section 44‑115‑30. A patient or his legal representative has a right to receive a copy of his medical record, or have the record transferred to another physician, upon request, when accompanied by a written authorization from the patient or his legal representative to release the record. The patient or his legal representative is entitled to receive a copy of the record either in an electronic format or as a photocopied reproduction, and the physician or other owner of the record shall provide the record in the format requested by the patient or his legal representative; provided, however, that if the physician or other owner of the record does not possess an electronic version of the record, it may satisfy the request by providing a photocopied reproduction.”

SECTION 3. Section 44‑115‑80 of the 1976 Code is amended to read:

“Section 44‑115‑80. (A) A physician, or other owner of medical records as provided for in Section 44‑115‑130, may charge a fee for the search and duplication of a paper or electronic medical record, but the fee may not exceed:

(1) Sixty‑five cents per page for the first thirty printed pages and fifty cents per page for all other printed pages, ~~and~~ plus a clerical fee not to exceed twenty dollars for searching and handling, which combined with the per page print costs may not ~~to~~ exceed ~~fifteen~~ two hundred dollars per request ~~plus~~, and to which may be added actual postage and applicable sales tax.

(2) Sixty‑five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty dollars for searching and handling, which combined with the per page costs may not exceed one hundred and fifty dollars, but to which may be added actual postage and applicable sales tax.

(B) A physician, health care provider, or other owner of medical records must provide a patient’s medical records at no charge when the patient is referred by the physician, health care provider, or an employee, agent, or contractor of the owner of the record to another physician or health care provider for continuation of treatment for a specific condition or conditions.

(C) The physician may charge a patient or the patient’s legal representative no more than the actual cost of reproduction of an X‑ray. Actual cost means the cost of materials and supplies used to duplicate the X‑ray and the labor and overhead costs associated with the duplication.”

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

Renumber sections to conform.

Amend title to conform.

Rep. HORNE explained the amendment.

The amendment was then adopted.

Rep. GOLDFINCH proposed the following Amendment No. 2 to H. 4354 (COUNCIL\DKA\4354C002.DKA.VR14), which was adopted:

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

/ SECTION \_\_. Chapter 115, Title 44 of the 1976 Code is amended by adding:

“Section 44-115-15. For purposes of this chapter, ‘medical records’ includes the patient’s medical bills. /

Renumber sections to conform.

Amend title to conform.

Rep. GOLDFINCH 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 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Brannon | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Jefferson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | W. J. McLeod | Merrill |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pope |
| Putnam | Ridgeway | Riley |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Thayer |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis | Wood |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**H. 4354--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HORNE, with unanimous consent, it was ordered that H. 4354 be read the third time tomorrow.

**H. 3722--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3722 -- Reps. Wells, Clemmons, Felder, Gagnon, Goldfinch, Hixon, Kennedy, Ridgeway, Robinson-Simpson, Ryhal, G. R. Smith, J. R. Smith, Taylor and Wood: A BILL TO AMEND CHAPTER 1, TITLE 26, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTARIES PUBLIC, SO AS TO DEFINE TERMS, TO MAKE GRAMMATICAL CORRECTIONS, TO PROVIDE THAT TO BE QUALIFIED FOR A NOTARIAL COMMISSION, A PERSON MUST BE REGISTERED TO VOTE AND READ AND WRITE IN THE ENGLISH LANGUAGE, TO AUTHORIZE AND PROHIBIT CERTAIN ACTS OF A NOTARY PUBLIC, TO PROVIDE MAXIMUM FEE A NOTARY MAY CHARGE, TO PROVIDE THE PROCESS FOR GIVING A NOTARIAL CERTIFICATE, TO SPECIFY CHANGES FOR WHICH A NOTARY MUST NOTIFY THE SECRETARY OF STATE, TO PROVIDE THE ELEMENTS AND PENALTIES OF CERTAIN CRIMES RELATING TO NOTARIAL ACTS, AND TO PROVIDE THE FORM FOR A NOTARIZED DOCUMENT SENT TO ANOTHER STATE, AMONG OTHER THINGS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3722 (COUNCIL\BH\3722C001.BH.DG14), which was adopted:

Amend the bill, as and if amended, SECTION 1, beginning on page 12, by deleting Section 26‑1‑120(I).

Amend the bill further, SECTION 1, beginning on page 14, by striking section 26‑1‑160 and inserting:

/ Section 26‑1‑160. (A) Except as otherwise permitted by law, a person who commits one of the following acts is guilty of a misdemeanor:

(1) holding one’s self out to the public as a notary if the person does not have a commission;

(2) performing a notarial act if the person’s commission has expired or been suspended or restricted; or

(3) performing a notarial act before the person had taken the oath of office.

(B) A notary is guilty of a misdemeanor if the notary takes:

(1) an acknowledgment or administers an oath or affirmation without the principal appearing in person before the notary;

(2) a verification or proof without the subscribing witness appearing in person before the notary;

(3) an acknowledgment or administers an oath or affirmation without personal knowledge or satisfactory evidence of the identity of the principal;

(4) a verification or proof without personal knowledge or satisfactory evidence of the identity of the subscribing witness;

(5) an acknowledgment or a verification or proof or administers an oath or affirmation if the notary knows it is false or fraudulent;

(6) an acknowledgment or administers an oath or affirmation without the principal appearing in person before the notary if the notary does so with the intent to commit fraud; or

(7) a verification or proof without the subscribing witness appearing in person before the notary if the notary does so with the intent to commit fraud.

(C) It is a misdemeanor for a person to perform notarial acts in this State with the knowledge that he is not commissioned pursuant to this chapter.

(D) A person who without authority obtains, uses, conceals, defaces, or destroys the seal or notarial records of a notary is guilty of a misdemeanor.

(E) A person who knowingly solicits, coerces, or in a material way influences a notary to commit official misconduct is guilty of aiding and abetting and is subject to the same level of punishment as the notary.

(F) The sanctions and remedies of this chapter supplement other sanctions and remedies provided by law.

(G) A notary public convicted under the provisions of this section must forfeit his commission and must not be issued another commission. The court in which the notary public is convicted shall notify the Secretary of State within ten days after conviction.

(H) A person who violates the provisions of subsection (A), (B), (C), or (D) is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days. /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE 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 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Erickson |
| Finlay | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | W. J. McLeod |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Thayer | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**H. 3722--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HORNE, with unanimous consent, it was ordered that H. 3722 be read the third time tomorrow.

**H. 4673--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4673 -- Reps. Simrill, Limehouse, Sottile and Gagnon: A BILL TO AMEND SECTION 27-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING THE LIMITATION ON LIABILITY OF LANDOWNERS, SO AS TO INCLUDE RECREATIONAL NONCOMMERCIAL AIRSTRIPS AND ASSOCIATED AIRCRAFT OPERATIONS WITHIN THE DEFINITION OF "RECREATIONAL PURPOSE".

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4673 (COUNCIL\BH\4673C001.BH.DG14), which was adopted:

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

/ SECTION 1. Section 27‑3‑20(c) of the 1976 Code is amended to read:

“(c) ‘Recreational purpose’ includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, summer and winter sports, aviation activities, and viewing or enjoying historical, archaeological, scenic, or scientific sites.” /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE 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 102; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Ballentine | Bannister | 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 | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | V. S. Moss | Munnerlyn |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--102**

Those who voted in the negative are:

**Total--0**

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

**H. 4673--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HORNE, with unanimous consent, it was ordered that H. 4673 be read the third time tomorrow.

**H. 3995--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3995 -- Reps. G. M. Smith, Quinn, King, Edge, Finlay, Herbkersman and Pope: A BILL TO AMEND SECTION 57-1-370, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, SO AS TO REVISE THE CRITERIA AND THE MANDATORY PRIORITY LIST FOR SELECTING CERTAIN

TRANSPORTATION IMPROVEMENT PROJECTS AND NONMETROPOLITAN AREA PROJECTS.

Rep. MERRILL moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**H. 3905--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3905 -- Reps. Loftis, H. A. Crawford, Brannon, Daning, Crosby, Munnerlyn, J. R. Smith, Burns, Dillard, V. S. Moss, Pope, Norrell, Ridgeway, Rivers, Simrill, Toole, Wood, W. J. McLeod and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "BACK TO BASICS IN EDUCATION ACT OF 2013" BY ADDING SECTION 59-29-15 SO AS TO ADD CURSIVE WRITING AND MEMORIZATION OF MULTIPLICATION TABLES TO THE REQUIRED SUBJECTS OF INSTRUCTION IN PUBLIC SCHOOLS, TO REQUIRE STUDENTS DEMONSTRATE COMPETENCE IN EACH SUBJECT BEFORE COMPLETION OF THE FIFTH GRADE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION TO ASSIST THE SCHOOL DISTRICTS IN IDENTIFYING THE MOST APPROPRIATE MEANS FOR INTEGRATING THIS REQUIREMENT INTO THEIR EXISTING CURRICULUMS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH THE 2013-2014 SCHOOL YEAR.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3905 (COUNCIL\AGM\3905C001. AGM.AB14):

Amend the bill, as and if amended, Section 59‑29‑15(B), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (B) The State Department of Education shall assist the school districts in identifying the most appropriate means for integrating this requirement into their existing curriculums. Additionally, the department, using procedures followed for other textbook adoptions, shall review and recommend cursive writing instructional materials for inclusion on the approved state textbook adoption list. Schools may select these materials in the same manner that other textbooks are selected from the list.” /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

Reps. ANTHONY, K. R. CRAWFORD, CLYBURN, HAYES, VICK, MERRILL, TALLON, GILLIARD and ROBINSON-SIMPSON requested debate on the Bill.

**LEAVE OF ABSENCE**

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

**S. 908--DEBATE ADJOURNED**

The following Bill was taken up:

S. 908 -- Senator Hayes: A BILL TO AMEND SECTION 38-9-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING RISK-BASED CAPITAL, SO AS TO REVISE EXISTING DEFINITIONS AND DEFINE ADDITIONAL TERMS; TO AMEND SECTION 38-9-320, RELATING TO PREPARING AND SUBMITTING A RISK-BASED CAPITAL REPORT, SO AS TO PROVIDE FOR DETERMINING A HEALTH ORGANIZATION'S RISK-BASED CAPITAL REPORT AND TO PROVIDE THAT EACH RISK FOR A LIFE AND HEALTH INSURER, PROPERTY AND CASUALTY INSURER, AND A HEALTH ORGANIZATION MUST BE DETERMINED IN A CERTAIN MANNER; TO AMEND SECTION 38-9-330, AS AMENDED, RELATING TO COMPANY ACTION LEVEL EVENTS, SO AS TO ADD AN ADDITIONAL EVENT CONCERNING A HEALTH ORGANIZATION, AMONG OTHER THINGS; TO AMEND SECTION 38-9-360, RELATING TO THE ROLE OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE WHEN A MANDATORY CONTROL LEVEL EVENT OCCURS, SO AS TO ADD PROVISIONS CONCERNING HEALTH ORGANIZATIONS; TO AMEND SECTION 38-9-370, RELATING TO HEARINGS AVAILABLE TO A LICENSEE TO CHALLENGE A DETERMINATION OR ACTION BY THE DIRECTOR IN RESPONSE TO A MANDATORY CONTROL LEVEL EVENT, SO AS TO PROVIDE A LICENSEE MAY HAVE THE HEARING CONFIDENTIALLY, ON THE RECORD, AND BEFORE THE DIRECTOR UPON PROVISION OF CERTAIN NOTICE, AND TO PROVIDE THE DIRECTOR SHALL SET A DATE FOR THE HEARING IN A CERTAIN MANNER; TO AMEND SECTION 38-9-380, RELATING TO THE CONFIDENTIALITY OF RISK-BASED CAPITAL REPORTS AND ADJUSTED RISK-BASED CAPITAL REPORTS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH THE DIRECTOR MAY SHARE, RECEIVE, AND USE CERTAIN RELATED INFORMATION THAT IS CONFIDENTIAL AND PRIVILEGED; TO AMEND SECTION 38-9-430, RELATING TO EXEMPTIONS FROM REPORTING REQUIREMENTS, SO AS TO ADD PROVISIONS CONCERNING DOMESTIC HEALTH ORGANIZATIONS; AND TO AMEND SECTION 38-9-340, SECTION 38-9-350, SECTION 38-9-365, SECTION 38-9-390, SECTION 38-9-400, SECTION 38-9-440, AND SECTION 38-9-460, ALL RELATING TO CAPITAL, SURPLUS, RESERVES, AND OTHER FINANCIAL MATTERS, SO AS TO MAKE CONFORMING CHANGES.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, May 1, which was agreed to.

**H. 4911--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4911 -- Reps. Bedingfield and Sandifer: A BILL TO AMEND SECTION 38-71-1320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, SECTION 38-71-1330, AS AMENDED, SECTION 38-71-1360, AND SECTION 38-71-1440, ALL RELATING TO THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, ALL SO AS TO MAKE CHANGES TO REFLECT THE ELIMINATION OF THE SOUTH CAROLINA SMALL EMPLOYER INSURER REINSURANCE PROGRAM; TO PROVIDE THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA SMALL EMPLOYER INSURER REINSURANCE PROGRAM MUST DEVELOP A PLAN TO PHASE OUT AND TERMINATE THAT PROGRAM AND THE PHASE OUT OF COVERAGE IT OFFERS BEFORE JANUARY 1, 2015; AND TO REPEAL SECTIONS 38-71-1380, 38-71-1390, 38-71-1400, 38-71-1410, AND 38-71-1420 ALL RELATING TO THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT.

Rep. K. R. CRAWFORD explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Erickson |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Norrell | Owens | Parks |
| Patrick | Pope | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | 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 | Willis | Wood |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**H. 4911--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. K. R. CRAWFORD, with unanimous consent, it was ordered that H. 4911 be read the third time tomorrow.

**H. 4927--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4927 -- Rep. K. R. Crawford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-55-325 SO AS TO REQUIRE THAT A LIFE INSURANCE COMPANY MUST PROVIDE CERTAIN INFORMATION ABOUT A DECEASED INSURED'S LIFE INSURANCE TO A FUNERAL DIRECTOR OR AN EMPLOYEE OF A FUNERAL DIRECTOR, AND TO PROVIDE REMEDIES FOR A VIOLATION.

Rep. SANDIFER explained the Bill.

Reps. NORMAN, OWENS, HIOTT, WHITMIRE, SANDIFER, W. J. MCLEOD, KING, DANING, GEORGE, JEFFERSON, MCEACHERN, R. L. BROWN, HOSEY, GOVAN, TAYLOR and SPIRES requested debate on the Bill.

**H. 4916--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4916 -- Reps. Long, Sandifer, Felder, Erickson, Southard, Allison, Spires, McCoy, Whipper, R. L. Brown, Limehouse, Bedingfield, Burns, Chumley, Gagnon, George, Hamilton, Hayes, Horne, Loftis, V. S. Moss, Munnerlyn, Murphy, Norrell, Pitts, Pope, Ryhal, Simrill, G. R. Smith, Sottile, Stringer, Willis and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-72-66 SO AS TO PROVIDE SPECIFIC NOTICE REQUIREMENTS OF AN INSURER BEFORE IT MAY CONSIDER A LONG-TERM CARE INSURANCE POLICY THAT IT HAS WRITTEN TO BE TERMINATED AT THE REQUEST OF THE POLICYHOLDER OR CERTIFICATE HOLDER OR LAPSED OR TERMINATED FOR NONPAYMENT OF PREMIUM.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4916 (COUNCIL\AGM\4916C001. AGM.AB14), which was adopted:

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

/ SECTION 1. Chapter 72, Title 38 of the 1976 Code is amended to read:

“Section 38‑72‑66. Each insurer offering long term care insurance shall, as a protection against unintentional lapse, comply with the following:

(1)(a)(i) No individual long term care policy or certificate may be issued until the insurer has received from the applicant either a written designation of at least one person, in addition to the applicant, who is to receive notice of lapse or termination of the policy or certificate for nonpayment of premium. The applicant has the right to designate at least one person who is to receive the notice of termination, in addition to the insured. Designation must not constitute acceptance of any liability on the third party for services provided to the insured. The form used for the written designation must provide space clearly designated for listing at least one person. The designation must include each person’s full name and home address. In the case of an applicant who elects not to designate an additional person, the waiver must state: ‘Protection against unintended lapse. I understand that I have the right to designate at least one person other than myself to receive notice of lapse or termination of this long term care insurance policy for nonpayment of premium. I understand that notice will not be given until thirty (30) days after a premium is due and unpaid. I elect NOT to designate a person to receive this notice.’ The insurer shall notify the insured of the right to change this written designation no less often than once every two years.

(ii) For existing long term care policies, the insurer must provide written notice to the insured that they may make a written designation of a least one person, in addition to the insured, who is to receive notice of lapse or termination of the policy or certificate. The notice called for in this subsection must be provided to the insured within ninety days of the effective date of this section. As provided in this subitem, the insurer shall notify the insured of the right to change this written designation no less often than once every two years.

(b) When the policyholder or certificate holder pays premium for a long term care insurance policy or certificate through a payroll or pension deduction plan, the requirements contained in sub‑subitem (i) of item (a) need not be met until sixty days after the policyholder or certificate holder is no longer on such a payment plan. The application or enrollment form for such policies or certificates must clearly indicate the payment plan selected by the applicant.

(c) Lapse or termination for nonpayment of premium. No individual long term care policy or certificate shall lapse or be terminated for nonpayment of premium unless the insurer, at least thirty days before the effective date of the lapse or termination, has given notice to the insured and to those persons designated pursuant to sub‑subitem (i) of item (a), at the address provided by the insured for purposes of receiving notice of lapse or termination. Notice must be given by first class United States mail, postage prepaid, and notice may not be given until thirty days after a premium is due and unpaid. Notice must be considered to have been given as of five days after the date of mailing.

(2) In addition to the requirement in item (1), a long term care insurance policy or certificate shall include a provision that provides for reinstatement of coverage in the event of lapse or termination if the insurer is provided proof that the policyholder or certificate holder was cognitively impaired or had a loss of functional capacity before the grace period contained in the policy expired. This option must be available to the insured if requested within five months after termination and must allow for the collection of past due premium, where appropriate. The standard of proof of cognitive impairment or loss of functional capacity must not be more stringent than the benefit eligibility criteria on cognitive impairment or the loss of functional capacity contained in the policy and certificate.”

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

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Erickson |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Henderson | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**H. 4916--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 4916 be read the third time tomorrow.

**H. 5040--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5040 -- Reps. R. L. Brown, Knight, Hodges, Sellers, Bowers and W. J. McLeod: A BILL TO AMEND SECTION 51-13-1720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF REGENTS FOR THE OLD JACKSONBOROUGH HISTORIC DISTRICT AUTHORITY, SO AS TO REDUCE THE BOARD TO SEVEN MEMBERS, AND TO CHANGE THE MANNER IN WHICH TWO APPOINTMENTS ARE MADE.

Rep. R. L. BROWN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 81; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bannister | Bernstein | Bingham |
| Bowen | Bowers | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Erickson |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Knight | Loftis | Long |
| Lowe | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Patrick | Putnam |
| Quinn | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--81**

Those who voted in the negative are:

**Total--0**

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

**H. 5040--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. R. L. BROWN, with unanimous consent, it was ordered that H. 5040 be read the third time tomorrow.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. FINLAY a temporary leave of absence due to a family commitment.

**H. 4467--FREE CONFERENCE REPORT ADOPTED**

**H. 4467--Free Conference Report**

The General Assembly, Columbia, S.C., April 1, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4467 -- Reps. Daning, Rivers, Crosby, Southard, Jefferson and Merrill: A BILL TO AMEND SECTION 7‑7‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD TEN PRECINCTS, AND TO REDESIGNATE THE 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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ A BILL

TO AMEND SECTION 7‑7‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD TEN PRECINCTS, AND TO REDESIGNATE THE 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.

Amend Title To Conform

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

SECTION 1. Section 7‑7‑120 of the 1976 Code, as last amended by Act 91 of 2013, is further amended to read:

“Section 7‑7‑120. (A) In Berkeley County there are the following voting precincts:

Alvin

Bethera

Beverly Hills

Bonneau

Bonneau Beach

Central

Cainhoy

Cane Bay

Carnes Cross Road ~~No.~~ 1

Carnes Cross Road ~~No.~~ 2

Cordesville

Cross

Daniel Island ~~No.~~ 1

Daniel Island ~~No.~~ 2

Daniel Island ~~No.~~ 3

Daniel Island ~~No.~~ 4

Devon Forest ~~No.~~ 1

Devon Forest ~~No.~~ 2

Discovery

Eadytown

Foster Creek

Foxbank

Goose Creek ~~No.~~ 1

Goose Creek ~~No.~~ 2

Hanahan ~~No.~~ 1

Hanahan ~~No.~~ 2

Hanahan ~~No.~~ 3

Hanahan ~~No.~~ 4

Hanahan 5

Hilton Cross Roads

Howe Hall ~~No.~~ 1

Howe Hall ~~No.~~ 2

Huger

Jamestown

Lebanon

Liberty Hall

Macedonia

McBeth

Medway

Moncks Corner ~~No.~~ 1

Moncks Corner ~~No.~~ 2

Moncks Corner ~~No.~~ 3

Moncks Corner ~~No.~~ 4

Moultrie

Old 52

Pimlico

Pinopolis

Royle

Russellville

Sangaree ~~No.~~ 1

Sangaree ~~No.~~ 2

Sangaree ~~No.~~ 3

Seventy Eight

Shulerville

Stone Lake

St. Stephen ~~No.~~ 1

St. Stephen ~~No.~~ 2

Stratford ~~No.~~ 1

Stratford ~~No.~~ 2

Stratford ~~No.~~ 3

Stratford ~~No.~~ 4

Stratford 5

The Village

Wassamassaw ~~No.~~ 1

Wassamassaw ~~No.~~ 2

Westview ~~No.~~ 1

Westview ~~No.~~ 2

Westview ~~No.~~ 3

Westview 4

Whitesville ~~No.~~ 1

Whitesville ~~No.~~ 2

Yellow House

(B) The precinct lines defining the precincts provided in subsection (A) are as shown on the official map prepared by and on file with the Office of Research and Statistics of the State Budget and Control Board designated as document ~~P‑15‑13~~ P‑15‑14 and as shown on copies provided to the Board of Elections and Voter Registration of Berkeley County.

(C) The polling places for the precincts provided in this section must be established by the Board of Elections and Voter Registration of Berkeley County subject to the approval of a majority of the Senators and a majority of the House members of the Berkeley County Delegation.”

SECTION 2. This act takes effect July 1, 2014. /

Amend title to conform.

Sen. Lawrence K. Grooms Rep. Joseph S. Daning

Sen. Paul G. Campbell, Jr. Rep. James “Jim” Merrill

Sen. J. Yancey McGill Rep. Joseph H. Jefferson

On Part of the Senate. On Part of the House.

Rep. DANING explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Bernstein | Bingham | Bowen |
| Bowers | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Ryhal | Sandifer |
| Sellers | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Vick |
| Weeks | Wells | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--91**

Those who voted in the negative are:

**Total--0**

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**H. 4467--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

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

**RECURRENCE TO THE MORNING HOUR**

Rep. R. L. OTT moved that the House recur to the morning hour, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., April 10, 2014

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 12:30 p.m. today for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. R. L. OTT the invitation was accepted.

**REPORTS OF STANDING COMMITTEES**

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

H. 5044 -- Rep. Horne: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-668 SO AS TO DESIGNATE SOUTH CAROLINA ARTIST JONATHAN GREEN AS THE OFFICIAL STATE ARTIST.

Ordered for consideration tomorrow.

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

H. 4840 -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson-Simpson, R. L. Brown and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT" BY ADDING SECTION 59-43-25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE AS AN ALTERNATIVE TO THE GENERAL EDUCATION DEVELOPMENT TEST BATTERY TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, THAT AN ESSENTIAL TRAIT OF THIS TEST OR TEST BATTERY MUST BE THAT IT ONLY MAY BE OFFERED IN A HANDWRITTEN, PAPER AND PEN OR PENCIL FORMAT AND MAY NOT BE DEPENDENT ON COMPUTER TECHNOLOGY FOR ITS ADMINISTRATION, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO COMPLETE SUCCESSFULLY THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59-43-20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND

SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

H. 3532 -- Reps. White and Huggins: A BILL TO AMEND SECTION 63-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE REGULATION OF CHILDCARE FACILITIES, INCLUDING THE DEFINITION OF CHILDCARE FACILITIES, SO AS TO REVISE THE DAYTIME PROGRAMS AND DAY CAMPS TO WHICH THE DEFINITION DOES NOT APPLY; BY ADDING SECTION 63-13-220 SO AS TO PROHIBIT USE OF ABC VOUCHERS BY CERTAIN CHILDCARE PROVIDERS; AND TO MAKE TECHNICAL CORRECTIONS.

Ordered for consideration tomorrow.

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

H. 4392 -- Reps. Huggins, Ballentine and Owens: A BILL TO AMEND SECTION 56-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL RESTRICTED DRIVERS' LICENSES TO CERTAIN MINORS, SO AS TO PROVIDE THAT THE RESTRICTIONS PLACED ON A HOLDER OF THIS LICENSE MAY BE WAIVED OR MODIFIED TO ALLOW THE LICENSE HOLDER TO TRAVEL BETWEEN HIS HOME AND A CHURCH-RELATED OR SPONSORED ACTIVITY.

Ordered for consideration tomorrow.

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

H. 4914 -- Reps. Henderson, K. R. Crawford, Atwater, Spires, Gagnon, Lowe, Ridgeway and Thayer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-97 SO AS TO AUTHORIZE CERTAIN SCHOOL PERSONNEL TO ADMINISTER MIDAZOLAM INTRANASALLY TO STUDENTS WITH A SEIZURE CONDITION; AND TO PROVIDE FOR IMMUNITY FROM LIABILITY WITH REGARD TO ADMINISTRATION OF MIDAZOLAM.

Ordered for consideration tomorrow.

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

H. 4061 -- Reps. Norrell, King, Cobb-Hunter, Douglas, Bowen, M. S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G. A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59-32-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR-YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

Ordered for consideration tomorrow.

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

H. 3904 -- Reps. Daning, Crosby, Merrill, Simrill and Lucas: A BILL TO AMEND SECTION 56-3-2340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ALLOWING LICENSED MOTOR VEHICLE DEALERS TO ISSUE FIRST TIME MOTOR VEHICLE REGISTRATION AND LICENSE TAGS DIRECTLY FROM THEIR DEALERSHIPS, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT THE DEPARTMENT MAY CERTIFY THIRD-PARTY PROVIDERS TO PROCESS TITLE, LICENSE PLATES, TEMPORARY LICENSE PLATES, AND VEHICLE REGISTRATION TRANSACTIONS ON BEHALF OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT AND THIRD-PARTY PROVIDERS MAY COLLECT TRANSACTION FEES FROM ENTITIES WHO TRANSMIT OR RETRIEVE CERTAIN DATA FROM THE DEPARTMENT; AND TO AMEND SECTION 56-19-265, AS AMENDED, RELATING TO LIENS RECORDED AGAINST MOTOR VEHICLES AND MOBILE HOMES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT LIEN RECORDINGS MAYBE ELECTRONICALLY TRANSMITTED TO THE DEPARTMENT, TO PROVIDE THAT THE OWNERS OF MOTOR VEHICLES OR MOBILE HOMES MAY RETAIN THE ELECTRONIC COPY OF THE VEHICLE'S TITLE WITH THE DEPARTMENT ONCE ALL LIENS ARE SATISFIED, AND TO PROVIDE THAT THE DEPARTMENT MAY CONVENE A WORKING GROUP TO DEVELOP PROGRAM SPECIFICATIONS RELATING TO GOVERNING THE TRANSMISSION OF ELECTRONIC LIEN INFORMATION.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5107 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO DECLARE MAY 15, 2014, AS "FIT FAMILY DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND COMMEND THE PARTNERSHIP THAT COCA-COLA HAS FORMED WITH THE SOUTH CAROLINA HOSPITAL ASSOCIATION, CVS PHARMACY, AND PARENTING MAGAZINES IN THE PALMETTO STATE IN ORDER TO ENCOURAGE HEALTHY LIVING THROUGH THE FIT FAMILY CHALLENGE.

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

**INTRODUCTION OF BILLS**

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

H. 5108 -- Reps. White and Gambrell: A BILL TO THE ENACT "ANDERSON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT" SO AS TO AUTHORIZE THE IMPOSITION, FOLLOWING REFERENDUM APPROVAL, OF A SALES AND USE TAX OF ONE PERCENT IN ANDERSON COUNTY FOR NOT MORE THAN FIFTEEN YEARS WITH AT LEAST TWENTY PERCENT OF THE REVENUES USED TO PAY DEBT SERVICE ON EXISTING GENERAL OBLIGATION BONDS ISSUED FOR SCHOOL CONSTRUCTION AND RENOVATION AND THE REMAINDER USED TO PAY DEBT SERVICE ON SCHOOL DISTRICT GENERAL OBLIGATION BONDS OR FOR DIRECT PAYMENT, OR BOTH SUCH FINANCING METHODS, FOR SCHOOL CONSTRUCTION AND RENOVATION, TO INSTALL, MAINTAIN, AND IMPROVE SECURITY AND PUBLIC SAFETY MEASURES, TO PROVIDE TECHNOLOGY HARDWARE AND SOFTWARE IN THE ANDERSON COUNTY SCHOOL DISTRICTS, TO PROVIDE A CAREER AND TECHNICAL EDUCATION FACILITY FOR ANDERSON COUNTY SCHOOL DISTRICTS THREE, FOUR, AND FIVE, TO PROVIDE CAPITAL IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, ROOFS, STADIUMS, AND FIELDS IN ANDERSON COUNTY SCHOOL

DISTRICTS, AND TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE TAX.

Rep. WHITE asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. COBB-HUNTER objected.

Referred to Anderson Delegation

H. 5109 -- Rep. Sellers: A BILL TO AMEND SECTION 11-11-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONTINGENCY RESERVE FUND, SO AS TO REESTABLISH THIS FUND AS THE SPECIAL PURPOSES REVENUE FUND (SPRF), TO PROVIDE THAT THERE MUST BE CREDITED TO SPRF ALL YEAR-END SURPLUS STATE GENERAL FUND REVENUES NOT OTHERWISE REQUIRED TO REPLENISH THE GENERAL RESERVE FUND, REVENUES DERIVED FROM ELIMINATING VARIOUS SALES TAX EXEMPTIONS AND SAVINGS ACHIEVED FROM THE IMPLEMENTATION OF STATE GOVERNMENT RESTRUCTURING, AND TO PROVIDE THAT SPRF REVENUES MUST BE APPROPRIATED OR USED AS REVENUE OFFSETS IN THE ANNUAL GENERAL APPROPRIATIONS ACT WITH ONE-THIRD EACH FOR ROAD MAINTENANCE AND CONSTRUCTION, A STATE INDIVIDUAL INCOME TAX CREDIT, AND FOR ADDITIONAL FUNDING FOR SCHOOL BASE STUDENT COSTS; AND TO AMEND SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO DELETE EXEMPTIONS CURRENTLY ALLOWED FOR TECHNICAL EQUIPMENT SOLD TO TELEVISION AND RADIO STATIONS AND CABLE TELEVISION SYSTEMS, MOTION PICTURE FILM SOLD OR RENTED TO MOVIE THEATERS, SOUTH CAROLINA EDUCATION LOTTERY TICKETS, THE EXEMPT PORTION OF PORTABLE TOILET RENTAL PROCEEDS, AND AMUSEMENT PARK RIDES INSTALLED IN QUALIFIED AMUSEMENT AND THEME PARKS.

Referred to Committee on Ways and Means

**H. 4033--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4033 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-2426 SO AS TO PROVIDE THAT ONE-HALF OF THE PAID ADMISSIONS TO A SOCCER SPECIFIC STADIUM IS EXEMPT FROM THE ADMISSION LICENSE TAX IMPOSED PURSUANT TO SECTION 12-21-2420, AND TO DEFINE THE TERM "SOCCER SPECIFIC STADIUM".

Rep. J. E. SMITH moved to adjourn debate on the Bill, which was adopted.

**S. 900--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

S. 900 -- Senator Allen: A JOINT RESOLUTION TO CREATE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" TO REVIEW THE CRIMINAL LAWS OF THE STATE AND DETERMINE CRIMINAL OFFENSES APPROPRIATE FOR EXPUNGEMENT, TO PROVIDE FOR THE MEMBERSHIP AND STAFFING OF THE STUDY COMMITTEE, AND TO PROVIDE FOR THE STUDY COMMITTEE'S TERMINATION.

Rep. WHITE moved to adjourn debate on the Joint Resolution until Tuesday, May 6, which was agreed to.

**H. 3435--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3435 -- Reps. Skelton, Horne, J. E. Smith, Cobb-Hunter, K. R. Crawford and Knight: A BILL TO AMEND SECTION 59-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO AMEND EXISTING DEFINITIONS; TO AMEND SECTION 59-32-20, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION PROVIDE AN INSTRUCTIONAL UNIT IN COMPREHENSIVE HEALTH EDUCATION TO LOCAL SCHOOL DISTRICTS, SO AS TO REQUIRE THIS UNIT BE PROVIDED BIENNIALLY; TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT COMPREHENSIVE HEALTH EDUCATION PROGRAMS, SO AS TO PROVIDE REPRODUCTIVE HEALTH INSTRUCTION BE MEDICALLY ACCURATE IN ADDITION TO EXISTING REQUIREMENTS, TO CHANGE THE GRADE LEVELS IN WHICH THE INSTRUCTION MUST BE OFFERED, TO PROVIDE A DEFINITION, TO PROVIDE THAT IF A LOCAL SCHOOL BOARD DOES NOT REVIEW AND SELECT AN INSTRUCTIONAL UNIT IN COMPREHENSIVE HEALTH EDUCATION IN A CERTAIN MANNER, THEY MUST USE THE UNIT OFFERED BY THE STATE BOARD, AND TO DELETE THE REQUIREMENT THAT INSTRUCTION IN PREGNANCY PREVENTION EDUCATION BE PRESENTED SEPARATELY TO MALE AND FEMALE STUDENTS; TO AMEND SECTION 59-32-40, RELATING TO STAFF DEVELOPMENT, SO AS TO PROVIDE CERTIFICATION REQUIREMENTS FOR TEACHERS OF COMPREHENSIVE HEALTH EDUCATION AND REPRODUCTIVE HEALTH AND PREGNANCY PREVENTION INSTRUCTION; AND TO AMEND SECTION 59-32-60, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION REPORT COMPLY WITH THE REQUIREMENTS OF THE ACT, SO AS TO REQUIRE EACH DISTRICT REPORT ITS COMPLIANCE IN A CERTAIN MANNER AND THAT THE DEPARTMENT SHALL COMPILE AND PROVIDE A SUMMARY OF THESE REPORTS TO SPECIFIC RECIPIENTS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3435 (COUNCIL\AGM\3435C001. AGM.AB14):

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

/ SECTION 1. Section 59‑32‑10 of the 1976 Code is amended by adding an appropriately numbered subsection at the end to read:

“(8) ‘Medically accurate information’ means information supported by peer‑reviewed research that complies with accepted scientific methods, published in or by medical, scientific, psychological, sociological, government, or public health publications, organizations, or agencies such as the United States Centers for Disease Control and Prevention or the United States Health and Human Services Office of Health Administration.”

SECTION 2. Section 59‑32‑20 of the 1976 Code is amended to read:

“Section 59‑32‑20. ~~Before August 1, 1988,~~ The board, through the department, shall select or develop ~~an~~ a medically‑accurate instructional unit with separate components addressing the subjects of reproductive health education, family life education, pregnancy prevention education, and sexually transmitted diseases and make the instructional unit available to local school districts. The board, through the department, also shall make medically‑accurate available information about other programs developed by other states upon request of a local school district.”

SECTION 3. Section 59‑32‑30 of the 1976 Code is amended to read:

“Section 59‑32‑30. (A) Pursuant to guidelines developed by the board, each local school board shall implement the following program of instruction:

(1) ~~Beginning with the 1988‑89 school year,~~ For grades kindergarten through five, medically‑accurate instruction in comprehensive health education must include the following subjects: community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, and mental and emotional health. Sexually transmitted diseases as defined in the annual Department of Health and Environmental Control List of Reportable Diseases are to be excluded from instruction on the prevention and control of diseases and disorders. At the discretion of the local board, age‑appropriate medically‑accurate instruction in reproductive health may be included.

(2) ~~Beginning with the 1988‑89 school year,~~ For grades six through eight, medically‑accurate instruction in comprehensive health must include the following subjects: community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, mental and emotional health, and reproductive health education. Sexually transmitted diseases are to be included as a part of instruction. At the discretion of the local board, instruction in family life education or pregnancy prevention education or both may be included, but instruction in these subjects may not include an explanation of the methods of contraception before the sixth grade.

(3) ~~Beginning with the 1989‑90 school year,~~ At least one time during the four years of grades nine through twelve, each student shall receive medically‑accurate instruction in comprehensive health education, including at least seven hundred fifty minutes of reproductive health education and pregnancy prevention education.

(4) The South Carolina Educational Television Commission shall work with the department in developing medically‑accurate instructional programs and materials that may be available to the school districts. Films and other materials may be designed for the purpose of explaining bodily functions or the human reproductive process. These materials may not contain actual or simulated portrayals of sexual activities or sexual intercourse.

(5) The program of medically‑accurate instruction provided for in this section may not include a discussion of alternate sexual lifestyles from heterosexual relationships including, but not limited to, homosexual relationships except in the context of instruction concerning sexually transmitted diseases.

(6) In grades nine through twelve, students must also be given medically‑accurate and appropriate instruction that adoption is a positive alternative.

(B) Local school boards may use the medically‑accurate instructional unit made available by the board pursuant to Section 59‑32‑20, or local boards may develop or select their own medically‑accurate instructional materials addressing the subjects of reproductive health education, family life education, and pregnancy prevention education. To assist in the selection of components and curriculum materials, each local school board shall appoint a thirteen‑member local advisory committee consisting of two parents, three clergy, two health professionals, two teachers, two students, one being the president of the student body of a high school, and two other persons not employed by the local school district.

(C) The time required for health instruction for students in kindergarten through eighth grade must not be reduced below the level required during the 1986‑87 school year. Medically‑accurate health instruction for students in grades nine through twelve may be given either as part of an existing course or as a special course.

(D) No contraceptive device or contraceptive medication may be distributed in or on the school grounds of any public elementary or secondary school. No school district may contract with any contraceptive provider for their distribution in or on the school grounds. Except as to that instruction provided by this chapter relating to complications which may develop from all types of abortions, school districts may not offer programs, instruction, or activities including abortion counseling, information about abortion services, or assist in obtaining abortion, and materials containing this information must not be distributed in schools. Nothing in this section prevents school authorities from referring students to a physician for medical reasons after making reasonable efforts to notify the student’s parents or legal guardians or the appropriate court, if applicable.

(E) Any course or instruction in sexually transmitted diseases must be taught within the reproductive health, family life, or pregnancy prevention education components, or it must be presented as a separate component.

(F) Instruction in pregnancy prevention education must be presented separately to male and female students.”

SECTION 4. Section 59‑32‑40 of the 1976 Code is amended to read:

“Section 59‑32‑40. (A) As part of their program for staff development, the department and local school boards shall provide appropriate staff development activities for educational personnel participating in the comprehensive health education program. Local school boards are encouraged to coordinate the activities with the department and institutions of higher learning.

(B) No later than August 1, 2020, school district employees responsible for teaching comprehensive health education must hold current certification in health education that is issued by the department.”

SECTION 5. Section 59‑32‑60 of the 1976 Code is amended to read:

“Section 59‑32‑60. The department shall assure district compliance with this chapter. Each local school board shall consider the programs addressed in this chapter in developing its annual district report. The department shall withhold one percent of funding allocated to that district until the report is filed. Each local school district shall publish on its website the title and publisher of any and all health education materials they have approved, adopted, and use in the classroom.”

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

Reps. HAMILTON, V. S. MOSS, HENDERSON, J. E. SMITH, NANNEY, STRINGER, HARDWICK, DELLENEY, LOFTIS, BEDINGFIELD, WOOD, FORRESTER, THAYER, RIVERS and CROSBY requested debate on the Bill.

**H. 5054--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 5054 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DISPLAYING THE FLAG, DESIGNATED AS REGULATION DOCUMENT NUMBER 4403, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. OWENS moved to adjourn debate on the Joint Resolution until Tuesday, May 6, which was agreed to.

**H. 5055--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5055 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCREDITATION STANDARDS FILED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4401, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5056--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5056 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SCHOOL ADMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4397, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5057--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5057 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO UTILIZATION OF GENERAL TEACHER CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4396, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5058--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5058 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4422, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5059--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5059 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO TEACHER GRANTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4409, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5060--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5060 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO OPERATION AND FUNDING OF TEACHER TRAINING COURSES IN MATHEMATICS, SCIENCE, READING AND COMPUTER EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4405, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5061--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5061 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4404, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5062--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5062 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCREDITATION CRITERIA, DESIGNATED AS REGULATION DOCUMENT NUMBER 4400, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5070--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5070 -- Education and Public Works Committee: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO INTERSCHOLASTIC ACTIVITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4392, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 5071--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5071 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SCHOOL SUPERINTENDENT COMPENSATION AND BENEFITS/EXPENSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4391, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 4348--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4348 -- Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W. J. McLeod, Pitts and D. C. Moss: A BILL TO AMEND SECTION 63-3-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS OF MINOR CHILDREN, SO AS TO ELIMINATE CERTAIN PREREQUISITES TO ORDERING VISITATION.

Rep. LUCAS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| Brannon | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| 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 | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--111**

Those who voted in the negative are:

**Total--0**

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

**H. 4348--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LUCAS, with unanimous consent, it was ordered that H. 4348 be read the third time tomorrow.

**H. 5005--POINT OF ORDER**

The following Bill was taken up:

H. 5005 -- Reps. Bannister, Lowe, G. M. Smith, Weeks, Quinn, McEachern and Hamilton: A BILL TO AMEND SECTION 5-31-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF MUNICIPALITIES IN REGARD TO MUNICIPAL UTILITIES INCLUDING A WATER SYSTEM, SO AS TO CLARIFY THAT A REFERENDUM AND FAVORABLE VOTE OF THE MUNICIPAL ELECTORATE IS NOT REQUIRED FOR THE SALE OF A WATER SYSTEM; AND BY ADDING SECTION 5-31-1315 SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO MUNICIPALITY SHALL BE REQUIRED TO CONDUCT A REFERENDUM, AND OBTAIN A FAVORABLE VOTE THEREIN, PRIOR TO THE SALE OF A WATER SYSTEM.

**POINT OF ORDER**

Rep. KING 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. 275--DEBATE ADJOURNED**

The following Bill was taken up:

S. 275 -- Senators L. Martin, Hembree and Malloy: A BILL TO AMEND SECTION 23-1-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OR ASSIGNMENT OF A MUNICIPAL OR COUNTY LAW ENFORCEMENT OFFICER TO A MULTIJURISDICTIONAL TASK FORCE, SO AS TO MAKE A TECHNICAL CHANGE, DELETE THE PROVISION THAT REQUIRES A COUNTY OR MUNICIPALITY THAT SENDS AN OFFICER TO ANOTHER COUNTY OR MUNICIPALITY TO BE REIMBURSED FOR SERVICES BY THE COUNTY OR MUNICIPALITY TO WHICH THE OFFICER IS TRANSFERRED OR ASSIGNED, AND TO PROVIDE THAT THE GOVERNING BODIES OF THE POLITICAL SUBDIVISIONS AFFECTED BY THIS PROVISION MUST BE NOTIFIED BY THEIR LAW ENFORCEMENT DIVISIONS OF ANY MULTIJURISDICTIONAL TASK FORCE AGREEMENT EXECUTION AND TERMINATION.

Rep. HOWARD moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**S. 983--DEBATE ADJOURNED**

The following Bill was taken up:

S. 983 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-617 SO AS TO DESIGNATE MARCH OF EACH YEAR AS "ENDOMETRIOSIS AWARENESS MONTH".

Rep. HOWARD moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**S. 997--DEBATE ADJOURNED**

The following Bill was taken up:

S. 997 -- Senator Jackson: A BILL TO AMEND SECTION 40-67-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SPEECH PATHOLOGISTS AND AUDIOLOGISTS PRACTICE ACT, SO AS TO ADD, REVISE, AND DELETE DEFINITIONS; TO AMEND SECTION 40-67-50, RELATING TO LICENSURE FEES, SO AS TO ADD, REVISE, AND DELETE FEES; TO AMEND SECTION 40-67-220, RELATING TO LICENSURE REQUIREMENTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-67-260, RELATING TO ANNUAL AUDITS OF LICENSURE RECORDS THAT THE BOARD MAY CONDUCT, SO AS TO PROVIDE THE BOARD MAY CONDUCT THESE AUDITS BIENNIALLY INSTEAD OF ANNUALLY; AND TO AMEND SECTION 40-67-280, RELATING TO ACTIVATION OF AN INACTIVE LICENSE, SO AS TO REQUIRE SUBMISSION OF A FORM DEVELOPED AND PROVIDED BY THE BOARD.

Rep. HOWARD moved to adjourn debate on the Bill until Tuesday, April 29, which was agreed to.

**H. 5072--POINT OF ORDER**

The following Bill was taken up:

H. 5072 -- Reps. K. R. Crawford, Branham, R. L. Ott, McEachern, Hosey, Anderson, Sabb, Bannister, Finlay, Brannon, Burns, Neal, McCoy, Cobb-Hunter, Clyburn, Anthony, Erickson, Allison, Taylor, Sellers, Gilliard, Murphy, Williams, Jefferson, Sandifer, Atwater, King, Douglas, Alexander, Bales, Barfield, Bedingfield, G. A. Brown, Bowers, R. L. Brown, Chumley, Clemmons, Cole, Crosby, Daning, Dillard, Edge, Forrester, Funderburk, Gagnon, George, Goldfinch, Hamilton, Hardwick, Hayes, Henderson, Hodges, Howard, Huggins, Loftis, Lowe, Mack, V. S. Moss, Nanney, Newton, Norrell, Owens, Parks, Pitts, Putnam, Ridgeway, Rivers, Robinson-Simpson, Rutherford, Ryhal, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stringer, Thayer, Wells, White, Whitmire, Willis and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-7-1655 SO AS TO ESTABLISH PROTOCOLS FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR FOR CONSTITUTIONAL OFFICERS AND CERTAIN OTHER OFFICERS ALLEGED TO HAVE COMMITTED CRIMINAL VIOLATIONS OF CHAPTER 13, TITLE 8 OR ALLEGED TO HAVE COMMITTED AN ACT OF PUBLIC CORRUPTION.

**POINT OF ORDER**

Rep. K. R. CRAWFORD 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. 5073--POINT OF ORDER**

The following Bill was taken up:

H. 5073 -- Reps. K. R. Crawford, Southard, Branham, Atwater, McEachern, Anderson, Finlay, Brannon, Bannister, Erickson, Allison, Rivers, Burns, Neal, Sellers, Sabb, McCoy, Cobb-Hunter, Williams, Hosey, Jefferson, Sandifer, King, Gilliard, Douglas, Taylor, Alexander, Anthony, Bales, Barfield, Bedingfield, Bowers, G. A. Brown, R. L. Brown, Chumley, Clemmons, Cole, Crosby, Daning, Dillard, Edge, Forrester, Funderburk, Gagnon, George, Goldfinch, Hamilton, Hardwick, Hayes, Henderson, Hiott, Hodges, Howard, Huggins, Loftis, Lowe, Mack, V. S. Moss, Nanney, Newton, Norrell, R. L. Ott, Owens, Parks, Pitts, Putnam, Ridgeway, Robinson-Simpson, Rutherford, Ryhal, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stringer, Thayer, Wells, White, Whitmire and Willis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 24, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THOSE CONSTITUTIONAL OFFICERS PROVIDED FOR THE ENFORCEMENT AND PROSECUTION OF THE CRIMINAL LAWS OF THIS STATE, ADMINISTRATIVE FUNCTIONS OF THE COURTS, THE AUTHORITY OF THE GENERAL ASSEMBLY TO PROVIDE FOR THEIR QUALIFICATIONS, DUTIES, AND COMPENSATION, AND THE AUTHORITY OF THE ATTORNEY GENERAL AS THE CHIEF PROSECUTING OFFICER OF THE STATE WITH SUPERVISORY AUTHORITY OVER THE PROSECUTION OF ALL CRIMINAL CASES IN COURTS OF RECORD, SO AS TO DELETE LANGUAGE PROVIDING THAT THE ATTORNEY GENERAL IS THE CHIEF PROSECUTING OFFICER OF THE STATE WITH AUTHORITY TO SUPERVISE THE PROSECUTION OF ALL CRIMINAL CASES IN COURTS OF RECORD.

**POINT OF ORDER**

Rep. K. R. CRAWFORD 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. 5074--POINT OF ORDER**

The following Bill was taken up:

H. 5074 -- Reps. White, Owens and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO DIRECT THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AND TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

**POINT OF ORDER**

Rep. WHITE 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. 4458--POINT OF ORDER**

The following Bill was taken up:

H. 4458 -- Reps. Sandifer and Owens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-456 SO AS TO PROVIDE A SCHOOL DISTRICT MAY EDUCATE STUDENTS ABOUT THE HOLIDAYS OF TRADITIONAL WINTER CELEBRATIONS IN A CERTAIN MANNER, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY DISPLAY CERTAIN SYMBOLS ASSOCIATED WITH THESE HOLIDAYS ON SCHOOL PROPERTY UNLESS THE DISPLAY INCLUDES A MESSAGE THAT ENCOURAGES ADHERENCE TO A PARTICULAR RELIGIOUS BELIEF.

**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. 5014--POINT OF ORDER**

The following Bill was taken up:

H. 5014 -- Reps. Willis, Owens and Daning: A BILL TO AMEND SECTION 56-1-2100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COMMERCIAL DRIVER LICENSE, SO AS TO DELETE THE VARIOUS ENDORSEMENTS AND RESTRICTIONS THAT MAY BE ATTACHED TO A COMMERCIAL DRIVER LICENSE, AND THAT ENDORSEMENTS AND RESTRICTIONS MAY BE ADDED TO A COMMERCIAL DRIVER LICENSE AS REQUIRED UNDER THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS.

**POINT OF ORDER**

Rep. WILLIS 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. 3958--POINT OF ORDER**

The following Bill was taken up:

H. 3958 -- Rep. Quinn: A BILL TO AMEND CHAPTER 23, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THIS CHAPTER ALSO RELATES TO THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE DEFINITIONS FOR THE TERMS "ACADEMY" AND "DIRECTOR", TO CORRECT CERTAIN REFERENCES, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 17-5-130, AS AMENDED, RELATING TO THE QUALIFICATIONS FOR THE ELECTION OF AND TRAINING FOR CORONERS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY"; TO AMEND SECTION 24-5-340, RELATING TO RESERVE DETENTION OFFICERS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY"; TO AMEND SECTIONS 63-19-1860 AND 63-19-1880, BOTH RELATING TO THE CONDITIONAL RELEASE OF A JUVENILE AND THE EMPLOYMENT OF PROBATION COUNSELORS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY", AND TO CORRECT CERTAIN REFERENCES TO THE CODE OF LAWS.

**POINT OF ORDER**

Rep. ANDERSON 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. 4607--POINT OF ORDER**

The following Bill was taken up:

H. 4607 -- Reps. Hiott, Bedingfield, Vick, Long, D. C. Moss, Crosby, Norman, Wells, Rivers, Willis, Pitts, George, Bales, Allison, Forrester, Wood, Hixon, Erickson, Ballentine and Skelton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS.

**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. 4805--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4805 -- Reps. Clemmons and J. E. Smith: A BILL TO AMEND SECTION 7-27-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

Reps. CLEMMONS, HIOTT, OWENS, GOLDFINCH, BANNISTER, H. A. CRAWFORD, HARDWICK, SOTTILE, LIMEHOUSE, GILLIARD, BARFIELD, WELLS, ANDERSON, R. L. BROWN, G. R. SMITH, WOOD, MCCOY, RIVERS and CROSBY requested debate on the Bill.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CHUMLEY a leave of absence for the remainder of the day.

**H. 4859--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4859 -- Reps. Limehouse, Cobb-Hunter, Jefferson, Williams, J. E. Smith, Bernstein, Erickson, Clyburn, Anderson, J. R. Smith, Kennedy, Long, Burns, Alexander, Allison, Spires, Anthony, Branham, R. L. Brown, K. R. Crawford, Dillard, Gagnon, Gambrell, Hamilton, Harrell, Hixon, Hodges, Hosey, W. J. McLeod, V. S. Moss, Pope, Ridgeway, Robinson-Simpson, Ryhal, Sabb, Simrill, Sottile, Wells and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MILITARY FAMILY QUALITY OF LIFE ENHANCEMENT ACT OF 2014"; BY ADDING SECTION 37-3-414 SO AS TO PROHIBIT PREDATORY LENDING PRACTICES WITH RESPECT TO MEMBERS OF THE ARMED FORCES BY MAKING VIOLATIONS OF A RELATED FEDERAL LAW ALSO A VIOLATION OF THE LAWS OF THIS STATE AND SUBJECT TO OVERSIGHT BY THE DEPARTMENT OF CONSUMER AFFAIRS; BY ADDING SECTION 44-6-35 SO AS TO PROVIDE THAT MILITARY FAMILIES MAY ENROLL IN A MEDICAID HOME AND COMMUNITY-BASED WAIVER PROGRAM IN THIS STATE IF SOUTH CAROLINA IS THEIR STATE OF LEGAL RESIDENCE, AND TO ALLOW THEM TO MAINTAIN ENROLLMENT IF THE FAMILY IS STATIONED OUTSIDE OF SOUTH CAROLINA; BY ADDING ARTICLE 21 TO CHAPTER 11, TITLE 63 SO AS TO CREATE THE MILITARY-CONNECTED CHILDREN'S WELFARE TASK FORCE TO IDENTIFY ISSUES RELATED TO MILITARY-CONNECTED CHILDREN AND OPENING COMMUNICATION BETWEEN CHILD WELFARE AGENCIES OF THIS STATE AND LOCAL MILITARY INSTALLATIONS; BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO CREATE A VETERANS TREATMENT COURT PROGRAM TO DIVERT QUALIFYING NONVIOLENT MILITARY VETERAN OFFENDERS AWAY FROM THE CRIMINAL JUSTICE SYSTEM AND INTO APPROPRIATE TREATMENT PROGRAMS, THEREBY RESERVING PRISON SPACE FOR VIOLENT CRIMINALS AND OTHERS FOR WHOM INCARCERATION IS THE ONLY REASONABLE ALTERNATIVE; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE DEVELOPMENT OF COMPREHENSIVE ANNUAL REPORT CARDS AND ACADEMIC PERFORMANCE RATINGS, SO AS TO DIRECT THE EDUCATION OVERSIGHT COMMITTEE, WORKING WITH THE STATE BOARD OF EDUCATION, TO ESTABLISH A CERTAIN COMPREHENSIVE ANNUAL REPORT CONCERNING THE PERFORMANCE OF MILITARY-CONNECTED CHILDREN WHO ATTEND PRIMARY, ELEMENTARY, MIDDLE, AND HIGH SCHOOLS IN THIS STATE; TO AMEND SECTION 59-112-50, AS AMENDED, RELATING TO TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, SO AS TO REVISE REQUIREMENTS TO PROVIDE A VETERAN OF THE ARMED SERVICES OF THE UNITED STATES WHO HAS EVIDENCED INTENT TO ESTABLISH DOMICILE IN SOUTH CAROLINA, AND THEIR DEPENDENTS, ARE ENTITLED TO RECEIVE IN-STATE TUITION AND FEES AT STATE INSTITUTIONS WITHOUT THE REQUIREMENT OF ONE YEAR OF PHYSICAL PRESENCE IN THIS STATE, AND TO DEFINE A NECESSARY TERM; AND TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO PROVIDE THAT MEMBERS OF THE ARMED SERVICES, THEIR SPOUSES, AND THEIR DEPENDENTS MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT IN ALL ELECTIONS, REGARDLESS OF WHETHER THEY ARE ABSENT FROM THEIR COUNTY OF RESIDENCE ON ELECTION DAY.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4859 (COUNCIL\AGM\4859C002.AGM.AB14), which was adopted:

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

/ PART I

Military Family Quality of Life Enhancement Act of 2014

SECTION 1. This act may be known and must be cited as the “Military Family Quality of Life Enhancement Act of 2014”.

PART II

Medicaid Waiver Protections

SECTION 2. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

“Section 44‑6‑35. In administering home and community‑based waiver programs, the department shall, to the extent possible, maintain the waiver status of an eligible family member of a member of the armed services who maintains his South Carolina state residence, regardless of where the service member is stationed. Consequently, a person on a waiver waiting list would return to the same place on the waiting list when the family returns to South Carolina. Furthermore, the eligible family member previously enrolled in a waiver program and who received active services would be reinstated into the waiver program once Medicaid eligibility is established, upon their return to South Carolina. It is not the intent of this section to authorize services provided outside the South Carolina Medicaid Service Area. These provisions are contingent upon the department receiving federal approval.”

PART III

Military‑Connected Children’s Welfare Task Force

SECTION 3. Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Article 21

Military‑Connected Children’s Welfare Task Force

Section 63‑11‑2110. (A) There is created the ‘Military‑Connected Children’s Welfare Task Force’ for the purpose of identifying issues related to military‑connected children and opening communication between child welfare agencies of this State and local military installations. The task force shall study issues relating to military‑connected children as the task force may undertake or as may be requested by the General Assembly.

(B) The task force is to be comprised of the following members:

(1) the Director of the Department of Health and Human Services, or his designee;

(2) the Governor, or his designee;

(3) the Speaker of the House of Representatives, or his designee;

(4) the President *Pro Tempore* of the Senate, or his designee; and

(5) a representative of the Children’s Trust Fund.

(C) The task force shall meet as soon as practicable after the effective date of this act for organizational purposes.

(D) The task force shall submit an annual written report to the General Assembly including recommendations to facilitate and open communication between child welfare agencies of this State and local military installations. The findings and recommendations of the task force shall be posted on the Department of Health and Human Services’ website.

(E) The members of the task force shall serve without compensation and may not receive mileage or per diem.”

PART IV

Veterans Treatment Court Program

SECTION 4. Title 14 of the 1976 Code is amended by adding:

“CHAPTER 29

Veterans Treatment Court Program

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

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

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

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

(B) A veterans treatment court judge must:

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

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

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

(4) receive an allowance for mileage, subsistence, and per diem paid by the solicitor’s office when engaged in the exercise of duties as a veterans treatment court judge;

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

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

(7) receive training provided for this service through organizations which offer this type of training as determined by the solicitor’s office; and

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

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

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

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

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

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

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

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

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

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

(2) must receive approval of the circuit solicitor;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) the offender’s prior criminal history;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Where a person fails successfully to complete the program and is consequently dismissed from the program, the veterans treatment court must transfer custody of the person to the circuit court for the imposition of the sentence. A court may not reduce a sentence for time spent participating in a veterans treatment court program and other conditions of the sentence.

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

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

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

PART V

Education

SECTION 5. Section 59‑18‑900 of the 1976 Code, as last amended by Act 282 of 2008, is further amended by adding an appropriately lettered subsection at the end to read:

“( ) The Education Oversight Committee, working with the State Board of Education, is directed to establish a comprehensive annual report concerning the performance of military‑connected children who attend primary, elementary, middle, and high schools in this State. The comprehensive annual report must be in a reader‑friendly format, using graphics whenever possible, published on the state, district, and school website, and, upon request, printed by the school districts. The annual comprehensive report must address at least attendance, academic performance in reading, math, and science, and graduation rates of military‑connected children.”

SECTION 6.A. Section 59‑112‑50 of the 1976 Code, as last amended by Act 133 of 2012, is further amended to read:

“Section 59‑112‑50. (A) Notwithstanding another provision of law, during the period of their assignment to duty in South Carolina, members of the Armed Services of the United States stationed in South Carolina and their dependents are eligible for in‑state tuition rates. When these armed service personnel are ordered away from the State, their dependents are eligible for in‑state tuition rates as long as they remain continuously enrolled at the state institution in which they are enrolled at the time the assignment ends or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student’s previous institution in order to certify the student’s eligibility for in‑state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution. ~~These persons and their dependents are eligible for in‑state tuition rates after their discharge from the armed services even though they were not enrolled at a state institution at the time of their discharge, if they have evidenced an intent to establish domicile in South Carolina and if they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge.~~

(B)(1) Active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency.

(~~B~~2) For purposes of this section, ‘active duty military personnel’ includes, but is not limited to, active duty guardsmen and active duty reservists.

(C) Notwithstanding any other provision of law, a veteran of the Armed Services of the United States, who has evidenced intent to establish domicile in South Carolina, and their dependents, are entitled to receive in‑state tuition and fees at state institutions without the requirement of one year of physical presence in this State. For purposes of this subsection, a ‘veteran’ is defined as an individual who has served on active duty in the United States Armed Forces and who has been honorably discharged from service.”

B. The provisions of this SECTION take effect July 1, 2014.

SECTION 7. Section 7‑15‑320 of the 1976 Code, as last amended by Act 43 of 2011, is further amended to read:

“Section 7‑15‑320. (A) ~~A qualified elector~~ Qualified electors in any of the following categories must be permitted to vote by absentee ballot in all elections when ~~he is~~ they are absent from ~~his~~ their county of residence on election day during the hours the polls are open, to an extent that it prevents ~~him~~ them from voting in person:

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

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

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

(~~4~~3) governmental employees, their spouses, and dependents residing with them;

(~~5~~4) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or

(~~6~~5) overseas citizens.

(B) ~~A qualified elector~~ Qualified electors in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not ~~he is~~ they are absent from ~~his~~ their county of residence on election day:

(1) physically disabled persons;

(2) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;

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

(4) persons attending sick or physically disabled persons;

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

(6) persons with a death or funeral in the family within a three‑day period before the election;

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

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

(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or

(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them.”

SECTION 8. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 9. Except as otherwise provided, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. LIMEHOUSE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | 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 |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--110**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Cobb-Hunter |  |  |

**Total--1**

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

**H. 4859--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LIMEHOUSE, with unanimous consent, it was ordered that H. 4859 be read the third time tomorrow.

**H. 3112--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3112 -- Reps. G. M. Smith, Daning and M. S. McLeod: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES; AND TO AMEND SECTION 12-6-1170, AS AMENDED, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO CONFORM THIS DEDUCTION TO THE MILITARY RETIREMENT DEDUCTION ALLOWED BY THIS ACT.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3112 (COUNCIL\BBM\3112C005. BBM.HTC14), which was adopted:

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

/ SECTION 1. This act may be cited as the “South Carolina Giving Back to Our Veterans Act”.

SECTION 2. Section 12‑6‑1140 of the 1976 Code is amended by adding a new item at the end to read:

“(12) for taxable years beginning after 2015, military retirement benefits attributable to service on active duty in the armed forces of the United States.”

SECTION 3. Section 12‑6‑1170(A)(2) of the 1976 Code is amended to read:

“(2) The term ‘retirement income’, as used in this subsection, means the total of all otherwise taxable income not subject to a penalty for premature distribution received by the taxpayer or the taxpayer’s surviving spouse in a taxable year from qualified retirement plans which include those plans defined in Internal Revenue Code Sections 401, 403, 408, and 457, and all public employee retirement plans of the federal, state, and local governments, including military retirement. After taxable year 2015, military retirement is not included as retirement income for purposes of the deduction allowed by this section.”

SECTION 4. In addition to amounts allowed as a deduction pursuant to Section 12‑6‑1170 of the 1976 Code, there is allowed as a deduction from South Carolina taxable income of individuals for purposes of the South Carolina Income Tax Act a portion of otherwise taxable military retirement benefits attributable to service on active duty in the armed forces of the United States according to the following schedule:

Taxable Year Deduction Percentage

2014 33.33 percent

2015 66.67 percent.

SECTION 5. This act takes effect upon approval by the Governor and applies for taxable years beginning after 2013. /

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH 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 109; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | 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 | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--109**

Those who voted in the negative are:

**Total--0**

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

**H. 3112--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. G. M. SMITH, with unanimous consent, it was ordered that H. 3112 be read the third time tomorrow.

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

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5110 -- Reps. Norman, Delleney, Felder, King, Long, D. C. Moss, V. S. Moss, Pope and Simrill: A HOUSE RESOLUTION TO RECOGNIZE SHERRY WHITESIDES, A FOURTH-GRADE TEACHER AT COTTON BELT ELEMENTARY IN YORK, AND TO COMMEND HER UNCOMMON INTEGRITY AND GODLY VIRTUE.

The Resolution was adopted.

**H. 4033--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4033 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-2426 SO AS TO PROVIDE THAT ONE-HALF OF THE PAID ADMISSIONS TO A SOCCER SPECIFIC STADIUM IS EXEMPT FROM THE ADMISSION LICENSE TAX IMPOSED PURSUANT TO SECTION 12-21-2420, AND TO DEFINE THE TERM "SOCCER SPECIFIC STADIUM".

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

**H. 3834--POINT OF ORDER**

The following Bill was taken up:

H. 3834 -- Reps. Loftis, W. J. McLeod, Neal, Williams, Bannister, R. L. Brown, Hosey, Ridgeway, Stavrinakis and Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3586 SO AS TO ALLOW AN INCOME AND OTHER SPECIFIED TAX CREDITS FOR TWENTY-FIVE PERCENT OF THE TOTAL COST OF A SOLAR ENERGY SYSTEM PLACED IN SERVICE IN 2013 THROUGH 2018, TO PROVIDE CEILINGS ON THE AMOUNT OF THE CREDIT THAT MAY BE CLAIMED IN ONE YEAR AND PROVIDE FOR THE TIMING OF CREDITS, TO PROVIDE FOR THE ALLOCATION OF THE CREDIT IN THE CASE OF CERTAIN PASS-THROUGH ENTITIES, AND TO REQUIRE THE TAXPAYER TO ELECT THE CREDIT TO APPLY IN THE CASE OF OVERLAPPING CREDITS.

**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. 4828--POINT OF ORDER**

The following Bill was taken up:

H. 4828 -- Rep. Pitts: A BILL TO AMEND SECTION 9-8-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE ADMINISTRATIVE LAW JUDGES IN THE DEFINITION OF "JUDGE"; AND TO AMEND SECTION 9-8-40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW ADMINISTRATIVE LAW JUDGES SERVING ON JULY 1, 2014, TO ELECT TO BECOME A MEMBER.

**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. 4602--REQUESTS FOR DEBATE AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4602 -- Reps. Stavrinakis, Gilliard, R. L. Brown, Sottile and Mack: A BILL TO AMEND ARTICLE 4, CHAPTER 10, TITLE 4, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX ACT, SO AS TO PROVIDE THAT THE TAX MAY BE IMPOSED TO DEFRAY DEBT OBLIGATIONS OF THE SCHOOL DISTRICT AND THEREBY REDUCING PROPERTY TAXES, TO ALLOW THE REFERENDUM TO INCLUDE A SEPARATE QUESTION ON THE AUTHORIZATION OF GENERAL OBLIGATION BONDS PURSUANT TO THE CONSTITUTIONAL EXEMPTION, TO PROVIDE THE FORM OF THE QUESTION, AND TO CHANGE THE TIMING OF A REIMPOSITION REFERENDUM TO NO EARLIER THAN WITHIN THE CALENDAR YEAR WHICH IS TWO YEARS BEFORE THE CALENDAR YEAR IN WHICH THE TAX IS SCHEDULED TO TERMINATE.

**POINT OF ORDER**

Rep. WHIPPER 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. STAVRINAKIS moved to waive Rule 5.15, which was agreed to by a division vote of 56 to 8.

Rep. STAVRINAKIS explained the Bill.

Reps. WHIPPER and R. L. BROWN requested debate on the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 79; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowers | Brannon | G. A. Brown |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Edge | Erickson | Forrester |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hodges | Horne |
| Huggins | Kennedy | Knight |
| Limehouse | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Newton | Norman |
| Norrell | Parks | Patrick |
| Pitts | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Taylor |
| Weeks | Wells | White |
| Wood |  |  |

**Total--79**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Whipper |  |  |

**Total--1**

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

**OBJECTION TO MOTION**

Rep. STAVRINAKIS asked unanimous consent that H. 4602 be read a third time tomorrow.

Rep. WHIPPER objected.

**H. 4994--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4994 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO CRITICAL CONGENITAL HEART DEFECTS SCREENING ON NEWBORNS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4429, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**POINT OF ORDER**

Rep. SOUTHARD 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. SKELTON moved to waive Rule 5.15, which was agreed to by a division vote of 45-7.

Rep. G. R. SMITH explained the Bill.

Reps. KING, COBB-HUNTER, R. L. OTT, SOUTHARD, THAYER, LONG, SKELTON, HOSEY, MACK, CLEMMONS and G. R. SMITH requested debate on the Bill.

**H. 3733--POINT OF ORDER**

The following Bill was taken up:

H. 3733 -- Reps. Pope, Stringer, Simrill, J. R. Smith, Lucas, Skelton, Southard, Patrick, Bedingfield, Hamilton, Atwater, Huggins, Allison, Ballentine, Barfield, Bernstein, Branham, Chumley, Cole, Erickson, Felder, Finlay, Forrester, Gagnon, Hardee, Henderson, Hixon, Kennedy, King, Loftis, Long, Lowe, D. C. Moss, Norman, Owens, Rivers, G. R. Smith, Tallon, Taylor, Toole and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT.

**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. 4518--POINT OF ORDER**

The following Bill was taken up:

H. 4518 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-420 SO AS TO PROVIDE THAT NO PORTION OF THE LOTTERY NET PROCEEDS MAY BE APPROPRIATED FOR CAPITAL IMPROVEMENT PROJECTS AT OR ASSOCIATED WITH AN INSTITUTION OF HIGHER LEARNING.

**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.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. A. BROWN a leave of absence for the remainder of the day.

**H. 4632--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4632 -- Reps. Stavrinakis, Merrill, McCoy, Daning, Murphy and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "CHARLESTON UNIVERSITY ACT" BY ADDING CHAPTER 120 TO TITLE 59 SO AS TO CREATE CHARLESTON UNIVERSITY TO EVENTUALLY BE CONSTITUTED BY MERGING THE COLLEGE OF CHARLESTON AND THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, INCLUDING ITS HOSPITAL AUTHORITY, INTO ONE INSTITUTION AS DETERMINED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY; TO PROVIDE THIS MERGER MUST OCCUR BEFORE JULY 1, 2016; TO PROVIDE THAT THE FORMER COLLEGE OF CHARLESTON MUST BE KNOWN AS THE "CHARLESTON UNIVERSITY GEORGE STREET CAMPUS" AND THE FORMER MEDICAL UNIVERSITY OF SOUTH CAROLINA MUST BE KNOWN AS THE "CHARLESTON UNIVERSITY MEDICAL CAMPUS"; TO CREATE A BOARD OF TRUSTEES OF THE UNIVERSITY; TO PROVIDE FOR THE COMPOSITION, POWERS, AND DUTIES OF THE BOARD AND MISCELLANEOUS MATTERS CONCERNING THE BOARD; TO PROVIDE THAT UNTIL THE MERGER OCCURS THE PRIMARY FOCUS OF THE CHARLESTON UNIVERSITY BOARD OF TRUSTEES MUST BE THE COMPLETION OF A MERGER PLAN; TO PROVIDE THIS PLAN MUST BE PRESENTED TO THE GOVERNOR AND THE GENERAL ASSEMBLY BEFORE JULY 1, 2015, AND TO PROVIDE CONTENT REQUIREMENTS FOR THE REPORT; AND TO PROVIDE CERTAIN REQUIREMENTS FOR APPROPRIATIONS, CAPITAL IMPROVEMENT BONDS, AND REVENUE BONDS; TO AMEND SECTION 59-107-10, RELATING TO STATE SUPPORTED INSTITUTIONS OF HIGHER LEARNING IN SOUTH CAROLINA, SECTION 59-123-10, RELATING TO THE NAME OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, SECTION 59-123-40, AS AMENDED, RELATING TO THE MANAGEMENT AND CONTROL OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, SECTION 59-123-60, RELATING TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, ALL SO AS TO MAKE CONFORMING CHANGES; TO PROVIDE THAT ANY REFERENCE TO THE COLLEGE OF CHARLESTON, UNIVERSITY OF CHARLESTON, MEDICAL UNIVERSITY OF SOUTH CAROLINA IN A LEGISLATIVE ENACTMENT, STATUTE, OR REGULATION MUST BE CONSTRUED TO MEAN CHARLESTON UNIVERSITY; TO REDESIGNATE CHAPTER 123, TITLE 59 AS "CHARLESTON UNIVERSITY MEDICAL CAMPUS AND THE HOSPITAL AUTHORITY"; TO REDESIGNATE CHAPTER 130, TITLE 59 AS "CHARLESTON UNIVERSITY GEORGE STREET CAMPUS"; AND TO REPEAL SECTION 59-123-50 RELATING TO THE ELECTION OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SECTION 59-130-10 RELATING TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, SECTION 59-130-30 RELATING TO POWERS OF THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, AND SECTION 59-130-40 RELATING TO MEETINGS OF THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON.

**POINT OF ORDER**

Rep. K. R. CRAWFORD 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. MERRILL moved to waive Rule 5.15, which was agreed to by a division vote of 39 to 18.

Reps. K. R. CRAWFORD, NANNEY, TALLON, BALLENTINE, TAYLOR, WOOD, G. R. SMITH, HAMILTON, FORRESTER and WILLIAMS requested debate on the Bill.

**H. 5084--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 5084 -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

**POINT OF ORDER**

Rep. MERRILL made the Point of Order that the Joint Resolution 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. 3905--REQUESTS FOR DEBATE WITHDRAWN, AMENDED, AND ORDERED TO THIRD READING**

Upon the withdrawal of requests for debate by Reps. ANTHONY, K. R. CRAWFORD, TALLON, ROBINSON-SIMPSON, HAYES, CLYBURN and MERRILL, the following Bill was taken up:

H. 3905 -- Reps. Loftis, H. A. Crawford, Brannon, Daning, Crosby, Munnerlyn, J. R. Smith, Burns, Dillard, V. S. Moss, Pope, Norrell, Ridgeway, Rivers, Simrill, Toole, Wood, W. J. McLeod and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "BACK TO BASICS IN EDUCATION ACT OF 2013" BY ADDING SECTION 59-29-15 SO AS TO ADD CURSIVE WRITING AND MEMORIZATION OF MULTIPLICATION TABLES TO THE REQUIRED SUBJECTS OF INSTRUCTION IN PUBLIC SCHOOLS, TO REQUIRE STUDENTS DEMONSTRATE COMPETENCE IN EACH SUBJECT BEFORE COMPLETION OF THE FIFTH GRADE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION TO ASSIST THE SCHOOL DISTRICTS IN IDENTIFYING THE MOST APPROPRIATE MEANS FOR INTEGRATING THIS REQUIREMENT INTO THEIR EXISTING CURRICULUMS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH THE 2013-2014 SCHOOL YEAR.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3905 (COUNCIL\AGM\3905C001. AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑29‑15(B), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (B) The State Department of Education shall assist the school districts in identifying the most appropriate means for integrating this requirement into their existing curriculums. Additionally, the department, using procedures followed for other textbook adoptions, shall review and recommend cursive writing instructional materials for inclusion on the approved state textbook adoption list. Schools may select these materials in the same manner that other textbooks are selected from the list.” /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK spoke in favor of the amendment.

The amendment was then adopted.

Rep. LOFTIS proposed the following Amendment No. 2 to H. 3905 (COUNCIL\GGS\3905C001.GGS.AHB14), which was adopted:

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

/ SECTION 1. This act must be known and may be cited as the “Back to Basics in Education Act of 2014”.

Amend the bill further, by deleting SECTION 3 and inserting:

/ SECTION 3. The provisions of this section take effect upon approval of the Governor, and are applicable beginning with the 2014‑2015 academic year. /

Renumber sections to conform.

Amend title to conform.

Rep. LOFTIS 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 92; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bowers | Branham | Brannon |
| R. L. Brown | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Douglas | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Harrell | Hayes | Henderson |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Weeks |
| Wells | White | Williams |
| Willis | Wood |  |

**Total--92**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3905. If I had been present, I would have voted in favor of the Bill.

Rep. Joe Daning

**H. 3905--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LOFTIS, with unanimous consent, it was ordered that H. 3905 be read the third time tomorrow.

**H. 4944--REQUEST FOR DEBATE WITHDRAWN**

Rep. SKELTON withdrew his request for debate on H. 4944; however, other requests for debate remained on the Bill.

**H. 4579--RECALLED FROM COMMITTEE ON JUDICIARY**

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

H. 4579 -- Rep. Loftis: A BILL TO AMEND SECTION 27-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

**H. 4996--RECALLED FROM COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

On motion of Rep. SANDIFER, with unanimous consent, the following Bill was ordered recalled from the Committee on Labor, Commerce and Industry:

H. 4996 -- Rep. Brannon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-277 SO AS TO REQUIRE ACCIDENT AND HEALTH INSURANCE POLICES AND HEALTH MAINTENANCE ORGANIZATIONS TO COVER CERTAIN AMINO ACID-BASED ELEMENTAL FORMULAS FOR THE TREATMENT OF CERTAIN DISEASES OR DISORDERS, TO PROHIBIT DENIAL OF THIS COVERAGE FOR TREATMENT ORDERED AS MEDICALLY NECESSARY BY A TREATING PHYSICIAN, AND TO PROVIDE THIS COVERAGE MUST BE FAVORABLE FOR PRESCRIPTION DRUGS AND SERVICES COVERED BY THE PLAN.

**OBJECTION TO RECALL**

Rep. SANDIFER asked unanimous consent to recall H. 4979 from the Committee on Labor, Commerce and Industry.

Rep. COBB-HUNTER objected.

**H. 4742--RECALLED FROM COMMITTEE ON JUDICIARY**

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

H. 4742 -- Reps. G. M. Smith, Weeks, Bannister, Delleney and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-1-60 SO AS TO PROHIBIT FILING A FALSE LIEN OR ENCUMBRANCE IN CERTAIN PUBLIC RECORDS AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER, A PUBLIC EMPLOYEE, OR AN IMMEDIATE FAMILY MEMBER OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE FOR THE PERFORMANCE OF THE OFFICIAL DUTIES OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE WHEN THE PARTY FILING THE LIEN KNOWS OR HAS REASON TO KNOW THAT THE LIEN OR ENCUMBRANCE IS FALSE OR CONTAINS A MATERIALLY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; TO PROVIDE A VIOLATION CONSTITUTES A FELONY AND TO PROVIDE RELATED PENALTIES; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE A REGISTER OF DEEDS OR CLERK OF COURT MAY REFUSE TO FILE A LIEN OR ENCUMBRANCE WHEN HE HAS A REASONABLE SUSPICION THAT THE LIEN OR ENCUMBRANCE IS FALSE, TO LIMIT HIS LIABILITY FOR THIS REFUSAL, TO PROVIDE CIRCUMSTANCES WHEN A COURT MAY ORDER THE FILING, AND TO PROVIDE EXCEPTIONS FROM THE PROVISIONS OF THIS SECTION, AMONG OTHER THINGS.

**H. 4399--RECALLED FROM COMMITTEE ON JUDICIARY**

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

H. 4399 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 61-6-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ALCOHOL PERMITS IN THE PROXIMITY OF SCHOOLS, PLAYGROUNDS, AND CHURCHES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IF ALL PLAYGROUNDS AND CHURCHES IN THE PROXIMITY AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE.

**OBJECTION TO RECALL**

Rep. FORRESTER asked unanimous consent to recall H. 4346 from the Committee on Judiciary.

Rep. WILLIAMS objected.

**H. 5031--RECALLED FROM COMMITTEE ON JUDICIARY**

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

H. 5031 -- Reps. Dillard, Robinson-Simpson, G. R. Smith, Burns, Bannister, Bedingfield, Hamilton, Loftis, Nanney and Stringer: A BILL TO AMEND SECTION 5-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT BEFORE A MUNICIPALITY MAY ADOPT AN ORDINANCE CHANGING THE METHOD OF NOMINATING CANDIDATES, THE MUNICIPALITY MUST ADOPT AN ORDINANCE REQUIRING AN ADVISORY REFERENDUM ON THE PROPOSED CHANGE, AND A MAJORITY OF THE QUALIFIED ELECTORS VOTING IN THE ADVISORY REFERENDUM MUST APPROVE THE PROPOSED CHANGE.

**OBJECTION TO RECALL**

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

Rep. BEDINGFIELD objected.

**OBJECTION TO RECALL**

Rep. SKELTON asked unanimous consent to recall H. 3498 from the Committee on Ways and Means.

Rep. K. R. CRAWFORD objected.

**OBJECTION TO RECALL**

Rep. BALES asked unanimous consent to recall H. 4612 from the Committee on Judiciary.

Rep. TALLON objected.

**H. 3968--DEBATE ADJOURNED**

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

H. 3968 -- Reps. Hamilton, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, H. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO PROCLAIM MAY 9, 2014, AS SENIOR HUNGER AWARENESS DAY IN SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO LEARN MORE ABOUT THE IMPACT OF HUNGER AND MALNUTRITION ON THE HEALTH OF OUR CITIZENS AND ON THE PROGRESS OF OUR STATE, AND TO WORK TOGETHER FOR A HUNGER FREE SOUTH CAROLINA.

**POINT OF ORDER**

Rep. J. E. SMITH made the Point of Order that the Senate Amendments were 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 such reading.

The SPEAKER sustained the Point of Order.

**H. 4644--DEBATE ADJOURNED**

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

H. 4644 -- Rep. Sandifer: A BILL TO AMEND SECTION 40-60-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTIONS 40-60-31, 40-60-33, 40-60-34, 40-60-35, AS AMENDED, 40-60-36, 40-60-37, 40-60-38, 40-60-80, AND 40-60-220, ALL RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS LICENSE AND CERTIFICATION ACT, SO AS TO CONFORM THE PROVISIONS TO CERTAIN REVISED NATIONAL UNIFORM STANDARDS FOR LICENSING, CERTIFYING, AND RECERTIFYING REAL ESTATE APPRAISERS.

Rep. SANDIFER moved to adjourn debate upon the Senate Amendments until Thursday, May 1, which was agreed to.

**SENT TO THE SENATE**

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

H. 3198 -- Reps. J. E. Smith, M. S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-27-115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

H. 3539 -- Reps. Rutherford and Sellers: A BILL TO AMEND SECTION 61-6-4160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO ALLOW THE SALE OF ALCOHOLIC LIQUORS ON STATEWIDE ELECTION DAYS.

H. 3626 -- Reps. Lucas, Williams, Munnerlyn, Lowe, Bannister, Finlay and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-515 SO AS TO PROVIDE THAT THE OWNER OF A "MOTORSPORTS ENTERTAINMENT COMPLEX" LOCATED IN THIS STATE OR HIS DESIGNEE MAY APPLY FOR AND BE ISSUED AN ANNUAL LICENSE WHICH AUTHORIZES THE PURCHASE, SALE, AND CONSUMPTION OF BEER AND WINE AT ANY OCCASION HELD ON THE GROUNDS OF THE COMPLEX YEAR ROUND ON ANY DAY OF THE WEEK, TO PROVIDE FOR THE TERMS AND CONDITIONS FOR THIS ANNUAL LICENSE, INCLUDING THE FEE, AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE ADMINISTRATION OF THIS LICENSE AND APPLICABLE ALCOHOLIC BEVERAGE CONTROL LAWS IN CONNECTION WITH THE USE OF THIS LICENSE; AND BY ADDING SECTION 61-6-2016 SO AS TO PROVIDE THAT THE OWNER OF A "MOTORSPORTS ENTERTAINMENT COMPLEX", OR HIS DESIGNEE, ALSO MAY BE ISSUED, UPON APPLICATION, AN ANNUAL LICENSE THAT AUTHORIZES THE PURCHASE, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK AT ANY OCCASION HELD ON THE GROUNDS OF THE COMPLEX UNDER THE SAME SPECIFIED TERMS AND CONDITIONS AS PROVIDED FOR BEER AND WINE PERMITS.

**H. 4386--SENT TO THE SENATE**

The following Bill was taken up:

H. 4386 -- Reps. Bowen, Gilliard, Felder, Southard, Kennedy, W. J. McLeod and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-5-3890 AND 56-5-3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE A COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 56-1-720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON'S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF TEXTING WHILE DRIVING; AND TO AMEND SECTION 56-5-2920, RELATING TO RECKLESS DRIVING, SO AS TO PROVIDE THAT RECKLESS DRIVING INCLUDES TEXTING WHILE DRIVING WHEN BODILY INJURY OCCURS.

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

Yeas 89; Nays 12

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowers | Branham | R. L. Brown |
| Burns | Clyburn | Cobb-Hunter |
| Cole | K. R. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Edge | Felder | Forrester |
| Funderburk | George | Gilliard |
| Govan | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Newton |
| Norman | Norrell | R. L. Ott |
| Parks | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--89**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Brannon | Clemmons |
| Gagnon | Goldfinch | Hamilton |
| Lowe | Nanney | Owens |
| Putnam | Stringer | Thayer |

**Total--12**

The Bill, as amended, was read the third time, and ordered sent to the Senate.

**H. 5077--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5077 -- Reps. Daning, Crosby, Jefferson, Rivers and Southard: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 176 IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A TO ITS INTERSECTION WITH JEDBERG ROAD "WAYLAND E. MOODY, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "WAYLAND E. MOODY, SR. HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5078--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5078 -- Reps. Funderburk, Bales and G. A. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CROSSES THE WATEREE RIVER ALONG INTERSTATE HIGHWAY 20 IN KERSHAW COUNTY THAT CONTAIN THE WORDS: "MEDAL OF HONOR BRIDGE, KERSHAW COUNTY RECIPIENTS OF THE CONGRESSIONAL MEDAL OF HONOR, JOHN C. VILLEPIGUE, RICHMOND HOBSON HILTON, AND DONALD LEROY TRUESDALE".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5079--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5079 -- Rep. Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF LEE STATE PARK ROAD FROM ITS INTERSECTION WITH THE DARLINGTON/LEE COUNTY LINE TO ITS INTERSECTION WITH THE LAMAR TOWN LIMIT "JESSE EDISON HINES, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "JESSE EDISON HINES, SR. HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5111 -- Reps. Horne, Cobb-Hunter, Skelton and J. E. Smith: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND ITS DEDICATION TO THE PREVENTION OF TEEN PREGNANCY, AND TO DECLARE THE MONTH OF MAY 2014 AS "TEEN PREGNANCY PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

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

**H. 4033--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4033 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-2426 SO AS TO PROVIDE THAT ONE-HALF OF THE PAID ADMISSIONS TO A SOCCER SPECIFIC STADIUM IS EXEMPT FROM THE ADMISSION LICENSE TAX IMPOSED PURSUANT TO SECTION 12-21-2420, AND TO DEFINE THE TERM "SOCCER SPECIFIC STADIUM".

Rep. MERRILL moved to adjourn debate on the Bill until Tuesday, April 29, which was agreed to.

**OBJECTION TO RECALL**

Rep. FORRESTER asked unanimous consent to recall H. 4346 from the Committee on Judiciary.

Rep. WILLIAMS objected.

**OBJECTION TO RECALL**

Rep. CROSBY asked unanimous consent to recall H. 3177 from the Committee on Judiciary.

Rep. BRANNON objected.

**MOTION PERIOD**

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

**H. 4454--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4454 -- Rep. Finlay: A BILL TO AMEND SECTION 8-13-1348, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF CAMPAIGN FUNDS AND THE MANNER IN WHICH EXPENDITURES OF MORE THAN TWENTY-FIVE DOLLARS MUST BE PAID, SO AS TO DELETE THE TWENTY-FIVE DOLLAR THRESHOLD, REVISE THE MANNER IN WHICH CAMPAIGN EXPENDITURES MUST BE PAID, AND REVISE PROVISIONS PERTAINING TO CAMPAIGN ACCOUNT PETTY CASH FUNDS.

Rep. K. R. CRAWFORD proposed the following Amendment No. 1 to H. 4454 (COUNCIL\NBD\4454C001.NBD.AC14), which was adopted:

Amend the bill, as and if amended, Section 8-13-1348(C), page 1, after line 42 by inserting:

/ (3) Nothing in this section applies to an expenditure of any funds not contained in a campaign bank account. /

Renumber sections to conform.

Amend title to conform.

Rep. K. R. CRAWFORD 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 104; Nays 0

Those who voted in the affirmative are:

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

**Total--104**

Those who voted in the negative are:

**Total--0**

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

**H. 4454--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 4454 be read the third time tomorrow.

**H. 4457--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4457 -- Rep. Finlay: A BILL TO AMEND SECTION 8-13-1348, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES AND OTHER RELATED PROVISIONS, SO AS TO PROVIDE THAT FINES, FEES, OR OTHER CHARGES IMPOSED BY AN APPROPRIATE SUPERVISORY OFFICE MAY NOT BE PAID FROM CAMPAIGN FUNDS.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

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

**H. 4457--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 4457 be read the third time tomorrow.

**H. 3994--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3994 -- Reps. Patrick, Owens and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA READ TO SUCCEED ACT" BY ADDING CHAPTER 155 TO TITLE 59, TO ESTABLISH WITHIN THE DEPARTMENT OF EDUCATION THE SOUTH CAROLINA READ TO SUCCEED OFFICE TO IMPLEMENT A COMPREHENSIVE, SYSTEMIC APPROACH TO READING WITH SPECIFIC OBJECTIVES, TO PROVIDE OBLIGATIONS AND REQUIREMENTS OF THE PROGRAM, AND TO PROVIDE NECESSARY DEFINITIONS, AMONG OTHER THINGS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3994 (COUNCIL\AGM\3994C001. AGM.AB14), which was adopted:

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

/ SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 155

South Carolina Read to Succeed Act

Section 59‑155‑110. There is established within the Department of Education the South Carolina Read to Succeed Office to implement a comprehensive, systemic approach to reading which will ensure that:

(1) classroom teachers, use evidence‑based reading instruction in prekindergarten through grade twelve to include oral language, phonological awareness, phonics, fluency, vocabulary, and comprehension; administer and interpret valid and reliable assessments; analyze data to inform reading instruction; and provide evidence‑based interventions as needed so that all students develop proficiency with literacy skills and comprehension;

(2) classroom teachers periodically reassess their curriculum and instruction to determine if they are helping each student progress as a proficient reader and make modifications as appropriate;

(3) each student who cannot yet comprehend grade‑level texts identified and served as early as possible and at all stages of his or her educational process;

(4) each student receives targeted, effective comprehension support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade‑level texts;

(5) each student and his parent or guardian is continuously informed in writing of:

(a) the student’s reading proficiency needs, progress, and ability to comprehend and write grade‑level text;

(b) specific actions the classroom teacher and other reading professionals have taken and will take to help the student comprehend and write grade‑level texts; and

(c) specific actions that the parent or guardian can take to help the student comprehend grade‑level texts by providing access to books, assuring time for the student to read independently, reading to students, and talking with the student about books;

(6) classroom teachers receive preservice and in‑service coursework which prepares them to help all students comprehend grade‑level text;

(7) all students develop reading and writing proficiency to prepare them to graduate and to succeed in career and post‑secondary education; and

(8) each school district and each school develops and publishes annually a comprehensive research based reading plan that includes intervention options available to students and funding for these services.

Section 59‑155‑120. As used in this chapter:

(1) ‘Department’ means the State Department of Education.

(2) ‘Board’ means the State Board of Education.

(3) ‘Readiness assessment’ means assessments used to analyze students’ literacy, mathematical, physical, social, and emotional behavioral competencies in prekindergarten or kindergarten.

(4) ‘Research based formative assessment’ means assessments used within the school year to analyze the strengths and weaknesses in reading comprehension of students individually to adapt instruction to meet individual student needs, make decisions about appropriate intervention services, and inform placement and instructional planning for the next grade level.

(5) ‘Summative assessment’ means state approved assessments administered in grades three through eight and any statewide assessment used in grades nine through twelve to determine student mastery of grade level or content standards.

(6) ‘Discipline specific literacy’ means the ability to read, write, listen, and speak across various disciplines and content areas including, but not limited to, English/language arts, science, mathematics, social studies, physical education, health, the arts, and career and technology education.

(7) ‘Reading interventions’ means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add‑on literacy endorsement or reading/literacy coaches who meet the minimum qualifications established in guidelines published by the Department of Education.

(8) ‘Reading proficiency’ means the ability of students to meet state reading standards in kindergarten through grade twelve, demonstrated by readiness, formative or summative assessments.

(9) ‘Reading proficiency skills’ means the ability to understand how written language works at the word, sentence, paragraph, and text level and mastery of the skills, strategies, and oral and written language needed to comprehend grade appropriate texts.

(10) ‘Third grade reading proficiency’ means the ability to read grade‑level texts by the end of a student’s third grade year as demonstrated by the results of state approved assessments administered to third grade students, or through other assessments as noted in this chapter and adopted by the board.

(11) ‘Substantially fails to demonstrate third‑grade reading proficiency’ means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the statewide summative reading assessment that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS).

(12) ‘Summer reading camp’ means an educational program offered in the summer by each local school district for students who are unable to comprehend grade‑level text.

(13) ‘Reading portfolio’ means an organized collection of evidence and assessments documenting that the student has demonstrated mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment.

(14) ‘Writing proficiency skills’ means the ability to communicate information, analysis, and persuasive points of view effectively in writing.

Section 59‑155‑130. The Read to Succeed Office must guide and support districts and collaborate with university teacher training programs to increase reading proficiency through the following functions including, but not limited to:

(1) providing professional development to teachers, school principals, and other administrative staff on reading and writing instruction and reading assessment that informs instruction;

(2) providing professional development to teachers, school principals, and other administrative staff on reading and writing in content areas;

(3) working collaboratively with institutions of higher learning offering courses in reading and writing and those institutions of higher education offering accredited master’s degrees in reading‑literacy to design coursework leading to a literacy teacher add‑on endorsement by the State;

(4) providing professional development in reading coaching for already certified literacy coaches and literacy teachers;

(5) developing information and resources that school districts can use to provide workshops for parents about how they can support their children as readers and writers;

(6) assisting school districts in the development and implementation of their district reading proficiency plans for research‑based reading instruction programs and to assist each of their schools to develop its own implementation plan aligned with the district and state plans;

(7) annually designing content and questions for and review and approve the reading proficiency plan of each district;

(8) monitor and report to the State Board of Education the yearly success rate of summer reading camps. Districts must provide statistical data to include the:

(a) number of students enrolled in camps;

(b) number of students by grade level who successfully complete the camps;

(c) number of third‑graders promoted to fourth grade;

(d) number of third‑graders retained; and

(e) total expenditure made on operating the camps by source of funds to include in‑kind donations; and

(9) provide an annual report to the General Assembly regarding the implementation of the South Carolina Read to Succeed Act and the State’s and districts’ progress toward ensuring that ninety‑five percent of all students are reading at grade level.

Section 59‑155‑140. (A)(1) The department, with approval by the State Board of Education, will develop, implement, evaluate, and continuously refine a comprehensive state plan to improve reading achievement in public schools. The State Reading Proficiency Plan must be approved by the board by February 1, 2015, and must include, but not be limited to, sections addressing the following components:

(a) reading process;

(b) professional development to increase teacher reading expertise;

(c) professional development to increase reading expertise and literacy leadership of principals and assistant principals;

(d) reading instruction;

(e) reading assessment;

(f) discipline specific literacy;

(g) writing proficiency skills;

(h) support for struggling readers;

(i) early childhood interventions;

(j) family support of literacy development;

(k) district guidance and support for reading proficiency;

(l) state guidance and support for reading proficiency;

(m) accountability; and

(n) urgency to improve reading proficiency.

(2) The plan must be based on reading research and proven effective practices, applied to the conditions prevailing in reading‑literacy education in this State, with special emphasis on addressing instructional and institutional deficiencies that can be remedied through faithful implementation of research‑based practices. The plan must provide standards, format, and guidance for districts to use to develop and annually update their plans as well as to present and explain the research based rationale for state level actions to be taken. The plan must be updated annually and must incorporate a state reading proficiency progress report.

(3) The plan must include specific details and explanations for all substantial uses of state, local, and federal funds promoting reading literacy and best judgment estimates of the cost of research supported, thoroughly analyzed proposals for initiation, expansion, or modification of major funding programs addressing reading and writing. Analyses of funding requirements must be prepared by the department for incorporation into the plan.

(B)(1) Beginning in Fiscal Year 2015‑2016, each district must prepare a comprehensive annual reading proficiency plan for prekindergarten through twelfth grade consistent with the plan by responding to questions and presenting specific information and data in a format specified by the Read to Succeed Office. Each district’s PK‑12 reading proficiency plan must present the rationale and details of its blueprint for action and support at the district, school, and classroom levels. Each district should develop a comprehensive plan for supporting the progress of students as readers and writers, monitoring the impact of its plan, and using data to make improvements and to inform its plan for the subsequent years. The model district plan piloted in school districts in 2013‑2014 and revised based on the input of districts will be used as the initial district reading plan template implemented in Fiscal Year 2015‑2016.

(2) Each district PK‑12 reading proficiency plan shall:

(a) document the reading and writing assessment and instruction planned for all prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade‑level texts. Supplemental instruction should be provided by teachers who have a literacy teacher add‑on endorsement or by reading/literacy coaches and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or both;

(b) include a system for helping parents understand how they can support the student as a reader at home;

(c) provide for the monitoring of reading achievement and growth at the classroom, school and district levels with decisions about intervention based on all available data.

(d) ensure that students are provided with wide selections of texts over a wide range of genres and written on a wide range of reading levels to match the reading levels of students;

(e) provide teacher training in reading and writing instruction; and

(f) include strategically planned and developed partnerships with county libraries, state and local arts organizations, volunteers, social organizations and school media specialists to promote reading.

(3)(a) The Read to Succeed Office shall develop the format for the plan and the deadline for districts to submit their plans to the office for approval. A school district that does not submit a plan or whose plan is not approved will receive no state funds for reading until it submits a plan that is approved. All district reading plans must be reviewed and approved by the Read to Succeed Office. The office will provide written comments to each district on its plan and to all districts on common issues raised in prior or newly submitted district reading plans.

(b) The Read to Succeed Office will monitor the district and school plans and use their findings to inform the training and support the office provides to districts and schools.

(c) The Read to Succeed Office may direct a district that is persistently unable to prepare an acceptable PK‑12 reading proficiency plan or to help all students comprehend grade‑level texts to enter into a multi district or contractual arrangement to develop an effective intervention plan.

(C) Each school must prepare an implementation plan aligned with the plan of its district to enable the district to monitor and support implementation at the school level. The school plan should be a component of the school’s strategic plan required by Section 59‑18‑1310. A school plan should be sufficiently detailed to provide practical guidance for classroom teachers. Proposed strategies for assessment, instruction, and other activities specified in the school plan must be sufficient to provide to classroom teachers and other instructional staff helpful guidance that can be related to the critical reading and writing needs of students in the school. In consultation with the School Improvement Council, each school must include in its plan the training and support that will be provided to parents as needed to maximize their promotion of reading and writing by students at home and in the community.

Section 59‑155‑150. (A) The State Board of Education shall ensure that every student entering the public schools for the first time in prekindergarten and kindergarten will be administered a readiness assessment by the forty‑fifth day of the school year. The assessment must assess each child’s early language and literacy development, mathematical thinking, physical wellbeing, and social emotional development. The assessment may include multiple assessments, all of which must be approved by the board. The approved assessments of academic readiness must be aligned with first and second grade standards for English language arts and mathematics. The purpose of the assessment is to provide teachers and parents or guardians with information to address the readiness needs of each student, especially by identifying language, cognitive, social, emotional, and health problems, and concerning appropriate instruction and support for each child. The results of the assessments and the developmental intervention strategies recommended to address the child’s identified needs must be provided, in writing, to the parent or guardian. Reading instructional strategies and developmental activities for children whose oral language skills are assessed to be below the norm for their peers in the State must be aligned with the district’s reading proficiency plan for addressing the readiness needs of each student. The results of each assessment also must be reported to the Read to Succeed Office through an electronic information system.

(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon formal diagnostic assessments or through teacher observations, must be provided intensive in‑class and supplemental reading intervention and immediately upon determination. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district’s reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and writing instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write grade‑level text independently. In addition, the parent or guardian of the student must be notified in writing of the child’s inability to read grade‑level texts during and at the end of the planned interventions. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office for individually identified students.

(C) Programs that focus on early childhood literacy development in the State are required to promote:

(1) parent training and support for parent involvement in developing children’s literacy; and

(2) development of oral language, print awareness, and emergent writing; and are encouraged to promote community literacy including, but not limited to, primary health care providers, faith based organizations, county libraries, and service organizations.

(3) Districts that fail to provide reports on summer reading camps pursuant to Section 59‑15‑130(8) are ineligible to receive state funding for summer reading camps for the following fiscal year; however, districts must continue to operate summer reading camps as defined in this act.

Section 59‑155‑160. (A) Beginning with the 2017‑2018 school year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the state summative reading assessment that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS). A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;

(2) with disabilities whose individualized education plan indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose individual education plan or Section 504 plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

(3) who demonstrate third grade reading proficiency on an alternative assessment approved by the board and which teachers may administer following the administration of the state assessment of reading and after a student’s participation in a summer reading camp;

(4) who have received two years of reading intervention and were previously retained; and

(5) who through a reading portfolio document the student’s mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment. Such evidence must be an organized collection of the student’s mastery of the State’s English/language arts standards that are assessed by the Grade Three state reading assessment. The student portfolio must meet the following criteria:

(a) be selected by the student’s English/language arts teacher or summer reading camp instructor;

(b) be an accurate picture of the student’s ability and include only student work that has been independently produced in the classroom;

(c) include evidence that the benchmarks assessed by the Grade Three state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district’s or school’s adopted core reading curriculum that are aligned with the State English/language arts standards or teacher‑prepared assessments;

(d) be an organized collection of evidence of the student’s mastery of the English/language arts state standards that are assessed by the Grade Three state reading assessment. For each benchmark, there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and

(e) be signed by the teacher and the principal as an accurate assessment of the required reading skills.

(B) The superintendent of the local school district must determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for exemption must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate. This evidence must be limited to the individual education program, alternative assessments or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion to the district superintendent for final determination.

(3) The district superintendent’s acceptance or rejection of the recommendation must be in writing and a copy must be provided to the parent or guardian of the child.

(C) Students scoring at the lowest achievement level on the statewide summative reading assessment may enroll in a summer camp prior to being retained the following school year. Summer camps must be six to eight weeks long for four or five days each week and include at least four hours of instructional time daily. The camps must be taught by compensated teachers who have at least a Literacy Endorsement add‑on and who have demonstrated substantial success in helping students comprehend grade‑level texts. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student’s participation in the summer camp. A district may offer summer reading camps for students who are not exhibiting reading proficiency in prekindergarten through second grade. The district may charge fees based on a sliding scale pursuant to Section 59‑19‑90. Students who demonstrate third grade reading proficiency through an alternative assessment or student reading portfolio after completing the summer reading camp qualify for good cause exemptions specified in Section 59‑155‑160 and promotion to the fourth grade.

(D) Retained students must be provided intensive instructional services and supports including a minimum of ninety minutes of daily reading and writing instruction, supplemental instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher‑student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The school must report to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(E) If the student is not demonstrating third‑grade reading proficiency by the end of third grade, his parent or guardian must be notified in a timely manner and in writing, that the student will be retained unless exempted from mandatory retention for good cause. The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The written notification must include a description of the proposed reading interventions that will be provided to help the student comprehend grade‑level texts. The parent, guardian, or other education advocate must receive written reports at least monthly on the student’s progress towards being able to read grade‑level texts based upon the student’s classroom work, observations, tests, assessment, and other information. The parent, guardian, or other education advocate also must be provided with a plan for promoting reading at home, including participation in shared or guided reading workshops for the parent, guardian, or other family members. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in evidenced‑based services outside the instructional day.

(F) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions will be provided in the classroom and supplementally by teachers with a Literacy Teacher add‑on endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school in book clubs or through a summer reading camp.

Section 59‑155‑170. (A) To help students develop and apply their reading and writing skills across the school day in all the academic disciplines, including, but not limited to, English/language arts, mathematics, science, social studies, art, career and technology education, and physical and health education, teachers of these content areas at all grade levels must focus on helping students comprehend print and non‑print texts authentic to the content area. The Read to Succeed Program is intended to institutionalize in public schools a comprehensive system to promote high achievement in the content areas described in this chapter through extensive reading and writing. Research‑based practices must be employed to promote comprehension skills through, but not limited to:

(1) vocabulary;

(2) connotation of words;

(3) connotations of words in context with adjoining or prior text;

(4) concepts from prior text;

(5) personal background knowledge;

(6) ability to interpret meaning through sentence structure features;

(7) questioning;

(8) visualization; and

(9) discussion of text with peers.

(B) These practices must be mastered by teachers through high quality training and addressed through well‑designed and effectively executed assessment and instruction implemented with fidelity to research‑based instructional practices presented in the state, district, and school reading plans. All teachers, administrators, and support staff must be trained adequately in reading comprehension in order to perform effectively their roles enabling each student to become proficient in content area reading and writing.

(C) During the 2014‑2015 school year, the Read to Succeed Office will establish a set of essential competencies that describe what certified teachers at the early childhood, elementary, middle, or secondary levels must know and be able to do so that all students can comprehend grade‑level texts. These competencies, developed collaboratively with faculty of higher education institutions and based on research and national standards, must then be incorporated into the coursework required by Section 59‑155‑180. The Read to Succeed Office, in collaboration with South Carolina Educational Television, shall provide professional development courses to ensure that educators have access to multiple avenues of receiving endorsements.

Section 59‑155‑180. (A) As a student progresses through school, reading comprehension in content areas such as science, mathematics, social studies, English/language arts, career and technology education, and the arts is critical to the student’s academic success. Therefore, to improve the academic success of all students in prekindergarten through twelfth grade, the State will strengthen its preservice and inservice teacher education programs.

(B)(1) Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 school year, all pre‑service teacher education programs including Master of Arts in Teaching degree programs must require all candidates seeking certification at the early childhood or elementary level to complete a twelve‑credit hour sequence in literacy that includes a school‑based practicum and ensures that candidates grasp the theory, research and practices that support and guide the teaching of reading. The six components of the reading process that are comprehension, oral language, phonological awareness, phonics, fluency, and vocabulary will provide the focus for this sequence to ensure that all teacher candidates are skilled in diagnosing a child’s reading problems and are capable of providing effective intervention. All teacher preparation programs must be approved for licensure by the State Department of Education to ensure that all teacher education candidates possess the knowledge and skills to assist effectively all children in becoming proficient readers. The General Assembly is not mandating an increase in the number of credit hours required for teacher candidates, but is requiring that pre‑service teacher education programs prioritize its mission and resources so all early and elementary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(2) Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 school year, all pre‑service teacher education programs, including Master of Arts in Teaching degree programs, must require all candidates seeking certification at the middle or secondary level to complete a six‑credit hour sequence in literacy that includes a course in the foundations of literacy and a course in content‑area reading. All middle and secondary teacher preparation programs are to be approved by the Read to Succeed Office to ensure that all teacher candidates possess the necessary knowledge and skills to assist effectively all adolescents in becoming proficient readers.

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children and adolescents in becoming proficient readers, multiple pathways are needed for developing this capacity.

(2)(a) Reading/literacy coaches employed in schools will serve as job‑embedded, stable resources for professional development through a school to foster improving in reading instruction and student reading achievement. Beginning in 2015‑2016 reading/literacy coaches are required to earn the add‑on certification within six years by taking the courses as required by the department for the add‑on endorsement. Reading/literacy coaches will support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading/literacy coach will:

(i) model effective instructional strategies for teachers;

(ii) facilitate study groups;

(iii) train teachers in data analysis and using data to differentiate instruction; coaching and mentoring colleagues;

(iv) work with teachers to ensure that research‑based reading programs are implemented with fidelity; and

(v) help lead and support reading leadership teams.

(b) The reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the role of improving reading instruction and reading performance of students.

(3) Beginning in 2015‑2016, early childhood and elementary education certified classroom teachers, reading interventionists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their low reading and writing proficiency skills are required to earn the literacy teacher add‑on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, consistent with existing recertification requirements. The courses leading to the endorsement must be approved by the State Board of Education and must include classes in foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand‑alone practicum. Whenever possible, these courses must be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add‑on reading teacher certification can take a content area reading course to obtain their literacy teacher add‑on endorsement. Teachers who have earned a masters degree or doctorate degree in reading, who have earned a literacy teacher add‑on endorsement, or who have completed an intensive, prolonged professional development program like Reading Recovery or another program that are approved by the State Board of Education in regulation are exempt from this requirement.

(4) Beginning in 2015‑2016, middle and secondary certified classroom teachers are required to take at least two courses or six credit hours, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, to improve reading instruction within five years of their most recent certification. The courses must be approved by the State Board of Education and include courses leading to the literacy teacher add‑on endorsement. Coursework in reading must include a course in reading in the content areas. Whenever possible, these courses will be offered at a professional development rate which is lower than the certified teacher rate. Only certified teachers who have earned a masters degree or doctorate degree in reading, who have earned a literacy teacher add‑on endorsement, or who have completed an intensive, prolonged professional development program like Reading Recovery or another program as approved by the State Board of Education in regulation are exempt from this requirement.

(5) Beginning in 2015‑2016, principals and administrators who are responsible for reading instruction or intervention and school psychologists in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office. The course or professional development must include information about reading processes, instruction, and assessment or content area literacy and must be approved by the Read to Succeed Office.

(6) Beginning in 2015‑2016, reading/literacy coaches are required to earn the add‑on certification within six years by taking the courses as required by the department for the add‑on.

Section 59‑155‑190. Local school districts are encouraged to create family school community partnerships that focus on increasing the volume of reading, in school and at home, during the year and at home and in the community over the summer. Schools and districts should partner with county libraries, community organizations, local arts organizations, faith‑based institutions, pediatric and family practice medical personnel, businesses, and other groups to provide volunteers, mentors, or tutors to assist with the provision of instructional supports, services, and books that enhance reading development and proficiency. A district shall include specific actions taken to accomplish the requirements of this section in its reading proficiency plan.

Section 59‑155‑200. The Read to Succeed Office and each school district must plan for and act decisively to engage the families of students as full participating partners in promoting the reading and writing habits and skills of their children. With support from the Read to Succeed Office, districts and individual schools shall provide families with helpful information about how they can support this progress. This family support must include providing time for their child to read as well as reading to the child. To ensure that all families have access to a considerable number and diverse range of books appealing to their children, schools should develop plans for enhancing home libraries and for accessing books from county libraries and school libraries and to inform families about their child’s ability to comprehend grade‑level texts and how to interpret information about reading that is sent home. The districts and schools shall help families learn about reading and writing through home visits, open houses, South Carolina ETV, video and audio tapes, websites, and school‑family events and collaborations that help link home and school. The information should enable family members to understand the reading and writing skills required for graduation and essential for success in a career.

Section 59‑155‑210. The board and department shall translate the statutory requirements for reading and writing specified in this act into standards, practices, and procedures for school districts, boards, and their employees and for other organizations as appropriate. In this effort they will solicit the advice of education stakeholders who have a deep understanding of reading as well as school boards, administrators, and others who play key roles in facilitating support for and implementation of effective reading instruction.”

SECTION 2. This act takes effect upon approval by the Governor and is subject to the availability of state funding. /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

The amendment was then adopted.

Rep. WOOD proposed the following Amendment No. 2 to H. 3994 (COUNCIL\NBD\3994C001.NBD.AC14), which was adopted:

Amend the bill, as and if amended, Section 59-155-180(C)(3) on page 3994-14, line 35 by deleting /two courses or six credit hours/ and inserting / one course or three credit hours /

Renumber sections to conform.

Amend title to conform.

Rep. WOOD explained the amendment.

Rep. PATRICK moved to table the amendment.

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

Yeas 1; Nays 97

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Patrick |  |  |

**Total--1**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| R. L. Brown | Burns | Clemmons |
| Cole | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardwick |
| Hayes | Henderson | Herbkersman |
| Hiott | Horne | Hosey |
| Huggins | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Newton | Norman |
| Norrell | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--97**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

Reps. ROBINSON‑SIMPSON and J. E. SMITH proposed the following Amendment No. 3 to H. 3994 (COUNCIL\AGM\3994C002. AGM.AB14), which was tabled:

Amend the bill, as and if amended, Section 59‑155‑130(8), as contained in SECTION 1, by deleting the item in its entirety and inserting:

/ (8) monitor and report to the State Board of Education the yearly success rate of summer reading camps. Districts must provide statistical data to include the:

(a) number of students enrolled in camps;

(b) number of students by grade level who successfully complete the camps; and

(c) total expenditure made on operating the camps by source of funds to include in‑kind donations; and /

Amend the bill further, Section 59‑155‑160, as contained in SECTION 1, by deleting the section in its entirety and inserting:

/ Section 59‑155‑160. (A) Students scoring at the lowest achievement level on the statewide summative reading assessment may enroll in a summer camp prior to the following school year. Summer camps must be six to eight weeks long for four or five days each week and include at least four hours of instructional time daily. The camps must be taught by compensated teachers who have at least a Literacy Endorsement add‑on and who have demonstrated substantial success in helping students comprehend grade‑level texts. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student’s participation in the summer camp. A district may offer summer reading camps for students who are not exhibiting reading proficiency in prekindergarten through second grade. The district may charge fees based on a sliding scale pursuant to Section 59‑19‑90.

(B) Students scoring at the lowest achieved level on the statewide summative reading assessment must be provided intensive instructional services and supports including a minimum of ninety minutes of daily reading and writing instruction, supplemental instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher‑student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The school must report to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(C) If the student is not demonstrating third‑grade reading proficiency by the end of third grade, his parent or guardian must be notified of this in a timely manner and in writing. The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The written notification must include a description of the proposed reading interventions that will be provided to help the student comprehend grade‑level texts. The parent, guardian, or other education advocate must receive written reports at least monthly on the student’s progress towards being able to read grade‑level texts based upon the student’s classroom work, observations, tests, assessment, and other information. The parent, guardian, or other education advocate also must be provided with a plan for promoting reading at home, including participation in shared or guided reading workshops for the parent, guardian, or other family members. The parent or guardian must be offered supplemental tutoring for the student in evidenced‑based services outside the instructional day.

(D) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions will be provided in the classroom and supplementally by teachers with a Literacy Teacher add‑on endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school in book clubs or through a summer reading camp. /

Renumber sections to conform.

Amend title to conform.

Rep. ROBINSON-SIMPSON explained the amendment.

Rep. OWENS moved to table the amendment.

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

Yeas 72; Nays 28

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Brannon |
| Clemmons | Cole | K. R. Crawford |
| Crosby | Daning | Delleney |
| Edge | Felder | Forrester |
| Gagnon | George | Goldfinch |
| Hamilton | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Merrill | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Owens | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--72**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Branham | R. L. Brown |
| Clyburn | Dillard | Douglas |
| Funderburk | Gilliard | Govan |
| Hodges | Hosey | Jefferson |
| King | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Neal |
| Norrell | R. L. Ott | Parks |
| Ridgeway | Robinson-Simpson | Weeks |
| Williams |  |  |

**Total--28**

So, the amendment was tabled.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| Brannon | R. L. Brown | Burns |
| Clemmons | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardwick | Harrell | Hayes |
| Henderson | Hiott | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--95**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Neal |  |  |

**Total--1**

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

**H. 3994--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. PATRICK, with unanimous consent, it was ordered that H. 3994 be read the third time tomorrow.

**S. 839--DEBATE ADJOURNED**

The following Bill was taken up:

S. 839 -- Senators Bryant, Bright and Davis: A BILL TO AMEND TITLE 46 OF THE 1976 CODE, RELATING TO AGRICULTURE, BY ADDING CHAPTER 55 CONCERNING INDUSTRIAL HEMP; TO PROVIDE THAT IT IS LAWFUL TO GROW INDUSTRIAL HEMP IN THIS STATE; TO CLARIFY THAT INDUSTRIAL HEMP IS EXCLUDED FROM THE DEFINITION OF MARIJUANA; TO PROHIBIT GROWING INDUSTRIAL HEMP AND MARIJUANA ON THE SAME PROPERTY OR OTHERWISE GROWING MARIJUANA IN CLOSE PROXIMITY TO INDUSTRIAL HEMP TO DISGUISE THE MARIJUANA GROWTH; AND TO DEFINE NECESSARY TERMS.

Rep. HARDWICK moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**S. 986--DEBATE ADJOURNED**

The following Bill was taken up:

S. 986 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-90 OF THE 1976 CODE, RELATING TO HUNTING, FISHING, OR TRAPPING WITHOUT CONSENT ON THE LAND OF OTHERS, TO INCREASE THE PENALTIES FOR THESE OFFENSES.

Rep. HARDWICK moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**H. 4839--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4839 -- Reps. Pitts, Goldfinch, Spires, Finlay, Gagnon, Hosey, Lowe, McCoy, Putnam, Ridgeway, Ryhal, Thayer, White, Whitmire, Willis and Vick: A BILL TO AMEND SECTION 50-1-60, AS AMENDED, SECTIONS 50-11-120, 50-11-150, AND SECTIONS 50-11-310, 50-11-335, 50-11-430, ALL AS AMENDED, RELATING TO THE DIVISION OF THE STATE INTO GAME ZONES, SMALL GAME SEASONS, SMALL GAME BAG LIMITS, THE OPEN SEASON FOR ANTLERED DEER, THE BAG LIMIT ON ANTLERED DEER, AND BEAR HUNTING, SO AS TO DECREASE THE NUMBER OF GAME ZONES, REVISE THE DATES FOR THE VARIOUS SMALL GAME SEASONS, TO REVISE THE SMALL GAME BAG LIMITS FOR THE VARIOUS GAME ZONES, REVISE THE DATES FOR THE VARIOUS ANTLERED DEER OPEN SEASON; AND TO REPEAL SECTION 50-11-2110, RELATING TO FIELD TRIALS IN AND PERMIT FOR GAME ZONE NINE.

Rep. HARDWICK moved to adjourn debate on the Bill until Tuesday, May 6, which was agreed to.

**H. 4791--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4791 -- Reps. G. R. Smith, Rutherford, Bedingfield, Atwater, Putnam, Southard, Knight, Jefferson, Bowers, J. R. Smith, Hamilton, Bingham, McCoy, Willis, Quinn, Newton, Norrell, Bannister, Burns, Chumley, Delleney, Forrester, Harrell, Henderson, Hixon, Kennedy, Loftis, Lowe, Lucas, V. S. Moss, Owens, Pitts, Sandifer, Simrill, G. M. Smith, Stringer, White, Whitmire, Williams and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC DATA PRIVACY PROTECTION ACT" BY ADDING CHAPTER 53 TO TITLE 23, SO AS TO PROVIDE THAT AN ENTITY MAY NOT SEARCH AN ELECTRONIC DEVICE WITHOUT A SEARCH WARRANT, TO

PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS.

Rep. G. R. SMITH moved to adjourn debate on the Bill until Tuesday, April 29, which was agreed to.

**H. 4665--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

Rep. WHITE moved to adjourn debate on the Bill until Tuesday, April 29, which was agreed to.

**H. 3893--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3893 -- Reps. Bedingfield, G. R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson and Rivers: A BILL TO AMEND SECTION 59-18-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

**POINT OF ORDER**

Rep. SKELTON 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. BEDINGFIELD moved to waive Rule 5.15, which was agreed to by a division vote of 57 to 20.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3893 (COUNCIL\AGM\3893C001. AGM.AB14), which was adopted:

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

/ SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 code is amended by adding:

“Section 59‑1‑490. (A) The provisions of this section must be known and may be cited as the ‘South Carolina Department of Education Data Use and Governance Policy’.

(B) The policy of the State Department of Education with respect to use and governance of student data is to ensure that all data collected, managed, stored, transmitted, used, reported, and destroyed by the department is done so in a way to preserve and protect individual and collective privacy rights and ensure confidentiality and security of collected data. In developing this policy, the State strives to:

(1) maintain compliance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Section 1232g, at a minimum; and

(2) be mindful that the appropriate use of data is essential to accelerating student learning, program and financial effectiveness and efficiency, and policy development.

(C) The State Department of Education shall not collect individual student data directly from students or families, except as required to meet its obligations under the Individuals with Disabilities Education Act. Each student is assigned a unique student identifier upon enrollment into the student management system to ensure compliance with the privacy rights of the student and his parents or guardians. No personally identifiable individual student data may be shared in federally required reporting.

(D) All data elements collected and transferred from the State Department of Education to the United States Department of Education must be based on the reporting requirements contained in EDFacts as provided by the United States Department of Education, or other federal laws and regulations and may include only aggregated data with no personally identifiable data.

(E) Data collected by the State Department of Education must be maintained within a secure infrastructure environment. Access to this data must be limited to pre‑identified staff who are granted clearance related to their job responsibilities of federal reporting, state financial management, program assessment, and policy development. Training in data security and student privacy laws must be provided to these specific individuals on a regular basis in order to maintain their data use clearance along with a signed Data Use Policy assurance of confidentiality and privacy.

(F) The State Department of Education shall maintain a managed external data request procedure managed through a Data Governance Committee. Each external data request is measured against a pre‑determined set of qualifiers that includes, but must not limited to, applicability to the goals of the South Carolina State Board of Education, data availability, report format ability, cost of report development, and adherence to FERPA requirements.

(G) Each school district in this State shall adopt, maintain, and comply with a locally adopted student records governance and use policy. These policies and their implementation shall be monitored by the State Department of Education in a manner prescribed by the department through policy.”

SECTION 2. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑355. (A)(1) A revision to a state content standard recommended pursuant to Section 59‑18‑350(A), as well as a new standard or a change in a current standard that the State Board of Education otherwise considers for approval as an accountability measure, may not be adopted and implemented without the:

(a) advice and consent of the Education Oversight Committee; and

(b) approval by a Joint Resolution of the General Assembly.

(2) General Assembly approval required by item (1)(b) does not apply to a revision recommended pursuant to Section 59‑18‑350(A), other approval of a new standard, and other changes to an old standard if the revision, new standard, or changed standard is developed by the State Department of Education.

(B) A revision to an assessment recommended pursuant to Section 59‑18‑350(A), as well as a new assessment or a change in a current assessment that the State Board of Education otherwise considers for approval as an accountability measure, may not be adopted and implemented without the advice and consent of the Education Oversight Committee.

(C) Upon initiating a change to an existing standard, including a cyclical review, the Education Oversight Committee and the Department of Education shall provide notice of their plans and intent to the General Assembly and the Governor.

(D) Nothing in this section may be interpreted to prevent the Department of Education, Board of Education, and Education Oversight Committee from considering best practices in education standards and assessments while developing its own standards and assessments.”

SECTION 3. Section 59‑18‑310(B) of the 1976 Code is amended to read:

“(B) The statewide assessment program must include the subjects of English/language arts, mathematics, science, and social studies in grades three through eight, as delineated in Section 59‑18‑320(B), to be first administered in 2009, ~~an exit examination in English/language arts and mathematics to be first administered in a student’s second year of high school enrollment beginning with grade nine,~~ and end‑of‑course tests for gateway courses awarded units of credit in English/language arts, mathematics, science, and social studies. Student performance targets must be established following the 2009 administration. The assessment program must be used for school and school district accountability purposes beginning with the 2008‑2009 school year. The publication of the annual school and school district report card may be delayed for the 2008‑2009 school year until no later than February 15, 2010. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and State Regulation to earn a South Carolina high school diploma.”

SECTION 4. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑325. (A) With the approval of the State Board of Education and the Education Oversight Committee, the South Carolina Department of Education will administer in school year 2014‑2015 a summative assessment and optional interim formative assessments as defined in Section 59‑18‑310 to students in grades three through eight that assesses students in English/language arts and math. The summative assessment, provided by a vendor which is procured by the South Carolina Department of Education under emergency procurement regulations, if needed, must meet the following requirements:

(1) be a vertically‑articulated, benchmarked, standards‑based system of summative assessments;

(2) document student progress toward national college and career benchmarks derived from empirical research evidence and state standards;

(3) be available in paper‑and‑pencil and computer‑based formats by 2015‑2016; and,

(4) be anchored to a national college readiness assessment already used in the state.

The Department will also administer state‑developed or adopted and approved assessments in social studies and science to all students in grades four through eight.

(B) All students entering the eleventh grade for the first time in school year 2014‑2015 and subsequent years, will be administered a career readiness assessment and a college readiness assessment as required by the Elementary and Secondary Education Act and that are provided by vendors procured by the department. The results of the assessments will be provided to each student, to the school and to the state in order to:

(1) assist students, parents, teachers, and guidance counselors in developing individual graduation plans and in selecting courses aligned with each student’s future ambitions;

(2) promote South Carolina’s Work Ready Communities initiative; and

(3) meet federal and state accountability requirements.

Students may then use the results of these assessments to apply to college or to enter careers. The results must be added as part of each student’s permanent record and maintained at the South Carolina Department of Education for at least ten years. The results will also provide instructional information to assist students, parents and teachers to plan for each student’s course selection which might include remediation courses, dual‑enrollment courses, Advanced Placement courses, internships, or other options during the remaining semesters in high school.

(C) The South Carolina Department of Education will provide to the Education Oversight Committee student performance results on assessments authorized in this section and end‑of‑course assessments in a format agreed upon by both the department and the committee and within thirty days of the data being provided to the school districts. The committee will use the results of these assessments in school year 2014‑2015 and in 2015‑2016 to report on student academic performance in each school and district pursuant to Section 59‑18‑900. However, the committee may not determine state ratings for schools or districts using the results of these new assessments pursuant to Section 59‑18‑900 until after the conclusion of the 2015‑2016 school year for public reporting beginning in the fall of 2016. The committee will also develop and recommend a single accountability system that meets federal and state accountability requirements by the fall of 2016.

(D) The South Carolina Department of Education shall submit a plan for approval and implementation to the Education Oversight Committee and the State Board of Education to mitigate the impact that changes in assessments are projected to have on teacher evaluation systems. If such an impact can be reasonably mitigated by delaying evaluations the department shall seek a waiver if necessary for federal approval.

(E) After school year 2014‑2015 when standards are revised, the department and committee shall approve assessments pursuant to Section 59‑18‑320.”

SECTION 5. Section 59‑18‑350 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

“Section 59‑18‑350. (A) The State Board of Education, in consultation with the Education Oversight Committee, shall provide for a cyclical review by academic area of the state standards and assessments to ensure that the standards and assessments are maintaining high expectations for learning and teaching. At a minimum, each academic area should be reviewed and updated every seven years. After each academic area is reviewed, a report on the recommended revisions must be presented to the Education Oversight Committee and the State Board of Education for consideration. ~~After approval by the Education Oversight Committee and the State Board of Education, the recommendations may be implemented. However,~~ The previous content standards shall remain in effect until ~~approval has been given by both entities~~ the recommended revisions are adopted pursuant to Section 59‑18‑355. As a part of the review, a task force of parents, business and industry persons, community leaders, and educators, to include special education teachers, shall examine the standards and assessment system to determine rigor and relevancy.

(B) Upon approval of this act, the cyclical review shall be performed pursuant to subsection (A) for English/language arts and Mathematics state standards not developed by the South Carolina Department of Education. The review must be completed no later than July 1, 2016.

(~~B~~C) The State Department of Education annually shall convene a team of curriculum experts to analyze the results of the assessments, including performance item by item. This analysis must yield a plan for disseminating additional information about the assessment results and instruction and the information must be disseminated to districts not later than January fifteenth of the subsequent year.”

SECTION 6. Section 59‑18‑950 of the 1976 Code is amended to read:

“Section 59‑18‑950. Notwithstanding another provision of law to the contrary, the Education Oversight Committee may base ratings for school districts and high schools on criteria that include graduation rates~~, exit examination performance,~~ and other criteria identified by technical experts and appropriate groups of educators and workforce advocates.”

SECTION 7. Section 59‑48‑35 of the 1976 Code is amended to read:

“Section 59‑48‑35. The students enrolled in the Special School of Science and Mathematics who earn a total of twenty units of credit distributed as specified in the Defined Minimum Program for South Carolina school districts, ~~who pass the exit examination described in Section 59‑30‑10(f),~~ and who meet the school’s requirements for graduation, are eligible to receive a state high school diploma. The board of the Special School, in its discretion, may issue its own high school diploma.”

SECTION 8. Upon passage of this legislation, South Carolina will no longer be a governing or advisory state in the Smarter Balanced Assessment Consortium. Furthermore, the State of South Carolina may not adopt or administer the Smarter Balanced Assessment.

SECTION 9. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

Rep. PATRICK spoke in favor of the amendment.

Rep. BRANNON moved to table the amendment.

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

Yeas 32; Nays 73

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bernstein | Branham | Brannon |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Douglas | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Knight | McEachern | M. S. McLeod |
| W. J. McLeod | Munnerlyn | Neal |
| R. L. Ott | Parks | Ridgeway |
| Robinson-Simpson | Rutherford | J. E. Smith |
| Stavrinakis | Weeks |  |

**Total--32**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Burns | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Edge |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Goldfinch |
| Hamilton | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Horne | Huggins | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Merrill |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Norrell |
| Owens | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--73**

So, the House refused to table the amendment.

The question then recurred to the adoption of 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 89; Nays 9

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Burns | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Edge | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Goldfinch |
| Govan | Hamilton | Hardwick |
| Henderson | Herbkersman | Hiott |
| Hodges | Horne | Huggins |
| Jefferson | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | Merrill | V. S. Moss |
| Murphy | Nanney | Newton |
| Norman | Norrell | Owens |
| Parks | Patrick | Pitts |
| Pope | 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 | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis | Wood |  |

**Total--89**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Branham |
| Brannon | R. L. Brown | Dillard |
| Douglas | Gilliard | Hayes |

**Total--9**

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

**H. 3893--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. PATRICK, with unanimous consent, it was ordered that H. 3893 be read the third time tomorrow.

**H. 4997--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4997 -- Reps. Herbkersman, Bowers, Owens, Simrill, Branham, G. M. Smith, Burns, Alexander, Hiott, Whipper, Douglas, Allison, Limehouse, Lowe, George, Bales, R. L. Brown, Gagnon, Hayes, Hodges, Hosey, W. J. McLeod, Murphy, Sabb, Sandifer and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-415 SO AS TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE ISSUED AFTER JANUARY 1, 2015, MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450, RELATING TO THE NONAPPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS SALVAGE MOTOR VEHICLES, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE PROVISIONS THAT REQUIRE AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE TO COMPLETE CERTAIN EDUCATION REQUIREMENTS ALSO DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 4997 (COUNCIL\SWB\4997C002. SWB.CM14), which was adopted:

Amend the bill, as and if amended, Section 56‑15‑415(D), as contained in SECTION 1, page 2, by deleting Section 56‑15‑415(D), and inserting:

/ (D) All providers of continuing education must be approved by the Department of Motor Vehicles. /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIS 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 98; Nays 6

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | R. L. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Forrester | Funderburk | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardwick | Hayes |
| Henderson | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Long | Lowe | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Weeks | Wells |
| Whipper | Whitmire | Williams |
| Willis | Wood |  |

**Total--98**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Gagnon | Loftis | Sandifer |
| Southard | Thayer | White |

**Total--6**

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

**OBJECTION TO MOTION**

Rep. WILLIS asked unanimous consent that H. 4997 be read a third time tomorrow.

Rep. WHITE objected.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the remainder of the day.

**H. 4927--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4927 -- Rep. K. R. Crawford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-55-325 SO AS TO REQUIRE THAT A LIFE INSURANCE COMPANY MUST PROVIDE CERTAIN INFORMATION ABOUT A DECEASED INSURED'S LIFE INSURANCE TO A FUNERAL DIRECTOR OR AN EMPLOYEE OF A FUNERAL DIRECTOR, AND TO PROVIDE REMEDIES FOR A VIOLATION.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| Burns | Clemmons | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| V. S. Moss | Munnerlyn | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| 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 | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | 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.

**H. 4927--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 4927 be read the third time tomorrow.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5112 -- Reps. Norman, Delleney, Felder, King, Long, D. C. Moss, V. S. Moss, Pope and Simrill: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE YORK POLICE DEPARTMENT ON BEING NAMED AGENCY OF THE YEAR AMONG POLICE DEPARTMENTS OF SIMILAR SIZE BY THE SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5117 -- Reps. Clemmons, Goldfinch, Stringer, Burns, Bedingfield, Loftis, K. R. Crawford, Putnam, Rivers, Erickson, J. R. Smith, Gagnon, Hamilton, Long, Lowe and V. S. Moss: A CONCURRENT RESOLUTION TO SUPPORT A COMPREHENSIVE STATE MANAGEMENT PROCESS TO ASSESS THE IMMEDIACY, SEVERITY, AND PROBABILITY OF RISKS FROM ANY REDUCTIONS OF FEDERAL FUNDS TO THE STATE AND HOW THE STATE WILL MARSHAL ITS RESOURCES, BOTH HUMAN AND CAPITAL, TO PRIORITIZE AND PROVIDE THE MOST ESSENTIAL GOVERNMENT SERVICES.

The Concurrent Resolution was ordered referred to the Committee on Ways and Means.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 10, 2014, at 1:15 P.M. and the following Acts were ratified:

(R. 166, S. 137) -- Senators Lourie, L. Martin, Hayes, Fair, Davis, Ford, Cromer, Grooms and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “EMMA’S LAW”; TO AMEND SECTION 56‑1‑286, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OF A PERSON UNDER THE AGE OF TWENTY‑ONE FOR HAVING AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, TO REDUCE THE TIME PERIOD FROM FIVE TO THREE YEARS IN WHICH A PERSON WHO REFUSES TO TAKE A BREATH TEST MUST HAVE HIS DRIVING RECORD EVALUATED TO DETERMINE WHETHER HIS DRIVING PRIVILEGE SUSPENDED FOR ONE YEAR FOR PREVIOUSLY VIOLATING A PROVISION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, TO REDUCE THE TIME PERIOD FROM FIVE TO THREE YEARS IN WHICH A PERSON WHO HAS AN ALCOHOL CONCENTRATION OF TWO ONE‑HUNDREDTHS OF ONE PERCENT OR MORE MUST HAVE HIS DRIVING RECORD EVALUATED TO DETERMINE WHETHER HIS DRIVING PRIVILEGE IS SUSPENDED FOR ONE YEAR FOR PREVIOUSLY VIOLATING A PROVISION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, TO DELETE REFERENCES TO SECTION 56‑5‑2950, TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”; TO AMEND SECTION 56‑1‑400, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE, A DRIVER’S LICENSE RENEWAL OR ITS RETURN, AND THE ISSUANCE OF A DRIVER’S LICENSE THAT RESTRICTS THE DRIVER TO OPERATING ONLY A VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE FOR THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE FOR THE VIOLATION OF CERTAIN MOTOR VEHICLE OFFENSES, TO PROVIDE A FEE FOR THE LICENSE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED FROM THE ISSUANCE OF THE LICENSE, TO REVISE THE PERIOD OF TIME THAT A PERSON’S DRIVER’S LICENSE MUST BE SUSPENDED WHEN HE REFUSES TO HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON HIS VEHICLE WHEN REQUIRED BY LAW AND WHEN HE CONSENTS TO HAVE THE DEVICE INSTALLED ON HIS VEHICLE, TO REVISE THE PROCEDURE WHEREBY A PERSON WHO ONLY MAY OPERATE A VEHICLE DURING THE TIME FOR WHICH HE IS SUBJECT TO HAVING AN IGNITION INTERLOCK DEVICE INSTALLED ON A VEHICLE MAY OBTAIN PERMISSION FROM THE DEPARTMENT OF MOTOR VEHICLES TO DRIVE A VEHICLE THAT IS NOT EQUIPPED WITH THIS DEVICE; TO AMEND SECTION 56‑1‑460, AS AMENDED, RELATING TO DRIVING A MOTOR VEHICLE WITH A CANCELED, SUSPENDED, OR REVOKED DRIVER’S LICENSE, SO AS TO REVISE THE PENALTY FOR A THIRD OR SUBSEQUENT OFFENSE, MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THIS PROVISION APPLIES ALSO TO A DRIVER’S LICENSE THAT IS SUSPENDED OR REVOKED PURSUANT TO SECTION 56‑5‑2945; TO AMEND SECTION 56‑1‑748, AS AMENDED, RELATING TO THE ISSUANCE OF A RESTRICTED DRIVER’S LICENSE TO A PERSON WHO IS INELIGIBLE TO OBTAIN A SPECIAL RESTRICTED DRIVER’S LICENSE, SO AS TO MAKE TECHNICAL CHANGES, AND TO ALLOW A PERSON WHO POSSESSES A ROUTE-RESTRICTED DRIVER’S LICENSE TO USE THE DRIVER’S LICENSE TO ATTEND ALCOHOL AND DRUG SAFETY ACTION PROGRAM CLASSES OR A COURT-ORDERED DRUG PROGRAM IN ADDITION TO THE OTHER PERMITTED USES OF THE DRIVER’S LICENSE; TO REPEAL SECTION 56‑1‑1310 RELATING TO THE DEFINITION OF THE TERM “CONVICTED”; TO AMEND SECTION 56‑1‑1320, RELATING TO THE ISSUANCE OF A PROVISIONAL DRIVER’S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES; TO REPEAL SECTION 56‑1‑1350 RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIREMENT THAT A PERSON MUST PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AND ASSURANCE OF HIS ACCEPTANCE INTO AN ALCOHOL TRAFFIC SAFETY SCHOOL PRIOR TO BEING ISSUED A PROVISIONAL DRIVER’S LICENSE; TO AMEND SECTION 56‑5‑2941, AS AMENDED, RELATING TO THE REQUIREMENT THAT A PERSON WHO IS CONVICTED OF CERTAIN OFFENSES SHALL HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON ANY MOTOR VEHICLE HE DRIVES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS SECTION APPLIES TO AN OFFENSE CONTAINED IN SECTION 56‑5‑2947, TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO CERTAIN PROVISIONS OF LAW, TO REVISE THE PROCEDURES THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL FOLLOW WHEN IT WAIVES OR WITHDRAWS THE WAIVER OF THE REQUIREMENTS OF THIS SECTION, TO REVISE THE TIME THAT A DEVICE IS REQUIRED TO BE AFFIXED TO A MOTOR VEHICLE, TO REVISE THE LENGTH OF TIME A PERSON MUST HAVE A DEVICE INSTALLED ON A VEHICLE BASED UPON THE ACCUMULATION OF POINTS UNDER THE IGNITION INTERLOCK DEVICE POINT SYSTEM, TO PROVIDE FOR THE USE OF FUNDS CONTAINED IN THE IGNITION INTERLOCK DEVICE FUND, TO REVISE THE AMOUNT THIS IGNITION INTERLOCK SERVICE PROVIDER SHALL COLLECT AND REMIT TO THE IGNITION INTERLOCK DEVICE FUND, TO PROVIDE A PENALTY FOR A PERSON’S FAILURE TO HAVE THE IGNITION INTERLOCK DEVICE INSPECTED EVERY SIXTY DAYS OR FAILS TO COMPLETE A RUNNING RETEST OF THE DEVICE, TO REVISE THE INFORMATION THAT MUST BE CONTAINED IN AN INSPECTION REPORT OF A DEVICE AND PENALTIES ASSOCIATED WITH VIOLATIONS CONTAINED IN THE REPORT, TO DECREASE THE NUMBER OF IGNITION INTERLOCK DEVICE POINTS THAT MAY BE APPEALED, TO PROVIDE THAT THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES MUST PROVIDE A NOTICE OF ASSESSMENT OF IGNITION INTERLOCK DEVICE POINTS THAT MUST ADVISE A PERSON OF HIS RIGHT TO REQUEST A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS AND THAT UNDER CERTAIN CIRCUMSTANCE HIS RIGHT TO A HEARING IS WAIVED, TO PROVIDE THE PROCEDURE TO OBTAIN A HEARING, THE POTENTIAL OUTCOMES THAT MAY RESULT FROM A HEARING, AND THE PROCEDURES TO BE FOLLOWED DURING THE HEARING, TO REVISE THE TIME PERIOD IN WHICH A PERSON MAY APPLY FOR THE REMOVAL OF AN IGNITION INTERLOCK DEVICE FROM A MOTOR VEHICLE AND THE REMOVAL OF THE RESTRICTION FROM THE PERSON’S DRIVER’S LICENSE, TO REVISE THE PENALTIES APPLICABLE TO A PERSON WHO IS SUBJECT TO THE PROVISIONS OF THIS SECTION AND IS FOUND GUILTY OF VIOLATING THEM, TO REQUIRE A PERSON WHO OPERATES AN EMPLOYER’S VEHICLE PURSUANT TO THIS SECTION TO HAVE A COPY OF THE DEPARTMENT OF MOTOR VEHICLE’S FORM, CONTAINED IN SECTION 56‑1‑400, TO PROVIDE THAT OBSTRUCTING OR OBSCURING THE CAMERA LENS OF AN IGNITION INTERLOCK DEVICE CONSTITUTES TAMPERING, TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN LEASED VEHICLES, TO PROVIDE THAT A DEVICE MUST CAPTURE A PHOTOGRAPHIC IMAGE OF THE DRIVER AS HE OPERATES THE IGNITION INTERLOCK DEVICE, TO PROVIDE THAT THESE IMAGES MAY BE USED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO AID ITS MANAGEMENT OF THE IGNITION INTERLOCK DEVICE PROGRAM, TO PROVIDE THAT NO POLITICAL SUBDIVISION OF THE STATE MAY BE HELD LIABLE FOR ANY INJURY CAUSED BY A PERSON WHO OPERATES A MOTOR VEHICLE AFTER THE USE OR ATTEMPTED USE OF AN IGNITION INTERLOCK DEVICE, AND TO PROVIDE RESTRICTIONS ON THE USE AND RELEASE OF INFORMATION OBTAINED REGARDING A PERSON’S PARTICIPATION IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56‑5‑2942, AS AMENDED, RELATING TO THE IMMOBILIZATION OF A PERSON’S VEHICLE UPON HIS CONVICTION OF AN ALCOHOL‑RELATED DRIVING OFFENSE, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO VEHICLES OWNED OR REGISTERED TO A PERSON WHO HOLDS A VALID IGNITION INTERLOCK RESTRICTED LICENSE, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑2945, AS AMENDED, RELATING TO THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL AND GREAT BODILY INJURY OR DEATH OCCURS, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION RELATING TO THE PERIOD OF INCARCERATION THAT MUST BE IMPOSED UPON A PERSON FOR A CONVICTION OF A CRIME CONTAINED IN THIS SECTION WHEN GREAT BODILY INJURY OR DEATH OCCURS, AND TO PROVIDE THAT AFTER A PERSON IS RELEASED FROM PRISON AFTER A CONVICTION FOR AN OFFENSE CONTAINED IN THIS SECTION, HE IS REQUIRED TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, HAVE THE SUSPENSION OF HIS DRIVER’S LICENSE ENDED, AND OBTAIN AN IGNITION INTERLOCK RESTRICTED LICENSE, AND TO SPECIFY THE PERIOD OF TIME IN WHICH AN IGNITION INTERLOCK DEVICE MUST BE AFFIXED TO A MOTOR VEHICLE FOR CERTAIN CONVICTIONS; TO AMEND SECTION 56‑5‑2947, AS AMENDED, RELATING TO THE OFFENSE OF CHILD ENDANGERMENT, SO AS TO MAKE TECHNICAL CHANGES, TO REVISE THE PERIOD OF A DRIVER’S LICENSE SUSPENSION FOR A CONVICTION FOR THE VARIOUS INFRACTIONS CONTAINED IN THIS SECTION, TO PROVIDE THAT A PERSON CONVICTED OF CHILD ENDANGERMENT FOR CERTAIN INFRACTIONS CONTAINED IN THIS SECTION SHALL ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, HAVE HIS PERIOD OF DRIVER’S LICENSE SUSPENDED, AND OBTAIN AN IGNITION INTERLOCK RESTRICTED DRIVER’S LICENSE, TO PROVIDE THE PERIOD OF TIME AN IGNITION INTERLOCK DEVICE MUST BE AFFIXED TO A MOTOR VEHICLE, TO REVISE THIS EFFECTIVE DATE OF ENROLLMENT IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM AND THE ISSUANCE OF A PROVISIONAL DRIVER’S LICENSE, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑2950, AS AMENDED, RELATING TO A PERSON WHO OPERATES A MOTOR VEHICLE GIVING IMPLIED CONSENT TO SUBMIT TO CHEMICAL TESTS TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS IN HIS BODY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT CERTAIN PERIODS OF DRIVER’S LICENSE SUSPENSION CONTAINED IN THIS SECTION MAY BE ENDED IF A PERSON ENROLLS IN THE IGNITION INTERLOCK DEVICE PROGRAM, AND TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OF A PERSON WHO REFUSES TO BE TESTED TO DETERMINE HIS ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”, TO REQUIRE THAT A PERSON WHO DOES NOT REQUEST A CONTESTED CASE HEARING ENROLL IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM, TO PROVIDE AN EXCEPTION TO CERTAIN PERIODS OF DRIVER’S LICENSE SUSPENSION OR ISSUANCE OF A LICENSE OR PERMIT CONTAINED IN THIS SECTION IF A PERSON ENROLLS IN THE IGNITION INTERLOCK DEVICE PROGRAM, OBTAINS AN IGNITION INTERLOCK RESTRICTED LICENSE, AND HAS AN IGNITION INTERLOCK DEVICE AFFIXED TO CERTAIN MOTOR VEHICLES FOR A CERTAIN PERIOD OF TIME, TO REVISE THE LIST OF OFFENSES THAT ARE APPLICABLE TO THIS PROVISION, TO REVISE THE CONDITIONS THAT MUST BE MET BEFORE A PERSON’S PRIVILEGE TO OPERATE A VEHICLE MUST BE RESTORED, AND TO DELETE THE DEPARTMENT OF MOTOR VEHICLES AUTHORITY TO PROMULGATE REGULATIONS UNDER THIS SECTION; AND TO AMEND SECTION 56‑5‑2990, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF CERTAIN ALCOHOL AND DRUG-RELATED DRIVING OFFENSES, SO AS TO MAKE TECHNICAL CHANGES, TO REVISE THE PENALTIES CONTAINED IN THIS PROVISION, TO SPECIFY THE OFFENSES THAT ARE CONSIDERED PRIOR OFFENSES, TO REVISE THE LIST OF OFFENSES THAT ARE COVERED BY THIS PROVISION, AND TO PROVIDE THE CIRCUMSTANCES UPON WHICH THE DEPARTMENT OF MOTOR VEHICLES MAY WAIVE THE SUCCESSFUL COMPLETION OF THE ALCOHOL AND DRUG SAFETY PROGRAM AS A MANDATORY REQUIREMENT OF THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE.

(R. 167, S. 714) -- Senator Hutto: AN ACT TO AMEND CHAPTER 15, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NONGAME AND ENDANGERED SPECIES CONSERVATION ACT, SO AS TO RENAME THIS CHAPTER “NONGAME AND ENDANGERED SPECIES”, TO DESIGNATE THE CHAPTER’S EXISTING SECTIONS AS “ARTICLE 1 NONGAME AND ENDANGERED WILDLIFE SPECIES”, TO DELETE THE SECTION THAT REGULATES ALLIGATOR HUNTING, CONTROL, AND MANAGEMENT, TO ADD ARTICLE 3 TO THIS CHAPTER ENTITLED THE “SOUTH CAROLINA CAPTIVE ALLIGATOR PROPAGATION ACT” WHICH ALLOWS THE DEPARTMENT OF NATURAL RESOURCES TO REGULATE THE BUSINESS OF PROPAGATING ALLIGATORS FOR COMMERCIAL PURPOSES AND THE HUNTING, CONTROL, AND MANAGEMENT OF ALLIGATORS; BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 50 SO AS TO ENTITLE THIS ARTICLE “ALLIGATOR MANAGEMENT PROGRAM” WHICH ALLOWS THE DEPARTMENT TO REGULATE THE TAKING OF ALLIGATORS UNDER CONTROLLED CONDITIONS AND CIRCUMSTANCES IN COMPLIANCE WITH FEDERAL LAW; AND BY ADDING SECTION 50‑9‑460 SO AS TO PROVIDE FEES TO APPLY FOR, OBTAIN, AND RENEW AN ALLIGATOR PROPAGATION FACILITY PERMIT.

(R. 168, S. 842) -- Senator Cleary: AN ACT TO AMEND CHAPTER 12, TITLE 25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VETERAN’S UNCLAIMED CREMATED REMAINS, SO AS TO PROVIDE THAT A CORONER MAY WORK WITH A VETERANS SERVICE ORGANIZATION TO PROVIDE FOR THE DISPOSITION OF UNCLAIMED CREMATED REMAINS OF A VETERAN PURSUANT TO THE PROVISIONS CONTAINED IN THIS CHAPTER.

(R. 169, S. 1028) -- Senator Alexander: AN ACT TO AMEND SECTION 50‑25‑1010, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT OPERATED ON TUGALO LAKE, SO AS TO PROVIDE THAT NO MOTOR IN EXCESS OF TWENTY-FIVE HORSEPOWER SHALL BE USED ON LAKE TUGALO INSTEAD OF TWENTY HORSEPOWER.

(R. 170, H. 3919) -- Reps. Owens, Bowen, Patrick, Taylor, Anderson, Allison, Brannon, Loftis, Ballentine, Rivers, Huggins, Knight, Simrill, King, Willis, Whitmire, McCoy, Anthony, Crosby, Neal, Clyburn, Barfield, Bedingfield, R.L. Brown, Cobb‑Hunter, George, Hayes, Hiott, Hixon, Hosey, Lucas, Pope, Putnam, G.R. Smith, Wells, Wood, Whipper, Mitchell, Robinson‑Simpson and Dillard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑18‑325 SO AS TO PROVIDE THAT ALL STUDENTS ENTERING THE ELEVENTH GRADE FOR THE FIRST TIME IN SCHOOL YEAR 2014‑2015 AND SUBSEQUENT YEARS MUST BE ADMINISTERED A COLLEGE AND CAREER READINESS ASSESSMENT AND A WORKKEYS ASSESSMENT, AND TO PROVIDE FOR THE ACCEPTABLE USES OF THESE ASSESSMENTS RESULTS; TO AMEND SECTION 59‑18‑310, AS AMENDED, RELATING TO THE EXIT EXAM REQUIRED FOR HIGH SCHOOL GRADUATION, SO AS TO ELIMINATE THIS REQUIREMENT FOR STUDENTS BEGINNING WITH THE GRADUATING CLASS OF 2015, TO PROVIDE PROCEDURES THAT FORMER PUBLIC HIGH SCHOOL STUDENTS WHO DID NOT GRADUATE OR RECEIVE A DIPLOMA SOLELY FOR FAILING THIS EXIT EXAM MAY PETITION BY JANUARY 31, 2015 TO OBTAIN A HIGH SCHOOL DIPLOMA, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO ADVERTISE INFORMATION ABOUT THIS PETITION PROCESS TO THE PUBLIC IN A CERTAIN MANNER, TO PROVIDE RELATED REPORTING REQUIREMENTS OF SCHOOL DISTRICTS AND THE DEPARTMENT, AND TO REQUIRE THE DEPARTMENT TO REMOVE ANY CONFLICTING REQUIREMENTS AND PROMULGATE REGULATIONS WITH CONFORMING CHANGES; TO AMEND SECTION 59‑18‑950, RELATING TO PUBLIC SCHOOL AND PUBLIC SCHOOL DISTRICT REPORT CARDS, SECTION 59‑48‑35, RELATING TO THE GOVERNOR’S SCHOOL FOR SCIENCE AND MATHEMATICS, AND SECTION 59‑139‑60, RELATING TO ASSESSMENTS OF EARLY CHILDHOOD ACADEMIC ASSISTANCE, ALL SO AS TO MAKE CONFORMING CHANGES.

(R. 171, H. 4574) -- Reps. Hardwick and W.J. McLeod: AN ACT TO AMEND SECTION 40‑23‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE ENVIRONMENTAL CERTIFICATION BOARD, SO AS TO REVISE AND ADD DEFINITIONS; TO AMEND SECTION 40‑23‑90, RELATING TO BOARD INVESTIGATIONS OF COMPLAINTS AGAINST LICENSEES, SO AS TO CHANGE THE MANNER IN WHICH AN INITIAL COMPLAINT MAY BE REFERRED TO AN INVESTIGATOR; TO AMEND SECTION 40‑23‑95, RELATING TO REFERRALS OF VIOLATIONS FROM THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO THE BOARD, SO AS TO ELIMINATE THE AUTHORITY OF THE BOARD WITH RESPECT TO REPORTS OF CERTAIN VIOLATIONS THAT DO NOT ALLEGE UNLICENSED PRACTICE; TO AMEND SECTION 40‑23‑230, RELATING TO LICENSEES, SO AS TO ELIMINATE A PROVISION THAT ENABLES CERTAIN LICENSEES FROM OBTAINING CLASS “A” OR CLASS “B” WELL DRILLER LICENSES WHEN MEETING CERTAIN CRITERIA; TO AMEND SECTION 40‑23‑300, RELATING TO CERTIFICATION CLASSES OF WATER TREATMENT OPERATORS, SO AS TO REVISE CRITERIA FOR TRAINEE WATER OPERATORS AND CLASS “E” WATER TREATMENT OPERATORS; TO AMEND SECTION 40‑23‑310, RELATING TO WATER DISTRIBUTION SYSTEM OPERATOR LICENSES, SO AS TO REVISE CRITERIA FOR TRAINEE WATER DISTRIBUTION SYSTEM OPERATORS AND CLASS “D” WATER DISTRIBUTION SYSTEM OPERATORS; TO AMEND SECTION 40‑23‑320, RELATING TO LICENSURE AS A CLASS “C” ENVIRONMENTAL, COASTAL, OR ROCK WELL DRILLER, SO AS TO REMOVE THE MINIMUM AGE REQUIREMENTS, AND TO REPLACE THE REQUIREMENT OF HAVING AT LEAST ONE YEAR OF EXPERIENCE AS AN APPRENTICE WITH AT LEAST ONE YEAR OF EXPERIENCE AS A CLASS “D” WELL DRILLER; AND TO AMEND SECTION 40‑23‑340, RELATING TO RESTRICTIONS ON WELL DRILLERS ACCORDING TO CLASSIFICATION OF THE WELL DRILLER, SO AS TO REVISE RESTRICTIONS ON CLASS “D” AND CLASS “C” WELL DRILLERS.

(R. 172, H. 4604) -- Reps. Sandifer, Mack and Toole: AN ACT TO AMEND SECTION 40‑22‑280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE LICENSURE REQUIREMENT TO PRACTICE ENGINEERING, SO AS TO PROVIDE AN EXEMPTION FOR CERTAIN ACTIVITIES PERFORMED BY FULL‑TIME EMPLOYEES OR OTHER PERSONNEL OF A MANUFACTURING COMPANY, AND TO DEFINE NECESSARY TERMS.

(R. 173, H. 4820) -- Reps. Norman, King, Long, D.C. Moss, Delleney, Felder, V.S. Moss, Pope and Simrill: AN ACT TO AMEND ACT 473 OF 2002, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO ESTABLISH AND REAPPORTION THESE ELECTION DISTRICTS.

**INTRODUCTION OF BILLS**

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

H. 5113 -- Rep. Edge: A BILL TO AMEND SECTION 8-13-1120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTENTS OF A STATEMENT OF ECONOMIC INTERESTS, SO AS TO FURTHER PROVIDE FOR A PUBLIC OFFICIAL, PUBLIC MEMBER, OR PUBLIC EMPLOYEE TO REPORT COMPENSATION HE RECEIVED AS AN EMPLOYEE OR ASSOCIATE OF A BUSINESS CONTRACTED AS A SUBCONTRACTOR.

Referred to Committee on Judiciary

H. 5114 -- Rep. Edge: A BILL TO AMEND SECTIONS 51-1-10, 51-1-20, 51-1-60, 51-1-90, ALL AS AMENDED, AND 51-1-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, 51-11-10, 51-11-15, BOTH AS AMENDED, RELATING TO THE RECREATION LAND TRUST FUND, 51-13-2120, RELATING TO REGIONAL DISTRICTS, COMMISSIONS, AND AUTHORITIES, 51-17-50, AS AMENDED, RELATING TO THE HERITAGE TRUST PROGRAM, 51-18-60, AS AMENDED, RELATING TO THE WAR BETWEEN THE STATES HERITAGE TRUST PROGRAM, AND 51-19-10, AS AMENDED, RELATING TO THE OLD EXCHANGE BUILDING COMMISSION, ALL SO AS TO CHANGE THE HEAD OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM FROM THE "DIRECTOR" TO THE "SECRETARY".

Referred to Committee on Ways and Means

H. 5115 -- Rep. Bannister: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO FILE TAX LIENS VALIDLY BY IMPLEMENTING AN INTERNET ACCESSIBLE NOTICE SYSTEM.

Referred to Committee on Ways and Means

H. 5116 -- Reps. Tallon and Bannister: A BILL TO AMEND SECTION 38-53-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITED BAIL BONDSMEN ACTIONS, SO AS TO REVISE THE MINIMUM FEE THAT MUST BE CHARGED AND COLLECTED BEFORE A BONDSMAN MAY EXECUTE A BOND, TO PROVIDE A BONDSMAN MAY ENTER A PAYMENT AGREEMENT BY COMPLYING WITH CERTAIN REQUIREMENTS, TO REVISE REQUIREMENTS FOR THE RETURN OF COLLATERAL BY A BONDSMAN, AND TO REQUIRE BONDSMEN TO PROVIDE CERTAIN NOTICE BEFORE CONVERTING COLLATERAL TO CASH AND REQUIRING BONDSMEN TO RETURN MONEY RECEIVED FROM THE CONVERSION THAT EXCEEDS THE FINAL JUDGMENT OR CONSENT AMOUNT, LESS REASONABLE FEES.

Referred to Committee on Judiciary

H. 5118 -- Reps. Clemmons, Goldfinch, Stringer, Burns, Bedingfield, Loftis, K. R. Crawford, Putnam, Erickson, Long, J. R. Smith, Gagnon, Hamilton, Lowe, V. S. Moss and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-65-140 SO AS TO REQUIRE THAT BY OCTOBER THIRTY-FIRST OF EACH YEAR, EACH STATE AGENCY SHALL SUBMIT A REPORT DETAILING ITS FEDERAL RECEIPTS AND DEVELOPING A PLAN SHOULD ITS FEDERAL RECEIPTS BE REDUCED, TO REQUIRE THAT BY FEBRUARY FIFTEENTH OF EACH YEAR, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE MUST PLACE THE MOST RECENTLY RECEIVED REPORT ON THE AGENDA FOR REVIEW AND CONSIDERATION.

Referred to Committee on Ways and Means

H. 5119 -- Reps. Clemmons, Goldfinch, Stringer, Burns, Bedingfield, Loftis, Putnam, Erickson, J. R. Smith, K. R. Crawford, Gagnon, Hamilton, Long, Lowe and V. S. Moss: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA FEDERAL FUNDS STUDY COMMITTEE, TO PROVIDE FOR ITS MEMBERSHIP, AND TO PROVIDE THAT THE COMMITTEE SHALL STUDY AND MAKE APPROPRIATE FINDINGS AND RECOMMENDATIONS REGARDING THE EFFECT OF A REDUCTION IN THE AMOUNT OF FEDERAL FUNDS RECEIVED BY THE STATE OF SOUTH CAROLINA AND ITS POLITICAL SUBDIVISIONS.

Referred to Committee on Ways and Means

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA READ TO SUCCEED ACT"; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

Referred to Committee on Education and Public Works

S. 1178 -- Senators Hembree and Campsen: A BILL TO AMEND ARTICLE 10, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO WILDLIFE MANAGEMENT AREAS, TO PROVIDE THAT A HUNTER'S PRIVILEGE TO PARTICIPATE IN LOTTERY HUNTS MAY BE REVOKED IF A DEPARTMENT OF NATURAL RESOURCES ENFORCEMENT OFFICER WITNESSES, OR HAS PROBABLE CAUSE TO BELIEVE THAT, A VIOLATION OF THE ARTICLE HAS OCCURRED; AND TO PROVIDE FOR REMEDIES IF THE HUNTER IS NOT CONVICTED OF VIOLATIONS OF THIS ARTICLE ARISING FROM THE LOTTERY HUNT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1198 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER POLLUTION CONTROL PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4444, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**H. 4457--RECONSIDERED**

Rep. BINGHAM moved to reconsider the vote whereby the following Bill was given unanimous consent for third reading tomorrow, which was agreed to:

H. 4457 -- Rep. Finlay: A BILL TO AMEND SECTION 8-13-1348, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES AND OTHER RELATED PROVISIONS, SO AS TO PROVIDE THAT FINES, FEES, OR OTHER CHARGES IMPOSED BY AN APPROPRIATE SUPERVISORY OFFICE MAY NOT BE PAID FROM CAMPAIGN FUNDS.

**H. 4457--RECONSIDERED**

Rep. BINGHAM moved to reconsider the vote whereby the following Bill was given second reading, which was agreed to:

H. 4457 -- Rep. Finlay: A BILL TO AMEND SECTION 8-13-1348, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES AND OTHER RELATED PROVISIONS, SO AS TO PROVIDE THAT FINES, FEES, OR OTHER CHARGES IMPOSED BY AN APPROPRIATE SUPERVISORY OFFICE MAY NOT BE PAID FROM CAMPAIGN FUNDS.

**H. 4602--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. STAVRINAKIS, with unanimous consent, it was ordered that H. 4602 be read the third time tomorrow.

**OBJECTION TO RECALL**

Rep. CROSBY asked unanimous consent to recall H. 3120 from the Committee on Judiciary.

Rep. DELLENEY objected.

**OBJECTION TO RECALL**

Rep. FORRESTER asked unanimous consent to recall H. 4346 from the Committee on Judiciary.

Rep. WILLIAMS objected.

**OBJECTION TO RECALL**

Rep. GOLDFINCH asked unanimous consent to recall H. 4999 from the Committee on Ways and Means.

Rep. WHITE objected.

**H. 4997--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HERBKERSMAN, with unanimous consent, it was ordered that H. 4997 be read the third time tomorrow.

**MOTION ADOPTED**

Rep. K. R. CRAWFORD moved that when the House adjourn today, it stand adjourned to meet in Local Session on Friday, April 11, and to next meet in Statewide Session on Tuesday, April 29 at 12:00 noon, which was agreed to.

Rep. K. R. CRAWFORD moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5082 -- Reps. Owens, 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, Norrell, R.L. Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. JAMES C. “JIMMIE” WILLIAMSON ON THE OCCASION OF HIS SELECTION BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AS TWELFTH PRESIDENT AND EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM AND TO WISH HIM MUCH SUCCESS IN HIS NEW POSITION.

**ADJOURNMENT**

At 2:12 p.m. the House, in accordance with the motion of Rep. RIDGEWAY, adjourned in memory of Gregory Witherspoon of Manning, to meet at 10:00 a.m. tomorrow.

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